

New South Wales.



ANNO DUODECIMO

GEORGI V REGIS.

Act No. 7, 1921.

An Act to amend the Mining Act, 1906, as amended by the Mining (Amendment) Act, 1907, the Mining (Amendment) Act, 1918, and the Mining (Amendment) Act, 1919; and for purposes consequent thereon or incidental thereto. [Assented to, 28th November, 1921.]

A

BE

Mining (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act shall be construed with the Mining Act, 1906, hereinafter called the Principal Act, as amended by the Mining (Amendment) Act, 1907, the Mining (Amendment) Act, 1918, and the Mining (Amendment) Act, 1919, and may be cited as the "Mining (Amendment) Act, 1921."

Amendment of Principal Act.

2. The following amendments are made in the Principal Act as so amended:—

Section three, definition of "Crown lands," paragraph (f): Omit "or application for any such lease" after the words "conditional purchase lease"; insert "or application for any of the foregoing tenures" after the words "week-end lease."

Section fifteen, subsection one, paragraph (g): Insert the words "while following the occupation of a miner or prospector" before the word "procure."

Section thirty-five is repealed, and the following section is substituted therefor:—

Area.

35. (1) Except in respect of special leases, the maximum area which may be included in any one mining lease under this Part shall be:—

- (a) Opal-mining lease one-half acre.
- (b) Gold-mining lease, twenty-five acres.
- (c) Lease to mine for coal, shale, mineral oils, petroleum or natural gas, six hundred and forty acres.
- (d) Lease to mine for any other mineral, eighty acres.

(2) The area and dimensions of leases for mining purposes shall be such as the Minister may determine.

(3) Every lease to mine for mineral oils, petroleum, or natural gas shall contain a condition empowering the Governor to grant authority to any person to prospect for any other mineral

Oil leases open to mining for other minerals.

Mining (Amendment).

mineral in or upon the land included in such lease, but no such authority shall be granted in respect of any part of the said land upon which the lessee is actually carrying on prospecting or mining operations or within three hundred yards thereof. In the event of the discovery by such authorised person of any mineral (other than mineral oils, petroleum, or natural gas) the Governor may, after inquiry and report by the warden, cancel the lease of so much of the area included in such authority as may be necessary to enable mining operations for such other mineral to be carried on. Such cancellation shall take effect upon the expiration of one month from the date of service of notice upon the lessee, and for a period of one month after the date of cancellation the said authorised person shall have the exclusive right to apply for a lease of the cancelled area.

Section thirty-six, subsection two, line two: Omit "one shilling" insert "two shillings"; and in subsection (2A), line four, omit "one shilling" insert "two shillings."

The following new section is inserted next after section forty:—

40A. (1) The Governor may grant to the Railway Commissioners for New South Wales a special lease or leases of Crown land to mine for coal, and may fix the form of and area to be comprised in any such lease.

(2) The provisions of this Act requiring payment of rent and observance of labour conditions shall not apply to any such lease, but in all other respects such lease and the application therefor shall be subject to the provisions of this Act in respect of ordinary leases under this Act.

(3) The provisions of the Coal Mines Regulation Act, 1912, and any Act amending the same, shall apply to any mine worked by

Mining (Amendment).

the said Commissioners in pursuance of a lease granted under this section and for the purposes of the said Act the said Commissioners shall be deemed to be the owners of any mine so worked by them.

In section sixty, subsection two: Omit "any such holder or person," insert "an intending applicant."

Section 108A is amended by inserting the words "mineral oils, petroleum, or natural gas" after the word "shale" wherever in such section appearing.

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By Authority :

WILLIAM APPLGATE GULLICK, Government Printer, Sydney, 1921.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 10 November, 1921.*

New South Wales.



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Act No. 7, 1921.

An Act to amend the Mining Act, 1906, as amended by the Mining (Amendment) Act, 1907, the Mining (Amendment) Act, 1918, and the Mining (Amendment) Act, 1919; and for purposes consequent thereon or incidental thereto. [Assented to, 28th November, 1921.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. J. STUART-ROBERTSON,
Chairman of Committees of the Legislative Assembly.

Mining (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act shall be construed with the Mining Act, 1906, hereinafter called the Principal Act, as amended by the Mining (Amendment) Act, 1907, the Mining (Amendment) Act, 1918, and the Mining (Amendment) Act, 1919, and may be cited as the "Mining (Amendment) Act, 1921."

Amendment of Principal Act. **2.** The following amendments are made in the Principal Act as so amended :—

Section three, definition of "Crown lands," paragraph (f) : Omit "or application for any such lease" after the words "conditional purchase lease"; insert "or application for any of the foregoing tenures" after the words "week-end lease."

Section fifteen, subsection one, paragraph (g) : Insert the words "while following the occupation of a minor or prospector" before the word "procure."

