



Atomic Energy Act 1946

1946 CHAPTER 80

Power to search for and work minerals and acquire property

7 Compulsory acquisition of rights to work minerals

- (1) Where it appears to the Minister that any minerals from which in his opinion any of the prescribed substances can be obtained are present in or on any land, either in a natural state or in a deposit of waste material obtained from any underground or surface working, he may by order provide for compulsorily vesting in him the exclusive right, so long as the order remains in force, to work those minerals and any other minerals which it appears to him to be necessary to work with those minerals, and may also provide, by that order or a subsequent order, for compulsorily vesting in him any other ancillary rights which appear to him to be necessary for the purpose of working the minerals aforesaid including (without prejudice to the generality of the foregoing provisions)—
 - (a) rights to withdraw support;
 - (b) rights necessary for the purpose of access to or conveyance of the minerals aforesaid or the ventilation or drainage of the workings ;
 - (c) rights to use and occupy the surface of any land for the purpose of erecting any necessary buildings and installing any necessary plant in connection with the working of the minerals aforesaid ;
 - (d) rights to use and occupy for the purposes of working the minerals aforesaid any land forming part of or used in connection with an existing mine or quarry, and to use or acquire any plant used in connection with any such mine or quarry; and
 - (e) rights to obtain a supply of water for purposes connected with the working of the minerals aforesaid, or to dispose of water or other liquid matter obtained in consequence of working such minerals.
- (2) Any order made under this section shall provide for the payment of compensation in such cases and subject to such conditions as may be specified in the order or determined thereunder, in respect of loss suffered as the result of the acquisition or exercise of rights under the order, but no account shall be taken, in calculating the compensation payable as aforesaid, of the value of any minerals present in or on land

Status: This is the original version (as it was originally enacted).

affected by the order, being minerals specified in the order as those from which in the opinion of the Minister any of the prescribed substances can be obtained.

- (3) Any order made under this section shall be subject to special parliamentary procedure, and the First Schedule to the Statutory Orders (Special Procedure) Act, 1945 (which sets out the notices to be given and the other requirements to be complied with before an order is made) shall apply to orders made under this section subject to the modification that paragraph 1 of the said Schedule shall be deemed to include a provision requiring the notice of the order as proposed to be made to be served by the Minister—
- (a) on all persons who, but for the order, would be entitled to work the minerals affected ; and
 - (b) on every owner, lessee and occupier (except tenants for a month or any period less than a month) of any land in respect of which rights are proposed to be acquired under the order.