FLOWCHART FOR PROCESSING APPLICATIONS FOR PROSPECTING/EXPLORATION LICENCES UNDER THE NATIVE TITLE ACT 1993 (Cth)

1. An Alternative Heritage Agreement is where a Grantee Party and NTP/s have;
   • previously entered into a Heritage Agreement that continue to have force or effect; or
   • entered into a new agreement which is a variation to the Standard Regional Heritage Agreement

2. Assumes that the Standard Heritage Agreement or Alternative Heritage Agreement contains a clause to this effect

3. It is possible that an objection may be lodged by another registered (overlapping) claimant group.

4. Applicants will have 21 days from the date of DMP's letter and information package to provide evidence that they have:
   • an existing Standard/Alternative Heritage Agreement (if relevant); or
   • sent a signed Standard Heritage Agreement to the NTRB/NT Claimant
   • have an executed Alternative Heritage Agreement with the NTRB/NT claimant

PRE-EXISTING ALTERNATIVE/STANDARD HERITAGE AGREEMENTS AND NEW ALTERNATIVE AGREEMENT

Grantee Party provides a statutory declaration confirming the existence of a signed Standard Heritage Agreement or an executed Alternative Heritage Agreement (1)(i)

DMP will advertise the tenement under the expedited procedure

As a Standard Heritage Agreement or an Alternative Heritage Agreement has been entered into no objection should be lodged (2)(i)

NEW STANDARD HERITAGE AGREEMENT

Grantee Party confirms to DMP in a Mining Act affidavit or separate statutory declaration that a Standard Heritage Agreement has been signed and sent to NTRB or Native Title Claimant for it to execute (4) or that an alternative heritage agreement has been executed by the tenement holder & NTRB or Native Title Claimant.

DMP will then advertise the tenement under the expedited procedure

Parties are expected to execute a Standard Heritage Agreement within the expedited procedure objection period

NTRB/native title claimant execute a Standard Heritage Agreement or has an executed Alternative Heritage Agreement.

As a Standard Heritage Agreement or an Alternative Heritage Agreement has been entered into no objection should be lodged (2)(i)

NTRB/native title claimant fail or refuse to execute a Standard Heritage Agreement within the expedited procedure objection period and no objection to the expedited procedure is lodged.

(At expiry of 4 month referral period)

Tenement Granted

NO HERITAGE AGREEMENT

If the Grantee Party refuses to enter into or fail to advise DMP of its intention to enter into a Standard Heritage Agreement or does not have an executed Alternative Heritage Agreement (4), DMP will not process the application and consider refusal action being instigated under s11A of the Mining Act 1978.

NTRB/native title claimant no longer claims an interest in the tenement.

Objection is withdrawn or NNTT dismisses objection

Right to negotiate process under NTA applies and NGF (s31) commences

1. An Alternative Heritage Agreement is values a Grantee Party and NTP/s have,
   • previously entered into a Heritage Agreement that continue to have force or effect; or
   • entered into a new agreement which is a variation to the Standard Regional Heritage Agreement

2. Assumes that the Standard Heritage Agreement or Alternative Heritage Agreement contains a clause to this effect

3. It is possible that an objection may be lodged by another registered (overlapping) claimant group.

4. Applicants will have 21 days from the date of DMP's letter and information package to provide evidence that they have:
   • an existing Standard/Alternative Heritage Agreement (if relevant); or
   • sent a signed Standard Heritage Agreement to the NTRB/NT Claimant
   • have an executed Alternative Heritage Agreement with the NTRB/NT claimant

ONT/DMP Final Draft