

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Provisions relating to mineral oils and natural gas. 3. Section 76 of principal Act amended. 4. Section 105 of principal Act amended. Repeal. 5. Warden may grant license to work land being site of water-race. | <ol style="list-style-type: none"> 6. Section 252 of principal Act amended. 7. Section 264 of principal Act amended. 8. Section 358 of principal Act amended. 9. Section 16 of Amendment Act, 1910, amended. 10. Payments from Gold-miners' Relief Fund to miners suffering from pneumoconiosis. 11. Leases and licenses of education reserves, &c., for oil-mining. 12. Taking land for storage, &c., of oil. |
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1911, No. 32.

AN ACT to amend the Mining Act, 1908.

Title.

[28th October, 1911.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Mining Amendment Act, 1911, and shall form part of and be read together with the Mining Act, 1908 (hereinafter referred to as the principal Act). Short Title

2. (1.) The Governor may from time to time, by Order in Council gazetted, declare that any of the provisions of the principal Act shall apply to prospecting and mining for and the storage of petroleum and other mineral oils and of natural gas, and may from time to time define the district within which any such Order in Council shall take effect. Provisions relating to mineral oils and natural gas.

(2.) Compensation shall in no case be payable in respect of the value of any mineral oil or natural gas on or in any land taken under the provisions of the principal Act in respect of which the owners of the land have consented after the passing of this Act to the issue of a mineral-prospecting warrant.

(3.) The Governor may from time to time, by Order in Council gazetted, make regulations for the efficient control of operations in connection with prospecting or mining for and the storage of mineral oils and natural gas, and for the prevention of unnecessary waste of those materials.

(4.) Section four of the principal Act is hereby amended by omitting from the definition of "mineral" the words "and includes petroleum and other mineral oils."

Section 76 of principal Act amended.

3. Section seventy-six of the principal Act is hereby amended by inserting immediately before the words "lands specified in the warrant," in subsection one, the words "or other," and by adding to that subsection the following:—

"Provided that no such warrant shall be issued with respect to any land other than Crown land, unless the consent in writing of the owner and lessee (if any) of the land has been obtained and is produced to the Warden or Commissioner."

Section 105 of principal Act amended.

4. (1.) Section one hundred and five of the principal Act is hereby amended by omitting the proviso thereto, and substituting the following:—

"Provided that no application to a Warden for a license to take water in a mining district for the use, convenience, or advantage of a district outside the mining district for other than mining operations, or in any case to take more than twenty heads of water, shall be granted except with the consent in writing of the Minister."

Repeal.

(2.) Paragraph (f) of section nineteen of the Mining Amendment Act, 1910, is hereby repealed.

Warden may grant license to work land being site of water-race.

5. Notwithstanding anything in section one hundred and ten of the principal Act, on the application by any person for a license to take up a claim comprising any land occupied by the holder of a water-race license under that section, the Warden may grant that license subject to the payment of such compensation to the occupier and on such other terms and conditions as he thinks fit, and may also authorize the applicant to divert the said water-race on such terms and conditions as he thinks fit.

Section 252 of principal Act amended.

6. Section two hundred and fifty-two of the principal Act is hereby amended by adding to paragraph (2) thereof the words "and alter or revoke any regulations for the time being in force relating thereto."

Section 264 of principal Act amended.

7. Section two hundred and sixty-four of the principal Act is hereby amended by omitting therefrom the words "and registered under the Industrial Conciliation and Arbitration Act, 1908, as an industrial union of workers."

Section 358 of principal Act amended.

8. (1.) Section three hundred and fifty-eight of the principal Act is hereby amended by repealing subsection one thereof, and substituting the following therefor:—

"(1.) Every such application shall be referred by the Minister to a Board consisting of the Director of the Geological Survey, the Inspecting Engineer of the Mines Department, the Inspector of Mines, and the Warden for the district to which the application relates (any three of whom shall form a quorum), and the Board shall as soon as practicable furnish the Minister with a report on the said application."

(2.) The said section three hundred and fifty-eight is hereby further amended by omitting from paragraph (c) of subsection two thereof the words "in the opinion of the Government Geologist or officer making such report," and substituting "in the opinion of the Board."

9. Section sixteen of the Mining Amendment Act, 1910, is hereby amended by inserting, after the words "injured while working" in subsection four, the words "in or about a gold-mine or battery."

Section 16 of Amendment Act, 1910, amended.

10. (1.) It shall be lawful for the Public Trustee, in accordance with regulations in that behalf, to apply any part of the Gold-miners' Relief Fund for the relief of miners who either before or after the commencement of this Act have been or are incapacitated for work owing to pneumoconiosis contracted while working in a gold-mine in New Zealand, or for the relief of the family of any such miner who has died or who dies either before or after the commencement of this Act.

Payments from Gold-miners' Relief Fund to miners suffering from pneumoconiosis.

(2.) "Miner" in this section means any person employed in or about a gold-mine, and includes persons employed in batteries.

11. (1.) At the request of any body in which any land is vested as an education reserve or education endowment the Governor may, on the recommendation of the Warden if in a mining district or of the Commissioner of Crown Lands if not in a mining district, and on such terms as may be stipulated, grant leases or licenses for prospecting or mining for mineral oils or natural gas.

Leases and licenses of education reserves, &c., for oil-mining.

(2.) All rents and royalties arising from any such lease or license shall be paid over to the body in which the land is vested, to be applied in the manner provided by law with respect to the proceeds of the sale or leasing of education endowments.

12. (1.) Where for the purpose of conveying oil, natural gas, or other produce of an oil-well or oil-refinery to any place of storage or for shipment it is desirable to carry any pipe or other work on or over or under any private land, or to take any such land for accommodation-works in connection with the oil well or refinery, the Governor, on the application and at the proper cost and charges of the owner of the well or refinery, may take such land under the Public Works Act, 1908, as for a public work within the meaning of that Act.

Taking land for storage, &c., of oil.

(2.) All provisions of the said Act shall apply accordingly for the purpose, but the effect of the Proclamation taking the land shall be to vest the land in the applicant instead of in His Majesty; and all proceedings after the aforesaid Proclamation in respect of compensation and otherwise in respect of complying with the said Act shall be had against the applicant, who shall be deemed to be the respondent, and shall be liable in respect of such taking in the same manner and to the same extent as His Majesty or the Minister of Public Works would be in respect of taking land for a Government work under the said Act.