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[1956

MINES (PETROLEUM) ACTS.

At the Executive Council Chamber, Melbourne, the
seventeenth day of April, 1956.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Rylah	Mr. Cameron
Mr. Mibus	Mr. McArthur.
Mr. Reid	

REGULATIONS RELATING TO PETROLEUM EXPLORATION PERMITS, PETROLEUM PROSPECTING LICENCES, AND PETROLEUM MINERAL LEASES.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, pursuant to the powers conferred by the Mines (Petroleum) Acts, doth hereby rescind the Regulations made by Order in Council dated the 7th June, 1949, and published in the *Government Gazette* of the 15th June, 1949, and in lieu thereof doth hereby make the following Regulations, that is to say:—

LIMIT OF REGULATIONS AND WHEN IN FORCE.

1. These Regulations shall apply to the whole of the State of Victoria, and come into force on publication in the *Government Gazette*.

INTERPRETATION.

2. "Applicant" means a person applying or entitled to apply for a permit, licence, or lease under these Regulations.

"Application" means the application for a permit, licence, or lease lodged with the Secretary.

"Clerk" means a warden's clerk.

"Governor" means the person for the time being administering the Government of the State.

"Lease" means a Petroleum Mineral Lease granted on an application under these Regulations or under the Mines (Petroleum) Acts.

"Licence" means a Petroleum Prospecting Licence granted on an application under these Regulations or under the Mines (Petroleum) Acts.

"Mines Act" means the *Mines Act* 1928.

"Minister" means the responsible Minister of the Crown for the time being administering the Mines Acts.

"Permit" means a Petroleum Exploration Permit granted on an application under these Regulations or under the Mines (Petroleum) Acts.

"Person" includes a body corporate.

"Principal Act" means the *Mines Act* 1928.

"Secretary" means the Secretary for Mines for the State, or officer acting on his behalf.

"Shut off," in relation to water, means carry out all operations necessary for the exclusion of water from any source from any portion of a bore hole drilled in any area which may contain petroleum.

The calculation of "days" shall be exclusive of Sunday, New Year's Day, Anzac Day, Good Friday, Easter Monday, Christmas Day, and Boxing Day.

The singular number includes the plural, and the plural the singular.

SUNDAY.

3. Land shall not be marked out for a licence or a lease on a Sunday.

SERVING OR LODGING BY POST.

4. If forwarded through the post office, any notice, application, objection, or deposit shall be mailed so that it will reach the addressee within the prescribed time.

PETROLEUM EXPLORATION PERMITS.

Application for Petroleum Exploration Permit.

5. Application for a Petroleum Exploration Permit shall be in or to the effect of Form "A" annexed. The information contained in such application shall be verified by statutory declaration made by the applicant. Every such application shall be endorsed by the Secretary for Mines with the date and hour of its receipt in the Department of Mines.

6. Every application for a permit shall be accompanied by a map or plan showing by coloured edging the area for which a permit is required. The boundaries of the area shall conform with the Parish or County boundaries.

Unless otherwise approved by the Minister in any case, the said map or plan shall be the Victorian Lands Department standard County plan on the scale of 2 miles to 1 inch or the map of Victoria, showing parishes, on the scale of 8 miles to 1 inch.

7. In the case of an application by a body corporate, the application shall be signed by the Legal Manager or Secretary and shall be accompanied by a certified copy of the Certificate of its incorporation or its registration under the Companies Acts.

8. The application shall be delivered or sent through the post addressed to the Minister and shall be accompanied by evidence—

- (i) of the financial standing of the applicant;
- (ii) of the technical qualifications of the applicant and of his technical advisers; and
- (iii) of the ability of the applicant to comply with any provisions of the Mines (Petroleum) Acts and the regulations thereunder relating to the permit for which the application is made.

9. The applicant shall, if so requested in writing by the Minister, furnish such further evidence relating to any of the matters referred to in the last preceding Regulation as the Minister requires, and if the applicant fails to furnish such evidence to the satisfaction of the Minister within 30 days of such request the application shall, unless the Minister otherwise directs, be refused.

FEEES.

10. The applicant shall pay to the Minister when delivering or sending the application a sum calculated at the rate of Two shillings for each square mile or part of a square mile comprised in the area applied for, and—

- (i) if the permit is granted, such sum shall be applied towards the fees payable in respect of the permit;
- (ii) if the applicant proceeds with his application in accordance with the Mines (Petroleum) Acts and the Regulations thereunder, but the permit is refused, such sum shall be returned to the applicant;
- (iii) if the applicant discontinues his application or fails to proceed with his application in accordance with the Mines (Petroleum) Acts and the Regulations thereunder, the whole or such part of such sum as the Minister determines shall be forfeited to the Crown and the balance of such sum shall be returned to the applicant.

ADDITIONAL SUM.

11. When required by the Secretary, the applicant shall lodge such sum or sums as may be considered necessary to cover the cost of survey of the land or any other costs incidental to the determination of the application.

