

GOVERNMENT DEPARTMENTS AND AGENCIES — ACT OF GRACE PAYMENTS

5947. Mr M. McGowan to the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs

Will the Minister advise as to any Act of Grace payments made by any agencies or departments under the Minister's portfolio responsibilities between 1 January 2011 and 1 August 2011, including:

- (a) the name of the person or company receiving the payment;
- (b) the amount of the payment;
- (c) the reasons for the payment; and
- (d) the processes undertaken between the application, or proposal for such a payment to be made, and the making of that payment?

Mr W.R. MARMION replied:

DEPARTMENT OF MINES AND PETROLEUM

- (a)
 - (i) Fortescue Metals Group Pilbara Pty Ltd
 - (ii) MPF Exploration Pty Ltd
 - (iii) Giralia Resources NL
 - (iv) Midas Resources Ltd
 - (v) Paterson Joint Venture (Midas Resources Ltd, Giralia Resources NL & MPF Exploration Pty Ltd)
 - (vi) Bullseye Mining Limited
- (b)
 - (i) \$1 230.00
 - (ii) \$3 345.00
 - (iii) \$4 460.00
 - (iv) \$6 690.00
 - (v) \$1 115.00
 - (vi) \$3 345.00
- (c)
 - (i) Administration error occurred in a Mining Registrar's office giving a false representation of ground availability. Consequently an application for exploration licence made by Fortescue Metals Group Pilbara Pty Ltd (E52/2643) had no chance of progressing with priority to the land. The act of grace payment consists of a refund of the application fee (\$1 030.00) and agent's costs incurred (\$200.00).
 - (ii) Exploration licence applications (E45/3503 — 45/3505) made by MPF Exploration Pty Ltd were terminated in the public interest to enable Birla Nifty Pty Ltd to secure the land that it previously held as exploration licence but inadvertently allowed to expire. The act of grace payment is a refund of the application fees paid by MPF.
 - (iii) Exploration licence applications (E45/3498 — 45/3502) made by Giralia Resources NL were terminated in the public interest to enable Birla Nifty Pty Ltd to secure the land that it previously held as exploration licence but inadvertently allowed to expire. The act of grace payment is a refund of the application fees paid by Giralia Resources NL.
 - (iv) Exploration licence applications (E45/3506 — 45/3510 & E45/3540) made by Midas Resources Ltd were terminated in the public interest to enable Birla Nifty Pty Ltd to secure the land that it previously held as exploration licence but inadvertently allowed to expire. The act of grace payment is a refund of the application fees paid by Midas Resources Ltd.
 - (v) Exploration licence application (E45/3556) made by Paterson Joint Venture (Midas Resources Ltd, Giralia Resources NL & MPF Exploration Pty Ltd) was terminated in the public interest to enable Birla Nifty Pty Ltd to secure the land that it previously held as exploration licence but inadvertently allowed to expire. The act of grace payment is a refund of the application fee paid by Paterson Joint Venture.
 - (vi) Land applied for could not be granted as it was larger than the permitted area under current legislation. At the time of making the applications (E15/1192, E15/1194, E15/1195 & E15/1246) the agents for Bullseye Mining Ltd were of the mistaken belief that the application for the larger area could be made. The act of grace payment is a refund of the application fees paid by Bullseye Mining Pty Ltd.

- (d) The Department of Mines and Petroleum investigates Act of Grace applications received and makes a recommendation to the Minister where the payment is less than \$250 000, under the delegated authority from the Treasurer, in accordance with Treasurer's Instruction 319 and section 80 (1) and (2) of the Financial Administration and Audit Act.

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- (a)–(d) Not applicable.

DEPARTMENT OF FISHERIES

- (a)–(b) Peter Soulos — \$11,630
Anthony & Nicholas Lucas — \$17,691
- (c) From July 2010 the waters between Port Geographe and Black Point, including Geographe Bay, were permanently closed to commercial beach seine fishing activities. The opportunity to apply for Act of Grace payments was made available to commercial fishers who were adversely affected by the closure.
- (d) The Act of Grace payments were made in accordance with Treasurer's Instruction 319 and the payments were made on application, based on the approved criteria that was endorsed by the Minister for Fisheries.

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- (a) Nil
- (b)–(d) Not applicable.