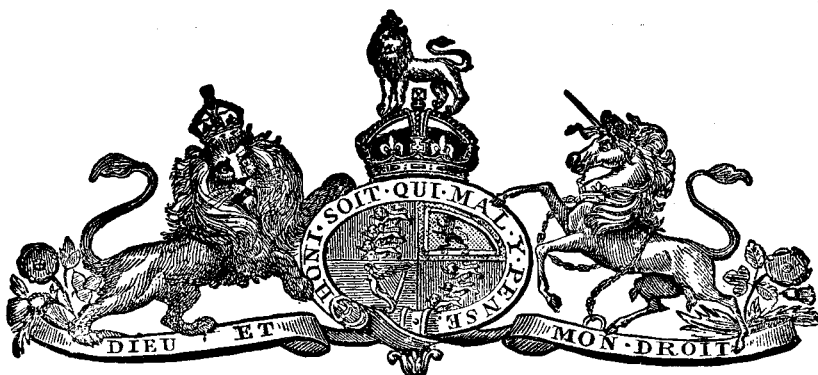


# TASMANIA



1912.

ANNO TERTIO

GEORGII V. REGIS.

No. 21.

## ANALYSIS.

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AN ACT to appropriate certain Sums arising from the Consolidated Revenue in Aid and for the Encouragement of Mining, and for other purposes. [17 December, 1912.]

A.D.  
1912.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Aid to Mining Act, 1912."

Short title.

6d.]

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Interpretation.

**2** In this Act—

- i. "Improved land" means and includes the site of any building or any garden, lawn, yard, nursery for trees, orchard, or cultivated field (not being mere pasture land):  
 "Leased land" means any land of the Crown situate within a radius of Two miles from the chief post-office of the Town of Zeehan, which is subject to any lease or licence for mining purposes, or relating to mining granted under "The Mining Act, 1905," or any previous Act; and where part only of any land subject to any such lease or licence is within the said radius shall also include the remainder of such land which is outside the said radius:
- "Minister" means the responsible Minister of the Crown for the time being administering the Mining Acts, and includes any person appointed by him or acting under his orders:
- ii. The following words or expressions, namely, "Act," "Crown land," "gold," "lessee," "mine," "mineral," "mining," "mining purposes," and "warden," shall have the respective meanings assigned to them by Section Four of "The Mining Act, 1905."

Power to Minister  
to carry out ob-  
jects of Act.

**3—**(1) It shall be lawful for the Minister to cause to be undertaken, executed, performed, and carried out under such supervision and in such manner as he may think proper, the various undertakings, works, and objects mentioned in the schedule hereto at a cost therefor not exceeding in each case the amount for the same set forth in the said schedule, and for any of the purposes of this Act the Minister may—

- i. Advance, or himself expend moneys under this Act:
- ii. Employ such and so many persons (whether experts or not) as he may deem proper, at such remuneration or wages—payable either in money or partly in money and partly by shares or interest in the undertaking—and generally upon such terms and conditions as he thinks fit:
- iii. Call for tenders, enter into any contracts, and generally do, execute, and perform all acts, deeds, and things he may think necessary or proper.

(2) The provisions of "The Public Service Act, 1905," shall not apply to any person so employed by the Minister as aforesaid.

Further powers of  
Minister to enable  
prospecting,  
mining operations  
to be carried on

**4—**(1) The Minister is hereby empowered to exercise all or any of the following powers, and the same may be exercised upon, under, or in respect of any Crown land or leased land, namely:

- i. He may enter and remain upon any Crown land or leased land and search, prospect, and mine for gold and minerals thereon or thereunder, with full and free right of ingress and regress to and from any such land:
- ii. He may, after entering upon any Crown land or leased land, mark thereout such area as he thinks sufficient for his purposes and thereupon and until abandonment the right of prospecting and mining upon or under any such area

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and occupying the same shall, subject to the provisions of this Act, belong exclusively to the Minister as if he were lessee, without any interference or obstruction by any person whomsoever: A.D. 1912.

