

CHARTERED 
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

AUSTRALIA MINING LAWS AND REGULATIONS

**Fully Accredited
By:**

Chartered Institute of
Professional Certifications

CPD
Certification Service

PROGRAM OVERVIEW

Australia's mining law is complex, with nine regulatory frameworks for each state and territory, plus federal regulations. **Non-compliance can result in fines exceeding AUD 50 million annually**, underscoring the significant financial impact of regulatory breaches. Understanding and adhering to these laws is crucial for legal conformity and maintaining operational integrity in the mining industry.

The certified program offers a comprehensive exploration of Australia's mining legislation and regulations, providing participants with an in-depth understanding of the legal frameworks governing this critical sector. The program delves into the **complexities of the Australian federal structure and the interplay between federal and state/territory legislation, shedding light on the varying mining laws across different jurisdictions**. You will gain insights into the essential elements and **formal requirements of mineral ownership and mining tenement regimes**, including exceptions and the impact of electronic contracting. The program will also examine the principles and administration processes of mining rights, a cornerstone of Australian mining law, along with its allocation, transfer provisions, and limitations.

You will also learn the **legal framework governing environmental compliance, Aboriginal heritage, native title rights, and the social license to operate**, including the unique challenges of land access agreements, Indigenous land rights, native title claims, and community engagement. Occupational health and safety regulations are examined in detail, with a focus on new changes, civil and criminal liabilities, and mitigation strategies.

ACCREDITATIONS



4.8



4.6





PROGRAM OVERVIEW

Furthermore, the program addresses compliance systems, mandatory reporting requirements, regulator investigations, strategic dispute preparation, management, negotiation tools, litigation strategies, and alternative dispute resolution mechanisms. The **legal aspects of mining project development, from raising capital and feasibility studies to construction contracts, managing defects, and security of payment**, are also covered. Finally, you will explore insolvency in mining and exploration, understanding rights and responsibilities, statutory demands, liquidation, and creditor meetings, ensuring a comprehensive understanding of the legal landscape governing the Australian mining sector.

Upon successful completion of the program, you will attain the **Certification in Australia Mining Laws and Regulations**. This distinguished certification will enhance your professional qualifications, demonstrating your expertise in developing a robust compliance framework aligned with Australia mining legislation. Globally demanded and recognized, the certification holds lifelong validity and will underscore your expertise in the Australian mining law amplifying your professional credentials.

ACCREDITATIONS



4.8



4.6



KEY SKILLS YOU WILL GAIN

From This Program



**AUSTRALIA MINING LAW
MINING LEGISLATION
ENVIRONMENTAL IMPACT ASSESSMENT (EIA)
SUSTAINABLE MINING**

**INDIGENOUS LAND RIGHTS
NATIVE TITLE LAW
ENVIRONMENT PROTECTION
MINING OPERATIONS**

**MINING - ISO STANDARDS
SUSTAINABLE WATER MANAGEMENT
RISK MANAGEMENT
INDIGENOUS CONSULTATION**

**WATER RESOURCE MANAGEMENT
SAFETY PROTOCOLS
CONSTRUCTION CONTRACTS
CORPORATE GOVERNANCE**

**MINERAL ROYALTIES CALCULATION
LAND RIGHTS UNDERSTANDING**

YOUR FACULTY DIRECTOR



Rory Lang

Award Winning Mining Legal Expert

Rory Lang is a distinguished legal practitioner and director at Asia Pacific Legal (APL), specializing in corporate, commercial, employment, energy, and resources law. With over fourteen years of experience, he has held senior roles at major firms such as Duane Morris LLP and Minter Ellison LLP, and **served as senior legal counsel for Rio Tinto and Gold Fields**. He has also contributed to academia and Indigenous land rights, working with a leading university and the South West Aboriginal Land and Sea Council, and has served as counsel to the Australian Embassy in Mongolia.

