

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
3rd August, 1882.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. De Lautour.

MINES ACT 1877 AMENDMENT.

ANALYSIS.

- | | |
|---|---|
| <p>Title.</p> <p>1. Short Title.</p> <p>2. Renewals of rights, &c., validated in certain cases.</p> <p>3. Titles may be surrendered and brought under the said Act without loss of priority of right.</p> | <p>4. Rights surrendered under "Mines Act, 1877," not to be affected as to priority.</p> <p>5. Validation of renewals of mining rights.</p> <p>6. Fixed quantity of water to be allowed to flow in natural bed.</p> <p>7.</p> |
|---|---|

A BILL INTITULED

AN ACT to validate Renewals and to facilitate the Surrender of Rights in certain Cases, *and for other Purposes.* Title.

BE IT 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, 1882." Short Title.

2. Every miner's right, business license, water license, or lease issued or granted under any Act repealed by "The Mines Act, 1877," hereinafter called "the said Act," or under any regulations made thereunder, and which miner's right, business license, water license, or lease has been renewed under the said Act, or under any regulations made thereunder, shall be in full force and effect, and shall confer the same rights and privileges and entail the same penalties and obligations as if the renewal had been granted under any Act so repealed as aforesaid, or under any regulations made thereunder: Provided that nothing herein contained shall prejudice or affect the validity of any miner's right, business license, or lease issued under any Act or regulations repealed by the said Act, which miner's right, business license, or lease has been renewed subsequent to the tenth first day of December, *January*, one thousand eight hundred and seventy-seven, *eight*, in terms of the Act or regulations so repealed. Renewals of rights, &c., validated in certain cases.

3. The owner of any claim, race, residence area, business site, or other mining tenement or easement under any Act repealed by the said Act, or under any regulations made under such Act so repealed, may surrender the same and obtain a similar title to such claim, water-race, residence area, business site, or other mining tenement or easement under the said Act, and such similar title so obtained shall not prejudice the rights enjoyed by the owner immediately prior to such surrender, but shall be of the same force and effect as if no such surrender had been made. Titles may be surrendered and brought under the said Act without loss of priority of right.

Rights surrendered under "Mines Act, 1877," not to be affected as to priority.

4. Any claim, race, residence area, business site, or other mining tenement or easement granted under any Act repealed by the said Act, or any regulations made under such repealed Act, and which has been surrendered under the said Act, shall have the same right as to priority in regard to other grants of a similar nature granted subsequently to the date of such first grant as if there had been no such surrender as aforesaid under the said Act. 5

Validation of renewals of mining rights.

5. Any renewal of any water license, lease, or other mining right heretofore granted under any Act for the time being in force for the administration of gold fields, which water license, lease, or other mining right was originally granted under any other Act, since repealed, shall be of full force and effect: Provided that nothing herein contained shall be deemed to validate any defect other than a defect which may exist in such renewal of any such water license, lease, or other mining right. 10 15

Fixed quantity of water to be allowed to flow in natural bed.

6. Any owner of property to which such stream passes, or any owner or occupier of land adjoining any stream or natural watercourse, may apply to the ~~Resident Magistrate~~ Warden of the district wherein such stream or watercourse is situated for an order that a quantity not exceeding two Government sluice-heads of water shall be allowed to flow in the natural bed of any such stream or watercourse for general use; and every such order shall be by writing under the hand of such ~~Magistrate; Warden, and, notwithstanding any provisions in the said Act or any regulations made thereunder, the Warden shall have full power and authority to make such order accordingly;~~ and every holder of a water-right, or other person who may be taking or diverting water from such stream or watercourse, shall obey such order on being served with a duly-certified copy of the same: Provided that if any person shall feel aggrieved by the making of any such order he may appeal to the Judge of the District Court having jurisdiction in the District, whose decision shall be final, from the decision of the Warden in such manner as he might or could do under the said Act, and all the provisions thereof relating to appeals shall extend and apply accordingly. 20 25 30

New Clause.

7. It shall not be necessary that any right, title, and interest in mining property shall be transferred by deed; and it shall be lawful for the Governor, subject to the provisions of the said Act, from time to time to make, alter, amend, and revoke rules and regulations for regulating the mode in which any right, title, or interest in any mining property acquired or created under the said Act, or any Act repealed thereby, may be transferred or disposed of. 35 40