

**MEMORANDUM OF UNDERSTANDING FOR BILATERAL COOPERATION
IN THE MINING INDUSTRY
BETWEEN THE
MINISTRY OF MINING
OF THE REPUBLIC OF CHILE
AND THE
DEPARTMENT OF RESOURCES, ENERGY AND TOURISM
OF AUSTRALIA**

BACKGROUND

The Republic of Chile (represented by the Ministry of Mining) and the Australian Government (represented by the Department of Resources, Energy and Tourism), hereinafter referred to as 'the Parties':

- considering** the strong and positive relationship between the two nations;
- noting** the advantageous geographic location of the Parties for trade and engagement with multi-lateral forums and the Latin American and the Asia Pacific regions;
- recognising** the importance of the direct and indirect benefits of mining and related services to the economies of both nations;
- acknowledging** the importance of maintaining, developing and expanding ties of cooperation in the mining sector, including the transfer of advanced technology and knowledge;
- appreciating** the benefit of ongoing investment in the mining sector;
- affirming** that enhanced cooperation in the mining sector will further promote good relations; and
- expressing** this desire as set forth under this memorandum of understanding, hereinafter referred to as 'this MOU';

have reached the following understandings:

SCOPE

- I. The cooperative scope of this MOU is to encourage greater cooperation in the mining sector, by:
 - a) enhancing the framework through which the Parties cooperate to improve and encourage greater interaction, collaboration and cooperation in the sector;
 - b) providing greater opportunities for cooperation and collaboration between the Parties in mining: including exploration, research and development; mining equipment, technology and related services;
 - c) providing more opportunities to share knowledge and experience on mine safety and emergency management: including policy, regulation and inspectorates;
 - d) encouraging the sharing of expertise and uptake of sustainable mining practices;

- e) promoting regional cooperative activities in Latin America and the Asia Pacific regions;
- f) continuing to promote a positive environment for ongoing trade and investment; and
- g) increasing communication and exchanges between the Parties on topics of mutual interest.

AREAS OF COOPERATION

- 2. In order to achieve this MOU's purpose, the Parties, in accordance with their respective laws and regulations and taking full account of the need to ensure personal, private and commercial confidentiality, will:
 - a) facilitate greater opportunities for trade and investment between the Parties through enhanced awareness of policy and regulatory frameworks and addressing impediments in these areas where appropriate;
 - b) enhance their collaborative and commercial relationship by promoting commercial linkages between the Parties' mining industries: including between mining suppliers, service providers and supply groupings;
 - c) strengthen and deepen knowledge growth and exchange in the areas of:
 - data management
 - finance and investment
 - infrastructure
 - land and environment management
 - occupational health and safety in mining
 - policy and regulation
 - processing
 - production
 - sustainable mining
 - mining taxation and royalties
 - transparency and governance
 - water management; and
 - d) promote joint regional activities to the benefit of the Parties; and
 - e) conduct other cooperative activities mutually determined by the Parties as beneficial.

COORDINATION AND IMPLEMENTATION

- 3. The Parties, by mutual consent, may invite other Chilean or Australian institutions or organisations, whose activities have a direct effect on the purpose of this MOU, to participate in cooperative activities.
- 4. It is expected that the private sector, including companies involved in mining and related sectors, as well as independent research centres and other endeavours, will be a relevant contributor to the success of this MOU.

5. The cooperation activities to which this MOU refers will be reported, as necessary, to each Party's relevant authorities.

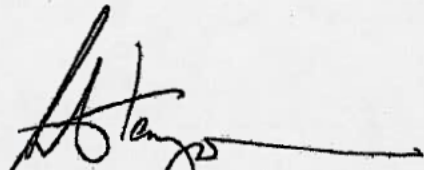

ENTRY INTO EFFECT, CONFIDENTIALITY, AMENDMENT AND TERMINATION

6. This MOU will enter into effect on the date on which it is signed and will be in effect for five (5) years, with the possibility of extending it for equal periods, subject to evaluation and mutual consent by both parties.
7. The Parties concur that the results of cooperative activities arising from this MOU may be disclosed and published subject to the prior consent of both Parties and the owners of intellectual property.
8. Any information exchanged under this MOU and identified by either party as confidential will be used by the parties solely for the purposes of this MOU. Such information will be kept confidential and will be protected with the same level of security as though the information was provided for under legislation in Australia and Chile.
9. This MOU does not affect the rights and obligations of the Parties under the laws of Australia and Chile.
10. This MOU may be amended by mutual consent of the Parties in writing, specifying the date on which said amendments are to come into effect.
11. Either Party may terminate this MOU by means of written notification addressed to the other Party ninety (90) days in advance.
12. An early termination of this MOU will not affect completion of the cooperative activities established during its term.
13. This MOU will not create a legal relationship between the Parties.
14. Any dispute arising out of the interpretation of this MOU will be settled amicably by consultation and negotiation in good faith between the Parties.

Signed in Melbourne, Australia, on 9th of SEPTEMBER 2011 in two original copies in English.




**FOR THE MINISTRY OF MINING
OF THE REPUBLIC OF CHILE**

**FOR THE DEPARTMENT OF
RESOURCES, ENERGY AND
TOURISM OF AUSTRALIA**