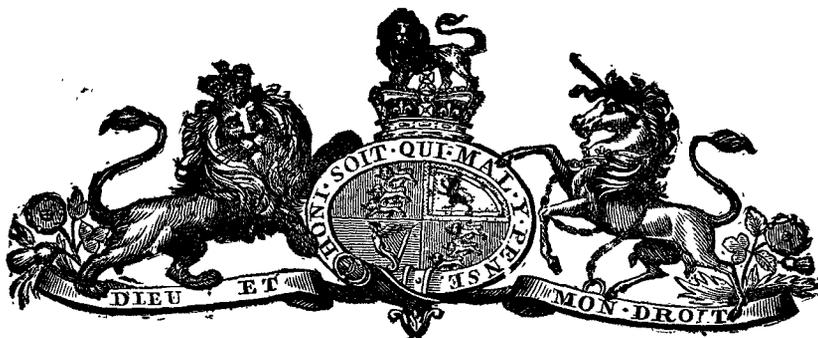


## NEW ZEALAND.



TRICESIMO SEXTO

## VICTORIÆ REGINÆ.

No. XXXV.

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## ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Interpretation.</li> <li>3. Power to Governor to make rules.</li> <li>4. License of machine owner may be cancelled or suspended for breach of rules.</li> <li>5. Rules to be published in <i>Gazette</i>.</li> </ol> | <ol style="list-style-type: none"> <li>6. Penalty for breach of rules.</li> <li>7. Imprisonment may be awarded if penalty not paid.</li> <li>8. Proceedings, how to be taken.</li> <li>9. Revenue, how apportioned.</li> <li>10. Governor may delegate powers.</li> <li>11. Rules and regulations, how proved.</li> </ol> |
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AN ACT to provide for the Regulation and Inspection Title.  
of Machinery and Appliances used in the Extraction  
of Gold from Quartz and other Substances, and for  
other Purposes. [21st October, 1872.]

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

1. The Short Title of this Act shall be “The Quartz-Crushing Short Title.  
Machines Regulation and Inspection Act, 1872.”

2. In the construction of this Act, the following words and Interpretation.  
expressions shall have the meanings hereby assigned to them, unless  
there be something in the subject or context repugnant to such con-  
struction:—

“Machine” shall mean and include all mechanical chemical or  
other means processes or appliances whatsoever, whether  
worked by hand steam water or horse power or otherwise,  
and which shall be used in extracting gold from any ore  
or mineral substance, or in refining retorting or otherwise  
treating gold for the purpose of refining the same after its  
extraction from any such ore or mineral substance.

“Ore or mineral substance” shall mean and include any earth  
clay quartz stone mineral or other substance containing  
gold or having gold mixed therein, not being what is  
commonly known as “alluvial gold.”

“Machine premises” shall mean and include the ground and

*Quartz-Crushing Machines Regulation and Inspection.*

buildings upon which any such machine shall be situate, and all offices and outbuildings used and occupied in connection with any such machine.

“Machine owner” shall mean and include the owner lessee or other person having the care custody or control of any such machine.

The word “Superintendent” shall include the Chairman of the County Council of Westland, and the word “Province” shall include the County of Westland.

Power to Governor  
to make rules.

3. It shall be lawful for the Governor from time to time to make alter amend add to or abolish rules and regulations for the purposes following:—

