ANNO SEXAGESIMO SECUNDO ET SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.
A.D. 1899.

No. 720.

An Act to provide for the Issue of Leases for Dredging for Gold in the Northern Territory.

[Assented to, September 20th, 1899.]

Be it enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

1. This Act may be cited as “The Gold Dredging Act, 1899,” Short title. and shall apply only to the Northern Territory.

2. In this Act, unless some other meaning is clearly intended— Interpretation.
   “Lease” means a lease granted under this Act:
   “Minister” means the Minister of the Crown for the time being controlling the Northern Territory:
   “Worked-out lands” means lands which have been worked for alluvial gold and which have been reported upon by a Warden of Goldfields as no longer capable of being profitably worked for alluvial gold under the laws in force relating to gold mining:
   “Prescribed” means prescribed by regulation under this Act.

3. The Minister may grant leases of any lands certified by a Warden of Goldfields to be worked-out lands, or of any other lands certified by a Warden to be too poor for profitable working in alluvial or reefing claims, for the purpose of dredging for gold.

4. Every
4. Every lease shall be for a term of twenty-one years, and shall reserve a rental of Six Pence per acre, payable yearly in advance, and a royalty of Six Pence in the Pound sterling of the net annual profits derived by the lessee from the leased lands after allowing, in addition to working expenses, five per centum on the capital represented by machinery working during the year on the leased lands, and may include an area of not exceeding five thousand acres.

5. Every lease shall contain the following covenants by the lessee:

   i. That he will pay the rent and royalty reserved by the lease as and when the same shall become due:

   ii. That he will not, without the permission in writing of the Government Resident, use the leased lands for any other purpose than that of dredging for gold:

   iii. That he will, during the term of the lease, after the first twelve months, keep continuously employed in dredging for gold upon the leased lands not less than one man for every five acres of such lands, or in the alternative will keep so continuously employed, fully manned, machinery of a value of not less than Three Thousand Pounds for every two thousand acres of land in the lease; and that he will, whenever required by the Government Resident, furnish him with satisfactory evidence that such number of men have been and are so employed:

   iv. That he will, annually, on such dates as shall be fixed in the lease, furnish statements of all expenses incurred in dredging for gold and of all proceeds derived from such dredging.

And also shall contain—

(a) Such reservations and such other covenants and conditions as may be prescribed:

(b) A proviso that the lease shall be liable to forfeiture on breach or non-compliance with any covenant or condition in the lease.

6. Applications for leases shall be made to the Minister or to the Government Resident, and shall be accompanied by the first year's rent, and shall be considered in order of priority. In the event of simultaneous applications the order of priority shall be decided by lot.

7. The Government Resident may make regulations for all or any of the following matters, namely:

   i. For prescribing forms:

   ii. For prescribing the reservations, covenants, and conditions to be inserted in leases:

   iii. For prescribing the procedure for the forfeiture of leases:

   iv. For
iv. For carrying out and giving force and effect to the various objects and purposes of this Act.

Such regulations shall be subject to the approval of the Governor and shall, after approval, be published in the Government Gazette; and have the force of law, and copies of such regulations shall be laid before both Houses of Parliament within fourteen days after the publication thereof if Parliament be then in Session, and, if not, then within fourteen days after the commencement of the next Session thereof: Provided that if either the Legislative Council or House of Assembly shall dissent from any regulation or regulations so made such regulation or regulations shall thereupon cease to be valid.

8. The Minister may, at any time before breach thereof, suspend, or wholly or partially remit, all or any of the covenants and conditions contained in any lease, in any case where he is satisfied that by reason of special circumstances it would be impossible to comply with, or would inflict great hardship upon the lessee to enforce, such covenants or conditions.

A return of all such remissions, with the reasons therefor, shall be annually laid before Parliament within one month after the opening of Parliament for the dispatch of business.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

TENNYSON, Governor.