

regulations, be one workman for every complete acre.

61. In every case where the holder of a claim alleges that, under paragraphs (b), (e), or (f) of section 98 of the Mining Act, he is entitled to employ less than the prescribed minimum number of workmen, it shall lie on him to establish the facts to the Warden's satisfaction, and for that purpose he shall, in addition to other evidence, furnish such sworn returns as to workmen employed, capital expended, and otherwise as the Warden thinks necessary.

62. In the case of a mineral license the licensee shall, within two months after the date of the license, commence, and thereafter during the term of the license continually prosecute, mining operations on the land the subject of the license for the specified metals or minerals to which the license relates, and for that purpose shall, except as aforesaid, at all times during the first two years of the term keep employed upon or in connection with the said land at least one workman for every full area of 50 acres, or less, therein contained, and thereafter during the term at least two workmen for every such area:

Provided that the Warden may from time to time modify the operation of this clause to such extent as he deems equitable, such modification being, however, in every instance made within the same limits and subject to the same conditions, *mutatis mutandis*, as in the case of a claim.

Certificate of Reduction.

63. The application, under section 97 of the Mining Act, for authority to employ less than the prescribed minimum number of workmen may be in the form numbered 24 in the First Schedule hereto, and with respect to the application the following provisions shall apply:—

- (1.) The application need not be publicly notified by advertisement nor posted on the mining privilege unless the Warden otherwise directs.
- (2.) The application may be granted in whole or in part, as the Warden thinks fit, and, if granted, shall be granted by certificate of reduction in the form numbered 45 in the First Schedule hereto.
- (3.) The certificate shall be registered in the same manner as in the case of a certificate of protection.

64. When disposing of any application for a certificate of reduction, the Warden, for the purpose of determining the extent to which the prescribed number of workmen should be reduced, and the period for which the reduction should be granted, shall not confine himself to merely temporary exigencies, but shall have regard to all the circumstances fairly affecting the matter, including the following considerations:—

- (1.) In the case of a claim to be worked by hydraulic sluicing, the nature and extent of the claimholders' water-supply, the cost of procuring it, and the date when it will be fully available;

- (2.) In every case, the number of workmen that can be reasonably and advantageously employed, having regard to the nature and extent of the ground and the extent of the water-supply; and
- (3.) The extent, if any, to which the proposed reduction, or the period for which it may be granted, would lock up ground that otherwise might be reasonably and advantageously worked.

PROTECTION OF MINING PRIVILEGES.

Certificates of Protection.

65. (1.) The application for protection of mining privileges under section 160 of the Mining Act may be in the form numbered 25 in the First Schedule hereto, and, if granted, shall be granted by certificate of protection in the form numbered 46 in the First Schedule hereto.

(2.) (a.) Every application for protection under section 33 of "The Mining Amendment Act, 1914," shall be filed in the Warden's Court nearest to the place where the mining privilege is situate, addressed to the Minister of Mines.

(b.) The Warden shall hear the application and all objections thereto in the same manner in all respects as if the same were an application to the Warden under section 165 of "The Mining Act, 1908," and Regulation No. 33. And the provisions of the said section and regulation shall, *mutatis mutandis*, apply to every such application.

(c.) After hearing the evidence for the applicant and the objectors (if any) the Warden shall forward a copy of the evidence taken to the Minister, with his recommendation on the application, and the Minister, in his discretion, may grant the application for the period applied for or for any lesser period, or he may refuse the application.

As to Statutory Protection of Mining Privileges.

66. The provisions of section 162 of the Mining Act relating to protection without application shall apply only within the Middle Island or Stewart Island, and in cases only where the land is situate at an altitude of not less than 3,000 ft. above the sea-level; and the period of protection shall in every case be the period from the first day of May to the thirty-first day of October (inclusive) in each year:

Provided that the Warden may from time to time prescribe such lower altitude (being in no case less than 2,000 ft.) and such shorter period (between the aforesaid dates) as he thinks fit, having regard to the locality of the land and the normal snow-level. Such prescription may be either generally as to any specified locality or specifically as to any specific mining privileges, and may be made either of his own motion or on summary application, and shall be deemed to be sufficiently notified by publication in the *Gazette*.

CERTIFICATES OF EASEMENT.

67. The application for a certificate of easement under section 200 of the Mining Act may be in the