- (1.) For compelling every machine owner to take out a license or licenses for every machine owned by him, and to register every such machine.
- (2.) For fixing the fees to be paid for every such license or licenses, and the times and modes of payment of the same.
- (3.) For compelling every machine owner to keep a true and correct register of all ore or mineral substances delivered to him or purchased by him for the purpose of having the gold therein contained or mixed therewith extracted therefrom, and of all gold delivered to or purchased by him to be subjected to any melting refining or retorting processes, and to enter in such register such other information as to the weight or quantity of such ore or mineral substances, the quality or description thereof, the product of gold or (in the case of gold delivered for melting refining or retorting) of melted refined or retorted gold therefrom, the person or persons from whom obtained or by whom delivered, and the locality from which such ore or mineral substances shall be alleged to have been obtained, and all such other facts or particulars in relation thereto as any regulations made hereunder may require.
- (4.) For compelling all persons delivering or selling any ore or mineral substance containing gold or gold requiring to be melted retorted or refined to any machine owner, to furnish to such machine owner all such information and particulars within the knowledge of such first-named person as may be required by such machine owner in the registers or returns required to be kept or furnished by him.
- (5.) For compelling every such machine owner to furnish from time to time, at the times and in the manner in such regulations provided, full and correct returns, giving such particulars of the work done by his machines, and such other information from the registers required by him to be kept, as may be considered necessary, and for requiring such returns to be verified by statutory declaration.
- (6.) For authorizing and empowering all persons duly authorized under such regulations at all times to enter upon any machine premises, and to inspect and examine any machine, and all registers and returns required by such regulations to be kept, and if necessary to seize impound and remove such registers and returns, or to make extracts therefrom or copies thereof.
- (7.) For providing that machines used only for analysis or other scientific purposes may be exempted from the operation of all or any of the rules and regulations to be made hereunder.

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*Quartz-Crushing Machines Regulation and Inspection.*

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- (8.) And generally, to make such rules and regulations in respect of the several matters and things in this clause referred to as may be necessary to give full force and effect to this Part of this Act.
4. In addition to any penalties imposed, such rules and regulations may provide that the license of any machine owner committing any breach of such rules and regulations may be cancelled or suspended for such time as such rules and regulations may prescribe. License of machine owner may be cancelled or suspended for breach of rules.
5. All rules and regulations made hereunder shall be published in the *New Zealand Gazette*, and shall have force and effect over such districts of the Colony as the Proclamation bringing them into force shall specify and define; and such districts may be enlarged diminished altered or abolished by subsequent Proclamations, and new districts may be created in like manner. Rules to be published in *Gazette*.
6. If any person shall commit any breach, whether by way of omission or commission, of any of the rules or regulations made under this Act, he shall be liable for every such breach to forfeit and pay such fine or penalty as shall be fixed by such rules and regulations in respect of such breach, not exceeding the sum of three hundred pounds. Penalty for breach of rules.
7. When any person shall be convicted of any breach of the rules and regulations made hereunder, the conviction may order that upon non-payment of the amount of penalty imposed by such conviction, such person shall be imprisoned, with or without hard labour, for any period not exceeding two calendar months when the amount of penalty does not exceed one hundred pounds, or for any period not exceeding four calendar months when the amount of penalty does not exceed two hundred pounds, or for any period not exceeding six calendar months when the amount of penalty exceeds two hundred pounds. Imprisonment may be awarded if penalty not paid.
8. All proceedings for any breach of the rules and regulations made hereunder may be had and taken before any Warden or Resident Magistrate or two Justices of the Peace, according to the law for the time being in force for regulating summary proceedings before Justices of the Peace. Proceedings, how to be taken.
9. All license fees received under such rules and regulations shall if arising within the limits of a gold field be deemed to be gold fields revenue, and if without the limits of a gold field shall be deemed to be part of the ordinary revenue of the Province or County in which such license fees shall be recovered. Revenue, how apportioned.
10. It shall be lawful for the Governor in Council, under his hand and under the Public Seal of the Colony, from time to time to delegate to the Superintendent of any Province all or any of the powers vested in the Governor by this Act, and in like manner to revoke or alter any such delegation: Provided however that any such Superintendent shall only hold and exercise the powers vested in him by any such delegation within the limits of his Province: Provided that all fines fees and penalties to be imposed under this Act shall be declared by the Governor in Council, and also that all regulations made by virtue of such delegation shall be approved by the same authority. Governor may delegate powers.
11. Whenever in any action cause or proceeding whatsoever, in any Court, it shall be necessary to produce as proof any rules and regulations or any Proclamations made under this Act, the production of a copy of the *New Zealand Gazette* containing any such rules and regulations or Proclamations shall be conclusive evidence thereof. Rules and regulations how proved.