## How to use this document

You can use this template to provide the supporting information required to accompany an application for a transfer of interest and/or a change of operator under the [Crown Minerals (Minerals Other than Petroleum) Regulations 2007](https://www.legislation.govt.nz/regulation/public/2007/0399/latest/DLM1120013.html) and the [Crown Minerals Act 1991](https://www.legislation.govt.nz/act/public/1991/0070/latest/DLM242536.html) (the Act).

Filling out all the information in this template will help us make a timely decision on the application.

What you need to do:

1. **Download this template and fill it out on a computer.**

* Provide the requested information under the headings to the best of your ability.
* Type your answers into the input boxes and fields or check the tick boxes when applicable.
* You can insert tables and pictures into the boxes if you need to.
* Expand the boxes if you need more room for your answers.
* The notes under each heading give guidance, tips and reminders of what you can provide.

1. **Fill out the application form (APP-04)** by using the [online permitting system (OPS)](https://www.nzpam.govt.nz/permits/online-permitting-system/) or by downloading it: [Application for a transfer of interest and/or change of operator [PDF 465KB]](https://www.nzpam.govt.nz/assets/Uploads/permits/permit-forms/minerals-app-04-application-form.pdf) You will need to provide personal information.
2. **Send us your completed template** by uploading it to your application through OPS or by emailing it to us at [nzpam@mbie.govt.nz](mailto:nzpam@mbie.govt.nz).
3. **Attach all other supporting information to your application through OPS or email it into us with this template.** This could include supporting letters, copy of agreement, bank statements etc.

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| 1 | Permit details | |
| Permit number(s): | |  |

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| 2 | Background of permit |

**Provide an overview of the nature and type of operation authorised by the permit(s), including an overview of the permit work programme.**

You should state the following:

* The permit type and nature (e.g., hobby mining permit, quarry, exploration permit, etc.)
* What is included in the permit minimum work programme (this can be found on the permit certificate)
* Any work programme obligations have already fallen due and/or have been completed
* **For change of permit operator only** – details of any previous compliance history of the proposed permit operator or any related party.

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### Transfer of interest

Fill out this section if you are applying for a transfer of interest. If you are only applying for a change of operator, continue to section 6.

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| 3 | Transfer of interest agreement |

You must provide us with a signed copy of the transfer of interest agreement.

The agreement must:

* state the relevant permit number(s)
* state the date that it was signed
* be made jointly by the relevant current permit participant and the proposed permit participant
* be signed by the parties involved in the transfer and include their full legal names
* include a reference to consent being required from the Minister for the transfer of interest in the permit(s).

We have an example of a sale and purchase agreement that you can use as a reference.

[Sale and purchase agreement](https://www.nzpam.govt.nz/assets/Uploads/permits/permit-forms/minerals-sale-and-purchase-agreement-template-.docx)

The application for consent to transfer must be submitted to NZP&M within 3 months of the date of the agreement, otherwise a new agreement will need to be signed.

**Upload this document to your application through the online permitting system (OPS) or email it to us at** [**NZPAM@mbie.govt.nz**](mailto:NZPAM@mbie.govt.nz)**.**

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| 4 | Evidence of notification to other permit participants |

Are there any other current participants involved in this permit who are not transferring their interest?

No. If so, continue to section 5.

Yes. If so, you must notify the other current permit participant(s) that a consent to transfer has been applied for before or at the same time the application is made. You must provide us with evidence of this happening, such as a copy of an email or a letter.

**Upload this document to your application through the online permitting system (OPS) or email it to us at** [**NZPAM@mbie.govt.nz**](mailto:NZPAM@mbie.govt.nz)**.**

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| 5 | Financial capability |

**You must provide us with a statement of financial capability.**

For a transfer of interest, the statement of financial capability must be signed by or on behalf of the proposed permit participant. The statement must be up to date and confirm that the proposed permit participant has the financial capability to meet their obligations under the permit.

In your statement of financial capability, you should:

* outline the costs associated with the permit operation
* provide a statement (with supporting information in line with the financial capability guidance), that demonstrates the permit holder’s ability to meet these costs, including annual fees, following the transfer. Depending on the permit, this might include:
  + - a list of equipment owned or leased
    - relevant bank statements over at least three months, and/or
    - audited company accounts.

[Read our financial capability guidance](https://www.nzpam.govt.nz/assets/Uploads/permits/minerals-guidelines/guidance-financial-capability-determinations.pdf)

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If the proposed permit participant or guarantor to whom the statement of financial capability relates is a company, the statement of financial capability must be signed by at least 2 directors of the company on behalf of all the directors, or if the company has only 1 director, by that director.

**If you have additional documents to support your application, upload these through the online permitting system (OPS) or email them to us at** [**NZPAM@mbie.govt.nz**](mailto:NZPAM@mbie.govt.nz)**.**

## Change of operator

Fill out this section if you are applying for a change of operator. If you are only applying for a transfer of interest, you do not need to provide any more supporting information.

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| 6 | Compliance with the work programme |

You must provide information that will satisfy the Minister that the proposed permit operator is highly likely to be able to comply with and give effect to the conditions of the permit work programme.

You should provide a statement (with appropriate supporting information), that demonstrates the proposed permit operator has the technical capability to comply with and give effect to the work programme specified by the permit. This should include:

* a description of relevant skills, experience, and qualifications, and
* a list of equipment owned or leased.

If the proposed permit operator has previously held or currently holds a permit, you should include a statement about their compliance history with the work programme obligations of the permit(s).

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| 7 | Compliance with reporting, fees and royalties |

You must provide information that will satisfy the Minister that the proposed permit operator is highly likely to comply with the relevant obligations under the Act or the regulations in respect of reporting and the payment of fees and royalties.

You should provide a statement (with appropriate supporting information) that demonstrates the proposed operator is highly likely to comply with:

* reporting – for example, annual summary reports, technical reporting of prospecting, exploration, and appraisal activities
* the payment of annual fees and royalties.

If the proposed operator has previously held or currently holds a permit, you should include a statement of their compliance history regarding reporting and payment of fees.

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## Change of operator – Tier 1

Fill out this section if you are applying for a change of operator for a Tier 1 permit. The permit tier will be specified on your permit certificate.

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| 8 | Health and safety capability |

If you are applying for a change of operator relating to a Tier 1 permit, you must provide a statement and appropriate supporting information regarding the capability of the proposed permit operator to meet the requirements of the Health and Safety at Work Act 2015 (and associated regulations). This information will be shared with WorkSafe who will make a recommendation to NZP&M about the proposed operator’s ability to meet these requirements.

The statement may include information on the following:

* Who will fill the site safety critical roles, including evidence of their certificates of competence
* Principal hazard management plans
* Health and safety policy statements
* Health and safety procedures
* Health and safety risk assessment procedures, and/or
* Plans for developing, or maintaining and reviewing those plans, statements or procedures.

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