SURVEY.

12. Where the land is unsurveyed, if deemed necessary by the Secretary, a survey more fully defining and identifying the land may be required before the permit is granted.

13. The Secretary may instruct a mining surveyor to survey the land and to furnish a plan and report in respect thereto.

14. The mining surveyor shall notify the applicant in writing of a day and hour, so that applicant may meet him and point out the boundaries.

15. If the mining surveyor finds the land is identical with an area surveyed for the Lands Department, or for a mining lease or licence, he shall make an inspection of such land and furnish a copy of the plan of the survey without further survey.

SURVEY FEE.

16. The fee for survey or inspection survey and allowance for travelling shall be as set out in "B" annexed.

APPLICATION MAY BE DECLARED ABANDONED.

17. An application may be declared abandoned if applicant withdraws the same or fails to comply with any requisition made on him by the Secretary.

POWER OF ATTORNEY.

18. If applicant be out of the State, he may comply with these Regulations, or any part of them, by his attorney.

19. Every agent authorized by any power of attorney shall file the same in the office of the Registrar-General.

BOND.

20. Before a permit is granted, the applicant shall either furnish a bond in Form "C" with a surety approved by the Minister or such other security in cash or otherwise, as the Minister thinks proper to accept, in a sum of not less

than One thousand pounds, conditioned upon compliance with the terms and conditions of the permit and with the Mines (Petroleum) Acts.

FEE FOR PERMIT.

21. The applicant, when required by the Secretary, shall pay a fee of £1 for the preparation of the permit.

COMMENCEMENT OF PERMIT.

22. The period in respect of the permit shall commence on the first day of that month which next follows the day on which the application has been delivered to or, if posted, received by the Minister.

TRANSFER.

23. With the approval of the Minister, a permittee may transfer (Form "D" annexed) his interest in a permit. Fee £10.

24. Application for the Minister's approval to the transfer of a permittee's interest in a permit shall be made in writing and shall be accompanied by evidence from the person to whom such interest is proposed to be transferred as to—

- (i) such person's financial standing;
- (ii) his technical qualifications and the technical qualifications of his technical advisers; and
- (iii) his ability to comply with the provisions of the Mines (Petroleum) Acts and the regulations relating to the permit for the transfer of interest in which application is made.

COMPENSATION.

25. No operations shall be undertaken on any private land unless with the written consent of the owner of such land, or unless compensation has been determined by a warden and paid or tendered to the owner of the land.

26. At least 28 days before the proposed commencement of operations on private land, the permittee shall notify the owner of the land of his intention so to do.

27. Unless within ten days from the date of notification to the owner of the private land of intention to commence operations, the applicant and the owner of the land agree as to the compensation to be paid, then on the complaint of either applicant or owner, the warden shall hear and determine such complaint.

BEFORE COMMENCING DRILLING.

28. Before commencing any drilling operations, the permittee shall send a written notice to the Minister with particulars of the work he proposes to carry out.

Such notice in respect of drilling operations shall include the following particulars:—

- (a) The number or other designation by which the proposed bore or well shall be known.
- (b) Exact location of the proposed bore or well.
- (c) Distance from the nearest boundary of the area covered by the permit.
- (d) When possible the elevation of the derrick floor, i.e., height above sea level.
- (e) Diameter of proposed bore or well at surface.
- (f) Depth to which it is proposed to sink.
- (g) The method of drilling proposed to be used.
- (h) The extent to which coring is intended.

DRILL ENCOUNTERING WATER.

29. The permittee shall immediately report to the Minister the steps taken to deal with the water encountered when drilling, and in the event of continuing to drill shall shut off all water so encountered. Such further steps may be prescribed by the Minister as are considered necessary to meet the circumstances of each particular case.

EXTENSION OF TERM OF PERMIT.

30. Application for the extension of any permit shall be made by letter, delivered or sent by post to the Minister within the currency or extended currency of the permit and shall be signed by the permittee.

Such application shall be accompanied by satisfactory evidence verified by statutory declaration as to the causes that make such extension necessary and as to what efforts have been made to comply with the conditions of the permit.

Every such application shall state whether the applicant desires the extension in respect of the whole or part of the land comprised in the permit. If extension in respect of part only is applied for, the applicant shall furnish a plan or map of such part.

QUARTERLY REPORT OF OPERATIONS.

31. The quarterly report required to be furnished under paragraph (b) of sub-section (1) of section 8 of the *Mines (Petroleum) Act 1955* shall be in the following form, viz.:—

QUARTERLY REPORT OF OPERATIONS.

Petroleum Exploration Permit No.
Name of Holder
Quarter ending

Following are the particulars of all operations conducted by the above-mentioned permittee on the land included in the above-mentioned permit during the quarter ended

(Signed)

PETROLEUM PROSPECTING LICENCES.

32. Subject to any necessary modification, clauses 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29 of these Regulations shall extend and apply to applications for Petroleum Prospecting Licences or to licences granted thereon.

