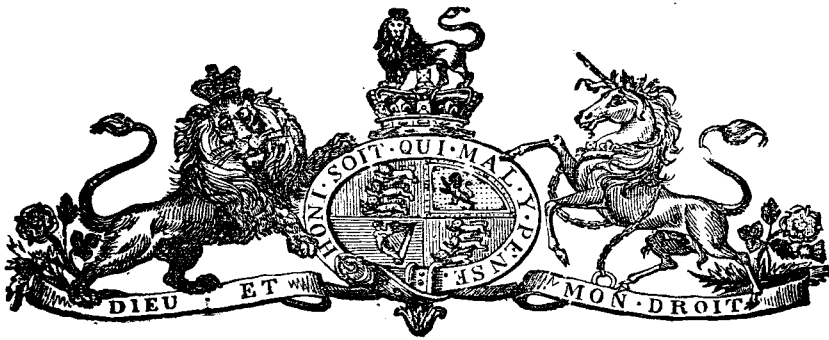


T A S M A N I A.



1896.

ANNO SEXAGESIMO

VICTORIÆ REGINÆ,

No. 51.

AN ACT to further amend "The Mining Companies Act, 1884." A.D. 1896.
[26 November, 1896.]

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 as "The Mining Companies Amendment Act, 1896." Short title.

2 This Act shall come into operation and take effect on and after the First day of *January*, One thousand eight hundred and ninety-seven. Commencement of Act.

3 In this Act, unless the context otherwise determines,— Interpretation.

The words "the said Act" shall mean "The Mining Companies Act, 1884 :"

The word "Syndicate" shall mean and include any syndicate, association, partnership, or co-adventure for prospecting purposes, the capital of which is undefined and is engaged to be subscribed by the members thereof for the time being by an indefinite number of regular contributions in respect of each share held therein, payable at fixed periods occurring at regular intervals not exceeding One calendar month :

The words "prospecting purposes" shall mean and include as well "mining purposes" as defined by the Sixth Section of the said Act, as also the purpose of forming and floating mining companies to be registered under the said Act.

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Prospecting
Syndicates may
become
incorporated by
registration.

4 Any Syndicate formed before the commencement of this Act, or which may hereafter be formed, may become incorporated as a Syndicate for prospecting purposes, by obtaining registration as in the next succeeding Section mentioned: Provided that in the case of any Syndicate formed after the commencement of this Act, Two-thirds of the shares therein shall have been allotted to and subscribed for by members of such Syndicate.

Mode of obtain-
ing registration.

5 In order to obtain such registration there must be lodged in the Office of the Secretary of Mines a Memorandum which shall contain the several matters, and may be in the form, contained in the Schedule (1.) to this Act, and which shall be signed by each of the shareholders for the time being of and in such Syndicate, in the presence of and attested by One witness at least.

Registration
effected by Secre-
tary of Mines.

6 The Secretary of Mines shall keep a Register Book, to be entitled "The Prospecting Syndicate Register Book;" and on receipt by him of the Memorandum as in the preceding Section mentioned, shall register the Prospecting Syndicate in such Memorandum mentioned, by entering in the said Register Book the date of such receipt, and by subscribing and signing at the foot of the said Memorandum the words "The above Prospecting Syndicate was registered by me on the day of , 18 , by the above name."

Incorporation of
Prospecting
Syndicates.

7 Upon such registration the persons who shall have signed the said Memorandum as shareholders of and in such Syndicate shall become a body corporate, which, subject to the provisions in this Act contained, shall be similar in all respects to a Company for mining purposes incorporated and registered on the No Liability system under the said Act.

Stamp duty.

8 Every Syndicate shall before registration as aforesaid, and shall thereafter from time to time when and so often as the capital thereof shall be increased, pay to the Treasurer of *Tasmania* Stamp Duty in respect of the capital of such Syndicate according to the scale set forth in the Schedule (2.) to this Act, and shall not be otherwise liable to payment of Stamp Duty as a Company.

Rules, formation
and registration
of.

