



Mineral Development Act (Northern Ireland) 1969

1969 CHAPTER 35

MISCELLANEOUS

57 General interpretation provisions.

(1) In this Act—

“acquired mining facility” has the meaning assigned to it by section 23(3);

“the Act of 1959” has the meaning assigned to it by section 3;

Definition rep. by 1971 c.17 (NI)

“the compensation fund” has the meaning assigned to it by paragraph 4(2) of Schedule 2;

“the first appointed day”^{F1} means such day as the Minister may by order appoint for the coming into operation of the provisions to which section 63(3) applies;

“former vendors”, in relation to any land, means the persons for the time being entitled under the second proviso to section 13(3) of the Irish Land Act 1903 to receive in respect of minerals in that land the percentage provided for in that proviso;

“government department” means a department of the Government of Northern Ireland and in sections 11(2), 22(3), 24(5) and 60 also includes a department of the Government of the United Kingdom;

[^{F2} “historic monument” has the same meaning as in the Historic Monuments Act (Northern Ireland) 1971 ;]

“Lands Tribunal” means the Lands Tribunal for Northern Ireland;

“local authority” means the council of a county or county borough or county district;

“mining facilities order” has the meaning assigned to it by section 23(3);

“mining facilities permit” has the meaning assigned to it by section 26(3);

“mining lease” has the meaning assigned to it by section 17(1);

“mining licence” has the meaning assigned to it by section 18;

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“mining permission” has the meaning assigned to it by section 19(1);

“notice” means notice in writing;

“the Minister” means the Minister of Commerce;

“the Ministry” has the meaning assigned to it by section 1;

“petroleum” has the same meaning as in the Petroleum (Production) Act (Northern Ireland) 1964 ;

“prescribed” means prescribed by regulations;

“prospecting licence” has the meaning assigned to it by section 11(1)(b);

“public body” means any public authority, board, commissioners or public body of any kind constituted by or under any transferred provision, whether of a general or a special nature;

“regulations” means regulations made by the Ministry under this Act;

“rent” includes any periodical payment in the nature of rent;

“scheduled substances” has the meaning assigned to it by section 2;

“searching for”, in relation to any mines and minerals, includes ascertaining the character, extent or value of those mines and minerals;

“the second appointed day”^{F3} means such day as the Minister may by order appoint for the coming into operation of the provisions to which section 63(4) applies; and, without prejudice to section 17(5) of the Interpretation Act (Northern Ireland) 1954 , different days may be so appointed for the purposes of this Act, except Schedule 3, and for the purposes of the Petroleum Production Act (Northern Ireland) 1964 as amended by Schedule 3;

“transferred provision” has the meaning assigned to it by section 1(g) of the Interpretation Act (Northern Ireland) 1954;

“working”, in relation to any mines and minerals, (without prejudice to subsection (3)) includes searching for those mines and minerals, and in relation to any minerals includes, digging, mining, getting, raising, taking, carrying away, treating and converting those minerals.

(2) In this Act—

- (a) any reference to minerals in any land includes a reference to minerals on or under the land;
- (b) any reference to mines and minerals or an estate in mines and minerals includes a reference to mines alone or an estate in mines alone, or, as the circumstances may require, to minerals alone or an estate in minerals alone;
- (c) any reference to mines and minerals vested in the Ministry (except a reference to mines and minerals so vested by virtue of section 1(1)) includes a reference to minerals the exclusive right of mining and taking and digging and searching for which is vested in the Ministry by virtue of any transferred provision, and to mines of such minerals;
- (d) subject to section 35(3) any reference to mines and minerals vested in the Ministry by virtue of section 1(1), or of this Act, includes a reference to any mines and minerals with respect to which section 1(1) is deemed to have had effect by virtue of section 9(1);
- (e) any reference to the land to which a mining facilities order or proposed order relates includes a reference to—
 - (i) any land an estate in which is or is proposed to be acquired by such an order, and

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- (ii) any land over which ancillary rights are or are proposed to be so acquired.
- (3) In relation to any cubic space underground formerly occupied by minerals, references in this Act to working mines include references to utilising that space for the storage of any substance without the intention to store permanently; and, in relation to such a space, in section 56(3)—
- (a) any reference to minerals includes a reference to such a substance and any reference to working minerals includes a reference to introducing such a substance into, storing it in or removing it from that space;
 - (b) in paragraph (*d*) the references to the construction, operation and maintaining of roads, railways or pipelines for the conveyance of minerals from any mine include references to such construction, operation or maintaining for the conveyance of any such substance to or from that space; and
 - (c) in paragraph (*e*)(i) the reference to the storage of minerals gotten from any mine includes a reference to the storage of any such substance before its introduction into, or after its removal from, that space.

F1	SRO (NI) 1969/360
F2	1971 c.17 (NI)
F3	Not appointed at 31.3.1981

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