



Regional
NSW

Annual Report Release Policy

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Contents

Contents	1
Background	2
Purpose	2
Benefits	2
Implementation	2
Release stages and timing	3
Report release and redaction process	3
Process to request redaction	3
Supporting documentation and guidance material	6
Contact details for further information	6
References	7
Schedule 1 – Key dates	8
Schedule 2 – Frequently Asked Questions	9
Are all annual reports subject to public release?.....	9
How long will I have to inform MEG that I want to redact information from my annual report?	9
What if I have requested redaction but MEG does not agree?	9
What will occur if I have not supplied my redacted report within 12 months of publication of the reports list?.....	10
What will occur if I have not notified MEG that I want to redact information from a report within 6 months of publication of the reports list?.....	10

Background

Holders of authorities (exploration licences, assessment leases and mining leases) need to prepare and lodge annual reports (annual exploration reports), under clause 59 of the Mining Regulation 2016. Subject to some limited exceptions, annual reports remain confidential for the first 5 years after lodgement (section 365 of the *Mining Act 1992*, clause 64 of the Mining Regulation 2016). However, after five years, annual reports may be released to the public unless a confidentiality condition applies to the authority.

The NSW Government has committed to making historical exploration data available as part of the [NSW Minerals Strategy](#). The aim of the NSW Minerals Strategy is to make New South Wales the premier destination for mining investment in Australia, and to support growing global demand for minerals. Mining, Exploration and Geoscience (MEG) intends to give effect to this commitment by publicly releasing annual reports with associated data from 1 June 2021.

Purpose

The purpose of this policy is to inform stakeholders about the way in which MEG intends to manage the process for the public release of annual reports with associated data lodged five or more years prior to 1 June 2021 for **exploration licences** and **assessment leases**.

This policy does not apply to authorities that contain a condition providing for the confidentiality of annual reports.

Benefits

Exploration data is a valuable resource for the state, mining and exploration companies and the geoscientific community. The *Productivity Commission's Mineral and Energy Resource Exploration Inquiry Report* concluded that 'explorers highly regard the accessibility and provision of pre-competitive data by Australia's geological survey organisations' (Australian Government Productivity Commission 2013).

Having access to a more comprehensive exploration data set will allow companies to more effectively complete exploration activities in underutilised areas.

Improved report and data availability:

- encourages greater mineral exploration investment in under-explored and under-utilised areas of NSW to stimulate the economy
- increases the likelihood of locating new economically viable mineral deposits to improve long term job creation in regional areas
- improves investment attraction and export development opportunities in new prospective mining areas
- improves the efficiency and equity of exploration and mining for the benefit of businesses, communities and people of MEG.

Implementation

MEG will begin the release process from 1 October 2021, by producing an initial list of annual reports scheduled to be released.

Release stages and timing

Initial release: Under the initial release, MEG will release all annual reports with associated data for exploration licences and assessment leases for **mineral groups 1-6 and 10** that were lodged more than five years before 1 June 2021.

Subsequent releases: After the initial release, MEG will release annual reports with associated data for exploration licences and assessment leases for **mineral groups 1-6 and 10** annually **as they become eligible to be released**.

Annual reports for other authorities (including coal (Group 9) and mining leases) are anticipated to be released in the future following further consultation. Where historical exploration titles have 'flow on' mining leases, reports submitted under those exploration titles are deferred until further industry consultation.

Report release and redaction process

Prior to release, MEG will give authority holders the opportunity to have personal, proprietary or commercially sensitive information redacted from an annual report, in accordance with the our *Annual Report Redaction Guide*. Key dates for this process are in Schedule 1.

For the initial release, the list of annual reports scheduled to be released will be published on the MEG website from 1 October 2021. For subsequent releases, the list of annual reports scheduled to be released will be published on the MEG website from 1 February each year from 2022 to 2027.

Note – Annual reports submitted from 1 January 2022 will be required to have personal, proprietary, or commercially sensitive information included in separate parts of the annual report (which will not be published). Therefore, redaction for reports submitted after 1 January 2022 will not be required after 1 January 2027. Redaction provisions may continue to exist for reports for which release is deferred and that were submitted prior to 1 January 2022, should they be released after further consultation. The facility will not be available for mineral exploration reports.

