MINISTER FOR MINING AND ENERGY

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Mr Russell Keith
Clerk
Legislative Assembly of the Northern Territory
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Dear Mr Keith

Thank you for your letter dated 1 May 2026, referring recommendations 2 to 7 and 16 to 23 of the Legislative Scrutiny Committee Report, *Inquiry into the Mineral Titles Legislation Amendment Bill 2026* (the Report) for Government's consideration. I am writing to advise of the Government's response in accordance with Standing Order 201(1).

I note that recommendations 1, 8-15 of the Report were for consideration of the Legislative Assembly of the Northern Territory (Legislative Assembly). Recommendation 1 was for the Legislative Assembly to pass the Mineral Titles Legislation Amendment Bill 2026 (the Bill) with the proposed amendments set out in recommendations 8 to 15.

On 14 May 2026, the Legislative Assembly passed the Bill after making the proposed amendments set out in recommendations 8 to 15.

Recommendations 3, 5, and 6 propose amendments to the Explanatory Statement tabled on 18 March 2026 to detail the policy intent of requirement to give notice of discovery of gold or mineral of economic interest on a mineral lease for tourist fossicking, the intended administration and ministerial approval process for bulk sampling and the intended meaning of processing by non-mechanical means on an extractive mineral permit.

Recommendation 2 proposes amendments to the Explanatory Statement to explain the effect of the new mineral lease categories inserted in Part 3, Divisions 4,5 and 6 by section.

Recommendations 16-23 relate to amendments to fix minor typographical errors in the Explanatory Statement.

The Government has not accepted these recommendations and therefore will not amend or table any Addendum to the Explanatory Statement.

NORTHERN TERRITORY GOVERNMENT

The Mineral Titles Regulations 2011 currently prescribe daily limits on the discovery of gold and other minerals of economic interest for fossicking generally as well as notice required for such discoveries as well as associated offences for non-disclosure. The Bill provided that these limits, notice requirements and offences would also apply to fossicking on a mineral lease for tourist fossicking.

The purpose of a bulk sample is to examine the metallurgical qualities of a potential orebody on an exploration licence. The process of assessment of bulk sample applications is an operational matter for the Chief Executive Officer of the Department of Mining and Energy (DME) to manage to ensure that proposed bulk samples are appropriately approved based on the type of mineral and in line with industry and environmental standards.

In relation to processing by non-mechanical means on an extractive mineral permit, the term 'non-mechanical' is a well-known term within the industry and the inclusion of this prohibition provides clarity that it is not permitted on an extractive mineral permit and that approved activities on an extractive mineral permit are not mining.

The new mineral lease categories inserted in Part 3, Divisions 4,5 and 6 are described in detail in clause 20 of the Explanatory Statement including the purpose of each new category and the activities permitted and rights associated with each mineral lease category by Division.

Recommendations 4 and 7 propose the development of guidance to assist industry, titleholders and other stakeholders of the amendments relating to requirement to give notice of discovery of gold or mineral of economic interest on a mineral lease for tourist fossicking and processing by non-mechanical means on extractive mineral permits. These recommendations are accepted by the Government.

DME maintains a dedicated Fossicking in the Northern Territory website https://fossicking.nt.gov.au/homepage, which provides relevant guidance and information for fossickers. DME also publishes and maintains guidance materials, forms and other information relating to mineral titles on the NT Government website https://nt.gov.au/industry/mining. The information and guidance on these websites have been updated to reflect the relevant amendments to the *Mineral Titles Act 2010* in line with recommendations 4 and 7.

I thank the Committee for its detailed consideration of the Mineral Titles Legislation Amendment Bill 2026, and the provision of its Report.

Yours sincerely

GERARD MALEY

30 OCT 2026

cc: Legislative Scrutiny Committee
LSC@nt.gov.au