

## MINING.

---

No. 13 of 1965.

---

AN ACT to amend the Mining Act, 1904-1964.

[Assented to 1st October, 1965.]

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, 1965*.

Reprinted in  
Vol. 12 of the  
Reprinted  
Acts.  
Approved for  
reprint, 23rd  
April, 1958,  
and  
amended by  
Acts Nos. 23  
of 1961,  
32, 33 and 34  
of 1963 and  
45 of 1964.

(2) In this Act the Mining Act, 1904-1964, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Mining Act, 1904-1965.

2. Section one hundred and eleven of the principal Act is amended— S. 111  
amended.

(a) by substituting for the word, "lease" in line six of subsection (1), the passage, "mining lease, mining tenement, or other holding"; and

(b) by inserting after the word, "lessee" where it occurs in each of lines two, three and six of the second proviso to subsection (1), the words, "or holder", in each case.

3. The principal Act is amended by adding after section one hundred and twelve, the following section— S. 112A  
added.

112A. In order to remove any doubt that but for this section might arise, it is hereby expressly declared that all licenses granted prior to the commencement of the Mining Act Amendment Act, 1965, under section one hundred and twelve of this Act, in respect of tailings or other mining material situated upon land comprised in mining tenements or other holdings surrendered, expired, forfeited or declared void, are deemed to have been lawfully granted under this Act and are hereby validated and confirmed. . Validation  
of licenses  
in respect  
of tailings  
on mining  
tenements.

4. Section three hundred and twenty-two of the principal Act is amended— S. 322  
amended.

(a) by substituting for the words, "in the Court" in line ten of subsection (9), the words, "with the Commission"; and

(b) by substituting for the word, "Court", being the last word in subsection (9), the word, "Commission".