

MINING — EXPLORATION LICENCES

543. Ms M.J. DAVIES to the Minister for Mines and Petroleum:

I refer to the True Fella Pty Ltd v Pantoro South Pty Ltd decision that cast doubt over the validity of any exploration licence application that has not complied with the requirement to set out the work and expenditure an applicant intends to carry out over the full five-year term of a licence.

Can the minister provide any advice on section 58 statements, given that it will be 12 months tomorrow since the department advised that it would be examining that decision in detail, and any impact it has had on the current guidelines provided by the Department of Mines, Industry Regulation and Safety?

Mr W.J. JOHNSTON replied:

Obviously, I will not provide legal advice. I make that clear. I will make the point that the True Fella decision did not change the law in Western Australia. The law in Western Australia is exactly the same as it was before the True Fella decision. It is not true to say that it has caused confusion about what the law says. It was a specific decision and the department continues to exercise its obligations in the way that it needs to.