

MINERALS DEVELOPMENT ACT, 1999

- 1 Interpretation.
 - 2 Minerals vested in Land Commission.
 - 3 Transfer of right to compensation.
 - 4 Prosecution of offences.
 - 5 Expenses.
 - 6 Short title and collective citation.
- 1999 21

Number 21 of 1999

MINERALS DEVELOPMENT ACT, 1999

ARRANGEMENT OF SECTIONS

Section

1.
Interpretation.
2.
Minerals vested in Land Commission.
3.
Transfer of right to compensation.
4.
Prosecution of offences.
5.
Expenses.
6.
Short title and collective citation.

ACTS REFERRED TO

Congested Districts Board (Ireland) Acts

Land Law (Commission) Act, 1923
1923, No. 27

Land Law Acts

Land Purchase Acts

Minerals Development Act, 1940
1940, No. 31

Minerals Development Act, 1979
1979, No. 12

Minerals Development Acts, 1940 to 1995

Petty Sessions (Ireland) Act, 1851
1851, c. 93

Number 21 of 1999

MINERALS DEVELOPMENT ACT, 1999

AN ACT TO AMEND AND EXTEND THE MINERALS DEVELOPMENT ACTS, 1940
TO 1995. [7th July, 1999]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1999 21 1

Interpretation. 1.—(1) In this Act—

"the Act of 1979" means the Minerals Development Act, 1979;

"the Congested Districts Board (Ireland) Acts" has the same meaning as in the Land Law
(Commission) Act, 1923;

"conveyance" includes a mortgage, lease assent, transfer and a release;

"the Land Law Acts" means the Land Law Acts as defined by the Land Law (Commission)
Act, 1923, together with any subsequent Act which provides that it is to be construed as one
with the Land Law Acts;

"the Land Purchase Acts" means the Land Purchase Acts as defined by the Land Law
(Commission) Act, 1923, together with any subsequent Act which provides that it is to be
construed as one with the Land Purchase Acts;

"the Minister" means the Minister for the Marine and Natural Resources;

"the Principal Act" means the Minerals Development Act, 1940.

(2) A reference in this Act to any other enactment shall be construed as a reference to that
enactment as amended or adapted by or under any other enactment.

1999 21 2

Minerals vested in Land Commission. 2.—Any minerals or exclusive mining rights
which vested in the Irish Land Commission under or by virtue of the Land Purchase Acts, the
Land Law Acts, the Congested Districts Board (Ireland) Acts or by any other means shall, for
the purposes of paragraph (a) of section 5 of the Minerals Development Act, 1940, be deemed
to be and to always have been the property of the State and vested in the State.

1999 21 3

Transfer of right to compensation. 3.—(1) A conveyance of any estate or interest in
minerals made on or after the passing of this Act shall operate to vest in the person to whom
the estate or interest is conveyed ("the transferee") any right to compensation referred to in
Part III of the Act of 1979 that is vested in the person making the conveyance ("the
transferor") and which relates to that estate or interest.

(2) Where on the date that a right referred to in subsection (1) is vested in the transferee, any
step or proceeding by the transferor under the Act of 1979 for the purpose of claiming the
compensation concerned remains to be completed, that step or proceeding may be carried on
or completed on or after that date by the transferee, and, accordingly—

(a) any compensation payable on foot of that claim shall be paid to the transferee, and

(b) in any proceedings pending in any court in respect of that claim the name of the transferee shall be substituted for that of the transferor and the proceedings shall not abate by reason of such substitution.

1999 21 4

Prosecution of offences. 4.—(1) Summary proceedings in relation to an offence under section 11(3), 27(3), 32(3), 75(5), 76(2) or, in so far as it relates to State minerals, section 74(1) of the Principal Act may be brought and prosecuted by the Minister.

(2) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act, 1851, summary proceedings for an offence to which subsection (1) of this section applies may be instituted within one year from the date of the offence.

(3) Summary proceedings in relation to an offence under section 36(2) of the Principal Act or section 5 of the Act of 1979 may be brought and prosecuted by the Mining Board.

1999 21 5

Expenses. 5.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

1999 21 6

Short title and collective citation. 6.—(1) This Act may be cited as the Minerals Development Act, 1999.

(2) The Minerals Development Acts, 1940 to 1995, and this Act may be cited together as the Minerals Development Acts, 1940 to 1999, and shall be construed together as one.