



Atomic Energy Act 1946

1946 CHAPTER 80 9 and 10 Geo 6

POWER TO SEARCH FOR AND WORK MINERALS AND ACQUIRE PROPERTY

F16 Power to do work for purpose of discovering minerals.

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Textual Amendments

F1 S. 6 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), [Sch. 23 para. 14](#)

F27 Compulsory acquisition of rights to work minerals.

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Textual Amendments

F2 S. 7 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), [Sch. 23 para. 14](#)

8 Compulsory acquisition of prescribed substances, stocks of minerals and plant.

- (1) The Minister may, subject to and in accordance with Part I of the Second Schedule to this Act, compulsorily acquire—
- (a) any prescribed substance;
 - (b) any minerals, being minerals from which in the opinion of the Minister any of the prescribed substances can be obtained, other than minerals in a natural state or contained in a deposit of waste material obtained from any underground or surface working;
 - (c) any plant designed or adapted for the production or use of atomic energy or research into matters connected therewith.

Changes to legislation: There are currently no known outstanding effects for the Atomic Energy Act 1946, Power to search for and work minerals and acquire property. (See end of Document for details)

In the case of any plant which is affixed to land, the Minister may sever it from the land, and shall in that case make good any damage caused by the severance.

- (2) Compensation in respect of the acquisition of any article under this section shall be paid in accordance with Part II of the Second Schedule to this Act.

9 Compulsory acquisition of rights under contract.

- (1) The Minister may serve on any person who is a party to a contract relating to the production or use of atomic energy or research into matters connected therewith, not being a contract for the rendering of personal services, a notice in writing stating that on such date as may be specified in the notice his rights and liabilities under the contract will be transferred to the Minister; and thereupon, subject to any withdrawal of the notice under the following provisions of this section, the contract shall, as regards any rights exercisable, or liabilities incurred, on or after the said date, have effect as if the Minister were a party to the contract instead of the person on whom the notice was served, and as if for any reference in the contract to that person there were substituted a reference to the Minister.
- (2) A notice served under the last foregoing subsection shall contain a statement to the effect that an objection may be made thereto within such time and in such manner as may be specified, and if any such objection is duly made and not withdrawn, the Minister shall afford an opportunity to the person making the objection of appearing before and being heard by a person appointed by the Minister for the purpose.
- (3) After considering any such objection and the report of the person appointed by him under the last foregoing subsection, the Minister may serve on the person on whom the original notice was served a further notice in writing withdrawing the original notice, and if the original notice has already taken effect, it shall cease to operate in relation to the contract as regards any rights exercisable, or liabilities incurred, on or after the date on which the notice of withdrawal was served.
- (4) Where the rights and liabilities of a party to a contract are transferred to the Minister under this section, there shall be paid to that party such compensation in respect of any loss suffered by the party that may be agreed between him and the Minister with the approval of the Treasury or, in default of such agreement, as may be determined by arbitration.

Changes to legislation:

There are currently no known outstanding effects for the Atomic Energy Act 1946, Power to search for and work minerals and acquire property.