9 The Rules of any such Syndicate, if not filed at the Office of the Secretary of Mines at the time of the registration of the said Memorandum, shall be made by the shareholders for the time being thereof assembled in general meeting convened for that purpose, in such manner as shall have been agreed upon by the persons who shall have signed the said Memorandum as shareholders of such Syndicate, and shall in such Memorandum be expressed to have been so agreed by such persons. And such Rules whenever made shall be filed by the Manager for the time being of such Syndicate, by depositing with the Secretary of Mines a copy thereof signed by such Manager and by two or more Directors (if any) of such Syndicate, and verified by the declaration of such Manager in the form or to the effect directed by the Schedule (3.) to this Act.

Scrip, form of.

10 The scrip of every Syndicate shall bear upon the face thereof the name of the Syndicate as registered, together with the additional words "Registered as a Prospecting Syndicate under 'The Mining Companies Amendment Act, 1896,'" and also a notice inscribed across such scrip

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containing the words included in the sixth paragraph of the registered Memorandum of such Syndicate, and such additional words and such notice shall be printed in ink of a colour different from that in which any other words upon the face of such scrip may be printed or written. A.D. 1896.

11 Subject as aforesaid, and also to the qualifications, restrictions, and exclusions following, the provisions of the said Act shall, as far as they are capable of so doing, apply to Syndicates— Application of the said Act. 48 Vict. No. 15.

In the application to Syndicates of the provisions of the said Act the word "Company," wherever therein occurring, shall mean and include Syndicate, and the word "Call," wherever therein occurring, shall mean and include any one of the regular contributions in respect of each share in a Syndicate which are hereinbefore referred to in the interpretation of the word "Syndicate," and the words "Prospecting Syndicates' Register Book" shall be substituted for the words "Mining Companies' Register Book" wherever the latter words occur in the said Act. "Company." "Call." "Prospecting Syndicates' Register Book."

In the place of the Schedule (3.) to the said Act the Schedule (4.) to this Act shall be applicable to Syndicates. Schedule (4.).

In addition to those portions of the said Act which, by its Sections One hundred and twenty and One hundred and twenty-one, are excluded from application to No Liability Companies, the following Sections shall not apply to Syndicates, viz. :—Sections Eight and Nine, Section Ten so far as it provides for the liability of Members, Section Eleven, Section Twelve so far as it provides for describing the *Gazette* and certain newspapers, and Sections Thirteen, Fifty-four, and Fifty-five. Sections not to apply.

The words "not inconsistent with this Act" in Section Sixty-two of the said Act shall be deemed to be struck out, and the words "but so as not to be inconsistent with the provisions of this Act," in Section One hundred and forty-two of the said Act shall also be deemed to be struck out, and in the place of the said last-mentioned words there shall be deemed to be substituted the following words, namely :—"Provided; however, that no such Rule shall be inconsistent with the provisions of 'The Mining Companies Act, 1884,' and its Amendments, but such Rules may exclude or vary the application to such Syndicate of the Sections of this Act next mentioned :—Section Forty-nine, so far as the same provides for insertions in the *Gazette* and certain newspapers, Sections Fifty-eight, Fifty-nine, Sixty, and Sixty-one, and Section Forty-four, subject to such provisions as may be contained in any Act referring to Prospecting Syndicates." Sections variable.

The application of Section Forty-four of the said Act to any Syndicate shall not be varied or excluded by any Rule or Rules of such Syndicate unless and except the registered Office of such Syndicate shall be situated in some post office town other than either of the cities of *Hobart* or *Launceston*, in which case the notice in the said Section mentioned need not be published in manner therein described, but shall be deemed to have been duly and sufficiently given as to shareholders in such Syndicate then resident within such town, or to whom a prepaid postal communication would have to be delivered from the post office of such town if the manager of such Syndicate shall, Fourteen days before the date for which the extraordinary meeting shall be convened, post a written copy of the notice in the said Section

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mentioned outside such post office and also outside the door of the registered office of such Syndicate, and at such other places as the said Rules may prescribe. But, as to shareholders in such Syndicate other than aforesaid, the notice shall be deemed to have been duly and sufficiently given if within the time before-mentioned a copy of the said notice signed by the said manager shall be forwarded in a prepaid letter through the Post Office addressed to each of such last-mentioned shareholders at his respective address as the same appears in the register of shareholders in such Syndicate.

