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Hon. Mr. McGowan.

MINING ACTS AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Mining Acts.

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

Title.

Short Title.

5 1. The Short Title of this Act is "The Mining Acts Amendment Act, 1905"; and it shall form part of and be read together with "The Mining Act, 1898" (hereinafter referred to as "the principal Act").

Limited extent
of certain claims
altered.

2. Subsection one of section three of "The Mining Act Amendment Act, 1900," is hereby amended by repealing the words "two miles" and "fifty acres," and substituting in lieu thereof respectively the words "three miles" and "seventy-five acres," and by adding thereto the following proviso:—

"Provided also that in the case of an hydraulic elevating claim the limit may, with the consent of the Minister, be extended to a total of not more than two miles where he is satisfied—

"(a.) That with the original limit the area available is too small to justify the expenditure of bringing in a sufficient water-supply and erecting hydraulic plant with which to profitably work the claim; and

"(b.) That the total area of the claim does not exceed one hundred acres; and

"(c.) That the ground has been previously worked."

Better protection to
discoverers.

3. (1.) Where a person discovers a new quartz lode or alluvial lead or other mineral deposit he shall, on application to the Warden in the prescribed manner, have a prior right to a license for a quartz claim not exceeding fifty acres, or an alluvial claim not exceeding thirty acres, without survey and free of all rents for a period of two years from the date of granting of the license; provided that the person who makes such discovery shall follow up the same by an application within a reasonable time.

(2.) The question as to what is a reasonable time shall be decided by the Warden, who shall have regard to the opportunities of the person making the discovery and the distance of the land the subject of the discovery from the nearest Warden's office.

Section 85 of prin-
cipal Act amended.

4. Section eighty-five of the principal Act is hereby amended by repealing all words after the word "Provided" in the proviso to paragraph one down to the words "operations thereon; and."

Compensation in
certain cases may
be assessed by the
Warden without
Assessors.

5. Notwithstanding anything in section ninety-nine of the principal Act, the amount of compensation payable by the licensee as mentioned in that section may with the consent of both parties be assessed by the Warden at or after the hearing of the application, and in such case it shall not be necessary to appoint Assessors.

Further provisions
as to business and
residence sites.

6. With respect to licenses for business or residence sites the following provisions shall apply:—

(a.) The Warden may impose a condition that if the licensee of any residence-site carries on business on the site to which the license relates he shall pay a fee of three pounds in addition to the residence-site license fee.

(b.) All similar conditions imposed by any Warden before the commencement of this Act are hereby validated.

(c.) Where there has been erected on any business or residence site any building of the value of fifty pounds or upwards, such site shall not be liable to forfeiture or deemed to be abandoned unless it is entirely unused by the licensee for any continuous period of two years.

As to priority of
applications.

7. Section one hundred and thirty-six of the principal Act is hereby amended by repealing paragraphs three and four, and substituting in lieu thereof the following:—

“ (3.) Where two or more applications are filed in respect of the same subject-matter the prior applicant shall in all cases have the superior right, and priority of application shall be determined in favour of the person who first marks out in the prescribed manner the privilege applied for; provided that such marking-out is diligently prosecuted by the making and filing of an application within a reasonable time of such marking-out.

“ (4.) The question as to what is a reasonable time shall be decided by the Warden, who shall have regard to the opportunities of the person marking out and the distance of the land marked out from the nearest Warden’s office.”

8. (1.) In addition to the events specified in section one hundred and forty-seven of the principal Act on the happening of which mining privileges are liable to forfeiture by decree of the Warden’s Court, a mining privilege shall be liable to forfeiture as aforesaid in any of the following events, that is to say :—

Further provision
as to forfeiture.

(a.) If, in the case of a race or dam held exclusively for other than mining purposes, it is entirely unused for its proper purpose for any continuous period of twelve months; or

(b.) If, in the case of a race (not held exclusively for other than mining purposes) constructed for the continuous flow of water, the water fails to flow continuously therein during any continuous period of not less than seven days, or, during any continuous period of not less than three months, such race is not used for its proper purpose; or

(c.) If, in the case of a race (not held exclusively for other than mining purposes) constructed for any other purpose than the continuous flow of water, such race is not used for its proper purpose during any continuous period of not less than six months; or

(d.) If, in the case of any race, it is so damaged or out of repair as to be unfit for its proper use, and so continues for not less than two consecutive months without steps being *bona fide* taken to repair the damage and render the race fit for its proper use with the least possible delay.

