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| **FORM 23C** | Mining Act 1971 (the ‘Act’) - Part 1 | C:\UserData\Documents\gosa_BW_v.png |
| **NOTICE OF WAIVER OF EXEMPTION** | |
| **USE THIS NOTICE TO:** | Notify the Mining Registrar an agreement under section 9AA of the Act, that is an agreement to waive the benefit of an exemption in relation to exempt land exists. | |

**Section A:** Tenement numbers

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| --- | --- | --- | --- | --- |
|  | TENEMENT TYPE | TENEMENT NUMBER | | MC900293188[1]Provide the tenement numbers of the tenements related to the agreement |
|  |  |  |  |
|  |  |  |  |

**Section B:** The owner of land who has the benefit of an exemption1 under section 9AA of the Act – party to the agreement

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Owner of land |  | | | MC900293188[1]Please refer to note below for information on who may be considered to be a landowner with a benefit of exempt land.  MC900293188[1]Attach a list if there are multiple parties to the agreement. |
|  |  | | |
| Email |  | | |
| Address |  | | |
| Suburb/Locality |  |  |  |
| State | Postcode |
| Type of owner |  | | |

1 Under the *Mining Act 1971,* the following persons shall be regarded as having the benefit of an exemption under section 9:

1. The owner of the exempt land; and
2. In the case of land that is exempt from mining operations under section 9(1)(d) by reason of its proximity to other land on which a building, structure, spring, well, reservoir or dam is situated – the owner of that other land.

**Section C:** I give notice as the tenement holder, who has entered into an agreement to waive the benefit of the exemption

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| Type |  | |  | | | MC900293188[1]Provide a postal address that can be used to contact you regarding this notice.  MC900293188[1]If ‘Company’, provide ABN/ACN. |
| Name |  | | | | |
| Address line 1 |  | | | | |
| Address line 2 |  | | | | |
| Suburb/locality |  | | | State | Postcode |
| ABN |  | ACN | |  | |

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| Name of contact person about this notice |  | | | MC900293188[1]A contact person **must** be nominated. |
| Email |  | | |
| Telephone |  | Mobile |  |

**Section D:** Location of exempt land

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| Section, Hundred |  | | | | MC900293188[1]Address all requirements.  MC900293188[1]Identify the land with as much detail as possible (a map may be attached).  MC900293188[1]Attach a list if required to reference the land.  MC900293188[1]Identify why the land is considered exempt land – ie a cultivated field. |
| Pastoral block |  | | | |
| Land Title reference |  | | | |
|  | Plan type | Plan number | Parcel type | Parcel number |
|  |  |  |  |  |
|  |  |  |  |  |
| Why is it exempt land? |  | | | |

**Section E:** Conditions

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| Are there any conditions to the agreement? |  | MC900293188[1]For example restrictions on the timing of authorised operations. |
| Are there any conditions to the agreement relevant to the authorised operations? |  |

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| Start date (if applicable) |  | MC900293188[1]Enter as dd/mm/yyyy |
| End date (if applicable) |  |

**Section F:** Declaration that the notice is complete and accurate

I declare the information provided in this notice is complete and accurate and meets the requirements of section 9AA of the Act and regulation 6 of the Mining Regulations 2020.

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| **TENEMENT HOLDER 1** | Individual or Company Representative 1 | | Individual’s Witness or Company Representative 2 | | MC900293188[1]Ensure that applicants sign in the correct order, as listed on page 1.  MC900293188[1]Ensure the tenement holder(s) (parties to the agreement) sign this form. |
| Print Name | 1. |  | 2. |  |
| Signature | 1. |  | 2. |  |
|  | | | | |
| **TENEMENT HOLDER 2** | Individual or Company Representative 1 | | Individual’s Witness or Company Representative 2 | |
| Print Name | 1. |  | 2. |  |
| Signature | 1. |  | 2. |  |

**COMPANY:** Sign in accordance with the *Corporations Act 2001*. If agent, written authority must be provided.

**INDIVIDUAL:** Signature must be witnessed by a person who is not a beneficiary of the agreement.

**Section G:** Declaration the notice is complete and accurate

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| I, the tenement holder, declare: |  | The information provided in this notice is complete and accurate and meets the requirements of section 9AA of the Act | MC900293188[1]Check that these items are complete.  See Appendix A for links to the required documents. |
|  | A copy of the agreement is stored with the tenement holder |
|  | A copy of the agreement is stored with the landowner(s) |
|  | A copy of the agreement is stored with a third party |
|  | I have kept a duplicate copy of this completed notice |
|  | I understand I must serve this notice on the Mining Registrar in accordance with section 9AA (14b) of the *Mining Act 1971* |