Rory's credentials include **admission to the Supreme Court of Western Australia and the Federal and High Courts of Australia**. His expertise is recognized through numerous accolades, including being named a **Recommended Lawyer by The Legal 500 Asia Pacific, a Next Generation Lawyer, a Rising Star Lawyer by Asia Law, and Corporate & Commercial Lawyer of the Year by Finance Monthly Global Awards**. Rory is also a member of the Law Society of Western Australia, continuing to shape the legal landscape through his leadership and expertise.

YOUR FACULTY DIRECTOR



Daniel Morris

Award Winning Litigation Expert

Daniel Morris is a Senior Legal Consultant at Asia Pacific Legal, where he leads the firm's litigation, projects, and investigations practice. With over 20 years of experience, Daniel provides expert legal advice and litigation services including to clients from the mining industry. His extensive background includes **advising on commercial disputes, complex contracts, and intellectual property matters related to mining operations.**

Daniel is well-versed in all aspects of litigation and dispute resolution, having **successfully represented clients in trials and appeals in every Western Australian Court, including the WA Court of Appeal, the State Administrative Tribunal, and private arbitrations.** His achievements include winning the Brooking Prize and **receiving a High Commendation from the Society of Construction Law Australia.** As an esteemed lecturer, Daniel has taught law at several universities and has coached and judged the WA Law Society's School Mock Trial competition. He frequently presents to various professional and industry audiences, such as the WA Building Commission, Legalwise, and the Civil Contractors' Federation.

OUR PARTICIPANTS

Over 70% of FORTUNE 500 Companies Have Attended Our Accredited Programs Before



Goldman Sachs



SAMSUNG



ExxonMobil



BURBERRY



citi



IKEA



VOLVO



HYUNDAI



Pfizer

Life is our life's work



Nestlé



PROGRAM AGENDA

MODULE 1 - KEY LAWS AND OWNERSHIP OF MINERALS

- Lesson 1 - Australia's Mining Laws and Regulations
- Lesson 2 - Key Legal Frameworks at Both Federal and State Levels
- Lesson 3 - Ownership of Minerals and Australia's Mining Tenement Regime

MODULE 2 - ENVIRONMENTAL, ABORIGINAL HERITAGE, NATIVE TITLE, AND "SOCIAL LICENSE TO OPERATE" CONSIDERATIONS

- Lesson 1 - Development of Native Title at Common Law and Under the Native Title Act 1993 (Cth), Indigenous Land Rights, and Community Engagement, the Role of the National Native Title Tribunal and Federal Court
- Lesson 2 - Aboriginal Heritage Regimes in Australia and Challenges for Resources Companies and Aboriginal Proponents
- Lesson 3 - Environmental Issues, Environmental Impact Assessments, and "Social License to Operate" Obligations

MODULE 3 - AUSTRALIA EVOLVING OCCUPATIONAL HEALTH SAFETY REGIME AND THE MINING SECTOR

- Lesson 1 - New Changes to Australia's Occupational Health and Safety Regimes, Psychosocial Harm, and Onerous Reporting Requirements
- Lesson 2 - Civil and Criminal Liability for "PCBUs", "Statutory Managers," General Managers, Employees and Officers Under Australia's Occupational Health and Safety Regime and Duties
- Lesson 3 - Relevant Case Studies and Law

MODULE 4 - COMPLIANCE IN THE MINING SECTOR AND INDUSTRY CHALLENGES

- Lesson 1 - Increased Regulatory Powers and Enforcement in Australia and Each State and Territory
- Lesson 2 - Introduction of Mandatory Plans for Resources Companies, Audit, and Regulator Inspection
- Lesson 3 - Developing a Defensible Compliance System, and Plan With Your Team, and External Advisors



PROGRAM AGENDA

MODULE 5 - REPORTING, COMPULSORY NOTICES, AND INVESTIGATIONS

- Lesson 1 - Mandatory Reporting Requirements for Certain “Notifiable” Incidents to Relevant Regulators in Each State, Territory, and the Commonwealth
- Lesson 2 - Powers of Regulators to Require Resource Companies and Individuals to Produce Documents and Information, and Penalties
- Lesson 3 - Investigations by the Regulators in the Mining Sector