(2.) In any case where the licensee of a race fails to construct within the period prescribed in that behalf a race of sufficient capacity to carry the number of sluice-heads registered, then forthwith on the expiration of such period the license, so far as it relates to all sluice-heads in excess of the number which the race is then capable of carrying, shall be liable to forfeiture by decree of the Warden’s Court.

(3.) Sections one hundred and fifty-one to one hundred and fifty-three of the principal Act are hereby repealed, and the same Act is hereby further consequentially amended as follows :—

(a.) As to sections one hundred and forty-seven, one hundred and fifty, and one hundred and fifty-five to one hundred and fifty-seven thereof: By repealing the words “ by operation of law ” wherever they occur in those sections.

(b.) As to section one hundred and fifty-four thereof: By repealing the word “ intentionally.”

(4.) Section seven of "The Mining Act Amendment Act, 1900," is hereby amended by repealing all words down to and including the words "principal Act," and also the words "by operation of law."

Sale of mining
privilege to satisfy
lien.

9. (1.) No order for the sale of any mining privilege shall be made under section one hundred and seventy-four of the principal Act unless the application therein referred to is made within three months after the registration of the lien or within such further period not exceeding three months as the Warden may by order allow, nor unless due notice of the application has been given to the holder of the mining privilege.

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(2.) Payment into Court of the amount of the lien or the receipt of the workman duly filed shall act as a discharge of the lien, and the Registrar shall thereupon note such discharge upon the title.

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Section 179 of
principal Act
amended.

10. Section one hundred and seventy-nine of the principal Act is hereby amended by adding at the end thereof the words "or to any person (whether registered or not) having any legal or equitable interest in the mining privilege."

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Tribute agreements.

11. (1.) Notwithstanding anything to the contrary in section fifteen of "The Mining Act Amendment Act, 1899" (relating to tribute agreements), it is hereby declared that, if application for the Warden's certificate mentioned in that section is not made in respect of any tribute agreement by the mine-owner, such mine-owner shall have no power to enforce the agreement; but the tributers' rights thereunder shall not be prejudiced, and they shall be at liberty to enforce the agreement notwithstanding the fact that the Warden's certificate has not been given.

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(2.) Where a quartz claim is let on tribute the amount of tribute-money payable to the owner shall not be more than ten per centum of the value of the gold won, and the tribute agreement shall not be for a less term than twelve months.

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(3.) In every tribute agreement there shall be expressed or implied a provision that no tribute-money shall be payable in any case where the value of the gold won does not exceed half the current rate of wages.

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Section 187 of
principal Act
amended.

12. Section one hundred and eighty-seven of the principal Act is hereby amended by inserting, after the word "level," the words "or used in sinking any shaft."

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General rules
amended.

13. Section two hundred and six of the principal Act is hereby amended as follows:—

(a.) As to subparagraph (a) of paragraph one: By repealing the words "the accumulation of dust," and substituting in lieu thereof the words "dust circulating in the place where such operations are being carried on, and for this purpose an adequate supply of water shall be provided:

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"Provided that where either the owner or the workmen are dissatisfied with the opinion of the Inspector an appeal shall lie to the Warden, whose decision shall be final."

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(b.) By inserting after paragraph one the following subparagraph:—

"(1A.) All cyanide and concentrating plants shall be covered, except where in the opinion of the Inspector covering is not necessary."

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(c.) As to subparagraph (c) of paragraph two: By repealing the words "nor except in a securely covered case or canister

containing not more than," and substituting in lieu thereof the words "not exceeding sixteen pounds of gunpowder or ten pounds of nitro compounds or nitro-glycerine compounds in workings where drilling-machines are used and not exceeding"; and by adding to the subparagraph the words "in any other working, nor in any case except in securely covered cases or canisters."

(d.) As to subparagraph (e) of paragraph two: By adding thereto the words "apart from other explosives."

