

Act No. 18, 1907.

MINING
(AMENDMENT).

An Act to declare the meaning of certain provisions of section 2 of the Mining Act, 1906; to amend sections 14, 15, 16, 25, 50, 106, 109, and 110, and Schedule Three of the said Act: to amend section 46 of the Crown Lands Act of 1884; and for other purposes. [23rd December, 1907.]

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:—

Incorporation and short title.

Rent after 15th July, 1907, for gold-mining leases in force at such date.

Amendment of sections of Principal Act.

1. This Act shall be construed with the Mining Act, 1906, hereinafter called the Principal Act, and may be cited as the "Mining (Amendment) Act, 1907."

2. The provision in section two of the Principal Act, fixing the annual rent of certain gold-mining leases at five shillings per acre, shall be deemed to mean that from the fifteenth day of July, one thousand nine hundred and seven, the date on which the said Act came into operation, the rent for such leases shall be calculated at that rate, and where a lessee has, in respect of any such lease, paid rent for any period after that date in excess of such rate, he shall be entitled to a refund of the amount of such excess.

3. The Principal Act is amended as follows:—

- (a) In paragraph (a) of subsection one of section fourteen, by inserting "mining or" before the words "mining purposes."
- (b) In paragraph (a) of subsection one of section fifteen, by omitting the words "as a claim."
- (c) In section sixteen, by inserting the following subsection next after subsection three, namely:—
 - (3A) Section forty-six of the Crown Lands Act of 1884 is amended by inserting after "gold-field" the words "or mineral field constituted under the Mining Act, 1906."
- (d) In section twenty-five, by inserting in the expression "shall be accompanied" after "shall" the words "except in the case of a special lease or a lease for mining purposes."
- (e) In subsection one of section fifty, by inserting the following proviso at the end of the subsection:—

Provided that where two or more applications for authority to enter are lodged at the same time, and the warden

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warden is of opinion that such applications are conflicting, he may decide the question of priority by ballot in the prescribed manner.

- (f) In section one hundred and six, by adding at the end of the section the words, "Where, by notification under the Crown Lands Acts made before the commencement of this Act, any land, therein described as being within a goldfield, is reserved, such land shall for the purposes of this section be deemed to have been thereby reserved for mining or mining purposes."
- (g) In subsection one of section one hundred and nine, by omitting the words "who shall forward a copy thereof to the warden of the district in which the land comprised in such lease is situated."
- (h) In subsection two of the same section, by omitting the words "such lease," and inserting in lieu thereof the words "lease under this Act or any Act hereby repealed."
- (i) In subsection one of section one hundred and ten, and subsection one of section one hundred and twenty-five, respectively, by inserting after the words "this Act" the words "or any Act hereby repealed."
- (j) In Schedule Three, by omitting the words "Mining Act of 1906," and inserting the words "Mining Act, 1906."
