

# MINING ORDINANCE 1977

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No. 34 of 1977

An Ordinance to amend the *Mining Ordinance*

[Reserved 15 April 1977]

[Assented to 28 June 1977]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Mining Ordinance* 1977. Short title
2. The *Mining Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 7 of the Principal Ordinance is amended by inserting before the definition "aboriginal reserve" the following definition: Definitions

" 'Aboriginal land' has the same meaning as Aboriginal land under the *Aboriginal Land Rights (Northern Territory) Act* 1976".
4. Section 38Y of the Principal Ordinance is amended by omitting sub-section (1) and substituting the following sub-sections: Tenement to be granted only to certain persons

"(1) A person is not able to take possession of, mark off or obtain a mining tenement over land that is or is included in an Aboriginal reserve unless that person is, or at the time of applying for the grant or registration of the mining tenement was, the holder of an exploration licence or a prospecting authority over that land.

"(1A) For the purposes of sub-section (1), a prospecting authority means a prospecting authority issued under the *Mining Ordinance* 1939 or that Ordinance as amended from time to time."
5. Section 54B (1) of the Principal Ordinance is amended by inserting after "Crown land" the words ", of Aboriginal land". Applications for special mineral leases

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\* Notified in the *Northern Territory Government Gazette* No. 29 of 21 July 1977, page 1103.

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