



CME backs mine law change

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The Chamber of Minerals and Energy of WA says it would support changes to the Mining Act to ensure the plaiting process met its legislative intent and was not open to abuse.

The organisation, which represents some of WA's biggest miners, was responding to growing concerns that "greenmailers" were increasingly using the plaiting system to extort back-door payments from explorers and miners.

The system is designed to ensure tenement holders genuinely explore their ground and are not hoarding land to prevent others from accessing it, a practice known as landbanking or tenement warehousing.

Anyone can lodge a plaint over a tenement in the Warden's Court, alleging the holder has not met the minimum expenditure obligations, and request for it be forfeited if they can prove their case.

If the forfeiture is granted, the plaintiff gets first option to apply for the tenement and, if granted, gets a chance to work the ground.

However, there is growing concern that serial plaiters with no genuine interest in exploration are using the system to secure out-of-court settlements or go-

away payment from tenement holders.

CME chief executive Paul Everingham said the chamber advocated for active and genuine exploration in WA.

But he said there was no way to distinguish whether an application was made with a genuine intent for exploration, or was simply to impede a company's legitimate business decisions.

Mr Everingham said the CME would support reforms to the Act that ensured plaiting met its legislative intent and was not open to abuse.

"These reforms could include requiring applicants to demonstrate genuine intent to exploration, in the spirit intended by the Act," he said.

"The CME would be happy to work with the Department of Mines, Industry Regulation and Safety to achieve this."

However, DMIRS executive director of resource tenure Rick Rogerson said the department had not received any formal inquiries regarding allegations of serial plaiters trying to extract payments.

"The State does not get involved in actions before the Warden's Court, as it is an independent arbiter," he said.

"If the parties do not reach an agreement, the court will adjud-

icate and determine the matter through a recommendation to the Minister."

WA Mines Minister Bill Johnston told WestBusiness last month that by and large the existing system worked well.