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Crown Law Department,
Perth, 14th January, 1963.

THE undermentioned Regulations made under the provisions of the Mining Development Act, 1902-1924, and amended from time to time prior to the 7th September, 1962, are reprinted, as so amended, pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

Mining Development Act, 1902-1924.

STATE BATTERY REGULATIONS

Published in the *Government Gazette* on the 24th December, 1936, and incorporating the amendments thereto published in the *Government Gazette* on the 19th March, 1937, 26th August, 1938, 17th March, 1939, 24th November, 1939, and 29th December, 1961, and reprinted pursuant to the Reprinting of Regulations Act, 1954.)

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister dated 14th January, 1963.

Mining Development Act, 1902-1924.

REGULATIONS.

Reg. 1.
Added by
G.G.
29/12/61,
p. 3962.

(1) (a) These regulations may be cited as the State Battery Regulations.

(b) In these regulations unless the context requires otherwise—

“approved” means approved by the Minister;

“manager” means the officer in charge of a State Battery;

“Minister” means the Minister for Mines;

“ton” means 2,240 lbs.

Reg. 1A
(formerly
Reg. 1)
altered by
G.G.
29/12/61,
p. 3962.

(1A) All ore accepted for treatment must be weighed and, where weighing machines are not provided and excepting those cases when the Minister otherwise directs, it shall be estimated at 22 cubic feet per ton.

(2) The manager of a State Battery may refuse any ore considered too poor to pay crushing charges, unless a deposit is paid in advance.

(3) The charge for crushing at each State Battery, as determined from time to time by the Minister, shall be posted up at each battery and strictly adhered to while in force.

(4) The minimum charge for a crushing will be five pounds.

(5) Payments of treatment charges shall be made to the manager on completion of crushing or sufficient gold will be retained to pay the amount due.

(6) Where a cyanide plant has been erected at a State Battery, tailing consisting of sand and slime resulting from ore crushed at that battery may be purchased, but the manager may, in his discretion, refuse to purchase any tailing should he consider it unsuitable for treatment by cyanide.

Reg. 7
amended
by G.G.
26/3/38,
p. 1379;
G.G.
17/3/39,
p. 484.
Substituted
by G.G.
24/11/39,
p. 2088.

(7) (a) The tailing produced from each parcel may be purchased at such plants as may be approved and will be paid for by the Government at the rate of not more than 75 per cent. of the agreed assay, less a deduction of 1 dwt. 18 grs. of fine gold per ton. Gold to be paid for at the rate of four pounds four shillings and eleven pence halfpenny per ounce.

(b) Tailing which in the opinion of the manager will not yield 75 per cent. extraction will be segregated either separately in a dam or with other similar parcels, as circumstances permit, and treated from time to time, and owners will be paid on the actual extraction obtained, but not more than 75 per cent. less a deduction of 1 dwt. 18 grs. of fine gold per ton. Gold to be paid for at the rate of four pounds four shillings and eleven pence halfpenny per ounce.

(c) In addition, the Minister shall be at liberty to pay to the vendor of tailing purchased under the authority of this regulation such amount as he shall think fit, as a premium upon the fine gold recovered from such tailing for which payment is made to such vendor; provided that such amount shall not exceed the amount of the premium upon such fine gold which the Minister may have received, either directly or indirectly from the Commonwealth Bank, or to the receipt whereof the Minister is entitled and which he may reasonably anticipate he will so receive.

(8) The number of tons of tailing to be paid for from each parcel shall not be more than ninety per cent. of the tons crushed.

Reg. 9
amended
by G.G.
29/12/61,
p. 3962.

(9) The manager shall take samples of the tailing as it passes through the battery. The sample collected shall be thoroughly mixed and divided into four portions, one for assay by the manager and one for the vendor; the other two shall be sealed and kept by the manager for reference or umpire, if necessary.

Reg. 10
amended
by G.G.
29/12/61,
p. 3962.

(10) Within three weeks of the completion of the crushing, the vendor and manager shall compare assays, and, if these differ by not more than six grains per ton, the mean of the assays shall be accepted as correct. If there should be a greater difference than six grains between the assays, the umpire sample shall be sent by the manager to the Government Chemical Laboratories at Perth, whose assay shall be accepted as final by both parties. The cost of the umpire's assay shall be borne by the party whose assay differs most from the umpire's result. The manager's assay shall not be made known to the vendor until he has produced his assay certificate for comparison of assays or has agreed in writing to accept the manager's assay. If the vendor does not produce an assay certificate for comparison within twenty-one days of the completion of the crushing, the manager's assay shall be final. If the manager considers any sample shows an abnormal assay value for the grade of ore producing the tailing, he may refer the matter to the Minister, whose decision as to the values to be paid on shall be indisputable and final.

Reg. 11
amended
by G.G.
29/12/61,
p. 3962.

(11) All tailing assaying not exceeding two pennyweights eight grains per ton shall become the property of the Government without purchase.

(12) Where no cyanide plant has been erected at a State Battery, any person desirous of claiming tailing, the product of his crushing, may remove it to a site clear of the settling area immediately the crushing is completed, and must notify the manager of his intention to do so previous to commencement of the crushing. All tailing not so removed shall be deemed abandoned, and may be dealt with as the Minister may direct.

(13) All ore will be delivered and received for treatment absolutely at the owner's risk, and the Government shall not be responsible for any suspension of operations, delays in treatment, or for any loss or damage arising from any cause whatsoever.

Reg. 13A
added by
G.G.
19/3/37,
p. 443.

(13A) All ore is received for crushing and treatment on the basis that, if any amalgam or extract from the ore shall escape behind the box liners in the course of treatment so as to become unidentifiable, the proceeds thereof may be applied by the Minister on behalf of all persons having dealings with the battery for such worthy purposes as the Minister may determine.

(14) Any owner of ore or his deputy may be present during the crushing of his parcel, but shall take no part in the treatment, except by the express permission and under the direction of the manager.

(15) At every State Battery there shall be kept a book, in which shall be recorded the number of tons in each parcel left for treatment, the name, locality, and number of the lease or holding from which it is obtained, and the name of the person for whom the ore is to be crushed.

(16) A copy of the foregoing rules shall be inserted in the said book, and every person sending ore for treatment shall sign opposite the entry relating to the ore lodged by him, and such signature shall be sufficient evidence that he is cognisant of the foregoing rules and agrees to be bound by them.