

MINING.

14° and 15° Geo. VI., No. XXVI.

No. 26 of 1950.

AN ACT to amend the Mining Act, 1904-1948.

[Assented to 13th December, 1950.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Mining Act Amendment Act, 1950*, and shall be read as one with the Mining Act, 1904-1948 (Act No. 15 of 1904 as reprinted with amendments to and including Act No. 56 of 1937, incorporated pursuant to the Amendments Incorporation Act, 1938, and further amended by Acts Nos. 48 of 1945 and 84 of 1948), hereinafter referred to as the principal Act.

Citation of principal Act as amended by this Act.

2. The principal Act as amended by this Act may be cited as the Mining Act, 1904-1950.

3. Paragraph (11) of section ninety-two of the principal Act is amended by— Amendment
of s. 92.

- (a) deleting the word, "adjacent" in line one;
- (b) adding after the word, "leases" in line one the words, "within the same goldfield".

4. Section two hundred and seventy-seven of the principal Act is amended by— Amendment
of s. 277.

- (a) adding before subsection (1) the following subsection:—

(a1) In this section—

"alkali prospecting" means prospecting for alkali and alkaline earth minerals, except surface gypsum;

"alluvial prospecting" means prospecting for deep alluvial gold;

"surface gypsum" means gypsum within thirty feet of the ground;

- (b) substituting for the words in brackets in subsection (1) the words—

" , except a right of occupancy granted for the purpose of—

alkali prospecting; or
alluvial prospecting—

pursuant to the provisions of the next succeeding subsection,";

- (c) substituting for all words in lines one to six, both inclusive, of paragraph (a) of subsection (1a) the words—

"There may be granted, pursuant to the provisions of the last preceding section, a right of occupancy not exceeding—

five thousand square miles, the length of which shall not

exceed one hundred miles
for the purpose of alkali
prospecting; or

one hundred square miles, the
length of which shall not ex-
ceed ten miles for the pur-
pose of alluvial prospecting;

but for no other purpose and, if granted,
shall”;

(d) substituting for the words, “for deep allu-
vial gold” in lines three and four of sub-
paragraph (1) of paragraph (a) of subsec-
tion (1a), the words, “for the purpose for
which the right is granted”;

(e) substituting for all words in lines four and
five of subparagraph (ii) of paragraph (a)
of subsection (1a) the words—

“mark off and apply for—

gold mining leases, where the
right is granted for alluvial
prospecting; or

mining tenements, where the
right is granted for alkali
prospecting—

of land comprised in the right”;

(f) substituting for the word, “has” in line eight
of subparagraph (ii) of paragraph (a) of
subsection (1a) the words, “or alkali or
alkaline earth minerals, as the case may
be, has or have”;

(g) adding after the word, “leases” in line
eleven of subparagraph (ii) of paragraph
(a) of subsection (1a) the words, “or tene-
ments”;

(h) adding after the word, “minerals” in line
seven of subparagraph (iii) of paragraph
(a) of subsection (1a) the words, “except
in the case of a right of occupancy for
alkali prospecting, alkali and alkaline earth
minerals,”.