

Act No. 10, 1902.

MINING LAWS
AMENDMENT.

An Act to amend the Mining Act, 1874, the Mining Act Further Amendment Act of 1884, the Mining on Private Lands Act of 1894, and the Mining Laws Amendment Act of 1896; and to authorise the granting of leases of Crown lands for certain purposes in connection with mining. [15th January, 1902.]

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 may be cited as the "Mining Laws Amendment Act, 1901."

Renewal of coal and shale leases.

2. (1) An application for the renewal of any mining lease for coal or shale under the Mining Act, 1874, or the Mining Act Further Amendment Act of 1884, may be made, and such renewal may be granted at any time during the last five years of the term of the lease, whether the lease was granted before or after the commencement of this Act.

Renewal of other leases.

(2) In the case of a renewal under the said Acts of any mining lease for minerals other than coal and shale (whether such lease was granted before or after the commencement of this Act), the lease so renewed shall be subject to the annual rent prescribed by the Acts and regulations then in force in respect of such lease, and to a further annual payment to be made to the Colonial Treasurer, or some person appointed by him in that behalf, amounting to one per centum upon the net annual profits of working the mine or mines on the land comprised in such lease, and, in addition thereto, one-half per centum upon the amount of such profits exceeding two hundred thousand pounds. Application for such renewal may be made and granted at any time during the last five years of the term of the lease: Provided that no such payment shall be required in respect of any mine the net annual profits of which do not exceed five hundred pounds.

Regulations.

(3) For the purpose of assessing and collecting the said percentages the Governor may make regulations prescribing the returns and information to be made and given by lessees and persons working the mines referred to in subsection two, and the persons receiving or accounting for the profits and proceeds of such mines, or receiving minerals from such mines, and for providing for the recovery of

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of the percentages aforesaid, and may in those regulations impose any penalty not exceeding fifty pounds for any breach of the same. Such regulations shall be published in the Gazette and laid before both Houses of Parliament without delay.

All such penalties may be recovered in a summary way before a stipendiary or police magistrate or any two justices of the peace in petty sessions.

3. Notwithstanding anything to the contrary in the Mining on Land subject of Private Lands Act of 1894 or the Mining Laws Amendment Act, 1896, agreement not open the land the subject of any agreement or lease under section eleven of to occupation. the last-mentioned Act which has been submitted, or the draft of which has been submitted to the Minister for his concurrence or approval, shall, from the date of the receipt by the Minister of such agreement or lease or the draft thereof until and unless such concurrence or approval is refused, be deemed to be exempt from entry or occupation under the said Acts by any person other than the parties to such agreement.

4. The Governor may grant leases of Crown lands for the Governor may grant purpose of cutting and constructing water-races, drains, dams, leases of Crown lands reservoirs, and tramways, or works for pumping or raising water in for water-races. connection with mining for minerals other than gold, or for any other purpose in connection with such mining. The conditions of such leases shall be in accordance with regulations to be made by the Governor. Such regulations shall be published in the Gazette, and laid before both Houses of Parliament without delay.