



Minerals (Miscellaneous Provisions) Act (Northern Ireland) 1959

1959 CHAPTER 17

PART I

GEOLOGICAL SURVEY OF NORTHERN IRELAND

3 Powers of Ministry.

- (1) For the purpose of making and completing a geological survey of Northern Ireland, or any part thereof, any authorised officer and any person assisting such authorised officer may, subject to the following provisions of this section, enter upon land and there do all such things as are in the opinion of the Ministry or such authorised officer necessary or desirable for the purpose of the geological survey and, in particular, break up the surface of any part of such lands [^{F1} and make boreholes or excavations therein] for the purpose of ascertaining the rocks, strata, or minerals within or under the same, and take and carry away specimens of the rocks, strata, or minerals found therein and fix any post, stone, mark, or object to be used in the survey and dig up any ground for the purpose of fixing such post, stone, mark, or object.
- (2) In exercising the powers conferred by sub-section (1) no post, stone, mark, or object shall be fixed within any walled garden, orchard, or pleasure garden without the consent of the owner or occupier thereof.
- (3) The Ministry shall not exercise, in respect of any land, the powers conferred on it by sub-section (1) before it has served on the occupier of such land notice in writing of its intention to exercise such powers.
- (4) Where, in the exercise on any lands of any of the powers conferred by this section, any damage is caused, the Ministry shall pay to the owner or occupier of those lands such compensation as may be agreed upon between the Ministry and that owner or occupier or as may in default of agreement be assessed by a court of summary jurisdiction upon application made to it by either party within twelve months after the damage has been caused.

Changes to legislation: *There are currently no known outstanding effects for the Minerals (Miscellaneous Provisions) Act (Northern Ireland) 1959, Section 3. (See end of Document for details)*

- (5) On an application made to it under sub-section (4) a court of summary jurisdiction may make such order (including an order for the payment of costs) as it may consider reasonable and such order shall have the like effect as an order made by the court in the exercise of its civil jurisdiction.
- (6) Any person who obstructs or impedes the Ministry or any authorised officer or person assisting an authorised officer in the exercise of the powers conferred on the Ministry or such officer or person assisting such officer by sub-section (1) shall be guilty of an offence under this section and shall be liable on summary conviction to a fine not exceeding^{F2} level 2 on the standard scale^{F2}.

F1 [1969 c. 35 \(NI\)](#)

F2 [1984 NI 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Minerals (Miscellaneous Provisions) Act (Northern Ireland) 1959, Section 3.