



COMMISSIONER OD LANDS' CIRCULAR NO. 1 OF 1960

Liability To Forfeiture Of A Mining Lease

The attention of Collectors of Land Revenue and the proper registering authorities as the case may apply is drawn to the fact that there is no power to forfeit a Mining Lease under Mining Enactment except for the breach of the Covenants or conditions specified in Section 21 of the Mining Enactment Cap. 147.

2. The penalty for breach of Section 16(vii) of the Enactment is a fine of \$250 and \$5/- a day as provided under Section 120(i), and under Section 120(ii) authorised buildings other than those as may in the opinion of the Senior Inspector of Mines be reasonably required for the purpose of the Mines or for the use of the labourers thereon can be destroyed and in this connection it has been an accepted policy to issue a T.O.L for such buildings at a realistic fee especially in town areas after consultations with the Mines Department.

3. Collectors of Land Revenue and registering authorities are therefore advised that in cases where it has been found that the lessees have constructed a number of dwelling houses and that these houses cannot be considered to be reasonably required for the purposes of the Mines or for the use of the labourers employed thereon, action should therefore be taken under Sections 120(i) and 120(ii); but before any proceeding can be taken to Court, every case will have to be referred to the Senior Inspector of Mines for an opinion under Section 14(iii).

4. Except in the States of Malacca and Penang there are also corresponding sections in their Mining Enactments and Rules.

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