

## MINING (AMENDMENT) ACT.

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Act No. 7, 1921.

**George V, No. 7.** An Act to amend the Mining Act, 1906, as amended by the Mining (Amendment) Act, 1907, the Mining (Amendment) Act, 1918, and the Mining (Amendment) Act, 1919; and for purposes consequent thereon or incidental thereto. [Assented to, 28th November, 1921.]

**B**E 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 shall be construed with the Mining Act, 1906, hereinafter called the Principal Act, as amended by the Mining (Amendment) Act, 1907, the Mining (Amendment) Act, 1918, and the Mining (Amendment) Act, 1919, and may be cited as the "Mining (Amendment) Act, 1921."

**2.**

**2.** The following amendments are made in the **George V,**  
Principal Act as so amended :— **No. 7.**

Section three, definition of "Crown lands," para- <sup>Amendment</sup>  
graph (f) : Omit "or application for any such <sup>of Principal</sup>  
lease" after the words "conditional purchase <sup>Act.</sup>  
lease"; insert "or application for any of the  
foregoing tenures" after the words "week-end  
lease."

Section fifteen, subsection one, paragraph (g) : Insert  
the words "while following the occupation of a  
miner or prospector" before the word "procure."

Section thirty-five is repealed, and the following  
section is substituted therefor :—

35. (1) Except in respect of special leases, <sup>Area.</sup>  
the maximum area which may be included in  
any one mining lease under this Part shall be :—

- (a) Opal-mining lease one-half acre.
- (b) Gold-mining lease, twenty-five acres.
- (c) Lease to mine for coal, shale, mineral  
oils, petroleum or natural gas, six  
hundred and forty acres.
- (d) Lease to mine for any other mineral,  
eighty acres.

(2) The area and dimensions of leases  
for mining purposes shall be such as the  
Minister may determine.

(3) Every lease to mine for mineral oils, <sup>Oil leases</sup>  
petroleum, or natural gas shall contain a <sup>open to</sup>  
condition empowering the Governor to grant <sup>mining for</sup>  
authority to any person to prospect for any other <sup>other</sup>  
mineral in or upon the land included in such <sup>minerals.</sup>  
lease, but no such authority shall be granted in  
respect of any part of the said land upon which  
the lessee is actually carrying on prospecting  
or mining operations or within three hundred  
yards thereof. In the event of the discovery  
by such authorised person of any mineral  
(other than mineral oils, petroleum, or natural  
gas) the Governor may, after inquiry and  
report by the warden, cancel the lease of so  
much of the area included in such authority  
as may be necessary to enable mining operations  
for such other mineral to be carried on.

Such

George V,  
No. 7.

Such cancellation shall take effect upon the expiration of one month from the date of service of notice upon the lessee, and for a period of one month after the date of cancellation the said authorised person shall have the exclusive right to apply for a lease of the cancelled area.

Section thirty-six, subsection two, line two: Omit "one shilling" insert "two shillings"; and in subsection (2A), line four, omit "one shilling" insert "two shillings."

The following new section is inserted next after section forty:—

Railway  
Commissioners'  
leases.

40A. (1) The Governor may grant to the Railway Commissioners for New South Wales a special lease or leases of Crown land to mine for coal, and may fix the form of and area to be comprised in any such lease.

(2) The provisions of this Act requiring payment of rent and observance of labour conditions shall not apply to any such lease, but in all other respects such lease and the application therefor shall be subject to the provisions of this Act in respect of ordinary leases under this Act.

(3) The provisions of the Coal Mines Regulation Act, 1912, and any Act amending the same, shall apply to any mine worked by the said Commissioners in pursuance of a lease granted under this section and for the purposes of the said Act the said Commissioners shall be deemed to be the owners of any mine so worked by them.

In section sixty, subsection two: Omit "any such holder or person," insert "an intending applicant."

Section 108A is amended by inserting the words "mineral oils, petroleum, or natural gas" after the word "shale" wherever in such section appearing.