MODULE 6 - CALM, STRATEGIC DISPUTE PREPARATION AND MANAGEMENT (PART 1)

- Lesson 1 - Forearmed: Using Consultants, Contracts, and Negotiation Tools to Minimize Exposure to Disputes
- Lesson 2 - Rallying the Troops: Allocating Roles and Responsibilities Amongst Key Personnel to Avoid and Manage Disputes Effectively
- Lesson 3 - Emergency Triage: Who Does What in the First Hour of a Dispute Arising
- Lesson 4 - The Art of War: Preparing to Litigate/Arbitrate Calmly and Strategically

- Lesson 5 - The Cause of Action: What Can You Sue or Arbitrate For and How?
- Lesson 6 - Theatre of War: Understanding Jurisdiction
- Lesson 7 - Taking Stock: Quantifying Your Claim and Distinguishing Between Liquidated and Unliquidated Claims

MODULE 7 - CALM, STRATEGIC DISPUTE PREPARATION AND MANAGEMENT (PART 2)

- Lesson 1 - Dispute Avoidance: How to Maximize and Maximally Exploit Your Bargaining Power in a Dispute
- Lesson 2 - Escalation: Effective Approaches to Offence or Defence Should Settlement Negotiations Fail
- Lesson 3 - De-Escalation: Bringing Disputes to the Quickest and Most Favourable End Possible
- Lesson 4 - Total War: Managing Time and Cost Should a Dispute Proceed to a Trial or Arbitral Hearing



PROGRAM AGENDA

- Lesson 5 - Post-War Reconstruction: After the Trial, Learn How to Enforce a Judgment or Arbitral Award, Maximize Cost Recovery or Minimize Cost Liability and Apply the Lessons to De-Risk Your Business Going Forward
- Lesson 6 - Marquis of Queensbury Rules: Alternative Approaches to Dispute Resolution
- Lesson 7 - Rematch: Appeal, Judicial Review and Administrative Review and Jurisdiction Revisited

MODULE 8 - MINING PROJECT DEVELOPMENT

- Lesson 1 - Timing Entry to Market
- Lesson 2 - Raising Seed Capital for Exploration
- Lesson 3 - Initial Public Offering
- Lesson 4 - Assembling a Credible and Effective Board and Management
- Lesson 5 - Scoping Study and Second Capital Raising
- Lesson 6 - Pre-Feasibility Study and Third Capital Raising
- Lesson 7 - Feasibility Study and Fourth Capital Raise
- Lesson 8 - Definitive/Bankable Feasibility Study and Fifth Capital Raise

- Lesson 9 - Securing Offtake Agreements
- Lesson 10 - Constructing the Mine
- Lesson 11 - Operating the Mine
- Lesson 12 - Responding to Events That Delay, Disrupt and Inflate the Cost of Mining Operations
- Lesson 13 - Winding Down Mining Operations at End-of-Life or Commodity Cycle Downturn
- Lesson 14 - Mine Remediation

MODULE 9 - CONSTRUCTING THE MINE

- Lesson 1 - Assembling the Consultancy Team
- Lesson 2 - Common, Key Terms in Consultancy Agreements
- Lesson 3 - Engaging the Head Contractor
- Lesson 4 - Choosing Your Construction Contract (Or Drafting Your Own)
- Lesson 5 - ECI? D&C? Construct Only?
- Lesson 6 - The Importance of Back-to-Back Correspondence Between Head Contracts, Subcontracts and Consultancy Agreements
- Lesson 7 - Managing the Construction Contract
- Lesson 8 - Notifications, Claims, Time-Bars and Liquidated Damages
- Lesson 9 - Managing Construction Defects: Insurance, Warranties, Other Sources of Defect Liability, Recourse to Securities



