



Mining Act 1891

Citation: 54 & 55 V. No 33
Date of Assent: 21 September, 1891
Commencement: 1 January, 1892

Repeal: Repealed 1898, No 38
Amendments: 1893, No 9.

1893, No 49.

1894, No 52: See s5 – special dredging claims may be granted below high water mark.

1895, No 60.

1896, No 51: See ss29 - 31. Surrender or determination of outstanding leases or licenses granted by Native or other owners prior to acquisition of land by the Crown.

s56 – Native reserves available for mining purposes in certain cases.

Type of Legislation: Public

Subject: Mining

Relevant Sections: s25: Miners to pay twice the normal annual fee (20 shillings) to mine on Native land. Native district defined as Native property over which the Crown has obtained the agreement of the Native owners for mining.

s26: Special provision as to miners rights in respect of mining on Native lands. The extra 10 shillings to be distributed among the Native owners.

ss87 - 88: Mineral leases.

s94: Governor may issue a prospecting license for Native lands with the owners consent.

s95: Penalty for anyone other than Native owners and prospecting license holders prospecting on Native land.

s96: Prospector discovering gold on Native land may apply to the Governor for a lease which may be granted on sale of the land to the Crown or cession to Governor for mining purposes.

ss94 - 97: Prospecting on Native land.

ss205 - 211: *Native reserves and Native lands.*

s205: Governor may sanction the application of this Act to Native reserves in the same manner as public reserves. If so ss 200 - 202 of this Act to apply to the Native reserve.

s206: Native lands within a mining district which have been ceded to the Governor for mining purposes deemed to be Crown land for that purpose.

Relevant Sections and Commentary continued over page

**Mining Act 1891** *continued*

- Relevant Sections:**
- s207:* Machine, business and residence sites within Native land opened up for mining purposes, to pay a fee until the freehold is acquired by the Crown.
 - s208:* Penalty for non owners to mine on Native land without authority.
 - s210:* Agricultural leases within Ohinemuri block.
 - s211:* This Act to apply to agricultural leases of all Native lands which have been proclaimed open for mining purposes.
 - s212:* All Native land which has been alienated by its owners since 30 August, 1888 liable to be resumed by the Crown.
 - s213:* Native owners may petition Minister for resumption for mining purposes.

Commentary: The Debates indicate that this is a largely a consolidation act and the new clauses pointed out are not related to Maori land.

Cross Reference: –