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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.
6th November, 1901.

Hon. Mr. McGowan.

MINING ACT AMENDMENT

ANALYSIS.

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A BILL INTITULED

AN ACT to amend "The Mining Act, 1898."

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 Mining Act Amendment Act, 1901." Short Title.

2. The power given by section eight of "The Mining Act Amendment Act, 1900," to the workmen employed in any mine or to a society to appoint two of the workmen to inspect the mine may be exercised by appointing any two persons, whether they are employed in the mine to be inspected or not, and the said section shall be read and construed accordingly: Provided that where the men so appointed to inspect the mine are not employed therein they shall produce, prior to each inspection, a certificate from a Magistrate or Justice of the Peace that he is satisfied with the *bona fides* of the application for inspection. Right of inspection of mine extended.

3. There shall be the same right of appeal from any decision of the Commissioner of Crown Lands, as to the grant of any mining privilege under section three of "The Mining Act Amendment Act, 1899," as if such decision had been given by the Warden in a mining district; and all the provisions of "The Mining Act, 1898," relating to appeals shall, *mutatis mutandis*, apply to appeals under this section: Provided that notice of the appeal shall be filed at the office of the Commissioner, and the deposit required by subsection one of section two hundred and eighty-three of the principal Act shall be lodged with the Commissioner. Right of appeal from Commissioner of Crown Lands.

Result of appeal to be communicated.

4. The result of every appeal under section two hundred and eighty-one of "The Mining Act, 1898," and this Act shall be forthwith communicated to the Clerk of the Court from which the appeal was made, or to the Commissioner whose decision is appealed against, by certificate under the hand of the Clerk of the Appellate Court and the seal of his Court. 5

Hours of working underground.

5. (1.) Subject to the provisions of the Act, a miner shall not be employed underground for a longer period in any day than eight hours, exclusive of meal-times.

(2.) Such period of eight hours shall be deemed to commence from the time the miner enters the mine, and to finish when he leaves the mine. 10

(3.) The prescribed number of working-hours may from time to time be exceeded, but on every such occasion wages shall be paid for such extended hours at not less than one-fourth as much again as the ordinary rate. 15

(4.) Where in any award of the Court of Arbitration under "The Industrial Conciliation and Arbitration Act, 1900," made prior to the commencement of this Act, provision is made limiting or extending the working-hours of miners working underground in any mine, or providing for the payment of overtime, this section shall, in respect to such mine, and so long as such award continues in force, be read and construed subject to such award. 20

Cases where section 58, "Mining Act, 1898," does not apply.

6. The provisions of section fifty-eight of "The Mining Act, 1898," shall not apply where the owner of the land has, by writing under his hand addressed to and filed with the Receiver, intimated that no such rents, royalties, or license-fees are payable to him in respect of a license granted under section fifty-six of the said Act, and thereafter such license shall not be liable to be declared forfeited or abandoned by non-payment of such rents, royalties, or license-fees. 25 30

Section 20, "Mining Act Amendment Act, 1899," amended.

7. Section twenty of "The Mining Act Amendment Act, 1899," is hereby amended by the insertion of the following words after the word "instituted" in the said section: "or within one mile of the office of the Court hearing such proceedings."

Dredgemasters to hold certificate.

8. (1.) From and after the thirtieth day of June, one thousand nine hundred and two, the master or other person in charge of every dredge employed in any deep or swift-flowing stream shall be the holder of a dredgemaster's certificate issued by the Board of Examiners. 35

(2.) The provisions of section one hundred and eighty-eight of the principal Act relating to applications for examination shall, *mutatis mutandis*, apply to applications for examination under this section. 40

(3.) The examination shall be in such special subjects as are prescribed by regulations.

(4.) The Board may issue certificates of service as dredgemaster, without examination, to any person of good repute who, prior to the thirtieth day of June, one thousand nine hundred and two, applies for the same in the prescribed manner, and produces a certificate from his former employer of his having been actually employed as a dredgemaster or person in charge of a dredge for a period of *six* months immediately preceding the date of his application. 50

Tramway licenses.

9. (1.) A license for a tramway for the purpose of conveying timber from the bush in which it is felled may be granted by the Warden or the Land Board, as the case may be, to any person who holds a license for cutting timber. 55

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(2.) Such license shall be in the form and subject to such conditions as are prescribed by the regulations for tramways for mining purposes.

5 10. It is hereby declared that the Proclamation dated the twenty-
fifth day of July, one thousand nine hundred and one, constituting
and setting apart the river known as the Inangahua River, together
with all its tributaries, excepting Pattinson's and Phillips's Creeks, to
be watercourses into which may be discharged tailings, *débris*, and
waste water resulting from mining operations, shall hereafter be read
10 and construed as if Auld's Creek had been excepted from the operation
of such Proclamation.

Auld's Creek excepted as a tailings watercourse.

11. Subsection three of section two of "The Mining Act Amendment Act, 1900," is hereby amended by the insertion of the words "or otherwise" after the words "by renewal of registration."

Subsection (3) of section 2, "Mining Act Amendment Act, 1900," amended.