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

SCHEDULES

SCHEDULE 2 ^{F1}

MINING FACILITIES ORDERS

F1 1964 c.28 (NI)

REFERENCE OF DISPUTED CASES TO THE LANDS TRIBUNAL

- 9 (1) As soon as a mining facilities order has become operative, any question of disputed compensation arising between the Ministry and any person who has an estate in any land to which the order relates or would have such an estate if the order had not become operative shall be referred to and determined by the Lands Tribunal.
- (2) Where the person entitled to compensation under this Schedule is not known or cannot be found or neglects or refuses to produce his title or to claim the compensation, or where a person claiming compensation is not absolutely entitled to the compensation or is under any disability, the Ministry may refer to the Lands Tribunal any question in connection with the compensation and that question shall be deemed to be a question of disputed compensation for the purposes of this Schedule.
- (3) Where a mining facilities order relates to lands forming part of a holding which is subject to the payment of an annuity under the Land Purchase Acts, and the Ministry of Finance notifies the Ministry of its intention to bring before the Lands Tribunal any question with respect to the apportionment or redemption of the annuity, that question shall be deemed to be a dispute between the Ministry of Finance and any person claiming compensation in relation to the lands and the provisions of this Schedule shall apply as they apply to a question of disputed compensation.
- (4) Any question arising as to the existence of good reasons such as are mentioned in paragraph 3(2), where the Ministry has not accepted a late claim, shall also, in default of agreement, be referred to and determined by the Lands Tribunal.
- 10 When any question of disputed compensation arises, the Ministry shall as soon as practicable thereafter cause to be made out such maps and schedules as may be prescribed of any lands to which the mining facilities order relates and of any other lands held therewith which, it is claimed, may be injuriously affected by the exercise of powers conferred on the Ministry by, or on any holder of a mining facilities permit under, this Act (in this Schedule referred to as “the scheduled lands”), together with the names, so far as they can be reasonably ascertained, of all persons who immediately prior to the making of the order were interested in the lands as owners or reputed owners, lessees or reputed lessees, or occupiers, and the Ministry shall deliver to the appropriate officer of the Lands Tribunal one copy of each of the maps and schedules certified by the Ministry as correct and shall publish once in each of three successive weeks in one or more than one newspaper circulating in

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the locality in which the lands are situated a notice stating that such documents have been delivered and the times and place at which copies of them may be inspected by any person desiring to inspect them.

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