

(No. 20.)



1877.

SESSION III.

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T A S M A N I A.

HOUSE OF ASSEMBLY.

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**MINERAL LEASES :**

**REGULATIONS OF THE GOVERNOR IN COUNCIL.**

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Laid upon the Table by the Minister of Lands and Works, and ordered by the House to be printed, July 18, 1877.



## GOVERNMENT NOTICE.

No. 148.

*Lands and Works Office, 18th June, 1877.*

THE Governor, with the advice of the Executive Council, directs the publication of the following Regulations under the provisions of "The Mineral Leases Act, 1870," for general information, which supersede the Regulations of the 5th April, 1875.

By His Excellency's Command,

C. O'REILLY.

### *REGULATIONS under "The Mineral Leases Act, 1870."*

1. Licences to search for and remove Minerals or Metals, except Gold, from Waste Lands will be issued at the Office of the Commissioner of Crown Lands on payment of a fee of £1, which Licences will be in force for twelve months from the date thereof.
2. Holders of licences will have a preferential right to a lease of the land selected for lease.
3. Any person intending to apply for a lease shall first proceed to mark the ground to be applied for, if in timbered country by cutting upon a tree in some conspicuous part of the ground a mark which shall be clearly visible, or if in clear country by erecting a post not less than three feet in height and three inches in diameter; and shall place upon such tree or post, as the case may be, a Notice, which shall be clearly visible, with the words "Applied for Lease," his name, the area, and the date legibly written or printed thereon, and shall within seven days, or as soon thereafter as practicable, lodge his application with the Commissioner of Crown Lands. The application shall be in the form hereunder set forth, and shall contain all the particulars in such form required to be given, and shall clearly state the position of the land in relation to the position of the said Notice. And the application of the person who first marks off shall have precedence. The applicant shall keep the Notice in its place until the survey is effected or the application is finally disposed of.
4. All applications for leases to be accompanied by a fee of £1, which will be appropriated under Section 19 of these Regulations, or forfeited if the application be not proceeded with.
5. If two or more persons shall simultaneously mark off the same land and shall apply for it, such persons shall draw lots for the same, unless agreeing to hold the same as tenants in common.
6. Should the application for a lease be approved, the applicant will be called upon to pay the survey fee in accordance with the scale of charges in force relating to Waste Lands; and if such fee be not paid within fourteen days from the date of approval the application will lapse.
7. Applications to lease coal lands shall not exceed 320 acres nor be less than 40 acres, except in special cases.
8. Applications for any other land containing minerals or metals shall not exceed 80 acres nor be less than 20 acres.
9. The rent for any lot containing metalliferous rock to be 5s. the acre per year, and 2s. 6d. the acre per year if coal-bearing or slate rock only, or such higher rental as the Governor in Council may affix. Rent to be paid annually in advance.
10. Upset price of mineral lots for lease by auction to be fixed by Commissioner of Crown Lands after reference to the Inspector of Mines, if such officer be appointed, or if not, then according to the best evidence he is able to obtain of the value of each lot.
11. In case of the leasing of any mineral lot that may have been forfeited, a fair valuation shall first be made of all useful surface improvements and of the machinery on the ground, which shall be added to the upset, and paid to the former lessee if the lease be sold.

12. But if such lot be not sold, the value of the machinery shall be abated by one-fourth every quarter; and if it remain unsold at the end of one year, the owner of it shall not be entitled to any compensation on account of it. But he may remove it, provided he do so within three months after the end of the one year named, or a longer time may be given him if there be no incoming tenant.

13. If the lot be relet to former lessee, no payment will be allowed for machinery, or improvements, &c.

14. The value of such machinery, improvements, &c. to be fixed by two valutors, one chosen by the Commissioner of Crown Lands and the other by the outgoing lessee; and in case of dispute, the valutors may appoint an umpire; or if valutors do not appoint an umpire in three months, the Commissioner may do it. The umpire's decision to be final.

15. On termination of lease the Commissioner at his option may purchase useful improvements and machinery, pumps and mining materials; that is, if the latter are not removed, or if lessee does not renew lease at valutors' prices, to be ascertained as prescribed above.

16. Mineral lots put up and passed may be put up again, on request of any one guaranteeing upset price.

17. Sections of land shall be surveyed where practicable in rectangular figures, and the length shall not in any case (except by the special permission of the Commissioner of Crown Lands) exceed the width in greater proportion than two to one.

18. Sales of any leases that are to be disposed of by Auction to be made at any ordinary Land Sale, or at a special one.

19. A fee of £1 will be charged for preparing the lease.

20. Any person objecting to the issue of a lease shall give notice of such objection, setting forth the grounds thereof, to a Commissioner of Mines within one month after the survey of the section, and shall deposit the sum of Ten Pounds with such Commissioner, which amount or any part thereof such Commissioner of Mines may appropriate to the payment of the costs and expenses incurred by the applicant if such objection be not established. And if such objection be established such sum shall be returned to the person objecting.

21. The Commissioner of Mines shall, upon receipt of such notice of objection as hereinbefore referred to, call upon the applicant to pay the sum of Ten Pounds, and such sum or any part thereof may be appropriated by the Commissioner of Mines in payment of the expenses incurred by the person objecting in the event of the objection being established. And in the event of such objection not being established such sum shall be returned to the applicant.

22. These Regulations shall commence and take effect on the 29th day of June, 1877.

FORM OF APPLICATION FOR LEASE.

(Place) \_\_\_\_\_  
(Date) \_\_\_\_\_

To the Commissioner of Crown Lands.

SIR,  
I HEREBY apply for a Lease under "The Mineral Leases Act, 1870," the particulars of which are hereunder set forth.

I have the honor to be,  
Sir,

Your most obedient Servant,

(Signature of Applicant)

Name of Applicant in full.	Address of Applicant.	Term of Years.	Area.	Description of Metal or Mineral intended to be worked.	Proposed length and width of Lot.	Situation of the Land applied for in relation to the position of the posted Notice, and land-marks, streams, &c., if any.	General Remarks.