



ANNO NONO

GEORGII VI REGIS.

A.D. 1945.

No. 15 of 1945.

An Act to amend the Mining Act, 1930-1941.

[Assented to 22nd November, 1945.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Mining Act Amendment Act, 1945". Short titles.
- (2) The Mining Act, 1930-1941, as amended by this Act, may be cited as the "Mining Act, 1930-1945".
- (3) The Mining Act, 1930-1941, is hereinafter called "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. The following section is enacted and inserted in the principal Act after section 62 thereof :— Enactment of s. 62a of principal Act—
 - 62a. (1) Before the Governor grants a lease under section 62 of this Act, the Minister may require the proposed lessee to deposit with him a bond in the sum of one thousand pounds or such greater sum as the Minister requires. Deposit of bonds by holders of special mining leases.
 - (2) The bond shall be given to the Minister by the proposed lessee or by some other person approved by the Minister and shall be conditioned upon the due execution and observance of all the terms, covenants and conditions of the lease when granted.

(3) The sum mentioned in a bond given under this section shall not be a penalty, but shall be liquidated damages and recoverable in full unless the person giving the bond proves performance of every condition upon which the bond is defeasible.

(4) Every bond given under this section shall be in the form prescribed by regulation.

Enactment of
Part IXA. of
principal Act—

4. The following sections and heading are enacted and inserted in the principal Act after section 111 thereof :—

PART IXA.

URANIUM AND THORIUM.

Title of
Crown to
uranium and
thorium.

111a. (1) Notwithstanding anything to the contrary in any Act, land grant, certificate of title, lease, agreement, or other instrument of title, all uranium and thorium existing in its natural condition on or below the surface of any land in the State whether alienated from the Crown or not and, if alienated, whether alienated before or after the passing of this Act, is hereby declared to be the property of the Crown.

(2) The title of the Crown to uranium and thorium under subsection (1) of this section shall be subject to any rights granted by any special mining lease issued after the enactment of this section, but to no other rights.

Provision as to
uranium and
thorium in
special mining
leases.

111b. A special mining lease which authorizes the lessee to mine for uranium or thorium may—

- (a) provide in such manner as the Minister thinks fit for the ownership by the Crown of any uranium or thorium won by the lessee, or for the acquisition by the Crown on such terms and conditions as are specified in the lease of any such uranium or thorium ;
- (b) contain any terms and conditions which the Minister thinks fit as to the use or disposal by the lessee of any such uranium or thorium.

Reports of
discovery of
uranium and
thorium.

111c. (1) Every person who discovers any uranium or thorium shall—

- (a) forthwith report that discovery to the Minister ;

(b) comply with any notice in writing given to him by the Minister requiring him to furnish particulars relating to such discovery.

(2) A person who contravenes any provision of this section shall be guilty of an offence.

111d. (1) A person shall not have in his possession, use, sell or otherwise dispose of or part with the possession of any uranium or thorium unless he has obtained from the Minister a licence to do so. Control of uranium and thorium.

(2) A licence granted under this section may contain such terms and conditions as the Minister considers to be required in the public interest.

(3) A person who—

(a) has in his possession, uses, sells, disposes of or parts with the possession of any uranium or thorium contrary to this section; or

(b) contravenes or fails to observe any condition of a licence granted to him under this section,

shall be guilty of an offence and liable to a fine not exceeding five hundred pounds or imprisonment for a term not exceeding six months.

111e. (1) The Minister may by notice in writing require any person who has in his possession any uranium or thorium, and has not a licence granted by the Minister authorizing such possession, to deliver the uranium or thorium to him at a time and place to be specified in the notice. Delivery of possession of uranium and thorium.

(2) A person who fails to comply with a notice under this section shall be guilty of an offence and liable to a fine not exceeding five hundred pounds or imprisonment for a term not exceeding six months.

(3) The Minister may take possession of any uranium and thorium unlawfully in possession of any person and for that purpose may enter and remain on any land or premises and do any other act, matter or thing either personally or by any person authorized by him.

(4) The Minister may by notice in writing given to the person from whom he has received or taken any uranium or thorium pursuant to this section, declare that that uranium or thorium is acquired by him on behalf of the Crown and thereupon it shall belong to the Crown.

Interpretation
of uranium and
thorium.

111f. In the last preceding five sections—

“uranium” includes any minerals or rocks containing uranium :

“thorium” includes any minerals or rocks containing thorium.

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

C. W. M. NORRIE, Governor.