



ANNO UNDECIMO

ELIZABETHAE II REGINAE

A.D. 1962

No. 30 of 1962

An Act to amend the Mining Act, 1930-1958.

[Assented to 1st November, 1962.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Mining Act Amendment Act, 1962".

(2) The Mining Act, 1930-1958, as amended by this Act, may be cited as the "Mining Act, 1930-1962".

(3) The Mining Act, 1930-1958, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 23b.

3. Paragraph (a) of subsection (1) of section 23b of the principal Act is amended by striking out the words "which is necessary in order to make the substance" therein and inserting in lieu thereof the words "undertaken or effected after the substance first becomes".

Amendment of principal Act, s. 23d

4. Subsection (1) of section 23d of the principal Act is amended by striking out the passage commencing with the word "and" and ending with the word "gypsum" therein.

5. The principal Act is amended by inserting therein after section 41 thereof the following new section :—

Enactment of
s. 41a of
principal Act.

41a. (1) There shall be payable upon every application for registration of a precious stones claim the sum of five pounds. The registration of any such claim shall remain in force for one year from the date of the issue thereof but may be renewed for a further period of one year from time to time upon payment of the sum of five pounds.

Precious stones
claim.

(2) If a person does not renew any such claim within thirty days after the expiration of the registration thereof his right to the claim shall lapse and he shall not be entitled to peg another precious stones claim containing the whole or any part of the land in the lapsed claim or to prospect or mine for precious stones on any such land without the written consent of a warden.

6. Section 53 of the principal Act is amended by inserting therein after paragraph v thereof the following paragraph :—

Amendment of
principal Act,
s. 53.

vi. Such covenants as the Minister shall require to ensure that the lessee will restore the leased land to a condition satisfactory to the Minister.

7. Section 56 of the principal Act is amended by inserting therein after paragraph v the following paragraph :—

Amendment of
principal Act,
s. 56.

vi. Such covenants as the Minister shall require to ensure that the lessee will restore the leased land to a condition satisfactory to the Minister.

8. Section 69d of the principal Act is amended—

Amendment of
principal Act,
s. 69d.

- (a) by striking out the words "the occupier" in subsections (2), (3) and (4) thereof and inserting in lieu thereof the words "both the owner and the occupier" in each case ;
- (b) by inserting before the words "the occupier" (first occurring) in subsection (5) thereof the words "the owner and" ;
- (c) by inserting after the word "satisfied" in subsection (5) thereof the words "after due inquiry that the owner of the private land cannot be found or" ;
- (d) by inserting after the word "aforesaid" at the end of subsection (5) thereof the words "to such owner or as the case may be to the occupier".

(e) by striking out the word "may" in subsection (6) thereof and inserting in lieu thereof the word "shall";

(f) by inserting in the said subsection (6) thereof after paragraph II the following paragraph:—

III. the exploration programme submitted by the applicant.

(g) by inserting in the said section 69d the following subsections after subsection (8) thereof:—

(9) An authority granted or issued pursuant to this section shall confer upon the holder thereof the exclusive right to enter upon the land for any mining purpose.

(10) Unless sooner cancelled an authority granted or issued pursuant to this section after the commencement of the Mining Act Amendment Act, 1962, shall remain in force for a period not exceeding two years but may be renewed.

(11) An authority issued by a warden pursuant to this section may be issued upon the condition that a rental determined by the warden shall be paid during the currency thereof by the holder to the occupier of the land.

(12) An authority may be granted or issued under this section to the Minister.

(13) Notwithstanding anything in this Act contained an authority granted or issued pursuant to this section may, with the consent of the owner and occupier or of the warden, be assigned by the holder thereof to any person.

Amendment of
principal Act,
s. 133.

9. Section 133 of the principal Act is amended by striking out all the words therein after the word "be" and inserting in lieu thereof the words "guilty of an offence and liable to be imprisoned for a term not exceeding two years or a fine not exceeding three hundred pounds or both."

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.