

[AS REPORTED FROM THE GOLD-FIELDS COMMITTEE.]

Mr. Reeves.

Mines Act 1877 Amendment.

ANALYSIS.

<p>Title.</p> <p>Preamble. <i>Επιτομή</i></p> <p>1. Short Title. <i>Σημειώσεις</i></p> <p>2. Act to be read with "Mines Act, 1877."</p> <p>3. Governor may grant protection, under certain conditions, to holder of gold-mining lease.</p> <p>4. At expiration of period of protection, work to be resumed.</p> <p>5. Conditions under which further protection will be granted.</p>	<p>6. Certificate of protection may be granted for three years if applicant proved to have spent £6,000 over and above profits.</p> <p>7. Such certificate to date from issue.</p> <p>8. During such period working operations may be suspended.</p> <p>9. Governor may grant protection to person mining on Crown land outside mining district.</p> <p>10. But if such land be subsequently included within a mining district, then shall be subject to regulations therein in force.</p> <p>Schedule.</p>
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A BILL INTITULED

AN ACT to amend "The Mines Act, 1877," in order Title.
to grant to Gold-mining Claims or Leases Right of Protection, with
Suspension of Working Operations, to enable Protection to
be granted to Holders of Gold-Mining Leases,
under certain conditions.

WHEREAS it has been proved by experience that it is at times need- Preamble.
ful to the welfare of the gold-mining industry to suspend work in
gold mining claims, and leases of land held for gold mining purposes, for
a period longer than that allowed by the "Mines Act, 1877," or by the
5 conditions of the deed of lease, is expedient to enable protection to be
granted to holders of gold-mining leases :

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

10 **1.** The Short Title of this Act is "The Mines Act 1877 Amend- Short Title.
ment Act, 1879," and this Act shall come into force on the first day
of January, one thousand eight hundred and eighty.

2. This Act shall be read and construed as incorporated with and Act to be read with
"Mines Act, 1877."
as part of "The Mines Act, 1877."

15 **3.** Holders of gold mining claims, or of land in lease from the
General Government for gold mining purposes, shall be entitled to protec-
tion under the following circumstances and conditions :—

3. The Governor may, if he think fit, grant protection under the Governor may grant
protection, under
certain conditions, to
holder of gold-mining
lease.
20 following circumstances and conditions to any holder of a gold-mining
lease :—
Any holder of a gold-mining claim or of land in lease for gold-

mining purposes, who shall prove to the Minister administering the Mines ~~to have spent~~ *Governor that not less than one thousand five hundred pounds cash by labour, or by labour and machinery, therewith connected, has been expended by him in prospecting and developing such property within the three years preceding the application for protection here-* 5
~~after mentioned, or shall prove as aforesaid to have spent that he has~~ *expended not less than six hundred pounds cash by labour or by labour and machinery in prospecting and developing such property without* 10
~~deriving having derived any direct benefit from such claim or land~~ *within the twelve months preceding the application, shall be entitled* 15
~~may apply to have such claim or lease registered for protection for~~ *twelve months, upon application to the Minister administering the Mines,* 20
~~supported and shall support such application by a detailed statement of~~ *the expenditure, and an affidavit, a declaration made before a Justice* 25
~~of the Peace, swearing declaring such statement to be correct. Upon~~ *verification of the correctness of the application and of the documents*
~~thereto attached, the Minister administering the Mines shall~~ *Governor*
~~may, on prepayment by the applicant to the Colonial Treasury of the sum~~ *of five pounds, cause a certificate of protection for the twelve months* 30
~~to be issued in favour of the applicant, according to the form in the~~ *Schedule to this Act, and shall cause all such certificates of protection*
~~to be immediately published in two consecutive numbers of the Govern-~~ *ment Gazette, and in twice at least in one newspaper published or*
~~ment Gazette, and in twice at least in one newspaper published or~~ *circulating in the district, and an abstract of such certificates affixed*
~~shall be posted in the office of the Warden of the gold-field mining~~ *district where the property is situate.* 35

At expiration of period of protection, work to be resumed.

4. At the expiration of the period of protection, work shall be resumed in the ~~claim or leased land~~ *gold-mining lease* in accordance with the provisions of "The Mines Act, 1877," and with the conditions of the deed *lease* under which the land is held for gold-mining 30 purposes.

Conditions under which further protection will be granted.

