

**CHAPTER 198.****RADIO-ACTIVE MINERALS.**

## ARRANGEMENT OF SECTIONS.

## SECTION.

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 SCHEDULE.
 

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**CHAPTER 198.****RADIO-ACTIVE MINERALS.**

22 of 1947. **An Ordinance to regulate and control prospecting and mining for Radio-Active Minerals and the export thereof and for purposes connected therewith.**

[26<sup>TH</sup> JULY, 1947.]

Short title. **1. This Ordinance may be cited as the Radio-Active Minerals Ordinance.**

Interpre-  
tation.

**2. In this Ordinance—**

“ licence ” means a licence issued under this Ordinance;

“ mine ”, with its grammatical variations and cognate expressions, includes all operations for the intentional winning or obtaining of any radio-active mineral;

“ permit ” means a permit issued under this Ordinance;

“ prospect ”, with its grammatical variations and cognate expressions, means to search for any radio-active mineral,

and includes such working as is reasonably necessary to enable the prospector to test the radio-active mineral-bearing qualities of the area concerned;

“radio-active mineral” means any substance specified in the schedule to this Ordinance as amended from time to time in accordance with the provisions of section 9 of this Ordinance. Schedule.

3. No person shall prospect for or mine, or attempt to prospect for or mine, on crown lands, colony lands or any other lands in the Colony, any radio-active mineral except under and in accordance with a licence granted by the Governor. Radio-active minerals not to be prospected for or mined, except under licence.

4. Every holder of a licence shall within the first ten days of every month furnish the Chief Secretary with a true report in writing of the prospecting and mining operations carried on by him in the immediately preceding month with respect to radio-active minerals, and shall within the said period furnish the Commissioner of Lands and Mines with a copy of such report and the Director of Geological Surveys with another copy thereof. Holder of licence to report his operations thereunder.

5. No person shall export, or attempt to export, from the Colony any radio-active mineral except under and in accordance with a permit granted by the Governor in that behalf. Radio-active minerals not to be exported, except under permit.

6. The Governor may in his absolute discretion—  
 (a) grant or refuse to grant a licence or a permit;  
 (b) revoke at any time any licence or permit;  
 and he shall be under no obligation to assign any reason for refusing to grant, or for revoking, a licence or permit. Grant of licence or permit to be in the absolute discretion of the Governor.

7. Every licence, and every permit, shall be in such form and for such period and be subject to the payment of such fee as the Governor may from time to time determine, and shall contain such terms and conditions as the Governor may from time to time think fit to impose. Form of licence and permit.

8. (1) Every person not being the holder of a licence who discovers any radio-active mineral in the Colony shall forthwith furnish a true report in writing to the Commissioner of Lands and Mines of the discovery, and in the report furnish particulars of the radio-active mineral and of the place where, and the circumstances under which, it was discovered. Discovery of radio-active mineral to be reported to Commissioner of Lands and Mines.

(2) Where the radio-active mineral is discovered on any land which is not crown land, it shall not be removed from such land except with the consent of the Commissioner of Lands and Mines.

Power of  
Governor  
to amend  
schedule.

9. The Governor may, by order published in the Gazette, from time to time alter, vary or in any manner amend the schedule to this Ordinance.

Offences.

10. (1) Every person who—

(a) not being the holder of a licence, prospects for or mines, or attempts to prospect for or mine, any radio-active mineral in any part of the Colony; or

(b) being the holder of a licence prospects for or mines, or attempts to prospect for or mine, any radio-active mineral in any part of the Colony in contravention of any term or condition of his licence, or otherwise than in accordance with any term or condition thereof; or

(c) being the holder of a licence, fails to comply with any of the requirements of section 4 of this Ordinance; or

(d) not being the holder of a permit, exports or attempts to export from the Colony any radio-active mineral; or

(e) being the holder of a permit, exports or attempts to export from the Colony any radio-active mineral in contravention of any term or condition of his permit, or otherwise than in accordance with any term or condition thereof; or

(f) obtains, or attempts to obtain, a licence or permit by means of any false statement or representation; or

(g) not being the holder of a licence, discovers a radio-active mineral in the Colony and fails to comply with any of the requirements of section 8 of this Ordinance;

shall be guilty of an offence and on summary conviction thereof shall be liable to imprisonment for twelve months or to a fine of two thousand five hundred dollars or to both such imprisonment and fine.

(2) The court before which any person is convicted of an offence under subsection (1) of this section shall order the forfeiture to the Crown of any radio-active mineral or prospecting or mining apparatus derived from, or employed in the commission of, any act in respect of which such person was convicted.

Powers of  
search,  
arrest and  
seizure.

11. (1) Any member of the police force not below the rank of non-commissioned officer, and any officer or class of officers authorised in writing by the Chief Secretary in that behalf, may, for the purpose of enforcing the provisions of this Ordinance, without warrant or other legal process—

(a) enter and search any place where he has reasonable grounds for suspecting that an offence under this Ordinance has been, or is about to be, committed;

(b) search any person whom he has reasonable grounds for suspecting to have committed, or to be about to commit, an offence under this Ordinance:

Provided that it shall not be lawful for a male person to search a female person;

(c) arrest any person whom he has reasonable grounds for suspecting to have committed, or to be about to commit, an offence under this Ordinance;

(d) seize any radio-active mineral or prospecting or mining apparatus connected therewith which he has reasonable grounds to suspect to be or to be about to be, derived from, or employed in, the commission of any offence under this Ordinance.

(2) Where any person is arrested, or any radio-active mineral or prospecting or mining apparatus is seized, under the provisions of subsection (1) of this section, such person, mineral or apparatus shall, as soon as practicable, be brought before the nearest magistrate.

(3) Every person who obstructs, or attempts to obstruct, whether actively or passively, any person specified or referred to in subsection (1) of this section in the execution or purported execution of his duties under this section, shall be guilty of an offence and on summary conviction thereof shall be liable to imprisonment for six months or to a fine of five hundred dollars or to both such imprisonment and fine.

12. Nothing in this Ordinance shall be construed as absolving any person from compliance with any provision or requirement of any other Ordinance or of any regulations made thereunder. Saving.

13. The Governor in Council may make such regulations for giving better effect to the provisions of this Ordinance as he may from time to time deem to be necessary or expedient. Power to  
make  
regulations.

ss. 2 and 9.

## SCHEDULE.

*(As amended by regulation 8 of 1949, 29th January, 1949.)*

1. Any mineral containing uranium or thorium and, in particular and without prejudice to the generality of this paragraph, the substances hereinafter set out in this schedule.
  2. Minerals of the pitchblende group, including pitchblende, uraninite, ulrichite, broggerite, cleveite, and related mineral species.
  3. Torbernite and autunite.
  4. Secondary uranium minerals other than torbernite and autunite including rutherfordine, uranite, uranophane, gummite, thorumite, uranocircite, kasolite, becquerelite, and other silicates, hydrates, carbonates, phosphates or arsenates of uranium.
  5. Carnotite and tyuyamunite and related uranium-bearing vanadate ores.
  6. Uranium-bearing niobate-titanate-tantalate ores, including euxenite, polycrase, blomstrandine, priorite, samarskite, fergusonite, betafite, and related minerals.
  7. Monazite, thorite and thorianite.
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