

Hon. Mr. G. F. Richardson.

MINING ACT 1886 AMENDMENT.

ANALYSIS.

Title.	
1. Short Title.	respect of injury done after Proclamation under 154th section of Act has taken effect.
2. Interpretation.	5. Before what Court claims to be heard.
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A BILL INTITULED

AN Act to amend "The Mining Act, 1886."

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

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1. The Short Title of this Act is "The Mining Act 1886 Amendment Act, 1888." Short Title.

2. In this Act "The Mining Act, 1886," is referred to as "the said Act." Interpretation.

10 3. The Commissioner of Crown Lands shall be the only authority for the purposes mentioned in the one hundred and fifty-second section of the said Act, and any provision therein relating to the Land Board is hereby repealed. Amendment of 152nd section of "The Mining Act, 1886."

15 4. Whenever a Proclamation has already issued under the one hundred and fifty-fourth section of the said Act, and has not actually taken effect, or whenever a Proclamation shall hereafter issue under the said section, no person shall be entitled to receive compensation as provided by the one hundred and fifty-fifth section of the said Act, unless the injury in respect of which the same is claimed Claimants only entitled to compensation in respect of injury done after Proclamation under 154th section of Act has taken effect.

20 5. Every such claim for compensation shall be settled either by agreement between the Minister and the claimant within the time and manner prescribed by the said Act, or shall otherwise be determined under Part III. of "The Public Works Act, 1882," subject, however, to the provisions of this Act.

25 5. If a claim for compensation under the one hundred and fifty-fifth section of the said Act and this Act is not settled by agreement, the same shall, if it exceeds one hundred pounds, be heard and determined by a Judge of the Supreme Court; and if it does not exceed one hundred pounds, then by a Resident Magistrate having jurisdiction where such land is situated. Before what Court claims to be heard.

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In either of such cases the Judge or Resident Magistrate, as the case may be, shall sit alone without Assessors, and be deemed to be a Compensation Court under Part III. of "The Public Works Act, 1882," and shall have and may exercise all such jurisdiction and authority as a Compensation Court would have under the said Part III. 5

Provisions as to arbitration in sections 155 and 156 repealed.

6. All provisions of the one hundred and fifty-fifth and one hundred and fifty-sixth sections of the said Act as to arbitration, and all other provisions of these sections inconsistent with this Act, are hereby repealed; and nothing herein shall be deemed to lessen the effect of the third section of "The Mining Act Amendment Act (No. 2), 1887." 10

Protection from working where land in claim 3,000 feet above sea-level.

7. Where the land comprised in any claim or licensed holding, or any part thereof respectively, is situated at an elevation of not less than three thousand feet above the sea-level, such claim or licensed holding shall be protected within the meaning of the one hundred and twenty-third section of the said Act from the first day of May to the first day of November in each year, and it shall not be necessary in any such case to make any application to the Warden for such protection. 15

Any map issued by or under the authority of the Surveyor-General, which shows or states the elevation of any such land as aforesaid, or the certificate in writing of a District Surveyor to the same effect, shall be sufficient evidence for all purposes of the fact thereof. 20

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