



# Mineral Development Act (Northern Ireland) 1969

## 1969 CHAPTER 35

### COMPENSATION FOR MINES AND MINERALS

#### **32 Determination of attribution of net profit**

- (1) Where in consequence of any event such as is mentioned in subsection (2) of section 29 (in this section referred to as “the relevant event”) affecting any land compensation is payable to any persons under that section in respect of mines and minerals of any description in that land, there shall, after the expiration of the period mentioned in subsection (1)( *d*) of section 31 or (if either no notice has been published under section 31 or such a notice has been published and all relevant claims appear to the Ministry to have been submitted) of such lesser period as appears to the Ministry to be appropriate, in default of agreement be referred to the Lands Tribunal any question arising as to the extent to which the net profits accruing to the Ministry in consequence of that event are attributable—
- (a) to the mines and minerals of that description in the part of the land in relation to which each claim for such compensation (including any late claim already accepted under section 31(3)) has been submitted, and
  - (b) to the mines and minerals of that description in any part or parts of the land in relation to which no such claim has been submitted;
- and the Lands Tribunal shall have power to determine any such question.
- (2) In making a determination under subsection (1) as to the extent to which the net profits accruing from the working of minerals of any description are attributable to the mines and minerals of that description in any part or parts of any land, the Lands Tribunal shall have regard to all relevant factors, including, in particular,—
- (a) any estimate of the relative potential value of minerals of that description in each such part of that land which was or might have been made immediately before the relevant event or, where minerals worked by the Ministry on any occasion have been disposed of by the Ministry, immediately before minerals of that description were first so worked on that occasion;

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**Status:** Point in time view as at 01/01/2006.

**Changes to legislation:** There are currently no known outstanding effects for the Mineral Development Act (Northern Ireland) 1969, Section 32. (See end of Document for details)

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- (b) any development plans or proposals affecting any such part or parts of the land which have been formulated by the person working or intending to work the minerals (including, in particular, any plans or proposals as to the location of services such as are mentioned in paragraphs ( *c* ) to ( *h* ) of section 56(3));
- (c) any findings, subsequent to the relevant event or, as the case may be, the time when minerals of that description were first worked as mentioned in paragraph ( *a* ), as to the location of minerals of that description in any such part or parts of the land.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Mineral Development Act (Northern Ireland) 1969, Section 32.