- iii. He may execute and carry out the various purposes mentioned in Sections Forty-four and Forty-eight of "The Mining Act, 1905," as if a lease for such purposes had been granted to him and may exercise all powers required in relation thereto.

(2) The Minister shall not exercise any power conferred upon him by Subsection (1)—

- i. Upon improved land; or
- ii. Within Fifty yards laterally from any substantial building — unless in each of the above-mentioned cases the consent in writing of the lessee has been first obtained.

(3) No compensation or damages whatsoever shall be payable except in respect to damage to any buildings, plant, or machinery, which may arise from carrying on mining operations. Sections Three hundred and forty-nine and Three hundred and fifty of "The Mining Act, 1905," shall, with the necessary alterations, apply whenever any claim for such compensation or damages arises.

**5** If any prospecting or mining operations carried on by or on behalf of the Crown or the Minister result in a valuable discovery or development, it shall be deemed to belong to the Crown, and the following provisions shall apply:—

Provisions in event of valuable discovery through prospecting or mining operations of Minister.

- i. The Minister shall first offer in writing such discovery or development to the lessee at such price and upon such terms and conditions as the Minister deems reasonable; or the lessee may submit an offer in writing to the Minister for the same:

In the event of the lessee desiring to acquire the discovery or development, and not coming to an agreement with the Minister as to the price or terms or conditions within a period, not less than Thirty days, to be fixed by the Minister, any such question in dispute shall be referred to the Warden of Mines for the nearest Warden's Court, sitting with Two assessors, One to be appointed by each party, for determination in the mode prescribed by "The Mining Act, 1905," and the regulations thereunder, the provisions whereof shall accordingly apply:

- ii. In the event of the lessee—

- (a) Not desiring to acquire the discovery or development; or
- (b) Failing for One calendar month to carry out any agreement come to with the Minister; or
- (c) Failing for One calendar month to comply with any determination of the warden and assessors; or

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(d) Failing to appoint any assessor required to be appointed by him, or otherwise impeding the determination of the question in dispute—  
the Minister may—

(a) Let such discovery or development and any land in connection therewith or any part thereof upon tribute at such royalty—to be paid to the Minister and the lessee in equal shares—and upon such terms and conditions generally, as the Minister may think fit; or

(b) Deal with such discovery or development whether by way of mining operations or otherwise, for the mutual benefit of the Crown and lessee, as the Minister thinks fit.

Appropriation.

**6—**1) There shall and may be appropriated, issued, and applied, in the manner hereinafter provided, out of the Consolidated Revenue, the sum of Eighteen thousand Pounds for the purposes expressed in the schedule to this Act.

To be credited to a separate account.

(2) The said sum of Eighteen thousand Pounds shall be paid into and credited forthwith by the Treasurer of Tasmania to a separate account in the books of the Treasury, to be called "The Aid to Mining Trust Fund," in this Act referred to as "the said fund."

Transfer of £2000 from "The Surplus Revenue, 1906-7, Trust Fund" to fund under this Act.

(3) The further sum of Two thousand Pounds now standing to the credit of "The Surplus Revenue, 1906-7, Trust Fund," for the purpose of a grant-in-aid to the New Pinafore Gold Mining Company, No Liability, shall, in lieu of being so applied, be paid into and credited forthwith by the said Treasurer to "The Aid to Mining Trust Fund," to be applied for the purposes expressed in the schedule to this Act.

(4) The total amount that may be advanced or expended out of the said sums under this Act in the financial year ending the Thirtieth day of June, One thousand nine hundred and thirteen, shall not exceed Ten thousand Pounds.

Treasurer may issue and apply moneys.

**7** The said Treasurer is hereby authorised and empowered to issue and apply the moneys so paid into the said fund as aforesaid for the purposes set forth in the said schedule.

