



Commonwealth Fact Sheet



OFFSHORE MINERALS ACT 1994

If your project involves the exploration and mining of minerals in Commonwealth waters, you must obtain an Offshore Mineral Licence.

1. What approvals do I need?

The *Offshore Minerals Act 1994* (OMA) provides a legal framework that establishes a licence system for exploration and mining of minerals in Commonwealth waters.

Approvals are required under five different licences established by the OMA that govern offshore mineral exploration and mining activities in Commonwealth waters. These licences include:

- Exploration licences
- Retention licences
- Mining licences
- Works licences
- Special purpose consents.

Exploration licences allow the holder to explore and recover mineral samples from an approved area. Licences are valid for 4 years and can be renewed.

The exploration licence does not automatically provide the right to mining and retention licences. Licence holders are assessed on their merits when applying for a mining or retention licence.

Note: The OMA does not regulate oil and gas activities. Oil and gas activities conducted in Commonwealth waters are regulated under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGSA). Further information on oil and gas regulation is available [here](#).

2. Who provides approvals?

The decision to approve an offshore mineral licence is determined by the relevant Commonwealth-State or Territory Joint Authority. The Joint Authority comprises the responsible Commonwealth Minister and the responsible State or Northern Territory Minister.

Note: Activity within the first 3 nautical miles of Australian territorial waters is administered by the States and Territories.

3. How do I get approval?

Guidelines for applicants are available on the Department of Industry, Science, Energy and Resources [website](#).

4. More information

Commonwealth

For more information on offshore minerals in Australia, email offshore.minerals@industry.gov.au

Major Projects Facilitation Agency

If you would like assistance to identify the regulatory obligations for your project, please visit our [Online Tool](#) or contact us:

Email: mpfa@industry.gov.au