Process to request redaction

An authority holder may request a redaction of parts of an annual report or eligible data before release to the public. Authority holders requesting a redaction will be required to notify MEG that redaction is being requested by 31 March 2022 for the initial release, and by 1 August 2022 for each year thereafter for subsequent releases. Authority holders may request a copy of relevant annual reports before 1 December 2021 for the initial release, and before 31 March 2022 and for each year thereafter for subsequent releases. MEG will provide a copy of the requested report by 1 February 2021 for the initial release, and by 1 May 2022 and for each year thereafter for subsequent releases.

MEG will begin public release of reports, where no notice requesting redaction has been received from an authority holder, by 1 May 2022 for the initial release, and by 1 September 2022 for each year thereafter during subsequent releases.

Authority holders will be required to provide redacted reports with associated data supplied in the current reporting templates by 1 October 2022 for the initial release, and by 1 February 2022 and for each year thereafter for subsequent releases. The original version of the report will remain confidential for the life of the authority.

The request for redaction will be assessed against the criteria outlined in the redaction guide using the process illustrated in Figure 1 Release and redaction process.

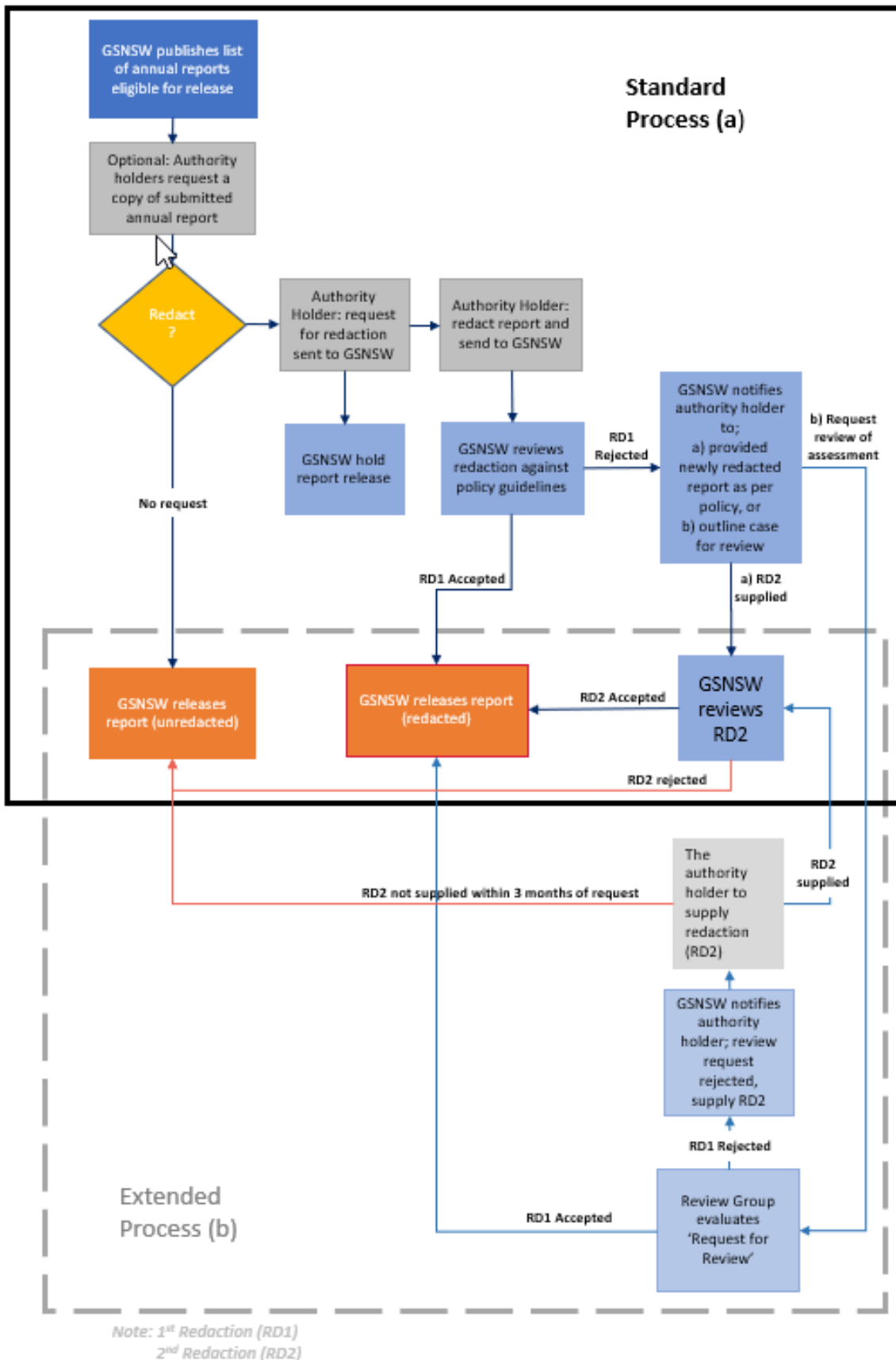
If the redaction request is rejected by MEG but the authority holder does not agree with MEG's decision, the authority holder may request an internal review. Each request to review will be evaluated and decided by the Redaction Review Group within MEG, see Table 1. Authority holders will have one month following receipt of email notification of their first redaction (RD1) being rejected, to appeal and state their case to the group in writing [through](#) TMS. For further details see the MEG [webpage](#).