BEFORE APPLICATION.

33. Within twelve days before application the applicant or his agent shall—

- (a) as far as circumstances permit, mark out the land by erecting at each angle of its boundaries a square post, at least 3 inches by 3 inches, and not less than 3 feet above the ground. The land required, if surveyed, should be defined in conformity with the survey lines, or if the land is an unsurveyed area, then in an approximately square block, with boundaries running north and south and east and west, unless this is rendered impracticable on account of natural or other difficulties.
- (b) either before or as soon as each post is erected, affix thereto a metal plate having legibly painted thereon the words "Applied for Licence" and the date of marking out, and the name of the applicant or, if more than two, the names of the first two applicants.

APPLICATION FOR PETROLEUM PROSPECTING LICENCE.

34. Within twelve days after marking out the land the applicant shall lodge with the Secretary—

- (a) application (Form E annexed); and
- (b) a parish plan defining and identifying the land applied for; and
- (c) a sum of Twenty-five pounds; and
- (d) evidence—
 - (i) of the financial standing of the applicant;
 - (ii) of the technical qualifications of the applicant and of his technical advisers; and
 - (iii) of the ability of the applicant to comply with any provisions of the *Mines (Petroleum) Acts* and the regulations relating to the licence for which the application is made.

35. In the case of an application by a body corporate, the application shall be signed by the legal Manager or Secretary, and shall be accompanied by a certified copy of the certificate of its incorporation or its registration under the *Companies Acts*.

36. The Secretary shall note on application the date it was received by him.

CONFLICTING APPLICATIONS.

37. When two or more applications are made for a licence of the same land, the one having priority of marking out shall be granted, unless there be reason for a different course.

BOND.

38. Before a licence is granted, the applicant shall either furnish a bond in form "C" with a surety approved by the Minister or such other security in cash or otherwise, as the Minister thinks proper to accept, in a sum of not less than One thousand pounds, conditioned upon compliance with the terms and conditions of the licence and with the *Mines (Petroleum) Acts*.

PETROLEUM MINERAL LEASES.

39. Subject to any necessary modifications, clauses 11, 13, 14, 15, 16, 17, 18, 19, 28, 29 of these Regulations shall extend and apply to applications for Petroleum Mineral Leases or to leases granted thereon.

APPLICATION FOR PETROLEUM MINERAL LEASE.

40. Within twelve days of marking out, the applicant or his agent shall lodge with the Secretary for Mines—

- (a) an application (Form "G" annexed); and
- (b) a parish plan defining and identifying the land applied for; and
- (c) a sum of £25.

BOND.

41. Every licensee or other person applying for a lease or a renewal of a lease shall furnish a bond in Form "C" with a surety approved by the Minister in a sum of not less than One thousand pounds, conditioned upon compliance with the terms and conditions of the lease and with the *Mines (Petroleum) Acts*, or such other security in cash or otherwise, conditioned as aforesaid as the Minister thinks proper to accept.

SURVEY.

42. Where the land applied for is unsurveyed it shall be surveyed either by the applicant or by the Minister at the expense of the applicant.

RENT AND FEE FOR LEASE.

43. The applicant when required by the Secretary shall pay such sum as with the deposit lodged with the application is required to make up the first half-year's rent and a fee of £1 for the preparation of the lease.

COMPENSATION.

44. No portion of any private land shall be used for any mining operations or for the construction of any works unless with the written consent of the owner or the owner and occupier (as the case may be), or unless compensation has been determined by a warden and paid or tendered to the owner or the owner and occupier of the land.

45. At least 28 days before the proposed commencement of any mining operations or construction of any works on private land the lessee shall notify the owner or the owner and occupier (as the case may be) of the land of his intention so to do.

46. Unless within ten days from the date of notification to the owner of the private land of intention to commence operations or construct any works, the applicant and the owner of the land agree as to the compensation to be paid, then on the complaint of either applicant or owner, the warden shall hear and determine such complaint.

TRANSFER, ETC.

47. Application for the consent of the Minister to assign, transfer, or sublet a lease or any land covered thereby or any interest in such lease or land shall be by letter to the Secretary, and shall be accompanied by a fee of £10 for each lease. A separate consent shall be issued for each lease.

48. The Minister may grant or refuse such consent.

49. The consent of the Minister shall not be necessary for a transfer by a person entitled by operation of law to sell or dispose of a lease.

REGISTRATION OF TRANSFER, ETC.

50. Each assignment, transfer, or sub-lease of a lease, or any portion of the land covered thereby, shall be registered in the office of the Registrar of Titles.

SUSPENSION OF WORKING COVENANTS.

51. Application for a suspension of working covenants shall be made to the Minister (Form "H" or to the effect thereof), and such application shall be accompanied by a fee of £1 for each lease.

ANNUAL RETURN OF WORK.

