

4 July 2001

KJ Landaus
PO Box 56
Collingwood
Golden Bay

Dear Mr Landaus

I refer to your letters of 23 September 2000 and 13 March 2001 dealing with issues associated with your prospecting licence application and your mining licence.

With reference to your letter of 23 September 2000 and the alleged breach of s109 of Mining Act 1971, I can report that the Ministry will not be investigating your allegation. The Ministry has responded on numerous times to you, as has the Chief Ombudsman, on the issues surrounding your permanent prospecting licence application. You have the right to challenge the legal basis for the exercise, or refusal to exercise, of a statutory power through the courts by judicial review.

In your letter of 13 March 2001 you state that you had a legal right to a renewal of your mining licence. This is not correct as s77(2) of the Mining Act 1971 only provided for a right in priority over other persons to have granted a new licence and required the licence holder to apply for a new licence at least 30 days before the expiry of the existing licence. A new licence, if granted, is not a renewal of the existing licence, so when the existing mining licence expires the bond of the expired licence must be discharged in accordance with s108A(6) of the Mining Act 1971.

Yours sincerely

Notes on this letter

[My letter of 13 March 2001](#) mistakenly did not include the wording "to apply for a renewal or new license". Because my rights as existing licensee were denied by Crown Minerals to even supply the application form well within the required 30 day statutory period, it was blatantly obvious that they were stopping me exercising my accorded rights until the vesting was passed into law.

Because the rights attached to this license were ignored by the Crown and contested to this day on those grounds then the bond in relation to that license and all other matters cannot be interfered with, regardless of Section 108A(6) of the Mining Act 1971.