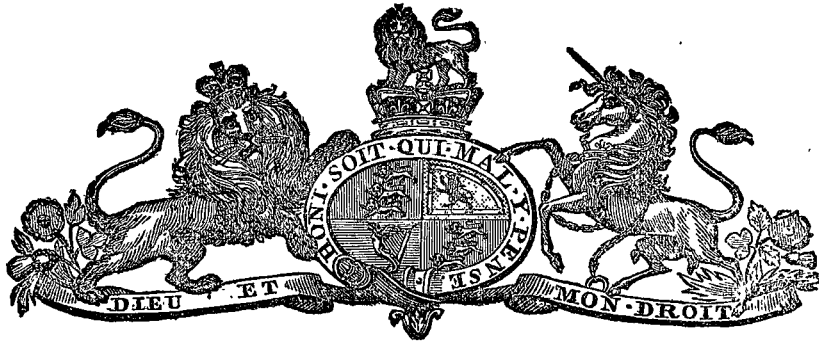


NEW ZEALAND.



QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. 24.

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ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Act to be read with "Mines Act, 1877."<br/>3. Governor may grant protection, under certain conditions, to holder of gold-mining lease.<br/>4. At expiration of period of protection, work to be resumed.<br/>5. Conditions under which further protection will be granted.<br/>6. Certificate of protection may be granted for two years if applicant proved to have spent £6,000 over and above profits.</p> | <p>7. Such certificate to date from issue.<br/>8. During such period working operations may be suspended.<br/>9. Governor may revoke Proclamation.<br/><br/>PROTECTION TO CROWN LANDS OUTSIDE MINING DISTRICTS.<br/>10. Governor may issue "prospecting license."<br/>11. Governor may grant mining lease to holder of prospecting license.<br/>Schedule.</p> |
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AN ACT to amend "The Mines Act, 1877," in order to enable Protection to be granted to Holders of Gold-Mining Leases, under certain conditions.

[19th December, 1879.]

WHEREAS it is expedient to enable protection to be granted to holders of gold-mining leases:

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

1. The Short Title of this Act is "The Mines Act 1877 Amendment Act, 1879," and this Act shall come into force on the first day of January, one thousand eight hundred and eighty.

2. This Act shall be read and construed as part of "The Mines Act, 1877," hereinafter called "the said Act."

3. The Governor may, if he think fit, grant protection under the following circumstances and conditions to any holder of a gold-mining lease:—

Preamble.

Short Title.

Act to be read with "Mines Act, 1877."

Governor may grant protection, under certain conditions, to holder of gold-mining lease.

*Mines Act 1877 Amendment.*

Any holder of a gold-mining lease for gold-mining purposes, who shall prove to the Governor that not less than one thousand five hundred pounds cash by labour, or by labour and machinery therewith connected, has been expended by him in prospecting and developing such property within the three years preceding the application for protection hereafter mentioned, or shall prove as aforesaid that he has expended not less than six hundred pounds cash by labour or by labour and machinery in prospecting and developing such property without having derived any direct benefit from such claim or land within the twelve months preceding the application, may apply to have such lease registered for protection for twelve months, and shall support such application by a detailed statement of the expenditure, and a declaration made before a Justice of the Peace declaring such statement to be correct. Upon verification of the correctness of the application and of the documents thereto attached, the Governor may, on prepayment by the applicant of the sum of five pounds, cause a certificate of protection for twelve months to be issued in favour of the applicant, according to the form in the Schedule to this Act, and shall cause all such certificates of protection to be immediately published in the *Government Gazette*, and twice at least in one newspaper published or circulating in the district, and an abstract of such certificates shall be posted in the office of the Warden of the mining district where the property is situate.

At expiration of period of protection, work to be resumed.

4. At the expiration of the period of protection, work shall be resumed in the gold-mining lease in accordance with the provisions of the said Act, and with the conditions of the lease under which the land is held for gold-mining purposes.

Conditions under which further protection will be granted.

5. After a lapse of twelve months from the last day of the protection, any holder of a gold-mining lease who shall prove, in the form above provided, to the Governor that he has expended a further sum of five hundred pounds cash, within such twelve months, in labour, or in labour and machinery, for prospecting and developing such gold-mining lease, without deriving any direct benefit from such gold-mining lease, may apply for a renewal of protection for twelve months, and so on every alternate twelve months, upon proof being adduced of five hundred pounds cash having been expended within the preceding twelve months in prospecting the gold-mining lease without having derived any direct benefit from the said lease: Provided that it shall be in the discretion of the Governor to grant any such renewal or otherwise as he shall think fit. Five pounds shall be paid for every such certificate of renewal, which certificate shall be published in the manner aforesaid.

Certificate of protection may be granted for two years if applicant proved to have spent £6,000 over and above profits.

6. Any holder of a gold-mining lease which has not been previously protected under this Act, and who shall prove to the Governor in the manner above described that he has expended thereon the sum of six thousand pounds cash, over and above all profits derived from such lease, may apply for a certificate of protection for two years, and it shall be in the discretion of the Governor to grant such application; and for every certificate of protection the sum of five pounds shall be prepaid, and every such certificate shall be published in manner aforesaid.

Such certificate to date from issue.

7. The protection shall date from the day of issue; and any gold-mining lease for which application for protection has been made shall not be deemed to be protected pending the granting of such application.

During such period working operations may be suspended.

8. The certificate of protection shall entitle the holder of the gold-mining lease to suspend all working operations during the period of protection, notwithstanding any condition or provision to the contrary imposed by the said Act, or by such lease.

*Mines Act 1877 Amendment.*

9. Whenever the Governor is by the said Act authorized or empowered to issue any Proclamation it shall be lawful for him from time to time to rescind, alter, or vary the same. Governor may revoke Proclamation.

PROTECTION TO CROWN LANDS OUTSIDE MINING DISTRICTS.

10. It shall be lawful for the Governor to cause to be issued to any person, in such form and on such terms and conditions as the Governor may think fit, a license, to be called a "prospecting license," authorizing the person therein named to prospect and search for gold within Crown lands outside any mining district, under regulations from time to time to be proclaimed in that behalf. Governor may issue "prospecting license."

11. Any person, being the holder of a prospecting license under this Act, authorizing him to search for gold on Crown lands not being within any gold field or gold-mining district, who shall discover gold on any Crown lands, may make application to the Governor for a mining lease of such land; and it shall thereupon be lawful for the Governor to grant a lease to the applicant in like manner, and subject to like terms and conditions, as prescribed by sections thirty-seven, thirty-eight, thirty-nine, forty, and forty-one of "The Mines Act, 1877;" and every such lease shall be valid and effectual against all persons whomsoever. Governor may grant mining lease to holder of prospecting license.

SCHEDULE.

Schedule.

GENERAL GOVERNMENT OF NEW ZEALAND.—DEPARTMENT OF MINES.

In accordance with section of "The Mines Act 1877 Amendment Act, 1879," this Certificate of Protection for , from to , is granted in favour of

WELLINGTON, NEW ZEALAND:

Printed under authority of the New Zealand Government, by GEORGE DIDSBUXY, Government Printer.