

66. For the purpose of the last-preceding clause hereof, an application under clause 70 or 71 hereof shall be deemed to be an instrument.

67. In every case the instrument registered, or a duplicate original or certified copy thereof, shall be retained and filed as a record by the Registrar, and for that purpose the instrument deposited for registration shall, where necessary, be accompanied by such duplicate original or certified copy.

68. (1.) The registration of an instrument shall be effected by entering in the register on an allotted folium thereof the particulars specified in the aforesaid form No. 24, or such of them as are applicable, and also by indorsing on the instrument (and on the filed duplicate or copy, if any) a memorial under the hand of the Registrar setting forth the registered number of the instrument, the office of registration, and the precise time of registration (being the date and hour at which the instrument was deposited with the Registrar for registration).

(2.) Such memorial shall, without proof of the Registrar's signature, be received in all Courts as evidence that such instrument has been duly registered.

69. If the instrument deposited for registration is a transfer of a mining privilege, or of any interest therein, then in the former case the license (if any), and in the latter case the document of title to such interest, shall (except where its production is dispensed with as hereinafter provided) be produced to the Registrar, who when registering such instrument shall indorse on such license or document a memorial under his hand setting forth the registered number of such instrument, its nature (*e.g.*, "Transfer by way of sale," "Mortgage," or as the case may be), the office of registration, the names of the parties, and the precise time of registration :

Provided that such production may be dispensed with by the Registrar in any case where, having regard to the circumstances, he thinks fit so to do; and in such case he shall enter in the register a note of the fact, and that the memorial has not been indorsed on the license or document.

Special as to Mining Privileges held otherwise than under License.

70. With respect to the registration of mining privileges held otherwise than under license, whether acquired under the Mining Act or any former Mining Act, the following special provisions shall apply :—

- (1.) The holder who desires to register such mining privilege shall deposit with the Registrar an application in that behalf in the form numbered in the First Schedule hereto.
- (2.) If after inquiry the Registrar is satisfied as to the facts, he shall register the mining privilege in manner hereinafter provided; but if he is not so satisfied he shall refer the application to the Warden, who shall decide the matter after making such investigation as he thinks necessary.
- (3.) Registration shall be effected in manner prescribed by clause 65 of these regulations :
Provided that the therein-mentioned memorial shall be indorsed on the application, which shall be retained and filed by the Registrar; and also that the precise time of the registration shall be the date and hour at which the application was deposited.
- (4.) Having registered the mining privilege, the Registrar shall issue to the applicant a certificate of registration in the form numbered in the First Schedule hereto.
- (5.) The provisions of clause 67 of these regulations, relating to the production of a license for the purpose of indorsing thereon a memorial of every registered transfer of the mining privilege to which the license relates, or of any interest therein, shall, *mutatis mutandis*, apply to every certificate of registration, whether issued under the Mining Act or any former Mining Act.
- (6.) In the event of the holder of the mining privilege applying for and obtaining the grant of a license therefor, he shall deliver up the certificate of registration to the Registrar, who, before issuing the license, shall file the certificate, and note thereon, as also in the register, the fact that the certificate has been superseded by the license.

Special as to Liens on Mining Privileges.

71. With respect to the registration of liens on mining privileges, the following special provisions shall apply :—

- (1.) The lienee who desires to register his lien in the Warden's Court, as prescribed by section 171 of the Mining Act, shall deposit with the Registrar an application in that behalf in the form numbered in the First Schedule hereto.
- (2.) The registration of the lien shall be effected by entering in the register, on the folium allotted to each registered mining privilege to which the lien relates, or, in the case of an unregistered mining privilege, on an allotted folium, the word "Lien," together with the registered number, the precise time of registration (being the date and hour at which the application was deposited) and the following particulars as appearing in the application, that is to say : The name of the lienee, the capacity in which he claims (*e.g.*, as wages-man, sub-contractor, contractor, or partner), the amount of the lien, and, in the case of an unregistered mining privilege, the name and situation of such privilege, and the name of the holder thereof.
- (3.) The Registrar shall also file the application, and indorse thereon, under his hand, a memorial of the registration of the lien, the office of registration, and its registration number as appearing in the register.
- (4.) The notice of the registration of the lien to be posted by the Clerk to the holder of the mining privileges affected thereby may be in the form numbered in the First Schedule hereto.
- (5.) The discharge of a lien may be effected by instrument of discharge in the form numbered in the First Schedule hereto.