

Electronic lodgement and service of documents

The following Acts provide for the electronic exchange of documents with the Department of Mines, Petroleum and Exploration, where previously hard copy documents were required to be lodged or served:

- *Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967* (PGEAGSA);
- *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982* (PGGS(SL)A); and
- *Petroleum and Greenhouse Gas Pipelines Act 1969* (PGGPA).

Together, referred to as 'the Acts' in the context of this guide note.

Under the Acts, regulations can be made to allow for the electronic exchange of documents required to be served and the timing of that service.

Service of documents

The Acts require a range of documents to be served by or on the Minister for Mines and Petroleum (the Minister) not limited to:

- An instrument of offer for the grant of a title, served on an applicant.
- An instrument of acceptance of an offer, served on the Minister.
- Any other notice required to be served on the holder of a title.

The regulations prescribe that a registered holder must provide an email address for the service of documents by electronic means. This allows for the Minister to serve a document on a registered holder as an email attachment to the email address provided.

Lodging documents through the department's website

A document that is required to be lodged under the Acts may be lodged as an electronic version by means of the department's website.

The Minister may at any time require a person who has lodged a document electronically, to lodge it in hard copy form at the department's customer service counter at:

Mineral House
Level 1, 100 Plain Street
EAST PERTH WA 6004

Timing of service and lodgement

A document served on a registered holder by email, sent on a working day before 4:30pm, is taken to have been served on that day. Otherwise, the document is taken to be served on the next working day.

An electronic document lodged through the department's website during working hours (between 8:30am and 4:30pm) is taken to have been lodged on that working day. A document lodged outside of working hours or on a non-working day is taken to have been lodged at 8:30am at the start of the next working day. Applicants and registered holders are advised to bear this in mind if required under the Acts to lodge a document by a certain date.

For example: a document lodged at 4:40pm on a Friday, is considered lodged as at 8:30am on the following Monday (assuming it is not a public holiday). If the document is required under the Act to be lodged on the Friday, the lodgement is late.

Duplicate copies are not required for electronic lodgement

Applicants should be aware that where the Acts provide for hard copy and electronic lodgement options, duplicates are not required when lodging electronically. However, in certain circumstances hard copy lodgement requires duplicate documents when specified under the Acts. Electronic lodgement is the recommended lodgement method.

Dealings and transfers lodged electronically

An application for approval of a dealing or transfer under the Acts may continue to be lodged in hard copy form, however, an application lodged electronically **must** be accompanied by:

- An electronic copy of the of the instrument evidencing the dealing or transfer.
- For confidential dealings – an electronic copy of an instrument setting out any particulars prescribed for the purposes of an application for approval of a dealing of that kind (i.e. dealing summary).
- For transfers – an electronic copy of a statement of the technical advice and financial resources available, or that will be available to the transferee, for each transferee that is not already a registered holder.

Further information

If you have further queries regarding the information contained within this guide note please email the Resource Tenure Group: petroleum.titles@dmpe.wa.gov.au.

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