Table 1 Redaction Review Group

Position	Responsibility
Manager Mineral Exploration Assessment	Review request and advise action
Director Geological Assessment and Advice	Approve advised action

MEG will begin the release of unredacted reports with associated data and also reports where a redaction request was received by MEG but no redacted report was provided by 1 November 2022 for the initial release, and by 1 March 2022 and for each year thereafter for subsequent releases (see Schedule 1 – Key dates).

Figure 1 Release and redaction process.



Supporting documentation and guidance material

To support the implementation of this policy, the following documents have been updated or developed and should be read in conjunction with this policy.

- The ***Exploration reporting: A guide for reporting and prospecting in New South Wales*** guidance document has been updated to reflect the latest reporting requirements, data formats, lodgement facilities, and impacts associated with the ongoing requirements created by the *Annual Report Release Policy*.
- The ***Annual Report Redaction Guide*** outlines the process to request the redaction of information that is personal, commercially sensitive and/or proprietary in nature.

Contact details for further information

For further information about this policy or any of the supporting material cited in this document, please contact MEG at:

Postal address: PO Box 344, Hunter Region Mail Centre NSW 2310

Phone: (02) 4063 6600

Email: redaction@geoscience.nsw.gov.au

References

Productivity Commission 2013, *Mineral and Energy Resource Exploration*, Inquiry Report No. 65, Canberra.

Schedule 1 – Key dates

Table 2 Key dates for initial release (annual reports lodged before 1 June 2016).

Date	Milestone
1 October 2021	MEG published a list of annual reports proposed to be released under the initial release.
31 November 2021	Deadline for authority holders to request a copy of relevant annual reports.
31 January 2022	Deadline for MEG to provide a copy of requested annual reports.
31 March 2022	Deadline for authority holders to submit a request to redact under the initial release.
01 May 2022	MEG will commence public release of reports where no request to redact has been received.
31 September 2022	Deadline for title holders to provide redacted reports and/or data in current reporting templates. The original version of the report will remain confidential for the life of the authority.
01 November 2022	MEG commence release of redacted reports and associated data and also reports where a request to redact was received but no redacted report was provided.

Table 3 Key dates for subsequent releases (annual reports submitted between 1 June 2016 and 31 December 2021).

Date	Milestone
1 February	MEG publish a list of annual reports held in DIGS, proposed to be released.
31 March	Deadline for authority holders to request a copy of relevant annual reports.
30 April	Deadline for MEG to provide a copy of requested annual reports.
31 July	Deadline for authority holders to submit a request to redact.
01 September	MEG commence release of reports and associated data where no request to redact has been received.
31 January (following year)	Deadline for title holders to provide redacted reports and/or data in current reporting templates. The original version of the report will remain confidential for the life of the authority.
01 March (following year)	MEG commence release of redacted reports and also reports where a request to redact was received but no redacted report was provided.

Schedule 2 – Frequently asked questions

Are all annual reports subject to public release?

All annual reports for authorities may be released after five years have passed since lodgement, unless the authority contains a confidentiality condition (section 365 of the *Mining Act 1992*, clause 64 of the *Mining Regulation 2016*).

