



Minerals (Miscellaneous Provisions) Act (Northern Ireland) 1959

1959 CHAPTER 17

PART I

GEOLOGICAL SURVEY OF NORTHERN IRELAND

^{F14} Ministry to be given notice of mineral prospecting or development work and of shafts, boreholes, etc.

- (1) Where a person proposes—
- (a) to undertake mineral prospecting or development work, or
 - (b) for any other purpose to sink a shaft, borehole or well or make an excavation intended to reach a depth of more than fifty feet below the surface or to extend any existing shaft, borehole, well or excavation (whether or not it has already reached that depth) to reach any greater depth beyond fifty feet,
- he shall, before commencing the work or, as the case may be, the sinking, excavation or extension, serve on the Ministry at least two weeks' notice in writing of his intention to do so or such shorter notice as the Ministry may permit in writing.
- (2) A person who undertakes mineral prospecting or development work shall keep a record thereof, and a person who, for any other purpose, sinks a shaft, borehole or well or makes an excavation intended to reach a depth of more than fifty feet below the surface or extends any existing shaft, borehole, well or excavation as aforesaid shall, unless the Ministry in writing otherwise directs, keep a journal thereof, and every such person shall keep for a period of not less than two months or such longer period as the Ministry may so direct—
- (a) such specimens of minerals as may have been obtained in the course of the work, or
 - (b) such specimens of the strata passed through as may have been obtained in the course of the sinking or extension of the shaft, borehole or well, or the making or extension of the excavation,
- either as cores or cuttings, as the Ministry may direct.

Changes to legislation: There are currently no known outstanding effects for the Minerals (Miscellaneous Provisions) Act (Northern Ireland) 1959, Section 4. (See end of Document for details)

- (3) An authorised officer shall be entitled at all reasonable times to do all or any of the following things, that is to say:—
- (a) have free access to—
 - (i) all parts of the place where any mineral prospecting or development work is being undertaken, or
 - (ii) any shaft, borehole, well or excavation such as is mentioned in sub-section (1), or
 - (iii) any specimen such as is mentioned in sub-section (2);
 - (b) inspect and take copies of records of such work or journals of such shafts, boreholes, wells or excavations;
 - (c) require the person undertaking any such work or sinking or extending any such shaft, borehole or well, or making or extending any such excavation, to supply such other information (including, where the circumstances permit, information as to the proposed conduct of the operations and as to the grade of deposit, and estimated reserves, of minerals) as the authorised officer may consider reasonably necessary;
 - (d) inspect all specimens obtained or kept as mentioned in sub-section (2);
 - (e) take samples of any such specimens.
- (4) If any person undertaking any such work or sinking or extending any such shaft, borehole, or well, or making or extending any such excavation as aforesaid serves notice in writing on the Ministry requesting the Ministry to treat as confidential any copies of records or journals or any specimens of minerals or strata taken by, or any information supplied to, an authorised officer under sub-section (3), the Ministry, until the expiration of such period not exceeding five years from the date on which the copies or, as the case may be, the specimens were so taken, or the information was so supplied, as may be specified in the notice, shall not allow the copies or specimens to be shown, or the information to be disclosed, to any person who is not an officer of the Ministry except with the consent of the first-mentioned person.
- (5) The period mentioned in sub-section (4) may, by notice served as so mentioned before the expiry of that period requesting that the period be extended, be extended for an additional period not exceeding five years, but no further.
- (6) If any person undertaking any mineral prospecting or development work or sinking or extending any shaft, borehole or well, or making or extending any excavation, such as is mentioned in sub-section (1)—
- (a) fails to comply with the obligations imposed by or under this section, or
 - (b) in any record or journal required to be kept, or in supplying any information, under this section knowingly or recklessly makes any entry or statement which is false in a material particular, or
 - (c) wilfully obstructs an authorised officer in the exercise of any of the powers conferred on him by this section,
- he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^{F2} level 3 on the standard scale^{F2}.
- (7) Where any person contracts to undertake on behalf of any other person mineral prospecting or development work or to sink or extend a shaft, borehole or well or make or extend an excavation and the execution of the work is under the control of the contractor, references in this section to a person undertaking the work or sinking or extending the shaft, borehole or well or making or extending the excavation shall,

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where those references occur in sub-section (1), be construed as references to the contractor and, where they occur in other provisions of this section, be construed as including references both to the contractor and that other person.

(8) In this section—

- (a) any reference to mineral prospecting or development work includes a reference to geophysical or geochemical investigations of any kind, whether conducted by means of boring or otherwise howsoever;
- (b) any reference to a record, in relation to mineral prospecting or development work which includes the sinking or extension of a shaft, borehole or well, or the making or extension of an excavation, intended to reach a depth of more than fifty feet includes a reference to a journal of that sinking or making or extension; and
- (c) “excavation” includes “tunnel” .]

F1 1969 c. 35 (NI)

F2 1984 NI 3

Changes to legislation:

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