52. The lessee shall furnish to the Minister on or before the 15th day of January in each year—

- (a) a plan showing building structure and other works placed, erected, or constructed upon the leased land during the preceding calendar year; and

(b) a statement in the following form in relation to structures and other work carried out, viz.:—

New Structures.		New Bore or Geological Work.		General Remarks.
Item.	Value.	Item.	Value.	

PETROLEUM PRODUCED HALF-YEARLY.

53. The lessee shall furnish to the Minister on or before the 15th day of January and the 15th day of July in each year a statement in the following form, viz.:—

Statement of Petroleum Produced and Sold During the Half-year Ending 30th June—31st December, 19 .

Number of Wells in Operation.	Grade of Petroleum.	Number of Gallons Produced, Excluding Petroleum Used for Production or Unavoidably Lost.	Approximate Gross Value.	Number of Gallons Sold.	Amount Received in Respect of Petroleum Sold.

54. The statement referred to in clause 53 hereof shall be verified by a statutory declaration.

FORM OF PERMIT, LICENCE, OR LEASE.

55. A Petroleum Exploration Permit shall be in Form "I," a Petroleum Prospecting Licence in Form "J," and a Petroleum Mineral Lease in Form "K."

Such forms may be modified by alterations, omissions, or additions.

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Mines for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

Mines (Petroleum) Acts.
FORM "A" (CLAUSE 5).

APPLICATION FOR PETROLEUM EXPLORATION PERMIT.

To the Honorable the Minister of Mines,

I hereby apply for a permit in respect of certain land described hereunder and shown on the attached map/plan.

Name (in full), address, and occupation of each applicant

Area (maximum 5,000 square miles)

Full description and precise locality of the land—

Brief particulars of previous experience in oil prospecting or oil field development work

Names and qualifications of technical experts or advisers

Amount of capital for operations under the permit applied for—

(a) at present available

(b) which applicant can make available and the source

The following are full details of all rights, title, and interest (and of the full nature and extent of every such right, title, and interest) held, whether directly or indirectly, or whether as a shareholder or stockholder of any body corporate or in any capacity whatsoever, in any other such permit or in petroleum prospecting licences or in petroleum mineral leases under the Mines (Petroleum) Acts.

Signature of each applicant

I, _____, of _____, in the State of _____

We, _____, do hereby solemnly and sincerely declare that the particulars contained in the above application are true and correct in every particular.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared before me at _____, this _____ day of _____, 19 _____.

Signed

Justice of the Peace.

(In the case of an application by a body corporate, a certified copy of the certificate of incorporation or its registration under the Companies Acts shall be annexed to the application.)

Mines (Petroleum) Acts.

"B" (CLAUSE 16).

SURVEY FEES.

	1st Scale.		2nd Scale.		3rd Scale.		4th Scale.		5th Scale.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Surveying boundaries of a block—										
Under 5 acres	4	5 0	4	10 0	5	0 0	5	10 0	8	5 0
5 acres and under 10 acres	4	10 0	5	10 0	6	5 0	7	5 0	8	0 0
10 acres and under 20 acres	4	15 0	6	15 0	7	15 0	8	10 0	10	0 0
20 acres and under 40 acres	5	15 0	8	0 0	10	0 0	11	15 0	13	10 0
40 acres and upwards, at per mile of boundaries	4	15 0	5	15 0	7	10 0	10	5 0	12	5 0
Surveying traverse, interior, and connexion lines, at per mile	3	10 0	4	15 0	5	10 0	7	10 0	9	0 0
Lines chained only, at per mile	1	15 0	2	15 0	3	5 0	3	10 0	4	0 0
Surveying race or channel, at per mile (minimum charge as for a half mile)	5	10 0	6	15 0	8	0 0	9	15 0	11	5 0

The first scale fees may, if the Chief Mining Surveyor approves, be exceeded where timber, scrub, &c., cause undue loss of time.

The above rates shall apply to all rectangular blocks. For irregular areas, an additional sum of Five shillings (5s.) per corner post above four and under eight shall be paid; for each corner post above eight a sum of Two shillings and six pence (2s. 6d.) per post shall be paid.

The above rates shall apply for each adjoining lease up to four marked by same applicant; above this number the dividing lines shall be charged at boundary rates proportionately against each block.

For subdivision of an area, subdivision lines shall be chargeable at corner post and interior traverse rates proportional to each block.

INSPECTION SURVEY.

	£	s.	d.
Surveyor's personal services in the field at 10s. per hour, maximum per day	3	0	0
Necessary labour, at 2s. 6d. per hour, maximum per day	1	0	0
Office work, at 8s. per hour, maximum per day	2	0	0
For special field work such allowance as may be approved by the Chief Mining Surveyor.			

TRAVELLING ALLOWANCE.

	£	s.	d.
From any mileage centre to the block, at per mile (mileage each way)	0	0	9
If two or more surveys be made on the same journey travelling to be charged proportionately against each survey.			

The Chief Mining Surveyor shall determine the mileage centre from which a mining surveyor may charge for travelling.

Mines (Petroleum) Acts.