5. After a lapse of twelve months from the last day of the protection, any holder of a gold-mining ~~claim or lease~~ who shall prove, in the form above provided, to the Minister administering the Mines ~~to have spent~~ *Governor that he has expended a further sum of five hundred pounds* 35
~~cash, within such twelve months, in labour, or in labour and machinery,~~ *for prospecting and developing such claim or leasehold, gold-mining*
~~for prospecting and developing such claim or leasehold, gold-mining~~ *lease, without deriving any direct benefit from such claim or leasehold,*
~~shall be entitled to another grant gold-mining lease, may apply for a~~ *renewal of protection for twelve months, and so on every alternate* 40
~~renewal of protection for twelve months, and so on every alternate~~ *twelve months, upon proof being adduced of five hundred pounds*
~~twelve months, upon proof being adduced of five hundred pounds~~ *cash having been spent expended within the preceding twelve months*
~~cash having been spent expended within the preceding twelve months~~ *in prospecting the claim or leasehold gold-mining lease without deriving*
~~having derived any direct benefit from the claim or leasehold said lease:~~ *Provided that it shall be in the discretion of the Governor to grant any* 45
~~Provided that it shall be in the discretion of the Governor to grant any~~ *such renewal or otherwise as he shall think fit. Five pounds shall be*
~~such renewal or otherwise as he shall think fit. Five pounds shall be~~ *paid for every such certificate of renewal, which certificate shall be*
~~paid for every such certificate of renewal, which certificate shall be~~ *published in the manner aforesaid.* 50

Clause erased.

6. The Minister administering the Mines shall have the power of 50
 granting protection for eighteen consecutive months if, in his judgment, reasonable and sufficient grounds are shown in the application; and shall also have the power of granting six months' protection to any claim- or leaseholder, whether the amount specified has been spent in developing and prospecting it or not, provided sufficient reasons in 55
 its favour are adduced to his satisfaction.

Certificate of protection may be granted for three years if applicant proved to

7. 6. Any holder of a gold-mining ~~claim or~~ gold-mining lease *which has not been previously protected under this Act, and who shall prove to the Minister administering the Mines Governor in the manner above*

described to have spent that he has expended thereon the sum of six thousand pounds cash over and above all profits derived from such claim or lease, hold, shall be entitled to *may apply* for a certificate of protection for ~~three~~ two years, and it shall be in the discretion of the

have spent £6,000 over and above profits.

5 Governor to grant such application; and for every certificate of protection the sum of five pounds shall be prepaid into the Colonial Treasury, the Government undertaking to pay the cost of publishing the certificates in the Government Gazette, and every such certificate shall be published in manner aforesaid.

10 8. 7. The protection shall date from the day of application issue; and any gold-mining lease for which application for protection has been made shall not be deemed to be protected pending the granting of such application.

Such certificate to date from issue.

15 9. 8. The certificate of protection shall entitle the holder of the gold-mining claim or lease to suspend all working operations during the period of protection, notwithstanding all any conditions or provisions to the contrary imposed by "The Mines Act, 1877," or by deeds of such lease.

During such period working operations may be suspended.

Section 10 erased.

20 10. This Act shall in no way affect the validity of the deeds of lease of land for gold-mining granted up to the time of coming into operation of this Act, nor shall affect any of the conditions or clauses thereto attached, but simply establish a right to obtain protection under certain circumstances and conditions; and all deeds of lease of

25 land for gold-mining shall hereafter be made subject to the provisions of this Act.

New Clauses.

PROTECTION TO CROWN LANDS OUTSIDE MINING DISTRICTS.

9. It shall be lawful for the Governor, if he shall think fit, on the receipt of a fee of five pounds, to grant protection for any period not exceeding six months, to any person mining for gold within Crown lands outside any mining district, under regulations from time to time to be proclaimed.

Governor may grant protection to person mining on Crown land outside mining district.

10. In the event of the lands so protected being included within the boundaries of any mining district which shall be proclaimed a mining district after the grant of such protection, such land shall be deemed to be held under the provisions of the Acts in force in such mining district relating to gold fields, and shall be subject to the rules and regulations then in force for the time being within such mining district, and may be dealt with accordingly.

But if such land be subsequently included within a mining district, then shall be subject to regulations therein in force.

SCHEDULE.

Schedule.

GENERAL GOVERNMENT OF NEW ZEALAND.—DEPARTMENT OF MINES.

In accordance with section of "The Mines Act 1877 Amendment Act, 1879," this Certificate of Protection for , from to , is granted in favour of

Minister administering the Mines.