



CHAPTER 49.

An Act to amend the "Mineral Act."

[Assented to 15th March, 1955.]

R.S.B.C., 1948, c. 213,
1953 (2nd Sess.), c. 17

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title

1. This Act may be cited as the "Mineral Act Amendment Act, 1955."

Amends s 2

2. Section 2 of the "Mineral Act," being chapter 213 of the "Revised Statutes of British Columbia, 1948," is amended as follows:—

(a) By striking out the words "joint-stock company" in the definition of "free miner," and substituting "corporation."

(b) By striking out the definition of "joint-stock company."

Amends s 4

3. Section 4 is amended by striking out subsections (1) and (2), and substituting the following:—

"(1) (a) Every person eighteen years of age and over and every corporation incorporated under the 'Companies Act' or Act of the Legislature and every corporation registered under the 'Companies Act' and every trust company registered under the 'Trust Companies Act' and every insurance company registered under the 'Insurance Act' and every chartered bank shall be entitled to all the rights and privileges of a free miner, and shall be considered a free miner upon taking out a free miner's certificate.

"(b) A minor over eighteen years of age who becomes a free miner shall, as regards his mining property, operations, and liabilities contracted in connection therewith, be treated as of full age.

"(c) A free miner's certificate issued to a corporation shall be issued in its corporate name.

"(2) If any person under eighteen years of age, or any corporation not incorporated, registered, or chartered according to the provisions of subsection (1), obtains a free miner's certificate, the said certificate shall have no effect, and everything done under authority of the said certificate shall be void."

Amends ss. 5, 8, 9,
12, 13, and 156.

4. Sections 5, 8, 9, 12, 13, and 156 are amended by striking out the words "joint-stock company" wherever they occur, and substituting "corporation."

Amends s. 14.

5. Section 14 is amended by striking out subsection (6), and substituting the following:—

"(6) The Lieutenant-Governor in Council, notwithstanding the provisions of this Act, at any time by notice signed by the Minister and published in the Gazette, may cancel, in whole or in part, any reserve of Crown mineral made under this section, and may in the notice specify the terms under which the said mineral may be acquired."

Amends s. 23.

6. Section 23 is amended by renumbering the present section as subsection (1), and inserting the following as subsection (2):—

"(2) Notwithstanding subsection (1) and notwithstanding anything contained in any other Act:—

"(a) The Minister may restrict the right of a free miner to the use and possession of the surface of his mineral claim and to the use of the timber thereon where a mineral claim or group of mineral claims has been acquired on which a mineral deposit has not been found or indicated, or where a mineral claim or group of mineral claims on which a mineral deposit has not been found or indicated, is situated so that it can be used for other than mining purposes:

"(b) Matured timber and species not ordinarily used for mining purposes on mineral claims and that is not being used for mining purposes may be disposed of under the 'Forest Act':

"(c) The Minister may arrange with the Minister of Lands and Forests for a free-use permit to replace timber disposed of under clause (b) when timber is needed for mining purposes."

Amends Sch.

7. The Schedule is amended by striking out the words "joint-stock company" in the sixth line of the Table of Fees, and substituting "corporation."

VICTORIA, B.C.

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