FORM "C" (CLAUSES 20, 38, AND 41).

BOND IN RESPECT OF PETROLEUM.*

Know all Men by these Presents that we, of , in the State of Victoria, as principal, and of , of , in the said State, as surety are held and firmly bound unto the Minister of Mines, of Melbourne, in the said State (hereinafter called the Minister, which expression shall include his successors in office) for and on behalf of the Government of Victoria, in the sum of £ lawful money of the realm to be paid to the said Government, for which payment well and truly to be made we bind ourselves and each of us and each of our heirs, executors, administrators, or successors and assigns jointly and severally by these Presents.

Signed, sealed, and delivered by (principal), on this day of , 19 . The common seal of (surety) was hereto affixed on this day of , 19 , by

The condition of the foregoing obligation is such that, whereas the said principal has made application under the Mines (Petroleum) Acts for a Petroleum* in respect of the land described in the Schedule to this bond: Now, therefore, if no such shall be issued to the said principal, or if upon the issue to such principal of any such the said principal shall at all times between the day of , 19 , and the day of , 19 , and for any subsequent period for which the said surety shall issue a renewal note, well and faithfully perform, observe, fulfil, and keep all and every the provisions, conditions, stipulations, and restrictions contained in or provided by the said Acts or the Regulations made or to be made thereunder or contained in or prescribed by the said and on the part of the said principal to be performed, observed, fulfilled, or kept, then the above obligation shall be void but otherwise shall remain in full force and effect.

Signed, sealed, and delivered by (principal) in the presence of

(Name and address of witness)
(SEAL)

(Signature)

The common seal of (surety) was hereto affixed by , in the presence of

(Name and address of witness)
(SEAL)

(Signature)

SCHEDULE.

Number of Permit, Licence or Lease.	Area.	Full Description and Precise Locality of Land.

* Insert Exploration Permit, Prospecting Licence, or Mineral Lease.
† Insert permit, licence, or lease as the case may be.

Mines (Petroleum) Acts.
FORM "D" (CLAUSE 23).

In consideration of the sum of , I hereby transfer to , of , all my right, title, and interest in and to Petroleum* No.

Dated this day of , 19 .

Signed—
Witness—

Justice of the Peace.

I accept the above transfer—
Witness—

* Exploration Permit or Prospecting Licence, as case may be.

Mines (Petroleum) Acts.

FORM "E" (CLAUSE 34).

APPLICATION FOR PETROLEUM PROSPECTING LICENCE.

To the Honorable the Minister of Mines,

I hereby apply for a licence of certain land (described hereunder and shown on the attached parish plan) taken possession of and marked out by at o'clock .m. on the day of 19 by erecting at each angle of its boundaries, a square post at least 3 inches by 3 inches and not less than 3 feet above the ground.

A metal plate having legibly painted thereon the words "Applied for licence" and the date of marking out, and the name of the applicant, was affixed to each post.

Name (in full), address, and occupation of each applicant—

Area (maximum 200 square miles) (if in unsurveyed area, block should be approximately square with boundaries running north, south, east, and west).

Full description and precise locality of the land—

Brief particulars of previous experience in oil prospecting or oil field development work—

Names and qualifications of technical experts or advisers—

Amount of capital for operations under the licence applied for—

(a) at present available—

(b) which applicant can make available and the source—

The following are full details of all rights, title, and interest (and of the full nature and extent of every such right, title, and interest) held, whether directly or indirectly, or whether as a shareholder or stockholder of any body corporate or in any capacity whatsoever, in any other such licence or in petroleum mineral leases under the Mines Acts.

Signature of each applicant—

I, , of , in the State of , do hereby solemnly and sincerely declare that the particulars contained in the above application are true and correct in every particular.

And I we make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared before me at , this day of , 19 .

Signed—

Justice of the Peace.

(In the case of an application by a body corporate, a certified copy of the certificate of incorporation or its registration under the Companies Acts shall be annexed to the application.)

Mines (Petroleum) Acts.
FORM "G" (CLAUSE 40).

APPLICATION FOR PETROLEUM MINERAL LEASE.

To the Honorable the Minister of Mines,

I hereby apply for a Petroleum Mineral Lease of certain land (described hereunder and shown on the attached parish plan) taken possession of and marked out by at o'clock .m., on the day of , 19 , by erecting at each angle of its boundaries, a square post at least 3 inches by 3 inches and not less than 3 feet above the ground.

A metal plate, having legibly painted thereon the words "Applied for lease" and the date of marking out, and the name of the applicant, was affixed to each post.

Name (in full), address and occupation of each applicant—

Area (maximum 100 square miles)—

(If in unsurveyed area, block should be approximately square with boundaries running north, south, east and west.)

Full description and precise locality of the land—

Brief particulars of previous experience in oil prospecting or oil development work—

Names and qualifications of technical experts or advisers—

Amount of capital for operations under the lease applied for—

- (a) at present available—
- (b) which applicant can make available and the source—

The following are full details of all rights, title, and interest (and of the full nature and extent of every such right, title, and interest) held, whether directly or indirectly or whether as a shareholder or stockholder of any body corporate or in any capacity whatsoever, in any other such lease or in any petroleum prospecting licence under the Mines (Petroleum) Acts.