(e.) As to subparagraph (i) of paragraph two: By repealing the word "holder," and substituting in lieu thereof the word "owner."

(f.) As to subparagraphs (j), (l), (m), and (n) of paragraph two: By inserting, before the words "nitro-glycerine" wherever they occur, the words "nitro compounds or."

(g.) As to paragraph forty-three: By inserting, after the words "or shafts, and," the words "the manager"; and by inserting, after the words "such mine, and," the words "every such manager and person, forthwith after every such examination."

14. (1.) If any mine-manager is incapacitated from performing his duties, or is about to be absent from the mine for more than three days, he or the agent of the mine shall in writing appoint some person, being the holder of a mine-manager's certificate, to act as deputy manager during such incapacity or absence; provided that no such deputy shall act for more than fourteen days unless authorised so to do by the Inspector.

(2.) Notice of every such appointment shall be sent to the Inspector within two days from the date thereof.

15. Section two hundred and eleven of the principal Act is hereby amended as follows:—

(a.) As to paragraph two: By repealing all words from and including "and thereupon" to the end of the paragraph.

(b.) By repealing paragraphs three and four, and substituting in lieu thereof the following paragraphs:—

"(3.) The Warden shall fix a time for the hearing of the objections, and shall cause notice to be given to the owner and to the Inspector of the time so fixed.

"(3A.) On the hearing the Warden may by order confirm, reverse, or modify the requisition as he thinks fit, and such order shall be final and binding on all parties.

"(4.) If the owner fails to comply with the requisition or order, and such failure continues for fourteen days after the expiration of the time for objection or after the date of the order, as the case may be, he commits an offence."

(c.) As to paragraph five: By repealing the word "award," and substituting in lieu thereof the word "order."

16. (1.) Where in any proceedings or inquiry under the principal Act it appears to the Warden that by reason of the non-observance by the mine-manager, battery-superintendent, dredgemaster, or engine-driver of any mine of any of the provisions of the principal Act or its amendments or of any regulation thereunder, or by reason of his negligence, any person is injured or killed, the Warden may require such manager, superintendent, dredgemaster, or engine-driver to produce

Deputy manager.

Inspector's requisition.

Manager may be disqualified for negligence or breach of rules.

his certificate, and (in addition to any other penalty to which he may be liable) may disqualify him either by cancelling the certificate or by suspending it for such period as the Warden thinks fit; and during the period of such disqualification such manager, superintendent, dredge-master, or engine-driver shall, for all the purposes of the principal Act, be deemed not to be the holder of a certificate. 5

(2.) Notice of every such disqualification shall be forwarded by the Warden to the Minister, and shall be published in the *Gazette*.

(3.) Sections one hundred and ninety-two and two hundred and fifteen of the principal Act are hereby repealed. 10

Further provision as to accidents in mines.

17. Section two hundred and eighteen of the principal Act is hereby amended—

(a.) By adding at the end of paragraph two the words “and to the Inspector.”

(b.) By adding the following paragraph:— 15

“(5.) The Inspector or other authorised person making the examination shall give notice to the workmen’s inspector appointed under section eight of “The Mining Act Amendment Act, 1900,” of the time when he will visit the mine; and such workmen’s inspector shall be permitted to accompany the Inspector or other authorised person on such visit and shall report the result thereof in the manner provided by the said section eight.” 20

Manager may institute proceedings in certain cases.

18. Notwithstanding anything in section two hundred and thirty-one of the principal Act, proceedings for the recovery of a fine in respect of the breach of any of the general rules prescribed by the principal Act may be instituted by the mine-manager of the mine at which the breach was committed. 25

Payment of wages at or near the mine.

19. All wages payable to the workmen employed at any mine shall, if so requested by a majority of such workmen, be paid either at the mine or at some place not more than two miles from the mine. 30

Evidence on appeals.

20. Section two hundred and eighty-five of the principal Act is hereby amended by adding thereto the following proviso:—

“Provided also that no new evidence shall be taken in the appellate Court without the special leave of such Court, and no such special leave shall be granted where such new evidence was available at the time of the proceedings in the Warden’s Court.” 35

Timber rights.