Limit of application of Act.

12 The provisions of this Act shall not extend to or apply to any Syndicate in which the total capital subscribed, together with that engaged to be regularly contributed, would, in case the same were fully and regularly subscribed and contributed in respect of every share therein, exceed the sum of One thousand Pounds, or exceed in Twelve months the sum of Eight hundred Pounds.

SCHEDULE.**(1.)**

Sect. 5.

WE, the undersigned, whose several respective signatures are contained in the List of Shareholders hereunder written, hereby mutually agree to become a Prospecting Syndicate, under the provisions of "The Mining Companies Amendment Act, 1896;" and we hereby severally respectively declare that we have taken the number of Shares in such Syndicate set opposite our said several signatures; and further, that—

1. The name of the Syndicate is to be "The _____ Prospecting Syndicate, No Liability."

2. The Registered Office of the Syndicate is situated at _____

3. The number Shares in the Syndicate is _____

4. The number of Shares subscribed for is _____, being not less than two-thirds of the entire number of Shares in the Syndicate.

5. The amount already paid in respect of each Share is _____

6. The contribution in respect of each Share is _____ per _____, payable on _____, the _____ day of _____ 189____, and thereafter regularly every _____

7. The name of the present Manager is _____

8. The general meeting for the formation of the Rules of the Syndicate shall be convened for some place in _____ by notice under the hand of the present Manager not less than _____ days immediately preceding the date of such meeting published in manner following, namely, by _____

[or, if already formed] The Rules of the Syndicate are herewith forwarded for registration.

List of Shareholders.

Signature of Shareholders.	Address and Occupation.	No. of Shares.	Signature, Occupation, and Address of Witness.

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(2.)

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When the total capital subscribed, together with that engaged to be regularly contributed would, in case the same were fully and regularly subscribed and contributed in respect of every share in the Syndicate, amount in Twelve months to not more than £250..... 10s.
 For every additional £250 or part thereof contained in such amount computed as aforesaid 10s.

Sect. 8.

(3.)

I, *A.B.*, of _____ in Tasmania, do solemnly and sincerely declare :—
 1. That I am the Manager of The _____ Prospecting Syndicate, No Liability, registered [*or intended to be registered.*]
 2. That a General Meeting of the Members of the said Syndicate duly convened in that behalf did, on the _____ day of _____ 189 _____, duly decide upon and form the Rules of the said Syndicate.
 3. That the annexed _____ writing signed by me, as Manager of the said Syndicate, (and also signed by _____ and _____ as Directors of the said Syndicate), contains justly and truly the Rules so decided upon and formed.
 4. The said _____ and _____ are Directors of the said Syndicate.
 5. The above statements are, to the best of my knowledge and belief, true in every particular; and I make this solemn declaration conscientiously believing the same to be true in every particular, and by virtue of the provisions of "The Statutory Declarations Act, 1837."

Sect. 9.

A.B.

Taken before me at _____ day of _____ 18 _____

J.P.

(4.)

THIS is to certify that a Prospecting Syndicate called "The _____ Prospecting Syndicate, No Liability," was, on the _____ day of _____ 189 _____, by virtue of "The Mining Companies Amendment Act, 1896," incorporated, a Memorandum pursuant to the said Act having been duly lodged in the Office of the Secretary of Mines [*if a copy of Rules has been forwarded add "and also a copy of the Rules of the Syndicate have been duly forwarded to the said Office."*]

Sect. 11.

The name of the Manager is _____ and the registered Office of the Syndicate is situated at _____

Given under my hand, this _____ day of _____ 189 _____

Secretary of Mines.

