

Deed Number _____
(for Office Use Only)

DATED the _____ day of _____ 20____
(to be filled in by the Minister only)

THE STATE OF WESTERN AUSTRALIA

and

THE MINISTER FOR MINES AND PETROLEUM

and

(NATIVE TITLE PARTY)

and

(GRANTEE PARTY)

DEED FOR GRANT OF MINING TENEMENT

Tenure and Native Title Branch
DEPARTMENT OF MINES AND PETROLEUM
100 Plain Street
East Perth WA 6004

Tel: (08) 9222 3810

Fax: (08) 9222 3808

DEED FOR GRANT OF MINING TENEMENT
Native Title Act 1993 (Cth) - Sections 28(1)(f) and 31(1)(b)
SCHEDULE

<p>1. Date of deed (to be entered by Minister only)</p>	
<p>2. Mining tenement(s)</p> <p>Application number(s)</p> <p>Type of tenement</p> <p>Mineral field</p>	
<p>3. Grantee party (applicant for mining tenement)</p> <p>Name(s)</p> <p>Address</p>	
<p>4. Native title party (Registered native title body corporate)</p> <p>Name</p> <p>Address</p> <p>Determination of native title application number</p> <p>Date entered on the National Native Title Register</p>	
<p>5. Ancillary agreement</p> <p>Native title party</p> <p>Other parties</p> <p>Date of ancillary agreement</p>	<p>YES / NO (delete the inapplicable)</p>

Initialed: _____
for Government party

for native title
prescribed body
corporate

for grantee party

6.3 The provisions of this deed and of any ancillary agreement are not conditions of the tenement(s) when granted under the *Mining Act 1978*.

DEED PREVAILS

7. The grantee party and the native title party acknowledge that the provisions of this deed prevail over the provisions of any ancillary agreement to the extent of any inconsistency.

GENERAL

8.1 Each party agrees, at its own expense, on the request of another party, to do everything reasonably necessary to give effect to this deed and the matters contemplated by it.

8.2 The native title party consents to the arbitral body making a determination that the tenement(s) may be granted subject only to the conditions in clauses 4.1, 4.2 and 4.3 above.

8.3 Each party will pay its own legal and other costs and expenses in connection with the preparation and completion of this deed, except for duty. The grantee party is to pay all duty (including fines or penalties) payable with respect to this deed.

8.4 The grantee party and the native title party authorise the Government party, and the Government party agrees, to give a copy of this deed to the arbitral body and to advise the relevant Minister in writing of the making of this deed.

8.5 This deed is governed by the law in force in the State of Western Australia.

8.6 This Deed may be executed in any number of counterparts. All counterparts, taken together, constitute one instrument. A Party may execute this Deed by signing any counterpart.

Initialled: _____
for Government party for native title prescribed body corporate for grantee party

EXECUTED as a deed

SIGNED for and on behalf of
THE MINISTER FOR MINES AND PETROLEUM and the STATE OF WESTERN AUSTRALIA

Name of authorised person (block letters)

Signature of authorised person

Office held

Date of signature

in the presence of:

Name of witness (block letters)

Signature of witness

Address of witness

Occupation of witness

Initialed: _____
for Government party

for native title
prescribed body
corporate

for grantee party

SIGNED BY

Name of grantee party

Signature of grantee party

in the presence of

Date of signature

Name of witness (block letters)

Signature of witness

Address of witness

Occupation of witness

OR IF THE GRANTEE IS A COMPANY

Note: Corporations law requires that a deed must be executed in accordance with the Articles of Association of the company, which is generally by affixing the common seal of the company to the deed in the presence of two directors, or one director and the company secretary. Grantee companies should check their Articles of Association. Alternatively, under section 127(1) of the Corporations Act 2001 a company can execute a document without using a common seal if the document is signed by two directors, or a director and a company secretary or for a proprietary company that has a sole director who is also the company secretary – that director.

Common seal
of grantee if a
company

The seal of the company was affixed hereto in accordance with the Articles of Association of the company in the presence of:

(Signature) _____
Director

(Name - block letters) _____
Director

Date of
affixing seal

(Signature) _____
Director/Secretary (delete inapplicable)

(Name - block letters) _____
Director/Secretary (delete inapplicable)

Initialed: _____
for Government party

_____ for native title
prescribed body
corporate

_____ for grantee party

WITHOUT SEAL

The deed was signed in accordance with section 127(1) of the Corporation Act 2001 in the presence of:

(Signature) _____
Director

(Name – block letters) _____
Director

(Signature) _____
Director/Secretary (delete inapplicable)

TO BE SOLE SIGNATORY ONLY WHERE COMPANY IS A PROPRIETARY COMPANY

(Name – block letters) _____
Director/Secretary (delete inapplicable)

Initialed: _____
for Government party

for native title
prescribed body
corporate

for grantee party

SIGNED BY

By executing this deed the signatories represent and warrant that they are authorised to execute this Deed on behalf of the native title party and all persons included in the native title holders

Common seal
of native title
party

The seal of the body corporate was affixed hereto in accordance with the Articles or Rules of Association of the body corporate in the presence of:

(Signature) _____
Director/Chairperson/Secretary/Treasurer (delete the inapplicable)

(Name - block letters) _____
Director/Chairperson/Secretary/Treasurer (delete the inapplicable)

Date of
affixing seal

(Signature) _____
Director/Chairperson/Secretary/Treasurer (delete inapplicable)

(Name - block letters) _____
Director/Secretary (delete inapplicable)

Initialed: _____
for Government party

_____ for native title
prescribed body
corporate

_____ for grantee party