

[AS REPORTED FROM THE GOLD FIELDS AND MINES COMMITTEE.]

Mr. Seddon.

MINES ACT 1877 AMENDMENT.

ANALYSIS.

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Preamble.
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3. Reduction in the charge for business licenses.
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7. If license or certificate lost, duplicate may be issued.</p> |
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A BILL INTITULED

AN ACT to amend "The Mines Act, 1877."

WHEREAS it is desirable that "The Mines Act, 1877," should be amended:

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, 1885," and it shall come into force on the passing thereof.

Struck out.

10 2. From and after the commencement of this Act the words "one pound" in the fifth line of clause twelve and in the seventeenth line of clause thirteen of "The Mines Act, 1877," are hereby repealed, and the words "ten shillings" substituted in lieu thereof.

15 3. From and after the commencement of this Act the word "three" in the fifth line of clause twenty-five of "The Mines Act, 1877," is hereby repealed, and the word "one" substituted in lieu thereof. In the sixth line of the same clause of the said Act the word "five" is hereby repealed, and the word "two" substituted in lieu thereof.

20 4. Whenever in any case it is not expedient that the provisions of "The Public Works Act, 1882," relating to the proclamation and construction of water-races should be put in force, or whenever any rights to the use of water held under Acts relating to goldfields or mining districts, or for the construction of works connected there-
25 with, have heretofore been, or may hereafter be, acquired by or on behalf of the Council of any county under "The Public Works Act, 1882," or "The Mines Act, 1877," and have by Order in Council

Title.

Preamble.

Short Title.

Reduction in the charge for miner's right.

Reduction in the charge for business licenses.

County Council to hold water-races under mining Acts.

been vested, or which may hereafter be vested, in the County Council of any county situated within a gold-mining district, or partly within and without any gold-mining district, the following provisions shall have effect:—

- (1.) The County Council may in any mining district apply for, receive, and hold any license or other authority to cut, construct, and use any water-race, sludge-channel, tail-race, dam, reservoir, or for any other purpose and in any manner authorized under "The Gold-Mining Districts Act, 1873," or "The Mines Act, 1877" (which Acts and any regulations for the time being in force thereunder respectively are hereinafter included in the expression "the said Acts").
- (2.) Every such license or other authority shall confer upon the County Council all rights, powers, remedies, and authorities, and it shall be subject to the same liabilities in respect thereof as if such license or authority had been issued to it as a private person, except that the same shall not be liable to forfeiture for any cause whatever.
- (3.) (a.) The County Council may from time to time appoint some person or persons in any mining district under the said Acts or either of them, on behalf of the County Council, to apply for and obtain the issue of any license or other authority as aforesaid under the said Acts or either of them, or for the issue of any renewal of any such license or authority;
- (b.) And the County Council may in like manner appoint such person or persons or some other person or persons to exercise on behalf of the County Council all such rights, remedies, and authorities, execute all instruments or documents, and to perform all such conditions in respect of any such license or other authority in the name and on behalf of the County Council, as it might have or exercise, or could be called upon to perform, if it were a private person holding such license or authority.
- (c.) Every such appointment may be limited to some particular power or purpose hereinbefore mentioned, to be specified in the appointment, or may include all such powers or purposes.
- (4.) A notification in the *Gazette* signed or purporting to be signed by the Chairman and Clerk of any County Council shall be deemed to be sufficient evidence that such person has been duly appointed with all the powers and for all the purposes hereinbefore mentioned, unless in such notification there shall be expressed some limitation of the authority conferred upon him.
- (5.) Every Warden, registrar, clerk, or other officer whose duty it may be to issue any license or other authority under the said Acts or either of them shall, upon application made to him for that purpose, either upon an Order in Council or by the County Council, transfer or renew any license, right, or easement to and for the County Council.

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(6.) It shall not be necessary for the County Council or any person on its behalf to take out and hold any miner's right or business license under the said Acts or either of them in order to enable it to hold any such license or authority as aforesaid; nor shall it be necessary that any such license or authority be renewed in any way, or that any annual or other fee in respect thereof be paid by or on behalf of the County Council; but such license or authority shall, during the term for which it was granted, subsist until relinquished by the County Council, or the original term for which it was granted has expired.

(7.) Expressions and terms used in this section of this Act shall have the like meanings as expressions and terms used in the said Acts or either of them, or in any regulations made under the said Acts or either of them.

5. It shall be lawful for the County Council to appoint Inspectors of Miners' Rights and Business Licenses, and Receivers of Goldfields Revenue.

County Council may appoint Inspectors of Rights and Gold Receivers.

6. Clause seventeen of "The Mines Act, 1877," is hereby repealed, and the following substituted in lieu thereof:—

Repeal clause 17 of "Mines Act, 1877." Right of servant to vest in employer.

If any person being the holder of a miner's right shall hire himself for wages to an employer, the right to hold and occupy any claim by virtue of such miner's right, and to any gold therein, shall be vested in such employer: Provided always that, in the event of non-payment of such wages, any person so employed shall have a lien upon the claim whereon he has been employed to the extent of the amount of wages due to him, such sum not exceeding six months' wages; and, until the said lien be satisfied, the person so working as wages-man shall hold possession of the said claim until the wages are paid and the said lien fully satisfied. In the event of the interest represented being a registered claim, or a share in a registered claim, if after one month's notice having been given to the employer demanding the wages due, and the same are unpaid, it shall be lawful for the Warden to order the name of the employé to be entered on the Mining Register as the owner of the said claim or share.

7. 2. If any license or certificate for any right acquired under "The Mines Act, 1877," be lost or destroyed, it shall be lawful for the Warden, upon proof upon oath that such is the case, to order the Mining Registrar to issue a duplicate license or certificate.

If license or certificate lost, duplicate may be issued.