



ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

No. 39 of 1955

An Act to amend the Mining Act, 1930-1953.

[Assented to 8th December, 1955.]

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, 1955".

(2) The Mining Act, 1930-1953, as amended by this Act, may be cited as the "Mining Act, 1930-1955".

(3) The Mining Act, 1930-1953, 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.

Enactment of s. 110a of the principal Act—

3. The following section is enacted and inserted in the principal Act after section 110 thereof :—

Research and investigation.

110a. The Minister may—

(a) at the request of any person within or outside the State or of his own motion conduct research and investigation into problems relating to mining or minerals or other substances obtained from mines :

(b) stipulate for and recover charges for any such research or investigation conducted at the request of any person :

(c) pay the cost of any such research and investigation out of money voted by Parliament for the purpose.

4. Section 111a of the principal Act is amended—

(a) by inserting after the word "lease" in the third line of subsection (2) the words "or mineral lease".

(b) by adding at the end thereof the following subsections:—

(3) Subject to subsection (5) of section 62 of this Act, the grant of a mineral lease authorising the lessee to mine for uranium or thorium shall be at the discretion of the Governor and no person shall have a right to such a lease by virtue only of holding a mineral claim.

(4) The Governor may grant a mineral lease authorising the lessee to mine for uranium or thorium or both, to any person approved by the Governor, whether he does or does not hold a mineral claim or a special mining lease comprising the land to be included in the mineral lease.

Amendment of
s. 111a of the
principal Act—
Title of Crown
to uranium
and thorium.

5. Section 111b of the principal Act is repealed and the following section is enacted in lieu thereof:—

111b. (1) In this section—

"uranium lease" means a special mining lease or a mineral lease which authorises the lessee to mine for uranium with or without other substances:

"thorium lease" means a special mining lease or a mineral lease which authorises the lessee to mine for thorium with or without other substances.

(2) A uranium lease or a thorium lease may contain such terms, covenants and conditions as the Governor approves—

(a) providing for the ownership by the Crown of any uranium and thorium won by the lessee or for the acquisition by the Minister on behalf of the Crown of any such uranium and thorium on such terms and conditions as are specified in the lease;

(b) controlling and regulating the use or disposal by the lessee of any such uranium and thorium;

(c) requiring that the lessee will perform such developmental and other mining work on the land

Repeal of
s. 111b of
principal Act
and enactment
of other
provisions—
Uranium and
thorium leases.

included in the lease as the lease specifies, and will perform that work within the time specified in the lease and with reasonable skill and efficiency ;

- (d) stipulating what rents and other sums are reserved by the lease and payable by the lessee and providing for the payment of such rents and sums.

(3) Subsection (3) of section 52 of this Act (which deals with the rents and other sums to be reserved by a mineral lease) shall not apply to a uranium lease or a thorium lease unless it is expressly provided in the lease that the said subsection shall so apply.

(4) If the lessee under a uranium lease or a thorium lease does not within the time specified in the lease carry out the developmental or other mining work which the lease requires him to carry out, and the Minister is satisfied that the default has occurred by reason of circumstances for which the lessee ought not to be held responsible, the Minister may grant such extensions of time for carrying out such work as he thinks fit.

(5) Except as provided in subsection (3) of this section this section shall not take away or restrict—

- (a) the power of the Governor of including in any uranium lease or thorium lease any terms, covenants and conditions permitted or required by any other provision of this Act or the regulations to be included in a special mining lease or a mineral lease (as the case may be) ; or
- (b) any other power which the Governor or the Minister may exercise in relation to a special mining lease or mineral lease (as the case may be) or the lessee thereof ; or
- (c) the application to a uranium lease or a thorium lease of any other provision of this Act relating to mineral leases or special mining leases (as the case may be).

Enactment of
s. 111ba of the
principal Act—

Power of
Minister to
purchase
uranium or
thorium.

6. The following section is enacted and inserted in the principal Act after section 111b thereof :—

111ba. (1) The Minister may purchase, sell, dispose of or use any uranium or thorium obtained from mining operations conducted within the State.

(2) The money required to pay for any uranium or thorium so purchased by the Minister shall be paid out of money provided by Parliament for the purpose.

7. Section 111f of the principal Act is amended by striking out the words "the last preceding five sections" and inserting in lieu thereof the words "this Part".

Amendment of
s. 111f—
Consequential
amendment.

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

R. A. GEORGE, Governor.