Signature of each applicant—

I, _____, of _____, in the State of _____, do hereby solemnly and sincerely declare that the particulars contained in the above application are true and correct in every particular.

And we make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signed—

Declared before me at _____, this _____ day of _____, 19____.

Justice of the Peace.

(In the case of an application by a body corporate, a certified copy of the certificate of incorporation or its registration under the Companies Acts shall be annexed to the application.)

Mines (Petroleum) Acts.
FORM "H" (CLAUSE 51).

APPLICATION FOR SUSPENSION OF THE WORKING COVENANTS.

(A separate application, with fee of £1., to be made for each lease.)

To the Honorable the Minister of Mines,
I, _____, lessee, hereby apply for a suspension of the working covenant for _____ months of lease No. _____, and solemnly and sincerely declare—

- (1) That the reasons for requiring such suspension are—*
- (2) That the following particulars relating to the lease on which I am applying for suspension are, to the best of my knowledge, information, and belief true and correct in every respect:—
 - (a) Date lease acquired—
 - (b) Total period worked by present owner—
 - (c) Last date when lease was worked—
 - (d) Average number of men employed during period worked by present lessee—
 - (e) Amount of money spent by present lessee on—
 - (i) Wages—£
 - (ii) Machinery—£
 - (iii) Other expenditure in mining operations on the land demised—£

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Signed— _____ Lessee.

Declared before me at _____, this _____ day of _____, 19____.

Justice of the Peace.

NOTE.—This declaration may be taken before any justice of the peace, commissioner, or other officer by law authorized to administer an oath. The application, when completed, accompanied by fee of £1., to be forwarded to the Secretary for Mines, Treasury Gardens, Melbourne.

* Where reason given is raising capital, documentary particulars must be furnished.

Mines (Petroleum) Acts.

FORM "I."

PETROLEUM EXPLORATION PERMIT.

I, _____, Minister of Mines for the State of Victoria (hereinafter called "the Minister") in pursuance of the provisions of the Mines (Petroleum) Acts, give for a term of two years from the _____ unto _____, of _____,

thereinafter called "the permittee," the exclusive right to explore for and obtain petroleum, but for no other purpose, on the lands, described in the Schedule hereto, but under and subject in all respects to all rights, powers, privileges, conditions, provisions, exceptions, restrictions, reservations, and provisos contained or prescribed in or by the said Acts and Regulations. The annual permit fee of £ _____ shall be payable in advance, the first payment to be made on the _____ day of _____, 19____, and the succeeding payments respectively to be met on the same days in each succeeding year.

The Minister, if he has cause to believe that the permittee has failed to comply or is not making reasonable endeavours to comply with any provisions of the Mines (Petroleum) Acts and Regulations relating to petroleum exploration permits or with any of the provisions or conditions of this permit may at any time during the currency thereof after giving the permittee an opportunity of being heard thereon, cancel the permit.

Dated the _____ day of _____, 19____.

SCHEDULE.

Area.	Full Description and Precise Locality of Land.

Mines (Petroleum) Acts.

FORM "J."

PETROLEUM PROSPECTING LICENCE.

On behalf of Her Most Gracious Majesty Queen Elizabeth II., I, _____, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, in pursuance of the provisions of the Mines (Petroleum) Acts, give for a term of four years from the _____ unto _____, of _____,

the exclusive right to prospect for and obtain petroleum, but for no other purpose, on the lands, described in the Schedule hereto, but under and subject in all respects to all rights, powers, privileges, conditions, provisions, exceptions, restrictions, reservations, and provisos contained or prescribed in or by the said Acts and Regulations. The half-yearly licence fee of £ _____ shall be payable in advance, the first payment to be made on the _____ day of _____, 19____, and the next payment on the _____ day of _____, 19____, and the next and succeeding payments respectively to be met on the same days in each succeeding year.

The Minister of Mines, if he has cause to believe that a licensee has failed to comply or is not making reasonable endeavours to comply with any provisions of the Mines (Petroleum) Acts and Regulations relating to petroleum prospecting licences or with any of the provisions or conditions of his licence, may at any time during the currency thereof after giving the licensee an opportunity of being heard thereon, recommend to the Governor in Council that the licence be cancelled or order the warden to call upon the licensee to show cause why his licence should not be cancelled.

Dated the _____ day of _____, 19____.

SCHEDULE.

Area.	Full Description and Precise Locality of Land.

FORM "K."

No. Entered in the Register Book, Vol. Fol. .
Assistant Registrar of Titles.

PETROLEUM MINERAL LEASE.

