

UNDER SECTION 41AC, CROWN MINERALS ACT 1991

Application for consent to change of control for a permit operator of a Tier 1 permit only

This form is to be used when applying for consent to a change of control¹ of a permit operator of a Tier 1 permit.

Consent must be sought at least three months prior to the change of control occurring².

Please note: If there is a change of control to a permit participant that is not the permit operator of a Tier 1 permit, then a notification under section 41A of the Crown Minerals Act 1991 is required and APP-06 is required to be submitted.

- New Zealand Petroleum & Minerals recommends that applicants familiarise themselves with the Crown Minerals Act 1991 (the 'Act'), the relevant regulations, and the relevant Minerals or Petroleum Programme, and seek professional advice where appropriate before notifying a change of control. See www.nzpam.govt.nz/our-industry/rules-regulations/ for more details.
- The personal information you must include in this form is needed to process your application under the Act. You have the right under the Privacy Act 2020 and/or the Official Information Act 1982 to access information held about you by New Zealand Petroleum & Minerals and request that this information be corrected if necessary.
- The information you provide in this form may be used for regulatory compliance or enforcement purposes according to the Ministry of Business Innovation and Employment's **Transparency Statement**.
- If the space on any part of this form is insufficient to include all relevant details, place them at the beginning of the supporting information document in the order they appear in this form, state 'see supporting information' in the appropriate space, and attach the document to the application.

¹ A change of control is defined in section 41AA of the Act. In summary, a change of control is when a person (including 1 or more specified persons) obtains the power (whether directly or indirectly) to exercise, or control the exercise of, 50% or more of the voting rights in the relevant corporate body.

² The Minister can accept a late application if satisfied that there are compelling reasons why the three month time frame cannot be met. However, the application cannot be accepted after the change of control has taken effect. Refer to section 41AC(2) of the Act.

SECTION 3: APPLICATION DETAILS

3.1 Nature of change of control:

Please describe the nature of the change of control:	
Date of the proposed change of control takes effect:	
If the application is made less than 3 months before the date on which the proposed change of control takes effect, please provide compelling reasons why the Minister may receive an application by a later date ³ :	

SECTION 4: SUPPORTING INFORMATION

The following information is required:

A signed APP 10 Application Authority form for each permit participant or 'relevant person'⁴ that is not you as an individual.

The following information is additional requirements in section 41AC of the Act:

If a relevant person obtaining control of the permit operator is a corporate body, the name of each director of the body and of each shareholder or member of the body⁵

A copy of any agreement or other documents that specifies the change of control

Information or documents that show how the test in section 41AE(1) of the Act is satisfied

SECTION 5: DECLARATION

I declare that all information provided in this application is true and correct to the best of my knowledge and that I am authorised to sign this application⁶.

Signature:	
Legal name:	
Position of signatory:	
Organisation:	
NZBN:	
Date:	

³ Refer to section 41AC(2) of the Act. An application must be no later than the date on which the proposed change of control takes effect.

⁴ Refer to section 41AC(1) of the Act.

⁵ Refer to section 41AC(1)(c)(ii) of the Act.

⁶ Where the permit participant is a company, partnership, society, trust or other legal entity, the application must be signed in accordance with the relevant legislative requirements, constitution, or rules by a person or agent with the requisite authority. All applications must be signed in accordance with the relevant regulations.

This completed form is to be forwarded to nzpam@mbie.govt.nz or mailed to the NZP&M postal address below.

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NZP&M is a branch of the New Zealand Ministry of Business, Innovation and Employment. We manage New Zealand's Crown Mineral Estate. Our aim is to maximise the gains to New Zealand's economy from development of these resources, a key component to the government's Business Growth Agenda. To support this aim we endeavour to educate and inform New Zealanders, including consultation with indigenous stakeholders and local government.