



Mineral Development Act (Northern Ireland) 1969

1969 CHAPTER 35

PROVISIONS FOR SECURING THE DISCLOSURE OF INTERESTS IN CERTAIN EXCEPTED MINES AND MINERALS

8 Registration of mineral rights where mines are in work or being developed.

- (1) Every owner of an estate in possession in mines and minerals which have, by virtue of section 7, been excepted from the application of section 1(1) shall, before the first appointed day, make application to the Ministry, in such form accompanied by such particulars as may be approved by the Ministry, for the registration of his estate under this section.
- (2) Where the mines and minerals are the subject of a settlement and the trustees, if any, of the settlement have, or any other person entitled under the settlement has, reason to believe that a person entitled to make application under subsection (1) cannot, or it is not likely to, make the application before the first appointed day, the trustees or that other person may make the application on his behalf, and if no application is received from him before that day any application so made shall be deemed to be made by him.
- (3) The Ministry shall keep a register of estates in mines and minerals to which subsection (1) applies in such form and at such place, and shall enter in it such particulars of all estates for the registration of which application is duly made under this section and is not, or is not treated as, withdrawn, as the Ministry thinks fit.
- (4) The register kept under subsection (3) shall be open for inspection by any person at all reasonable hours.
- (5) A person who makes application under subsection (1), or on behalf of any other person under subsection (2), for the registration of an estate in mines and minerals shall, on being so required by notice served on him by the Ministry, furnish to the Ministry such further and better particulars as are within his knowledge or can reasonably be procured by him as the Ministry may require to enable it to know—

Changes to legislation: *There are currently no known outstanding effects for the Mineral Development Act (Northern Ireland) 1969, Section 8. (See end of Document for details)*

- (a) whether the mines and minerals are mines and minerals to which section 7 applies; or
- (b) whether the applicant or the person on whose behalf the application is made is entitled to be registered as the owner of that estate; or
- (c) the nature of the estate, or the extent of the land or the description of any mines and minerals which is or are subject to it;

and if any person, within such reasonable period as the Ministry by notice served on him specifies, fails to comply with any requirement duly made of him under this subsection his application shall on the expiration of that period be treated as withdrawn.

(6) In this section and sections 9 and 10 “estate” means—

- a legal or equitable life estate;
- a legal or equitable fee tail;
- a legal or equitable fee simple absolute;
- a tenancy; or
- an equity of redemption in relation to a mortgage of any of the above estates;

but does not include either a legal or equitable life estate, fee tail or fee simple absolute to which a person is entitled as a mortgagee or a mortgage term, except where the mortgagee is in possession.

Changes to legislation:

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