



Government of **Western Australia**
Department of **Mines and Petroleum**

APPLICATION TO AMEND THE REGISTER

To prevent fraud and protect title holders in Western Australia, the Department of Mines and Petroleum has tightened requirements to ensure the integrity of the Mineral Titles register.

The *Mining Act 1978* and regulations make provision for the details in the register to be amended. Section 103G makes provision for a person to apply for the amendment of particulars in the register in relation to a mining tenement. The person may apply in the prescribed manner and prescribed form.

The prescribed form is the Form 30 in schedule 1 to the *Mining Regulations 1981*. Importantly, the form is to be completed in accordance with the directions that are specified in the form. The Form 30 specifies that for the signature of the applicant or holder to be endorsed on the form.

In order to identify the signatory of the Form 30, name details and authority details must be legibly printed immediately below the signature. The Application to Amend form will be rejected if the signatory cannot be clearly identified as the applicant or holder of the mining tenement.

There is no provision in the legislation for an agent of the applicant or holder to apply to amend the particulars in the register. An agent must have a registered power of attorney to sign the Application to Amend form on behalf of the applicant or holder. An application to amend that is not properly authorised will be rejected.

If an authorised officer is satisfied there is reasonable cause for the amendment, the authorised officer may amend the particulars accordingly. The Application to Amend form must be accompanied with a statutory declaration giving evidence that demonstrates to the authorised officer there is reasonable cause for the amendment. An application to amend that is not supported by evidence in the form of a statutory declaration that clearly sets out the reasonable cause to amend the register will be rejected.

These practices are implemented by the Mineral Titles Division to safeguard the security of mineral titles.

EXECUTIVE DIRECTOR
MINERAL TITLES DIVISION