

## MINING.

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No. 53 of 1968.

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## AN ACT to amend the Mining Act, 1904-1965.

[Assented to 12th November, 1968.]

BE it enacted by the Queen'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  
and citation.

1. (1) This Act may be cited as the *Mining Act Amendment Act, 1968*.

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Approved for  
reprint 15th  
December,  
1966.

(2) In this Act the Mining Act, 1904-1965, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Mining Act, 1904-1968.

2. Section twenty-six of the principal Act is amended by adding after the word "selection", being the last word in paragraph (11), a passage as follows—

Amendment to s. 26. (Privileges conferred by miner's right.)

" ;

- (12) to enter a mineral claim and prospect on it by any mode with a view to grounding an application pursuant to section twenty-eight A of this Act in respect of that claim but so that he does not interfere with or cause damage to the actual workings of the claim holder " .

3. The principal Act is amended by adding after section twenty-eight sections as follows—

Additions of ss. 28A and 28B.

28A. Land to which subsection (1) of section twenty-eight of this Act applies may be occupied as a prospecting area by the holder of a miner's right other than the miner's right by which the land is then occupied if his application for the prospecting area—

Exception to s. 28 (1).

- (a) is made and dealt with at such time and subject to such conditions relating to the application as may be prescribed; and
- (b) is, in the discretion of the Minister, granted by him to the applicant on such terms as the Minister thinks fit after the Minister has considered such reports and recommendations from the Warden to whom the application has been made, as may be prescribed.

28B. Subregulation (14) of regulation 55 of the Regulations, which was published in the *Government Gazette* on the 4th December, 1925, shall be deemed to have taken effect and to have had the force of law from that date. .

Reg. 55 (14) validated.