



NEW ZEALAND

ANALYSIS

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Restricting rights as to coal-mining leases in exchange for licences granted after passing of this Act.</p> | <p>3. Section 147 of principal Act (as to recovery of damages for death or injury) amended. Repeal.</p> <p>4. Increasing payments for Coal-miners' Relief Fund.</p> |
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1947, No. 42

Title.

AN ACT to amend the Coal-mines Act, 1925.

[25th November, 1947

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Coal-mines Amendment Act, 1947, and shall be read together with and deemed part of the Coal-mines Act, 1925 (hereinafter referred to as the principal Act).

See Reprint of Statutes, Vol. V, p. 843

Restricting rights as to coal-mining leases in exchange for licences granted after passing of this Act.

2. (1) This section shall apply with respect to every coal-prospecting licence granted under the principal Act at any time after the passing of this Act.

(2) Nothing in section eleven of the principal Act shall apply with respect to the holder of any coal-prospecting licence to which this section applies.

(3) Every holder of a coal-prospecting licence to which this section applies who has complied with the conditions of the licence shall, at any time while the licence is in force, and on making application in accordance with and otherwise complying with the provisions of the principal Act, have the right in priority to any

other person to obtain a coal-mining lease under the principal Act over such part of the land described in the licence as the Warden or, as the case may require, the Commissioner thinks fit.

(4) Any coal-mining lease granted pursuant to this section may be a demise limited in a manner described in section seventeen of the Statutes Amendment Act, 1946, and the provisions of that section shall, so far as applicable and with the necessary modifications, apply thereto accordingly.

1946, No. 40

(5) When any coal-mining lease is granted pursuant to this section the coal-prospecting licence shall be deemed to be surrendered as at the date of the granting of the lease.

(6) Subject to the provisions of this section, all the provisions of Part I of the principal Act relating to coal-mining leases shall, so far as applicable and with the necessary modifications, apply with respect to leases granted pursuant to this section.

3. (1) Section one hundred and forty-seven of the principal Act, as amended by section thirteen of the Coal-mines Amendment Act, 1941, is hereby further amended as follows:—

Section 147 of principal Act (as to recovery of damages for death or injury) amended.
1941, No. 15

(a) By omitting from subsection two all words after the words “agents or servants”, and substituting the words “any negligence on the part of the person so injured or killed shall not be a defence to any proceedings arising out of or in connection with the injury to or death of that person”:

(b) By repealing subsections three and four.

(2) Section thirteen of the Coal-mines Amendment Act, 1941, is hereby consequentially repealed.

Repeal.

4. (1) Section one hundred and fifty-two of the principal Act is hereby amended by omitting from subsection one the words “one halfpenny a ton”, and substituting the words “one penny a ton”.

Increasing payments for Coal-miners' Relief Fund.

(2) This section shall come into force on the first day of January, nineteen hundred and forty-eight.