21. (1.) The power to grant timber licenses and other timber-cutting rights shall be exercisable within a mining district only by the Warden, and all rents, royalties, and fees received in respect of such rights shall be deemed to be goldfields revenue. 40

(2.) Sections thirteen and fourteen of “The Mining Act Amendment Act, 1899,” and sections nine to twelve of “The Mining Act Amendment Act, 1900,” are hereby repealed.

(3.) Section nine of “The Mining Act Amendment Act, 1901,” is hereby amended by repealing the words “or the Land Board, as the case may be.” 45

Jurisdiction of Warden’s Court.

22. Section two hundred and fifty-four of the principal Act is hereby amended by inserting, after the words “as arise,” the words “(either wholly or in some material part).” 50

Mining under land occupied under “Mining Districts Land Occupation Act, 1894.”

23. Section two of “The Mining Act Amendment Act, 1904,” shall extend and apply to lands occupied under “The Mining Districts Land Occupation Act, 1894.”

Advances to Companies for Development of Mining.

24. Subject to the provisions of this Act, it shall be lawful for a company to apply to the Minister for an advance by way of loan to such company for the purposes of—

Power of company to make application to Minister for advance.

- 5 (a.) Carrying on pioneer mining ;
 (b.) Procuring machinery, working plant, or appliances for carrying on such pioneer mining, and for erecting, fitting up, or connecting the same ; and
 (c.) Providing all works necessary for the proper carrying on of such pioneer mining.

10 25. (1.) Any company which applies for an advance under this Act shall supply the Minister with—

Evidence and information to be submitted with application.

- 15 (a.) Evidence to the satisfaction of the Minister that the company is duly incorporated and registered ;
 (b.) A copy of the company's memorandum and rules ;
 (c.) A description of the land upon which it is intended to carry on mining operations, together with a survey and plan of such land if so required by the Minister ;
 20 (d.) A description of the machinery, working plant, and appliances which it is proposed shall be used in such mining operations, together with descriptive plans and sections of such machinery, working plant, and appliances ;
 (e.) An estimate in detail of the cost of such machinery, working plant, and appliances ;
 25 (f.) Evidence to the satisfaction of the Minister that such machinery, working plant, and appliances will be sufficient for the mining operations intended to be carried out by such company ;
 (g.) A statement showing the period of time over which the advance is to extend, and the instalments of such advance that will be required ; and also
 30 (h.) Any further or other information which the Minister may require.

(2.) The Minister shall require all of the said evidence, statements, and information to be verified on oath.

Verification.

35 26. (1.) Every such application shall be referred by the Minister to the Government Geologist or other professional officer for a report thereon.

Report on application by Government Geologist.

40 (2.) Such report shall be made after a personal examination of the land in which such company proposes to carry on mining operations, and shall—

- 45 (a.) Fully describe the character of the land and of the deep lead, or lode, or reef, or other auriferous formation contained therein ;
 (b.) State whether the proposed mining operations would or would not be of a pioneer character ;
 (c.) State whether, in the opinion of the Government Geologist or officer making such report, there is a reasonable probability of such mining operations proving to be of a remunerative character, and shall give the reasons and
 50 grounds for such opinion ;

