

No. IV.

An Act to provide for the payment of Rent and Royalties, and the imposition of certain conditions in connection therewith, upon the leasing of Church and School Lands; to authorize the renewals of such Leases; to regulate Authorities and Applications for such Leases; and to amend in certain respects the "Church and Schools Lands Dedication Act, 1880," and the "Church and School Lands Mining Act." [23rd July, 1889.]

BE it enacted by the Queen'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 and interpretation.

Governor may impose Royalties on mining leases, &c.

Renewal of leases.

Regulation of Authorities, &c.

1. This Act may be cited as the "Church and School Lands Mining Act, 1889." All expressions used in this Act which are also used in the "Church and School Lands Dedication Act, 1880," hereinafter called the Principal Act, and the "Church and School Lands Mining Act of 1888" shall have the same meanings, and include the same matters and things as the said expressions are, respectively, declared to mean and include by such Acts.

2. In any case where, by the "Church and School Lands Mining Act" the Governor is empowered to grant leases for mining purposes of any lands now or hereafter classified as "lands suitable for mining operations," pursuant to section eight of the Principal Act, the said Governor is hereby empowered to impose such Rent and Royalties, or either of them, as may be prescribed by regulations made under this Act, or as he may think just, in consideration of the removal by the lessees of any specified mineral or metal from the land demised; and also to impose, in connection with any Rent and Royalty, such terms and conditions as he may think fit. The Royalties hereby authorized may be either in addition to any rent received on the leasing of such lands as aforesaid, or in substitution of such rent. For the purposes of this section the word "minerals" includes minerals and metals as defined by the fourth section of the "Crown Lands Act of 1884."

3. All such leases now or hereafter to be granted, and whether subject to Royalties or not, may, upon the expiration or other determination thereof, be renewed by the Governor for any terms not exceeding the respective terms for which such leases were originally granted. But every lease so renewed shall be subject to such conditions and provisions including any increase of Rent or Royalty payable thereunder as the Governor may determine.

4. All applications for Authorities under the third section of the "Church and School Lands Mining Act," lodged in the prescribed manner before the passing of this Act, shall, if renewed by the applicants in manner prescribed by regulations under this Act, be considered and dealt with as if the same had been lodged immediately after the passing of this Act, provided that the applicant shall in every case

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case lodge his application in the prescribed manner within thirty days from the passing of this Act. During such thirty days, but no longer, the land described in, or covered by, any application lodged before the passing of this Act shall be reserved from lease or other disposition under the Principal or any Amending Act. Where one and the same portion of land is applied for by more than one person in the prescribed manner, and whether by renewed application, made within thirty days, or subsequently by applications lodged at the same time, the Minister shall determine by lot which applicant shall have the land applied for.

5. The power of the Governor to make regulations, as conferred by the "Church and School Lands Mining Act," may be exercised by him so as to carry out in all respects the extended powers conferred by this Act; and shall include the power to prescribe Rent and Royalties, or either of them, and to make conditions and provisions in respect thereof. All such regulations shall be dealt with in manner directed by the sixteenth section of the Principal Act.
