Exemption notice

Exemption for Rio Tinto Group from section 5(1) of the Water Services Act 2012 for water services to Pannawonica

In accordance with section 7 of the Water Services Act 2012 (Act) Hon Terry Redman MLA, Minister for Water, has granted an exemption from section 5(1) of the Act to Rio Tinto Group for the provision of water services (potable water and sewerage services) to Pannawonica.

The exemption is to come into effect on the day on which Part 2 of the Act comes into operation and is valid for a period of 18 months after this day or until a licence for the water services is granted, whichever is the sooner.

Rio Tinto Group means the dual listed company structure including Rio Tinto Limited (an Australian company ACN 004 458 404), Rio Tinto plc (a company registered in England, registered company number 719885) and any related body corporate of these entities, any unincorporated joint venture in which Rio Tinto Limited or Rio Tinto plc has a participating interest and anybody corporate or unincorporated joint venture managed by Rio Tinto Limited or Rio Tinto plc or their related bodies corporate. For the avoidance of doubt this includes Robe River Mining Co Pty Ltd (ABN 71 008 694 246) and Hamersley Iron Pty Ltd (ABN 49 004 558 276).

Summary of reasons for the decision

The water services do not require a licence under the current legislation (the Water Services Licensing Act 1995) as Pannawonica is not in a controlled area, but will require a licence or an exemption when the Act comes into effect. Granting the exemption will avoid Rio Tinto Group from being in breach of the Act until a licence is granted.

Granting this exemption is not contrary to the public interest.

11 October 2013