

Changes to legislation: There are currently no known outstanding effects for the Mineral Development Act (Northern Ireland) 1969, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2 ^{F1}

MINING FACILITIES ORDERS

F1 [1964 c.28 \(NI\)](#)

MAKING OF ORDERS

- 2 (1) On the expiration of one month after the last publication of the notice mentioned in paragraph 1, the Ministry, after considering—
- (a) all representations which have been presented to the Ministry by any interested party; and
 - (b) where the mining facilities order is proposed to be made in consequence of an application under section 26(5), any evidence adduced as to the impracticability of the land or ancillary rights being acquired otherwise than compulsorily for any of the reasons mentioned in paragraphs (a) to (d) of section 14(3); and
 - (c) any other relevant business;
- and after causing a local inquiry to be held (unless no representations have been received, or any representations have been met or withdrawn or relate solely to the amount of compensation, or are representations which the Ministry is satisfied are solely of a frivolous or vexatious nature) may,—
- (i) make the mining facilities order, which may contain any modifications that the Ministry thinks proper, vesting in the Ministry all or any part of the land or ancillary rights; or
 - (ii) determine not to make the order.
- (2) If a local inquiry is held as aforesaid, the Ministry and any person interested in the land, and such other persons as the person holding the inquiry thinks fit in his discretion to allow, shall be permitted to appear, in person or by a representative, and to be heard at the inquiry, and, before making the order, the Ministry shall consider the report of the person who held the inquiry.
- (3) Where the Ministry determines not to make a mining facilities order, it shall publish notice of the determination in the Belfast Gazette and in the newspapers in which the notice of the proposal to make the order appeared.
- (4) A mining facilities order shall contain such provisions as the Ministry thinks necessary or expedient for carrying it into effect.

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