

## MINING AMENDMENT BILL

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### EXPLANATORY NOTE

*Clause 1* relates to the Short Title.

*Clause 2, subclause (1)* provides that an exploration licence may be granted in respect of land in a National Park or public reserve without the consent of the Minister of Lands as at present required, but the Minister of Mines must give the Minister of Lands not less than 28 days notice of his intention to grant an exploration licence.

*Subclauses (2) and (3)* provide that the Minister of Lands and the Minister of Mines must jointly consent before a mining privilege (other than an exploration licence) is granted in respect of land in a National Park.

At present only the Minister of Land's consent is required.

*Clause 3* amends section 39 of the principal Act relating to entry on land for geological surveys.

The amendment provides that before the holder of an exploration licence enters any National Park or public reserve he shall give reasonable notice to the controlling authority of the Park or reserve of his intention to enter and shall, while on the land, comply with such reasonable conditions as the controlling authority specifies.

*Clause 4* amends section 57 of the principal Act and removes the right to obtain 1 mining licence by the holder of a prospecting licence if the land concerned is in a National Park.

That right is replaced by a right in priority over any other person to have a mining licence granted.

*Hon. Mr Gair*

## MINING AMENDMENT

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### ANALYSIS

Title		3. Entry on land for geological, etc., surveys
1. Short Title		4. Removing automatic right to mining licence in National Parks
2. Public reserves, etc., open for mining		

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### A BILL INTITULED

#### An Act to amend the Mining Act 1971

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

**1. Short Title**—This Act may be cited as the Mining Amendment Act 1977, and shall be read together with an deemed part of the Mining Act 1971\* (hereinafter referred to as the principal Act).

10 **2. Public reserves, etc., open for mining**—(1) Section 26 (4) of the principal Act is hereby amended by repealing the proviso, and substituting the following proviso:

15 “Provided that an exploration licence shall not be granted in respect of land in a National Park or public reserve unless the Minister of Mines has given the Minister of Lands not less than 28 days notice of his intention to grant it.”

(2) Section 26 (5) of the principal Act is hereby amended by adding the following proviso:

20 “Provided that in respect of land in a National Park, the appropriate Minister shall be deemed to be the Minister of Lands and the Minister of Mines acting jointly.”

\*1971, No. 25

Amendments: 1972, No. 83; 1973, No. 76; 1975, No. 91

(3) Section 26 (8) of the principal Act is hereby amended by omitting the words "Minister of Lands", and substituting the words "appropriate Minister".

**3. Entry on land for geological, etc., surveys**—Section 39 (2) of the principal Act is hereby amended by adding the following proviso: 5

"Provided that before the holder of an exploration licence enters any National Park or public reserve by virtue of section 66 of this Act, he shall give reasonable notice to the controlling authority of the Park or reserve of his intention 10 to enter and shall, while on the land, comply with such reasonable conditions as the controlling authority specifies."

**4. Removing automatic right to mining licence in National Parks**—Section 57 (1) of the principal Act is hereby amended by adding the following proviso: 15

"Provided that the holder of a prospecting licence in respect of land in a National Park within the meaning of the National Parks Act 1952 shall not have such a right to have a mining licence granted to him but, while the prospecting licence continues in force, shall have the right in priority over any 20 other person to have one mining licence granted to him in respect of any one part of the land to which the prospecting licence relates."