



ANNO SEXAGESIMO TERTIO ET SEXAGESIMO  
QUARTO

# VICTORIÆ REGINÆ.

A. D. 1900.

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## No. 751.

An Act to amend "The Mining Act, 1893."

[Assented to, December 5th, 1900.]

**B**E it Enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

**1.** This Act may be cited as "The Mining Act Amendment Act, 1900," and shall be incorporated with "The Mining Act, 1893," hereinafter called the principal Act. Short title and incorporation.

**2.** The holder of any miscellaneous lease for the collecting, procuring, or manufacture of salt or gypsum, heretofore granted under "The Crown Lands Act, 1888," may execute a surrender of such lease in the form in the First Schedule hereto, or to the like effect, and lodge the same, together with the lease, at the office of the Commissioner of Crown Lands. Surrender of salt leases.

**3.** The Governor may, if satisfied of the due performance and observance of the covenants and conditions of the lease comprised in any such surrender, accept such surrender, and shall thereupon grant to the person surrendering such lease a lease of all or any portion of the lands comprised in such surrendered lease under section 63, sub-section 1., of the principal Act: Grant of new lease under Mining Act.

**4.** Any lease granted pursuant to this Act may include the whole or any portion of the land comprised in the surrendered lease, anything to the contrary in the principal Act or the regulations thereunder notwithstanding. Area of lease.

**5. No**

*The Mining Act Amendment Act. —1900.*

Surrender not to operate until accepted.

**5.** No surrender executed under this Act shall operate as a surrender of the lease therein described until such surrender has been accepted by the Governor and the terms of the new lease have been accepted by the lessee.

Search licences.

**6.** The Minister may grant licences to search on any specific mineral lands not exceeding five square miles in area for any of the following minerals, namely—

(a) Precious stones:

(b) Mineral phosphates:

(c) Oil:

(d) Rare metals, minerals, and earths, the mining for which, in the opinion of the Minister, has not been proved payable in any instance in any portion of the colony.

Fee.

**7.** A fee of Twenty Shillings for each square mile or portion thereof included in any licence under this Act shall be paid by the licensee to the Minister before the issue of the licence.

Maximum area.

**8.** No person shall directly or indirectly hold more than five square miles of land at one time under licence under this Act.

Exemption.

**9.** Lands held under miner's right or mining lease shall be exempt from the operation of licences under this Act.

Provisions of licence.

**10.** Licences under this Act may be in the form in the Second Schedule hereto, and shall be in force for twelve months from the date thereof, and shall, subject to the regulations, authorise the licensee, his assigns, servants, and workmen—

i. To search and mine the land comprised in the licence for precious stones, mineral phosphates, oil, metals, minerals, or earths, as the case may be :

ii. To remove any material from the said land, not exceeding twenty tons in the whole, for testing purposes only.

Duties of licensee.

**11.** Every licensee under this Act shall—

i. Employ and keep employed during six months at least of the term of the licence in searching for precious stones, mineral phosphates, oil, metals, minerals, or earths, on the land comprised in the licence not less than one man for every six hundred and forty acres, or portion thereof, of land comprised in the said licence :

ii. Furnish the Minister, whenever required by him or by the regulations, with satisfactory evidence of compliance with the provisions of this section :

iii. Report to the Minister forthwith after the discovery in payable quantities of precious stones, mineral phosphates, oil, or any metal or mineral or earth :

And

*The Mining Act Amendment Act.—1900.*

And if any licensee shall make default in complying with the provisions of this section his licence shall be forfeited.

**12.** Every licensee under this Act shall, during the currency of the licence, have a preferential right— Preferential right.

- (a) In case of a licence to search for precious stones, metals, minerals, or earths, to a mineral lease not exceeding forty acres of any part of the land comprised in the licence:
- (b) In case of a licence to search for mineral phosphates, to a mineral lease not exceeding one hundred acres of any part of the land comprised in the licence:
- (c) In case of a licence to search for oil, to an oil lease of not exceeding six hundred and forty acres of any part of the land comprised in the licence.

Upon the preferential right being exercised the licence shall at once cease and determine, and shall be returned by the licensee to the Minister.

**13.** No licence under this Act shall operate to prevent persons holding miners' rights from prospecting for gold, silver, lead, or copper on the lands comprised in the licence, or from acquiring thereon claims or leases for mining for such last-mentioned metals. Reservation of right to prospect for gold.

**14.** Every coal or oil lease under Part III., Division VI., of the principal Act, and every miscellaneous lease for the manufacture or obtaining of salt or gypsum, or for the working of mineral springs under Part III., Division VII., of the principal Act, shall, in addition to the annual rent, reserve a further sum equal to Six Pence in the Pound sterling on the net profits obtained from the occupation and working of the lands comprised in the lease and the sale of the coal, oil, salt, gypsum, or mineral waters obtained therefrom, as the case may be. This section shall apply only to leases issued after the passing of this Act. Royalty.

**15.** The Governor may, in addition to the powers conferred on him by the Mining Act of 1893, make regulations for prescribing the labor and other conditions on which leases shall be granted under section 3 of this Act, and the terms of forfeiture. Regulations.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

TENNYSON, Governor.

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*The Mining Act Amendment Act — 1900.*


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## SCHEDULES.

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### THE FIRST SCHEDULE.

“The Mining Act Amendment Act, 1900.”

*Form of Surrender.*

I (*or we*) [*insert name in full, address, and occupation of lessee*], being the lessee under “The Crown Lands Act, 1888,” of the lands, being [*describe lands*], comprised in miscellaneous lease [*describe lease sufficiently to identify it*], do hereby surrender the said lease and the lands comprised therein and all my right and title thereunder and thereto unto Her Majesty the Queen and Her successors, in exchange for a lease of the said lands to be granted to me (*or us*) under the provisions of section 63, sub-section 1. of “The Mining Act, 1893,” which I (*or we*) agree to accept and execute.

As witness my (*or our*) hand and seal the \_\_\_\_\_ day of \_\_\_\_\_ 19 .  
(SEAL)

[*Signature of Lessee.*]

Signed, sealed, and delivered in the presence of \_\_\_\_\_

In the name and on behalf of Her Majesty I accept the above-written surrender.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, Governor.

### THE SECOND SCHEDULE.

South [Royal Arms.] Australia.

FORM OF LICENCE TO SEARCH FOR [*set out precious stones, mineral phosphates, or oil, as the case may be*].

Pursuant to “The Mining Act Amendment Act, 1900,” I hereby grant to [*set out name in full, address, and occupation of the licensee*] licence and authority to search and mine the mineral lands, being [*describe land sufficiently to identify it*], containing [*set out area of land in square miles or acres*], for [*set out precious stones, mineral phosphates, or oil, as the case may be*], subject to the provisions of the said Act and the Mining Regulations for the time being in force, so far as the same are applicable. This licence is to remain in force for twelve calendar months from the date hereof, unless forfeited or determined in the meantime.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

\_\_\_\_\_, Minister of Mines.

Fee, £ \_\_\_\_\_, paid.