

(18.) The same fees shall be payable on all applications for leases or renewal of leases and objections thereto as are payable on applications for and objections to mining privileges.

(19.) These regulations shall not apply to Native ceded lands.

#### LICENSES UNDER SECTION 44 OF THE MINING ACT.

53. (1.) Township and suburban lands shall be laid off by the District Surveyor in accordance with the regulations or instructions for the time being in force of the Department of Lands and Survey.

(2.) Subject to the provisions of section 46 of the Mining Act, the area of the several sections shall be determined by the Warden on report thereon to him by the District Surveyor.

(3.) The application for a license may be in the form numbered 102 in the Ninth Schedule hereto, and the license may be in the form numbered 103 in that Schedule.

(4.) Clause 33 of these regulations shall apply to every such application and license so far as is applicable.

#### LEASES OF TOWNSHIP AND SUBURBAN LANDS UNDER SECTION 45 OF THE MINING ACT.

54. (1.) Lease of township and suburban sections under section 45 of the Mining Act shall be submitted to public auction, subject to the following conditions:—

- (a.) The highest bidder shall be the purchaser of the lease, and the amount bid shall be the annual rental thereof.
- (b.) The bidding shall be an increase on the advertised upset rental.
- (c.) The purchaser shall forthwith deposit with the Receiver of Gold Revenue the sum of £2 2s. for the cost of survey and preparation of the lease, and also one-half of the first year's rent, being the amount of his bid.
- (d.) If the purchaser of the lease fails to comply with the last preceding condition, or if any dispute arises, the lease shall be put up again and resold.
- (e.) The lease shall be executed by the purchaser within thirty days from the date of notice that it is ready for execution, or the right to lease shall become forfeited, and any deposit paid on account thereof shall also be forfeited.
- (f.) No person shall, unless with the consent of the Warden, be allowed to purchase or hold a lease of more than one section; and if any lease is knocked down to any person who has already leased a section such sale shall be void, and the lease shall be again put up to auction.
- (g.) For the purposes of the last preceding paragraph a husband and wife shall be deemed to be one person, unless lawfully living apart under a decree of judicial separation or protection order.

(2.) The amount deposited in respect of the cost of survey and preparation of the lease shall be paid by the Receiver into the Public Account.

(3.) The lease may be in the form numbered 104 in the Ninth Schedule hereto, or as near thereto as circumstances will admit, and with such modifications and additional terms and restrictions as the Governor in the case of each lease thinks fit to impose, and may be signed by the Warden for and on behalf of His Majesty.

(4.) The lease shall be subject to all the provisions of the Mining Act, and its amendments and regulations thereunder, relating to the forfeiture and abandonment of residence-sites and to the recovery of rent in arrear, and such provisions shall be deemed to be incorporated herein and to form part of the conditions of the lease.

(5.) Not less than thirty days' notice of the conditions of sale and of any special terms and conditions intended to be inserted in each lease shall be given by advertisement.

(6.) Where an auction of township or suburban sections is held and any lot remains unsold, a lease thereof may at any time within two years from the date of the auction be granted, with the approval of the Warden, to any qualified applicant, at the upset rental named at such auction.

(7.) The section leased shall, within twelve months from the date of the lease, be substantially fenced.

(8.) At the expiration of the term of the lease the section shall, unless required by the Crown, be again put up for auction, but weighted with the value of the buildings and other improvements then existing thereon, ascertained by valuation under section 40 of the Mining Act; but in no case shall any right of valuation exist as against the Crown.

#### MISCELLANEOUS MINING PRIVILEGES.

55. In addition to the mining privileges specifically provided for by the Mining Act licenses may be granted for mining privileges of any of the following descriptions:—

- (1.) Branch races, for the distribution of water already diverted by means of a race;
- (2.) Flood-races and by-washes, for the carrying-off of flood or surplus water;
- (3.) Diversion of streams;
- (4.) Tunnels, roads, and bridges; and
- (5.) Such other descriptions of mining privileges in respect of water or land as the Warden thinks necessary for facilitating mining operations or effectuating the purposes of the Mining Act.

56. The terms and conditions upon which the aforesaid licenses may be granted, and shall be deemed to be held, shall in every case include such terms and conditions, not inconsistent with the Mining Act and these regulations, as the Warden thinks fit to impose when granting the license; and, in the case of a road or bridge, the license therefor shall be deemed to be granted subject to the condition that the licensee shall not be entitled to the