This Indenture made the _____ day of _____ in the year of our Lord One thousand nine hundred and _____ Between Her Most Gracious Majesty Queen Elizabeth II., (hereinafter referred to as "Her Majesty" which expression shall in the event of the demise of the Crown include Her Majesty's heirs and successors) of the one part and in the State of Victoria in the Commonwealth of Australia (hereinafter called the "lessee" which expression shall where the context so admits include _____ assigns) of the other part. Witnesseth that in consideration of the rents and royalties hereinafter reserved and with, under and subject to the rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations, and provisos in the Mines (Petroleum) Acts and in the Regulations made or to be made thereunder and hereinafter contained Her Majesty doth by these Presents demise and grant unto the lessee _____ and assigns all that piece of land delineated and indicated on the plan hereunto annexed.

Including in such demise and grant during their continuance the rights and liberties following:—

- (1) To drill for, mine, extract, recover, remove, and dispose of all petroleum in or under the said land; and
- (2) For or incidental to the purposes aforesaid on the said land to construct and maintain thereon, all works, buildings, plant waterways, roads, pipelines, reservoirs, tanks, pumping stations, and other structures necessary to the full enjoyment thereof.

But nevertheless excepting and reserving to Her Majesty—

- (a) and her subjects and people with or without motor-cars, horses, carts, and carriages at all times the free right of ingress and regress over and along the surface of the Crown land not being actually worked or used for the purposes of this demise; and
- (b) the power to authorize mining on the land under the provisions of the *Mines Act 1928* for any purpose other than the production or obtaining of petroleum;
- (c) the paramount right, after a day specified in a proclamation by the Governor in Council that there exists a state of war or what in the opinion of the Governor in Council is a national emergency and until such proclamation is revoked or expires of pre-emption of all petroleum produced from the said land and all products of such petroleum.

To hold the said land and premises hereby demised with the appurtenances (subject nevertheless to such rights, interests, and authorities as may be lawfully subsisting therein at the date of these presents) unto the said lessee from the date hereof for the term of _____ years next ensuing _____ for the purpose of mining thereon and therein for petroleum together with the rights and liberties hereinbefore expressly granted, but for no other purpose, yielding and paying unto Her Majesty during the said term yearly rent of _____ by equal half-yearly payments of _____, each half-yearly payment to be made in advance, the first payment to be made on the day of _____ and the next payment on the day of _____ next following and the succeeding payments respectively to be made on the same days in each succeeding year clear of all rates, taxes, and assessments to which the said Crown land and the said mine and premises are now or at any time during the said term may be subject or liable.

And further yielding and paying for and in respect of the petroleum produced from and out of the said land (except petroleum used for production purposes on the said land or unavoidably lost) the royalty of 10 per cent. of the gross value of such petroleum, provided that when the average daily production of petroleum from all producing wells on the said land does not exceed an average of 100 gallons for each producing well no royalty shall be payable. The said royalty shall be paid half-yearly within ten days following the 30th day of June and the 31st day of December.

And the said lessee in respect of the land and premises referred to _____ hereby for _____ heirs, executors, administrators, successors, and assigns, covenant with Her Majesty, her heirs, and successors in manner following (that is to say):—

1. That the said lessee will during the said term pay unto Her Majesty clear of all deductions the rent and royalty hereby reserved at the times and in manner hereinbefore appointed for payment thereof.

2. And will erect and keep erected during the said term posts not less than two feet six inches high above the ground and painted white with the number of the lease painted legibly thereon so as to define the boundary lines and angles of the premises hereby demised and so that each post shall be visible from those nearest to it on each side.

3. And will use the land continuously and bona fide exclusively for the purpose for which it is demised and in accordance with the Mines (Petroleum) Acts and the Regulations thereunder.

4. And will before using or occupying any portion of the private land for the purposes of any operations or works apply to the warden nearest to such land to determine the amount of compensation payable by the lessee in respect of such operations or works during the first year of the period of the lease, unless before commencing to carry on such operations or to construct such works the lessee and the owner or the owner and the occupier (as the case may be) of the private land have agreed in writing as to the amount of compensation to be paid by the lessee in respect of any such operations or works during the whole period of the lease and such agreement has been filed with the Secretary for Mines.

5. And will within six months, or such extended time not exceeding a total extension of six months as the Minister of Mines in his absolute discretion allows, from the date hereof proceed with reasonable diligence to install (if not already installed) on the land demised a standard or other sufficient outfit and equipment, and shall commence drilling at least one test well and shall continue such drilling with reasonable diligence to production or to a point where the well is proved unsuccessful to the satisfaction of the Minister.

6. And will cause to be made such examinations of all cores and samples produced from any test well as are required by the Minister, and will forthwith furnish to the Minister a report upon every such examination.

7. And will exercise reasonable diligence in drilling and operating wells for the petroleum on the land demised and shall continue working so long as petroleum can be secured in payable quantities unless consent to suspend operations temporarily is granted by the Minister.