- (d.) State whether the machinery, working plant, and appliances are of a character and description properly adapted to the proposed mining operations ; and
- (e.) Give any further or other information which the Minister may require. 5
- Power to grant application,** 27. (1.) If, after considering the documents and evidence so supplied by the applicant company, and all evidence and reports relating thereto, the Minister considers that the application is satisfactory he may submit the application, together with all documents connected therewith, for the approval of the Colonial Treasurer, who may recommend the Governor to grant and the Governor may grant such application accordingly. 10
- And enter into agreement.** (2.) Thereupon the Colonial Treasurer may, in the name and on behalf of His Majesty, enter into an agreement with such company undertaking that the Governor will subject to this Act advance by way of loan to such company any sum or sums not exceeding in the whole the amount of *ten* thousand pounds. 15
- Instalments.** (3.) Such advance shall be payable in instalments of such amount as shall be specified in the agreement.
- Conditions precedent to paying any instalments.** (4.) No instalment shall be so paid to any company until the Treasurer is satisfied by the production of vouchers or otherwise, that for every pound to be advanced under this Act, the company after entering into such agreement has out of its own capital previously actually and properly expended in mining operations on the land held by such company a like sum of one pound, and that the company has also previously and properly expended in mining operations on the said land all previous instalments advanced by the Governor. 20 25
- Interest.** (5.) The company shall pay to the Colonial Treasurer interest on the amount of the advance calculated from the date of the payment of the respective instalments at the rate of four pounds and ten shillings per centum per annum by half-yearly payments on dates to be specified in such agreement. 30
- Agreement to contain covenants, &c.** (6.) The agreement shall contain all such covenants, conditions, restrictions, and provisions consistent with this Act as the Governor thinks fit in order to insure the due performance by the company of the obligations and duties required by this Act, and the obligations and duties entered into by such company in such agreement. 35
- Company to execute first mortgage to Colonial Treasurer over mine.** 28. Before receiving any instalment of an advance granted under this Act the company shall execute or cause to be executed, at its own cost and expense to, and to the satisfaction of, the Colonial Treasurer, a first mortgage and charge over the mine and all other property and assets (except uncalled capital) of such company to secure the repayment of the advance and interest and all moneys which by this Act the company is required to pay to the Colonial Treasurer. 40 45
- Payments to Colonial Treasurer to form first charge on company's profits.** 29. Notwithstanding anything in any company's articles of association, the payments to be made to the Colonial Treasurer by any company pursuant to the agreement made under the provisions of this Act shall form a first charge on the profits and assets (except uncalled capital) of the company ; and there shall not be divided 50

amongst or paid to members or shareholders of the company any profits, or dividends, or bonuses, or any returns of any kind, until the company has repaid the advance and interest thereon to the Colonial Treasurer.

5 30. The liability of any company at any time existing to the Colonial Treasurer shall be a debt due and payable to His Majesty, and payment thereof and all remedies therefor, whether upon or by virtue of mortgage or otherwise, may be enforced in the name of His Majesty against the company's mine, and all other property and assets (except uncalled capital) of the company in priority to all other persons.

Liabilities of company made a Crown debt.

31. With respect to every company which has received an advance under this Act, the following provisions shall apply, so long as any moneys remain payable to the Colonial Treasurer :—

Minister empowered to inspect construction of works.

15 (a.) The Minister is hereby empowered to appoint some person or persons to inspect and report upon the progress of the works of the company.

20 (b.) The company shall, when so required by the Minister in writing under his hand, allow full inspection of and copies and extracts to be taken from all or any of the books, documents, or records belonging or relating to the business of the company.

Minister entitled to inspect books and documents, also to demand information.

25 (c.) The Minister may also demand in writing any other information relating to the company's transactions, and he may require the same to be verified on oath by the directors, manager, or other principal officers; and such information shall be supplied to the Minister within fourteen days of the demand therefor.

30 (d.) The company shall keep the whole of its properties insured against fire to the full insurable value in the State Fire Insurance Office, or by some insurance company or society approved by the Colonial Treasurer, in the joint names of the Colonial Treasurer and the company; and in default the Colonial Treasurer may effect such insurance himself and recover the amount of the premium from the company.

Company to keep works fully insured.

35 (e.) In case of default on the part of the company, the Colonial Treasurer shall give notice in the *Gazette*, and in some newspaper circulating in the neighbourhood of the mine, of his intention to enforce compliance with the provisions of this Act, and shall also give a like notice to the company at its registered office.

Colonial Treasurer's action in case of default.

40 (f.) If after the expiration of fourteen days from the time such notice has been given in the *Gazette* the default still continues, the Colonial Treasurer may, if he thinks fit, appoint some person on his behalf to enter into full and absolute possession of the mine and all other property of the company, and maintain the efficiency and safety of the machinery and mine and keep down water if necessary, appoint all necessary managers, officers, and servants, and continue in such possession as long as the default continues.