Section thirty-five is repealed, and the following section is substituted therefor :—

Area. **35.** (1) Except in respect of special leases, the maximum area which may be included in any one mining lease under this Part shall be :—

- (a) Opal-mining lease one-half acre.
- (b) Gold-mining lease, twenty-five acres.
- (c) Lease to mine for coal, shale, mineral oils, petroleum or natural gas, six hundred and forty acres.
- (d) Lease to mine for any other mineral, eighty acres.

(2) The area and dimensions of leases for mining purposes shall be such as the Minister may determine.

Oil leases open to mining for other minerals. (3) Every lease to mine for mineral oils, petroleum, or natural gas shall contain a condition empowering the Governor to grant authority to any person to prospect for any other mineral

Mining (Amendment).

mineral in or upon the land included in such lease, but no such authority shall be granted in respect of any part of the said land upon which the lessee is actually carrying on prospecting or mining operations or within three hundred yards thereof. In the event of the discovery by such authorised person of any mineral (other than mineral oils, petroleum, or natural gas) the Governor may, after inquiry and report by the warden, cancel the lease of so much of the area included in such authority as may be necessary to enable mining operations for such other mineral to be carried on. Such cancellation shall take effect upon the expiration of one month from the date of service of notice upon the lessee, and for a period of one month after the date of cancellation the said authorised person shall have the exclusive right to apply for a lease of the cancelled area.

Section thirty-six, subsection two, line two: Omit "one shilling" insert "two shillings"; and in subsection (2A), line four, omit "one shilling" insert "two shillings."

The following new section is inserted next after section forty:—

40A. (1) The Governor may grant to the Railway Commissioners for New South Wales a special lease or leases of Crown land to mine for coal, and may fix the form of and area to be comprised in any such lease.

(2) The provisions of this Act requiring payment of rent and observance of labour conditions shall not apply to any such lease, but in all other respects such lease and the application therefor shall be subject to the provisions of this Act in respect of ordinary leases under this Act.

(3) The provisions of the Coal Mines Regulation Act, 1912, and any Act amending the same, shall apply to any mine worked by the

Mining (Amendment).

the said Commissioners in pursuance of a lease granted under this section and for the purposes of the said Act the said Commissioners shall be deemed to be the owners of any mine so worked by them.

In section sixty, subsection two: Omit "any such holder or person," insert "an intending applicant."

Section 108A is amended by inserting the words "mineral oils, petroleum, or natural gas" after the word "shale" wherever in such section appearing.

In the name and on behalf of His Majesty I assent to this Act.

Government House, Sydney, 28th November, 1921.
W. E. DAVIDSON, Governor.

MINING (AMENDMENT) BILL.

SCHEDULE of Amendments referred to in Message of 27th October, 1921.

- Page 2, clause 1, line 11. *Omit "1920" insert "1921"*
- Page 2, clause 2, line 28. *Omit "Opal-mining claim, one hundred feet square" insert
"Opal-mining lease one-half acre"*
- Page 2, clause 2, line 41. *Omit "Minister" insert "Governor"*
- Page 3, clause 2, line 10. *Omit "Minister" insert "Governor"*
- Page 3, clause 2, line 28. *Omit "Minister" insert "Governor"*
- Page 3, clause 2. *After subclause (2) insert new subclause (3).*
- Page 4, clause 2. *After line 11 omit to end of clause.*
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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 15 December, 1920.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 27th October, 1921.*

New South Wales.



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NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Mining (Amendment).

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2. The following amendments are made in the Amendment of Principal Act. Principal Act as so amended :—

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Mining (Amendment).

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Mining (Amendment).

lease granted under this section, and for the purposes of the said Act the said Commissioners shall be deemed to be the owners of any mine so worked by them.

5 In section sixty, subsection two: Omit "any such holder or person," insert "an intending applicant."

10 Section 108A is amended by inserting the words "mineral oils, petroleum, or natural gas" after the word "shale" wherever in such section appearing.

The following new section is inserted next after section 108A:—

15 108B. Any application for a lease under this Act made on and after the first day of January, one thousand nine hundred and twenty-one, may be granted by the Minister, and any lease granted under this Act or any Act hereby repealed may be cancelled by the Minister for breach of covenant, and the provisions of this Act relative to the granting and refusal of applications for leases, renewal and cancellation of leases, shall on and after the said first day of January, one thousand nine hundred and 20 twenty-one, be read and construed as if the word "Minister" had been inserted therein in lieu of the word "Governor" or the words "Governor in the name and on behalf of His Majesty."

30 The following proviso is added at the end of the first paragraph of subsection one of section one hundred and eighteen:—

35 Provided that the Minister may so authorise the amalgamation of two or more mineral leases to mine for silica, notwithstanding that such leases are not adjoining.

Subsection seven of section 124A is amended by omitting paragraphs (a) and (b), and inserting in lieu thereof:—

40 (a) cancel the lease;
(b) grant a lease of the subject land, or any part thereof, to the complainant.

Vesting
power of
granting
leases in the
Minister.