

MINING.

1° Elizabeth II., No. XXXIII.

No. 33 of 1952.

AN ACT to amend the Mining Act, 1904-1950.

[Assented to 5th December, 1952.]

BE it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Mining Act Amendment Act, 1952*, and shall be read as one with the Mining Act, 1904-1950 (Act No. 15 of 1904 as reprinted with amendments to and including Act No. 56 of 1937 incorporated pursuant to the Amendments Incorporation Act, 1938, and as further amended by Acts Nos. 48 of 1945, 84 of 1948 and 26 of 1950), in this Act referred to as the principal Act.

Short title.

2. The principal Act, as amended by this Act, may be cited as the Mining Act, 1904-1952.

Citation of principal Act as amended by this Act.

3. Section one hundred and twenty-one of the principal Act is amended by deleting the words "costs and expenses of" in line six of paragraph (a) of subsection (1) and substituting therefor the words "charges for".

Amendment of s. 121.

4. Section one hundred and twenty-two of the principal Act is amended by deleting the words "costs of" in line twelve of paragraph (a) and substituting therefor the words "charges for".

Amendment of s. 122.

Amendment
of s. 123.

5. Section one hundred and twenty-three of the principal Act is amended by—

- (a) deleting the words ‘cost of’ in line eight of paragraph (b) of subsection (1) and substituting therefor the words ‘charges for’;
- (b) deleting the words ‘cost of’ in line four of subparagraph (i) of paragraph (b) of subsection (1) and substituting therefor the words ‘charges for’;
- (c) deleting the words ‘cost of’ in line six of paragraph (b) of subsection (2) and substituting therefor the words ‘charges for’;
- (d) deleting all the words after the word ‘section’ in line three of subsection (3) down to and including the word ‘treated’ in line eleven of the subsection and substituting therefor the following:—

“for treatment and realisation, the rates of such charges may be fixed by agreement between the parties concerned—

- (a) on a flat rate per ton of ore treated; or
- (b) on a sliding scale varying with the value of the gold or the quantity of gold per ton of ore treated or otherwise:

Provided that—

- (i) the maximum amount to be charged against the tributer for treatment and realisation together shall not exceed the amount of sixty shillings per ton of ore treated, or such other amount as the Minister may by proclamation from time to time specify;”
- (e) deleting the words ‘cost of’ in line one of paragraph (ii) of subsection (3) and substituting therefor the words ‘charges for’.

Amendment
of s. 124.

6. Section one hundred and twenty-four of the principal Act is amended by deleting the words ‘costs of’ in line six of the proviso to subsection (2) and substituting therefor the words ‘charges for’.