- (g.) During such possession such person shall have and may exercise all or any of the powers possessed by the directors and officers of the company, and the powers of such directors and officers shall be suspended; and if so directed by the Colonial Treasurer such person may cause the mine, machinery, working-plant, and appliances and other property to be sold by public auction or tender or private contract, and the moneys thereby realised shall after payment of all expenses incurred by the Colonial Treasurer be applied towards the payment of all moneys payable by the company to the Colonial Treasurer. 5 10
- Definition of default. (h.) Any non-compliance by the company or any of its directors, managers, or other principal officers, or by any meeting of the company or its directors, with any of the provisions of this Act, or with any of the covenants, conditions, restrictions, or provisions of any agreement entered into between His Majesty and the company pursuant to this Act, or with any order, demand, prohibition, notice, or requirement of the Colonial Treasurer or any person appointed by him pursuant to this Act, or any obstruction to any such provision, covenant, condition, restriction, proviso, order, demand, prohibition, notice, or requirement shall constitute a default on the part of the company; and the Colonial Treasurer may on such non-compliance proceed to enforce against the company all or any of the remedies provided by this Act or by such agreement, as the case may be. 15 20 25
- Subsidy for pioneer mining. 32. (1.) The Colonial Treasurer may from time to time, on the recommendation of the Minister, pay to any person engaged in prospecting or pioneer mining a subsidy not exceeding *five* shillings for every pound expended by such person in prospecting or pioneer mining during the preceding twelve months. 30
- (2.) The Minister may require such evidence as to the *bona fides* of any application for a subsidy as he thinks fit, or as may be prescribed by regulations. 35
- (3.) Not more than *five* hundred pounds shall be paid under this section to any person nor more than *ten* thousand pounds in the whole in any one year.

Gold-buyers.

- Interpretation. 33. For the purposes of this Act— 40
- “Buyer” includes dealer, and the agent of any buyer or dealer:
- “Gold” includes gold, gold-bullion, retorted gold, gold-ores, gold-amalgam, gold-alloys, precipitates containing gold, slag, concentrates, tailings, and residues; but does not include alluvial gold, or coin, or things manufactured of gold: 45
- “Sale” includes exchange or pledge.
- Gold-dealers’ licenses. 34. (1.) Except as hereinafter provided, no person shall buy or sell gold unless either the buyer or the seller is the holder of a gold-dealer’s license and the sale is effected at the registered place of business of the gold-dealer and under his personal supervision. 50

(2.) Every person who commits a breach of this section is liable, on summary conviction, to a fine not exceeding *one* hundred pounds or to imprisonment not exceeding six months.

(3.) Nothing herein shall apply to the purchase of gold-bearing earth or tailings from any registered leaseholder or claimholder if it is proved by the buyer that the sale was effected by a contract in writing, signed by or on behalf of the seller and the buyer, setting forth that the earth or tailings were produced from and taken out of the ground comprised in the lease or claim of which the seller is the registered holder, and which lease or claim is sufficiently described in the contract.

35. Application for a gold-dealer's license shall be made to the Warden. Application therefor.

36. The Warden shall hear the application in open Court, and transmit a report and recommendation to the Minister. Hearing of application.

37. Before recommending the granting of the license the Warden shall be satisfied that the applicant is a fit and proper person to hold such license and that he has complied with the regulations. Recommendation thereon.

38. Every gold-dealer's license shall be granted by the Minister on payment of the prescribed fee, and shall have effect only within the district therein specified. Granting and effect thereof.

39. The granting or refusal of a license shall be in the absolute discretion of the Minister. Granting of license discretionary.

40. Notwithstanding anything hereinbefore contained, a gold-dealer's license may be granted by the Minister to any incorporated bank on payment of the prescribed fee. Licenses to banking companies.

41. Every gold-dealer's license shall continue in force until the thirty-first day of December next following the granting thereof: Duration of license.

Provided that a license may at any time be cancelled by the Minister on the licensee being convicted of any offence which, in the opinion of the Minister, renders the licensee unfit to hold a license.

42. (1.) A register of licensed gold-dealers shall be kept in the office of the Department of Mines in Wellington, and an official copy of the register shall be kept at the office of every Warden so far as it relates to his district. Register of gold-dealers.

(2.) The register shall contain the number of each license, and the names in full and the place of business of the licensee.

(3.) The register shall be open to public inspection, without fee, at all times during ordinary office hours.

(4.) Every licensee shall be struck off the register on the expiration of his license, unless a renewal thereof has been previously granted.