However, MEG is adopting a staged approach to public release. Initially, the release will be limited only to **exploration licences** and **assessment leases** for **mineral groups 1–6, and 10**.

Group 1 – metallic minerals

Group 2 – non-metallic minerals

Group 3 – semi-precious stones

Group 4 – marine aggregate

Group 5 – clay minerals

Group 6 – corundum, diamond, ruby and sapphire

Group 10 – mineral sands

Annual reports for other authorities (including coal (Group 9) and mining leases) are anticipated to be released in the future. Where historical exploration titles have 'flow on' mining leases, reports submitted under the exploration titles will also be deferred at this time. The public release of reports with associated data, currently deferred, will be subject to a future consultation process with industry.

Community consultation and environmental reports do not form part of the requirements of the *Mining Regulation (2016)* and are therefore not covered by this policy.

How long will I have to inform MEG that I want to redact information from my annual report?

Authority holders will have 6 months, from the time the list of reports is published to inform MEG that they want to redact information from an annual report. MEG will publish the eligible report lists:

- for the initial release (annual reports lodged before 1 June 2016): **31 March 2022**
- subsequent releases: **1 August each year**.

This information will be available on the MEG webpage.

How do I inform MEG that I want to redact a report?

You can find details of how to inform MEG that you want to redact on the MEG [webpage](#).

Where do I submit redacted reports?

Find out where to submit redacted reports on the MEG [webpage](#).

What format do need to submit the redacted reports in?

Your redacted report will simply be a copy of your original report with the redaction applied, you can request an example of how to apply redaction to a PDF from redaction@geoscience.nsw.gov.au. If your report had attached data, which was not provided in tabular format, you should also provide this data set in the current data templates found on the MEG [webpage](#).

What if I decide not to redact?

If you decide not to redact, then you do not need to do anything. Your original report will be opened to the public six months after the list of eligible reports are published.

What if I have requested redaction but MEG does not agree?

You will have the option to request a review of MEG's decision. This review will be performed by the Redaction Review Group. The decision of the group will be final.

What will occur if I have not supplied my redacted report within 12 months of publication of the reports list?

If no redacted report has been provided to MEG within 12 months of the publication of the report list, the annual report (as is, without redaction) will be released. Where a proposed redaction request is rejected and a revised redacted report is not submitted in the required timeframe, the original report will be released.

What will occur if I have not notified MEG that I want to redact information from a report within 6 months of publication of the reports list?

Where no notification of intention to redact is received by MEG within six months of the publication of the reports list, the original report will be released as is and without redaction.

Who do I contact if I have a query on this process?

If you have any queries contact redaction@geoscience.gov.au.

Appendix 1 Glossary

Table 4: Glossary of key terms in this guide.

Abbreviation	Description
AL	assessment lease
assessment lease	assessment lease (AL), assessment (mineral owner) lease (A(MO)L)
Commercially sensitive	Commercially sensitive and/or proprietary information that is not already publicly available through other means.
Confidentiality condition	Some old authorities have confidentiality period written into their licence conditions. On renewal these conditions are removed. Where an authority has a remaining confidentiality condition, this condition will take precedence over the Mining Regulations 2016.
Personal information	Personal information means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion (<i>Privacy and Personal Information Protection Act, 1998</i>).
DiGS	A publicly accessible online collection of reports, publications, and data
MEG	Mining, Exploration and Geoscience
exploration licence	authorisation (Auth), exploration licence (EL), exploration (prospecting) licence (EPL), exploration (mineral owner) licences (E(MO)L)
Flow on authority	For the purposes of this policy, a flow on is where an application for a new authority has been lodged or granted over the same ground (or part thereof), of a current authority and the ownership is retained for that subsequent new authority, even though the authority type may change e.g. MLA/ML lodged/granted over a previous EL or AL, an ALA/AL lodged/granted over previous EL, or a consolidated EL granted over previously separate ELs.
mining leases	Mining lease means a mining lease granted under Part 5 and includes a consolidated mining lease.
Published list of reports	The list of reports that have been lodged for more than 5 years. This list will be published on the MEG webpage in accordance with the dates in this document.
annual report	Annual exploration report including associated data submitted together with the report.