Fund to be available for purposes in schedule.

**8** The said sum shall be available to satisfy the warrants under the hand of the Governor in respect of any purposes set forth in the said schedule.

Credit to be given the Treasurer in his accounts.

**9** The said Treasurer shall be allowed credit in his accounts, relating to the said fund, for any sums of money paid by him in pursuance of any such warrant, as aforesaid; and the receipts of the respective persons to whom the same are so paid shall be a full and valid discharge to the said Treasurer in passing his said accounts for any such sums as are therein mentioned, and he shall receive credit for the same accordingly.

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**10** In the event of the whole or any portion of any amount specified in the schedule hereto not being required to be expended for the purpose specified in the schedule, the Minister may expend such balance for any other purpose mentioned in the schedule that he thinks fit, notwithstanding the amount specified in the schedule in respect of such lastmentioned purpose may be thereby exceeded.

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Money not required for one specified purpose may be expended by Minister for another specified purpose.

**11** The accounts of the said fund shall be subject to the provisions of "The Audit Act, 1901," so far as such provisions are not inconsistent with the provisions of this Act.

Accounts to be subject to "The Audit Act, 1901."

**12** A statement of the expenditure in connection with the said fund, classified and arranged in accordance with the said schedule, shall be submitted annually to Parliament by the Treasurer until the accounts of the said fund are closed.

Statement of expenditure to be submitted annually to Parliament.

**13** Any notice, offer in writing, or document required or authorised to be given to or served upon a lessee for the purposes of this Act may be given or served—

Service of notices, &c.

- i. Where the lessee is a company, by delivering the same to its registered agent or manager, or leaving the same at its registered office in Tasmania, or sending the same by post to its registered agent or manager addressed to such office:
- ii. In any case other than a company, by delivering the same to the lessee or one of the lessees (if more than one), or sending the same to him by post addressed to the place of address given to or registered with the Department of Mines.

**14** The Governor may from time to time make all such regulations as he deems necessary for the efficient administration of this Act or for the effectual carrying out of the objects and intentions of this Act.

Regulations

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**SCHEDULE.****(A)—MINING PROSPECTING AND DEVELOPMENT WORK, ETC.,  
UNDERTAKEN BY OR UNDER THE DIRECTION OF THE  
DEPARTMENT OF MINES.**

Purpose.	Amount. £
To be applied by the Minister—	
1. To provide for salaries of supervising engineers, and office charges, travelling expenses, printing and advertising, and any miscellaneous charges connected with the purposes of this Act ... ..	2000
2. In prospecting or mining for gold or any other metal or mineral or developing mines at or near Zeehan ... ..	4000
3. In the equipment, salaries, wages, &c., of Four Government prospecting parties... ..	1500
4. In prospecting for gold by means of diamond-drill or otherwise, at Beaconsfield ... ..	1000
5. In prospecting for gold or any other metal or mineral at Lefroy, Mathinna, and in the North-Eastern mining division ... ..	2000
6. In the purchase and erection or hiring of a State battery or other plant for the examination or treatment of ores in a locality on the West Coast deemed suitable by the Minister, and the cutting, construction, and formation of races, dams, and other works deemed necessary by the Minister in connection with the same, pursuant to Part IV. of "The Mining Development Act, 1912" ... ..	6000-
7. In opening up old tracks .. ..	500
8. In cutting and constructing tracks in the Heemskirk District, and from Macquarie Harbour to Port Davey ... ..	1400
9. In obtaining reports upon sites for conservation of water ... ..	350

**(B)—ADVANCES IN AID OF MINING AND  
PROSPECTING.**

10. Advances to miners for prospecting, pursuant to "The Mining Development Act, 1912" ... ..	750
11. Assistance towards boring, not exceeding One-half the total cost, pursuant to Part V. of "The Mining Development Act, 1912" ... ..	500
	<b>£20,000</b>