

All public reserves and all endowments, as previously stated, also Native reserves, are, with the following exception, exempt from the operation of the Mining Act, 1926: Provided that all such reserves and endowments and Native reserves which, on the coming into operation of that Act, were within the operation of any former Mining Act are to the same extent subject to the operation of the first-mentioned Act. The exception referred to relates to lands set apart for forest purposes or for scenic purposes, in both of which cases no rights can be issued without the consent of the Minister for the time being charged with the administration of the State Forests and Scenery-preservation Acts.

(5) As stated in paragraph (2), the Crown has no jurisdiction over private lands the owner of which holds the mineral rights. If the owner of the freehold is also the owner of the minerals the procedure to be followed is to obtain the consent of the owner and occupier (if any), and then apply to the nearest Warden's Court for any description of mining privilege authorized by the Mining Act in the case of Crown lands in a mining district.

(6) If it is desired to obtain a prospecting warrant or a prospecting license, the Governor-General, in respect of Native land, or the Warden in the case of other lands that are open for prospecting and which are situated in a mining district, may, in pursuance of section 70 of the Mining Act, 1926, grant such warrant or license respectively, subject to the applicant complying with the requirements of section 73, and also subject to the written consent of the owner and occupier of the land described in the foregoing paragraph (5). Attention is also called to Regulations 7 to 14, both inclusive, under the Mining Act, 1926, relating to such rights.

In the case of lands open for prospecting situated outside a mining district, other than Native lands, the Commissioner of Crown Lands may, subject to the consent of the Minister of Mines, and subject to the conditions already referred to, grant such warrant or license.

(7) The term of a prospecting warrant or prospecting license is one year. The holder has, however, the right in priority in respect of the land included in such warrant or license, provided (1) he gives notice in writing, not less than fourteen days before the expiry of his warrant or license, of his intention to apply for a new warrant or license; (2) the application is made not later than seven days after the expiry of the warrant or license, and the land comprised therein has within that period been identified or marked out as required in an application under paragraphs (b) or (c) of section 73; and (3) the applicant furnishes with his application full particulars in writing of the work done and money expended by him in prospecting operations during the preceding twelve months, and the Governor-General or Warden, as the case may be, is satisfied that the applicant has satisfactorily carried out the terms and conditions of the expired warrant or license. A fee of £1 is payable in respect of a prospecting warrant, and a fee computed at the rate of 1s. for every acre of land, but being in no case less than £1, in respect of a prospecting license, both fees being payable in advance. The area is limited to 100 acres, but any number of warrants or licenses may be acquired by one person.

A prospecting warrant confers a non-exclusive right, and a prospecting license an exclusive right, to prospect on the land to which it relates.

The conditions to which the issue of prospecting warrants or licenses are subject, the provisions which apply in respect of the payment of compensation to the owner and occupier of land not being unalienated Crown land for damage done to such land, and a schedule of lands which are exempted from prospecting are contained in sections 74 to 76 of the Mining Act, 1926.

(8) With the consent in writing of the Minister of Mines, the Warden within a mining district, or the Commissioner of Crown Lands outside a mining district, may, pursuant to section 77 of the Mining Act, 1926, grant