8. And unless prevented by unavoidable accident or during the execution of repairs or on account of any other cause which the Minister deems sufficient will employ continuously in the construction of works or in mining operations in connexion with this demise during the first six months of the said term and during the usual hours of labour _____ able and competent workmen and miners and during the remainder of the said term not fewer than _____ such miners and workmen.

9. And will carry on operations in a good and workmanlike manner in accordance with recognized and approved methods and practice to the satisfaction of the Minister and shall take all reasonable precautions to prevent waste of petroleum developed in the land and to prevent the entrance of water through wells drilled by the lessee to the petroleum deposits so as to destroy or injure or be likely to destroy or injure any petroleum deposits.

10. And will carry out and perform all the processes and operations necessary or incidental to the refining of any crude petroleum in the State of Victoria or in some other part of Australia approved of for that purpose by the Minister.

11. And will not ship or export any crude petroleum produced or obtained from the land to any place out of Australia without the consent of the Minister.

12. And will after a day specified in a proclamation by the Governor in Council that there exists a state of war or what in the opinion of the Governor in Council is a national emergency and until such proclamation is revoked or expires sell and when available deliver forthwith as required to the proper officer of Her Majesty all or any petroleum and its products won or gotten or about to be on or from the land or mine in respect of which the Minister shall notify the lessee that the Crown intends to exercise the right of pre-emption in these presents hereinbefore reserved to it.

In the event of such right of pre-emption being exercised the lessee shall be entitled to be paid for any petroleum or its products so purchased and delivered such price as may be mutually agreed upon or in default of agreement the price fixed by arbitration under the provisions of the *Arbitration Act 1928*.

13. And will keep a log in the form prescribed by the Minister of Mines, of all wells drilled and forward a copy of same to the Minister on the first day of each month.

14. And will furnish to the Minister of Mines not later than the 15th day of January and the 15th day of July in each year statements in detail, in such form as is prescribed, showing the amount, grade, and value of all petroleum produced and sold during the preceding half-year.

15. And will furnish not later than the 15th day of January in each year a plan showing with respect to the period of twelve months ending on the preceding 31st day of December all developmental work and improvements on the land demised and other relative information with a report as to all buildings, structures, and other works placed in or upon the land demised.

16. And every lessee company shall furnish to the Secretary for Mines within fourteen days after any general meeting of shareholders a copy verified by statutory declaration of every report under section 418 of the *Companies Act 1938* and of every report or statement (whether of the directors, auditors, or manager) and balance-sheet which is laid before the shareholders at any such meeting or which pursuant to any Act or any rules, instrument, deed, or articles of association of the company is required to be laid before the shareholders at such meeting.

17. And will during the said term compensate the occupier or occupiers or lessee or lessees from the Crown of any adjoining land in respect of any damage which may be sustained by him or them by the working of the mine or by the carrying on of the works thereof or by any other works connected therewith such compensation to be determined by the Minister of Mines or other person authorized by him so to do.

18. And will at all times during the said term keep and preserve the land and the said premises in good repair and condition and at the end or other sooner determination of the said term will deliver up peaceable possession thereof and of all and singular the premises hereby demised to Her Majesty or to some officer authorized to receive possession thereof on Her Majesty's behalf.

19. And will observe, perform, fulfil, and be bound by the reservations, stipulations, covenants, and provisos which may be contained in the Schedule hereto.

20. And will not assign, transfer, sublet or part with the possession of the said land and premises or any part thereof without the consent of the Minister of Mines first had and obtained.

21. Provided always and it is hereby agreed and declared in manner following:—

That if the said Crown land or any part thereof shall before the date of these presents have been alienated by Her Majesty either in fee-simple or for any less estate or licensed under any Act of the Parliament of Victoria the lessee shall not be entitled to any compensation on that account and that no covenant for title for quiet enjoyment shall be implied herein.

22. That so far as applicable the provisions of the Mines Acts and all Regulations thereunder or any amendment of the said Acts are embodied and incorporated herein and the said lessee hereby covenants to observe, fulfil, and perform the same.

23. That the lessee shall on the due performance and observance of the covenants, conditions, and provisos herein contained be entitled to a renewal from time to time of this lease for a period at each renewal not exceeding fifteen years from the expiration of this lease or any renewal thereof at the rent and royalty for the time being chargeable by law and subject to the covenants, conditions, and provisos prescribed by the Regulations for the time being in force relating to such lease and to such other covenants, conditions, and provisos as to the Governor in Council seem fit.

24. And lastly if the lessee shall at any time during the said term fail to use the land bona fide for the purpose of this demise or if and whenever the said rent or royalty shall be in arrear for seven days after the time appointed for payment thereof whether the same shall have been legally demanded or not or if and whenever there shall be a breach of or non-compliance with the covenants and provisos herein contained by the lessee the Governor in Council may declare these presents void.

In witness whereof His Excellency Governor in and over the State of Victoria and its Dependencies in the Commonwealth of Australia hath on behalf of Her Majesty the Queen caused the seal of the said State to be affixed to this demise and also set his hand and the lessee also set (SEAL)

The Schedule within referred to—