



ANNO QUINTO

EDWARDI VII REGIS.

A.D. 1905.

No. 881.

An Act to provide for the Issue of Leases for Dredging
for Gold.

[*Assented to, November 8th, 1905.*]

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

1. This Act may be cited as "The Gold Dredging Act, 1905." Short title.

2. In this Act, unless some other meaning is clearly intended— Interpretation.

"Lease" means a lease granted under this Act :

"Minister" means the Minister of Mines :

"Warden" means a Warden appointed under "The Mining
Act, 1893" :

"Worked-out lands" means mineral lands which have been
worked for alluvial gold and which have been reported upon
by the Warden as no longer capable of being profitably
worked for alluvial gold under the laws in force relating
to gold mining.

3. The Minister may grant to the holder of a miner's right a Dredging leases.
lease of any mineral lands certified by the Warden to be worked-out
lands, or of any other mineral lands certified by the Warden to be
too poor for profitable working in alluvial or reefing claims, for
the purpose of dredging for gold.

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Plan to be lodged
with Warden.

4. A plan of such lands shall be lodged with the Warden within three months of the date of the grant of such lease.

Term, rent, and area.

Mining Act, 1893,
sec. 51.

5. Every lease shall be for a term of ten years, and shall reserve a rental of One Shilling per acre, payable yearly in advance, and may be granted in respect of an area of not exceeding two hundred acres, and shall contain a right of renewal for a term not exceeding ten years, on such conditions as may be approved by the Minister: Provided that in no case where such renewal is granted shall the rental exceed Five Shillings per acre.

Covenants and
conditions.

Mining Act, 1893,
sec. 52.

6. Every lease shall contain the following covenants by the lessee:

i. That he will pay the rent reserved by the lease as and when the same shall become due:

Ib., sub-sec. ii.

ii. That he will not, without the permission in writing of the Minister, use the leased lands for any other purpose than that authorised by the lease:

Ib., sub-sec. iii.

iii. That he will, during the term of the lease, after the first six months, keep continuously employed in dredging for gold upon the leased lands not less than one man for every ten acres of such lands, or in the alternative will keep so continuously employed, fully manned, machinery of a value of not less than One Thousand Pounds for every fifty acres of land in the lease; and that he will, whenever required by the Minister, furnish him with satisfactory evidence that such number of men have been and are so employed:

Ib., sub-sec. iv.

iv. That he will, yearly, on such dates as shall be fixed in the lease, furnish statements of all expenses incurred in dredging for gold and of all proceeds derived from such dredging.

And shall contain—

Ib., sub-sec. v.

(a) Such reservations and such other covenants and conditions as may be prescribed by regulations under this Act:

Ib., see end of section.

(b) A proviso that the lease shall be liable to forfeiture on breach or non-compliance with any covenant or condition in the lease.

Applications for
leases.

7. Applications for leases shall be made to the Minister, and shall be accompanied by the first year's rent, and shall be considered in order of priority. In the event of simultaneous applications, the order of priority shall be decided by lot.

Regulations.

8. The Governor may make regulations for all or any of the following matters, namely:—

i. For prescribing forms:

ii. For prescribing the reservations, covenants, and conditions to be inserted in leases:

iii. For

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- III. For prescribing the procedure for the forfeiture of leases:
 IV. For carrying out and giving force and effect to the various objects and purposes of this Act.

Such regulations shall be published in the *Government Gazette*, and thereafter have the force of law: Provided that copies of such regulations shall be laid before both Houses of Parliament within fourteen days after the publication thereof if Parliament be then in Session, and, if not, then within fourteen days after the commencement of the next Session thereof: Provided that if either the Legislative Council or House of Assembly shall dissent from any regulation or regulations so made such regulation or regulations shall thereupon cease to be valid. Proviso.

9. The Minister may, at any time before breach thereof, suspend, or wholly or partially remit, all or any of the covenants and conditions contained in any lease in any case where he is satisfied that, by reason of special circumstances, it would be impossible to comply with, or would inflict great hardship upon the lessee to enforce, such covenants or conditions. Remission of covenants.
Mining Act, 1893, sec. 96.

10. A return of all such remissions, with the reasons therefor, shall be annually laid before Parliament within one month after the opening of Parliament for the dispatch of business. Return showing remissions.

11. The lessee of a gold or mineral lease or leases of contiguous land granted under "The Mining Act, 1893," may, with the consent of the Minister, and, subject to the regulations, at any time during the currency of such lease or leases, upon proof to the satisfaction of the Minister of the due performance and observance by him of all the covenants and conditions in such lease or leases, surrender such lease or leases and obtain a lease under this Act of the area surrendered. Lessees may surrender and get new leases hereunder.
Act 587, 1893, sec. 117.

12. This Act shall not apply to the Northern Territory. Not to apply to Northern Territory.

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

GEORGE R. LE HUNTE, Governor.