PROGRAM AGENDA

- Lesson 10 - Bank Guarantees vs. Retentions as Security for Performance
- Lesson 11 - Managing Construction Delays
- Lesson 12 - The Building and Construction Industry (Security of Payment) Act 2021
- Lesson 13 - Understanding and Using the Personal Property Securities Act 1999

- Lesson 10 - The Personal Property Securities Act 1999
- Lesson 11 - Reinstatement/Acquisition (Lawful) vs. Phoenixing (Unlawful)
- Lesson 12 - Offences Against the Corporations Act 2001 in an Insolvency Context

MODULE 10 - INSOLVENCY IN MINING AND EXPLORATION

- Lesson 1 - Defining an Act of Insolvency
- Lesson 2 - Effect of “Ipso Facto” and “Safe Harbour” Laws
- Lesson 3 - Statutory Demand, Deemed Insolvency and Creditors’ Winding Up Applications
- Lesson 4 - Liquidation, External Administration, and Receivership
- Lesson 5 - Board and Management’s Rights and Responsibilities
- Lesson 6 - Lenders’ and Financiers’ Rights and Responsibilities
- Lesson 7 - Employees’ Rights and Responsibilities
- Lesson 8 - Independent Contractors’ and Suppliers’ Rights and Responsibilities
- Lesson 9 - Creditors’ Meetings and Deeds of Company Arrangement

YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certification's programs are unique as they provide you with professional charter designation and mark that can be used across your lifetime once you have completed our programs.

Upon successfully attending this program, you will be awarded with the **Certification in Australia Mining Laws and Regulations** that can be used in your resume, CV and other professional credentials. This certification is industry-recognized with lifelong validity.

Globally demanded and recognized, this certification will amplify your professional qualifications and demonstrate your expertise in navigating the complexities of Australia's mining laws, regulations, and compliance. Developed by **Chartered Institute of Professional Certifications**, the content of this program has been independently accredited by **CPD Certification Service** as adhering to the highest standards of continuing professional principles.

ABOUT US

49,525

Business Leaders Have
Attained Their Chartered
Certifications Since 2009

390

Certified and Fully
Accredited Programs

87%

Chartered Leaders Have
Reported Career Promotions
and Enhancements

Chartered Institute of Professional Certifications

All of Chartered Institute of Professional Certifications programs are fully accredited programs. The professional charters and designations are trademarked credentials that can only be used by professionals who have completed and passed our accredited program. It is also independently accredited by CPD as adhering to the highest standards of continuing professional principles.

CHARTERED
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

OUR FACULTY DIRECTORS

We Collaborate With
Instructors From
Renowned Institutions



HARVARD
UNIVERSITY



Wharton
UNIVERSITY of PENNSYLVANIA



Stanford University



UNIVERSITY OF MICHIGAN



**THE LONDON SCHOOL
OF ECONOMICS AND
POLITICAL SCIENCE**



**Columbia
Business
School**

**London
Business
School**



CONTACT US TODAY

We Thank You for Your Ongoing Support
of Our Programs

Singapore and Asia Pacific Enquiries

Email: advisor@charteredcertifications.com
Phone: +65 6716 9980
Address: Chartered Institute of Professional Certifications
1 Gateway Drive
#20-04 Westgate Tower
Singapore 608531

Australia and New Zealand Enquiries

Email: advisor@charteredcertifications.com
Phone: +61 3 9909 7310
Address: Chartered Institute of Professional Certifications
530 Little Collins Street, Level 1
Melbourne VIC 3000, Australia

UK, Europe and Middle East Enquiries

Email: advisor@charteredcertifications.com
Phone: +44 (020) 335 57898
Address: Chartered Institute of Professional Certifications
86-90 Paul Street
London, EC2A 4NE

USA Enquiries

Email: advisor@charteredcertifications.com
Phone: +1 888 745 8875
Address: Chartered Institute of Professional Certifications
99 Wall Street #3936
New York, NY 10005