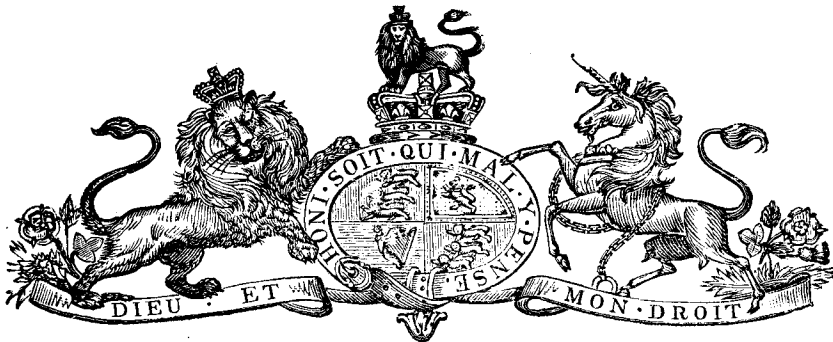


T A S M A N I A.

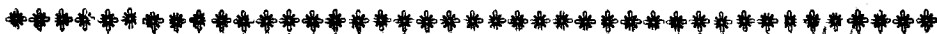


1899.

ANNO SEXAGESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 39.



AN ACT to further amend "The Mining Act, 1893." [22 December, 1899.] A.D. 1899.

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited for all purposes as "The Mining Amendment Act, 1899." Short title.

2 In this Act, the expression "the said Act," means "The Mining Act, 1893." Interpretation. 57 Vict. No 24.

3—(1.) Section Eighty-seven of the said Act is hereby repealed, but such repeal shall not affect any Licence issued under the said Section, and in force on the day on which this Act comes into operation. Repeal Sect. 87 of 57 Vict. No. 24. Existing rights continued.

(2.) Every such Licence shall continue in force and confer the same rights and privileges and entail the same obligations and penalties as if this Act had not been passed.

(3.) The holder of any such Licence shall have, upon the expiration or surrender thereof, a preferential right to apply for a Lease under the provisions of this Act, in respect of the same claim.

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Lease of bed and banks of river, &c. may be granted.

4—(1.) It shall be lawful for the Minister with the consent of the Governor in Council to grant to any person, subject to the provisions of this Act and the said Act and the Regulations made hereunder, for any period not exceeding Ten years, a lease of the bed and banks of any river or stream flowing upon or through or bounded by Crown land, for mining purposes.

(2.) The area comprised in any such lease shall not exceed in length Forty chains along the course of any river or stream, nor in breadth Five chains on either side from the centre of any such river or stream.

(3.) The Minister may reduce the limits of any such area as he sees fit, or may refuse to grant a lease of the bed or banks of any river or stream.

Scale of rent.

5 The amount to be paid by way of rent for any lease granted under this Act shall be as follows:—

- i. For the bed of any river or stream, for Forty chains in length, or any part thereof, the sum of Three Pounds per annum :
- ii. For the banks of any river or stream, for Forty chains in length, or any part thereof, the sum of Five Shillings per annum for every acre or any part thereof.

Lease subject to provisions of 57 Vict. No. 24.

6 Every lease issued under this Act shall be subject to all the provisions of the said Act and the Regulations made thereunder relating to a lease of Crown land for mining purposes, except so far as the same are inconsistent with this Act or the Regulations to be made hereunder.

Riparian rights not to be affected.

7 Nothing contained in this Act, or in any lease issued hereunder, shall be construed to in any way affect or prejudice the existing rights of any person to the reasonable use of the water flowing in a natural bed or channel through or along the margin of land owned or occupied by him.

Holders of existing Licence to have prior claim to adjoining banks.

8 The holder of any Licence issued under the authority of the said Act to work for gold or minerals the bed of any river or stream shall have a preferential right for Three months after this Act comes into operation to apply for a lease, in accordance with the provisions of this Act, of the banks of such river or stream adjoining the bed of such river or stream to which such Licence applies.

Regulations.

9 It shall be lawful for the Governor in Council from time to time to make Regulations for the following purposes, which shall apply to the whole Colony, or such portions thereof as may be prescribed, and any Regulations may be altered and rescinded from time to time—

- i. For prescribing the manner in which applications for leases shall be made, entertained, and dealt with, and the manner in which objections to such applications shall be made and investigated :
- ii. For prescribing the shape and position, and for regulating the survey of claims, and defining the privileges of claim-holders :
- iii. For prescribing the forms which shall be used in carrying out the provisions of this Act and the Regulations made hereunder :

and generally respecting all other matters and things necessary to give effect to the objects and intentions of this Act so far as the same are

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not herein provided for; and such Regulations may be enforced in case of any breach or default thereof by such penalty not exceeding Twenty Pounds, as may be prescribed. A.D. 1899.

All the provisions of the said Act relating to Regulations shall apply to any Regulations made under this Act as fully as if they had been made under the said Act.

10 This Act shall come into operation and shall take effect on the First day of *January*, One thousand nine hundred, but it shall be lawful for the Governor in Council at any time after the passing of this Act, to make, alter, or rescind Regulations under this Act, to come into operation on or after the said First day of *January*, One thousand nine hundred.

11 This Act and the said Act and every Act amending the same, save as amended by this Act, shall be read and construed together as one and the same Act; and the words and expressions used in this Act are to have the same meaning as those attached by the said Act to similar words and expressions. Acts to be read together.

