

CHAPTER 166.

LANDS AND MINES DEPARTMENT.

[No. XXXI of 1903.]

[26th September, 1903.]

Short title. 1. This Ordinance may be cited as the Lands and Mines Department Ordinance.

Officers of the department. 2. The department of lands and mines (hereinafter called the "department") shall consist of the Commissioner of Lands and Mines (hereinafter called "the Commissioner"), and of such assistants, surveyors, clerks and other officers as the Governor from time to time appoints.

Duties of officers. 3. The Commissioner and every officer appointed under this Ordinance shall perform the duties from time to time imposed on them by Ordinance, and any other duties they are directed or required to perform by the Governor.

Officer not to engage in other business. 4. No officer in the department shall be directly or indirectly concerned or interested in keeping or carrying on any business other than that of his department, or in any traffic or barter with the aboriginal Indians.

PROVISIONS AS TO CROWN LANDS.

Charge of crown lands. Chapter 176. 5. The Department shall have the charge of, and act as guardian over, all crown lands, forests, rivers, and creeks of the colony, except as comprised within a forest reserve declared under the Forestry Ordinance, for such period and so long as the legislature of the colony makes provision for a civil list to the satisfaction of His Majesty, and no longer.

Surveys of crown lands. 6.—(1) Subject to the provisions of sub-section (2) of this section, the department shall execute all surveys of crown land of which a grant, or licence, or permission of occupancy is to be issued, and of which a survey is required.

(2) The Governor may in any case permit any duly qualified surveyor other than a surveyor of the department to execute the survey.

7. The department shall keep proper registers of all grants of crown lands, or any licences connected therewith, heretofore issued, so far as they can be ascertained, and shall keep proper registers of all the grants and licences hereafter to be issued.

Keeping of registers of grants and licences.

PROVISIONS AS TO COLONY LANDS.

8. The department shall have the charge of all lands which are the property of the colony, except lands occupied with buildings under the charge of the public works department, which last-mentioned lands with the buildings shall be under the charge of that department.

Charge of colony lands.

9. The department shall keep proper and separate registers of all the lands which are the property of the colony.

Registers.

10. Lands which are the property of the colony shall only be rented or sold with the sanction of the Governor in Council and on the terms and conditions determined by him.

Rental or sale.

11.—(1) Where land is purchased or sold by the colony, conveyance thereof for and on behalf of the colony, after the authority of the Governor in Council has been obtained, may be taken or made by the Commissioner or other officer authorised by the Governor in Council to do so.

Conveyances.

(2) No conveyance of any land the property of the colony shall be made to and in favour of anyone until it has been registered by the Commissioner.

12. Where the Governor in Council authorises a conveyance of any of the lands belonging to the colony being made the Governor in Council may by order direct the conveyance to be made without the payment of a fee or on the payment of any specified fee not exceeding the fee for the time being payable by law.

Governor in Council may direct conveyance of colony lands without payment of fee.

REGISTERS AND FEES.

13.—(1) All registers required to be kept by the department under the provisions of this or any other Ordinance shall be open to the public during office hours on payment of

Right of inspection of registers.

the prescribed fee, subject to any regulations from time to time made by the Governor in Council.

(2) Anyone who satisfies the Commissioner that he has an interest therein, may obtain a certified copy of any register or document in the possession of the department, on payment of the prescribed fee.

Fees.

14. The prescribed fees shall be those specified in the schedule hereto, or any other fees from time to time fixed by resolution of the Governor and Legislative Council.

MISCELLANEOUS.

Power of Commissioner to prosecute offences and take other proceedings.
Chapter 176.

15. The Commissioner, or any officer of the department, or any other person authorised in writing by the Commissioner, or any forest officer under the Forestry Ordinance, may institute or conduct, or institute and conduct, any prosecution for offences relating to crown lands, or colony lands, or under any Ordinance or regulation relating thereto, or any proceeding for the recovery of rent or acre money or other moneys payable in respect of crown or colony lands, or under any Ordinance or regulation relating thereto.

Power over houses on crown or colony land.

16. The Commissioner, with the sanction of the Governor, and after notice in the Gazette for three successive Saturdays of his intention to do so, may remove and sell, or destroy, any house, erection, or construction on crown or colony land, the owner of which is not known or after reasonable inquiry cannot be found.

TEMPORARY PROVISIONS.

Temporary provisions.

17.—(1) Where in any statute, or in any contract, agreement, or other document, the government land department or the department of mines is mentioned or referred to, the department of lands and mines shall be intended and taken in lieu thereof.

(2) Where in any statute, or in any contract, agreement, or other document, the Crown Surveyor or Commissioner of Mines is mentioned or referred to, the Commissioner of Lands and Mines shall be intended and taken in lieu thereof.

(3) Where in any statute or in any contract, agreement, or other document, the Assistant Crown Surveyor is mentioned or referred to, the Assistant Commissioner of Lands and Mines shall be intended and taken in lieu thereof.

SCHEDULE.

(Section 14.)

TARIFF OF FEES.

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1. Copy of any document other than a diagram per page ...	0	24
2. Copy of a diagram and upwards at the discretion of the Commissioner.	2	00
3. Inspecting or searching records kept in the department, for the first hour or part thereof	0	50
For each succeeding hour or part thereof	0	25
