

## EVIDENCE OF PUBLIC LIABILITY INSURANCE – Guidelines 2024

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It is a requirement under the *Mineral Resources Development Act (MRDA) 1995* for all tenement holders to have a current **Public Liability** insurance policy prior to the grant of an application for a mineral tenement. Further to this requirement the *MRDA* also states that a granted tenement is subject to terms and conditions of the issued Lease or Licence.

The terms and conditions specify that the tenement holder **must hold and keep current** throughout the term, and for as long as the tenement holder occupies the tenement area, contracts of insurance with a reputable insurer lawfully carrying on insurance business in Australia.

The liability to be insured is the liability arising from, or attributable to, the tenement holder's occupation or use of the tenement area to the extent that the injury, death, damage or loss is caused by a wrongful (including negligent) act of omission of the tenement holder or the tenement holder's employees, agents, sub-contractors or invitees.

Insurance contracts for Public Liability must cover "*the Crown in Right of Tasmania*" as principal under the insurance contract.

**Note:** Policies for '*business*' or '*broadform*' insurance **must contain** details of third party personal and product liability for the insured premise and business activity in the name of the tenement holder.

Evidence of an insurance policy provided to Mineral Resources Tasmania (MRT) **must include:**

- Insured:** An insurance policy provided to MRT **must state** the *tenement holder's* name as held by the Registrar of Mines.
- Note:** *if the tenement holder is a subsidiary of a parent company the subsidiary must also be listed on the policy.*
- Insured Premises:** An insurance policy provided to MRT **must state** the geographic limitations (location) of the existing or proposed *mineral tenement*.
- Limit of Liability:** An insurance policy provided to MRT **must state** the total amount of *insured cover* as specified by an Officer or Inspector for Mineral Resources Tasmania (MRT), i.e. \$10 / \$20 million.
- Expiry:** An insurance policy provided to MRT **must state** the commencement and expiry dates of insurance coverage.

**Business Activity:** An insurance policy provided to MRT **must state** the nature of the business activity conducted on the existing or proposed *mineral tenement*.

For example: *Quarrying, mining, blasting, processing, exploration, drilling etc.*

**Exclusions / variations:** An insurance policy provided to MRT **must state** any exclusions or variations to the terms of the policy.

**NOTE:** Where applicable, the tenement holder must also hold and keep current contracts of insurance indemnifying the tenement holder's respective liability for **Workers' Compensation**.

### **FURTHER ADVICE**

Further advice may be obtained by contacting Mineral Resources Tasmania:

Telephone: (03) 6477 7097

Email: [info@mrt.tas.gov.au](mailto:info@mrt.tas.gov.au)

Internet: [www.mrt.tas.gov.au](http://www.mrt.tas.gov.au)