43. (1.) The holder of a gold-dealer's license may, on application to the Warden and on payment of a fee of *five* shillings, change his registered place of business. Change of registered address.

(2.) An indorsement of such change shall be made by the Warden on the license, and notified to the Under-Secretary for Mines for entry on the register.

44. (1.) Every licensee shall keep, at his registered place of business, a "gold-dealer's book." Gold-dealer's book.

(2.) Immediately after buying or selling gold he shall—

(a.) Make an entry in such book of the name and address of the buyer or seller, as the case may be, and of such other particulars as may be prescribed; and

(b.) Furnish to the Under-Secretary for Mines such particulars as to gold bought or sold as may from time to time be prescribed. 5

(3.) Every person who fails to comply with any of the provisions of this section is liable, on summary conviction, to a fine not exceeding *one* hundred pounds.

Entries to be signed.

45. Every entry in a gold-dealer's book shall be signed by the person with whom the dealing is made; and every person who makes any false statement therein is liable, on summary conviction, to imprisonment, with or without hard labour, for any period not exceeding *six* months, or to a fine not exceeding *one* hundred pounds. 10

Declaration when gold sent by post.

46. (1.) When gold is forwarded by post to an incorporated bank licensed under this Act, the sender may make a statutory declaration, in the prescribed form, of the name and address of the buyer and seller, and of such other particulars as may be prescribed. 15

(2.) Such declaration may be made before a Warden, Mining Registrar, Magistrate, Justice, Postmaster, or constable, and when filed in the gold-dealer's book shall be in lieu of an entry under the *two last preceding* sections, and shall be deemed a compliance therewith. 20

Penalty for false entry.

47. Every licensee who makes a false entry in a gold-dealer's book is liable, on summary conviction, to imprisonment, with or without hard labour, for any period not exceeding *six* months, or to a fine not exceeding *one* hundred pounds. 25

Inspection.

48. (1.) Every Inspector, Sub-Inspector, and Sergeant of Police, and, if authorised as hereinafter provided, any constable or officer of the Department of Mines, may at any time enter the place of business of the holder of a gold-dealer's license, or any other place where a gold-dealer's book may be, and inspect the same and take extracts therefrom. 30

(2.) Every person who refuses to produce such book, or resists or impedes inspection thereof, is liable, on summary conviction, to a fine not exceeding *one* hundred pounds. 35

(3.) Every authority under this section shall be in writing under the hand of the Minister, the Under-Secretary for Mines, or a Warden.

Inspectors to preserve secrecy.

49. (1.) Every person making any inspection under the *last preceding* section shall keep secret and aid in preserving secrecy with regard to all matters which may come to his knowledge in his official capacity, and shall not communicate any such matter to any other person except in performance of his duties. 40

(2.) Every person who acts contrary to this section is liable, on summary conviction, to a fine not exceeding *fifty* pounds. 45

Temporary licenses.

50. (1.) A Warden may issue to any fit and proper person a temporary license to deal in gold in any remote locality.

(2.) Such license shall be in force for such period, not exceeding *three* months, as the Warden thinks fit. 50

(3.) The provisions of this Act relating to gold-buyers shall apply to the holder of a temporary license, so far as the same are applicable thereto.

(4.) Notice of the issue of every temporary license shall be forwarded by the Warden to the Under-Secretary for Mines, and particulars thereof shall be recorded in the register of gold-dealers.

5 51. Every person who, not being a licensed gold-dealer, advertises himself as a dealer in gold, or in any way invites any person or persons generally to deal with him in the purchase or sale of gold, is liable, on summary conviction, to a fine not exceeding *one* hundred pounds. Unlicensed dealers.

10 52. (1.) Every person who receives gold exceeding the value of *twenty* pounds from any other person for safe keeping, transmission, or otherwise howsoever as a bailee, shall keep a record in writing of such transaction, and shall, on demand, produce such record for inspection by any officer of the Department of Mines, authorised as provided in section *forty-eight* hereof. Gold dealings to be recorded.

15 (2.) Every person who fails to comply with the requirements of this section is liable to a fine not exceeding *one* hundred pounds.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1905.