



## GUIDELINES FOR COMPLETION OF STATE DEED (DEED FOR GRANT OF MINING TENEMENT)

### BY NATIVE TITLE PARTIES AND GRANTEE PARTIES

***Please read these guidelines before attempting to complete the Deed as errors may render the Deed invalid or may result in the Government party declining to execute the Deed***

- The Minister for Mines and Petroleum (or his representative) will execute the Deed only in the form as supplied to the parties by the Department of Mines, Industry Regulation and Safety (DMIRS) and after execution by all other parties to the Deed. In exceptional circumstances, if the parties need to alter the basic document, then they should discuss the desired alterations with DMIRS before altering or signing the Deed.
- Multiple native title claimants or tenements can be entered on the schedule to the Deed.
- The Deed must be signed by:
  1. The applicant or applicants for the mining tenement (the grantee party):
  2. The registered native title claimant or claimants (RNTC), whether signed the Deed via:
    - (a) A majority of persons comprising the RNTC: or
    - (b) If conditions under Section 251B of the *Native Title Act 1993(Cth)* (NTA) on the authority of the RNTC provide for such person – those persons:  
and
  3. Those people duly authorised by a power of attorney to sign the Deed.
- All parties must sign in accordance with their governing Articles of Association, except for individuals, who must follow the directions contained within the Deed.
- The National Native Title Tribunal, Client Services Branch (08 9425 1000) can provide advice on the details of the registered claimants and any conditions under Section 251B of the NTA as at the end of the Section 29 *Native Title Act 1993* (Cth) advertising period and the date the claim was entered on the Register of Native Title Claims. In the case of combined claims it is suggested that you contact DMIRS Resource Tenure Branch. (See below)
- All signatures must be witnessed by an independent party to the document.
- Do not fill in the date on the front cover page nor in clause 1 of the schedule. This will be filled in with the date on which the Minister for Mines and Petroleum (or his representative) signs the Deed.
- Any changes or alterations must be initialled by all parties to the Deed.
- This proforma Deed itself, has been designed to be submitted as an original document, but in the event of this Deed being re-typed, every care should be taken to avoid errors.
- It is important to forward the Deed to the DMIRS, Resource Tenure Branch, for execution as soon as possible after all other parties have signed it as the Deed is not operative until it is executed by the Minister for Mines and Petroleum (or his representative).

- Forward at least one single unbound signed Deed to:

Department of Mines, Industry Regulation and Safety  
Resource Tenure Branch  
Locked Bag 100  
East Perth WA 6892

If you have any queries in relation to the completion of this Deed or require further copies please contact Resource Tenure Branch on telephone (08) 9222 3333.

Prepared by the  
Department of Mines, Industry Regulation and Safety  
Resource Tenure Branch

# CHECKLIST FOR STATE DEED

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## HAVE YOU ENSURED THAT:

1. THE SCHEDULE HAS BEEN COMPLETED
  
2. THE GRANTEE PARTY HAS SIGNED THE DOCUMENT AND WHERE APPROPRIATE THE COMPANY SEAL HAS BEEN INCLUDED
  
3. THE GRANTEE PARTY SIGNATURE HAS BEEN WITNESSED
  
4. SIGNATURES OF THE CORRECT NUMBER OF REGISTERED CLAIMANTS REQUIRED TO SIGN THE STATE DEED HAVE BEEN OBTAINED
  
5. THE REGISTERED CLAIMANT SIGNATURES HAVE EACH BEEN WITNESSED BY AN INDEPENDENT PARTY
  
6. ANY CHANGES OR ALTERATIONS TO THE DEED HAVE BEEN INITIALLED BY ALL PARTIES