

S.I. No. 319 of 1994.

MINERALS DEVELOPMENT (AMENDMENT) REGULATIONS, 1994.

I, BRIAN COWEN, Minister for Transport, Energy and Communications, in exercise of the powers conferred on me by section 80 of the Minerals Development Act, 1940 (No. 31 of 1940), and the Energy (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order, 1993 (S.I. No. 12 of 1993) (as adapted by the Energy (Alteration of Name of Department and Title of Minister) Order, 1993 (S.I. No. 16 of 1993)), and, in so far as these Regulations relate to the amount or collection of any fees, with the consent of the Minister for Finance, hereby make the following Regulations:

1. These Regulations may be cited as the Minerals Development (Amendment) Regulations, 1994.

2. These Regulations and the Minerals Development Regulations, 1979 (S.I. No. 340 of 1979), may be cited together as the Minerals Development Regulations, 1979 and 1994, and shall be construed together as one.

3. The Minerals Development Regulations, 1979 (as amended by the Minerals Development (Amendment) Regulations, 1989 (S.I. No. 44 of 1989)), are hereby amended with effect from the 1st day of November, 1994—

(a) by the substitution in Regulation 3 (1) (b) for "£50" of "£150",

(b) by the deletion of Regulation 3 (3),

(c) by the substitution in Regulation 25 for "£30" of "£150", and

(d) by the substitution for Form No. 1 set out in the First Schedule of the form set out in the Schedule to these Regulations.

4. The Minerals Development (Amendment) Regulations, 1989, are hereby revoked with effect from the 1st day of November, 1994.

Regulation 3.

SCHEDULE.

FORM NO. 1.

AN ROINN IOMPAIR, FUINNIMH AGUS CUMARSÁIDE DEPARTMENT OF
TRANSPORT, ENERGY AND COMMUNICATIONS.

APPLICATION FOR A PROSPECTING LICENCE UNDER THE MINERALS
DEVELOPMENT ACTS, 1940 TO 1979.

A separate form should be used for each application. More than one area may be included on the same form only if the areas are adjacent and for the same minerals. If more than one form is used, the relative priorities of all areas must be given. Licences are granted for 6 years unless a shorter period is warranted.

(1) Name(s) of Applicant(s) in full.

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(2) Address(es) of Applicant(s).

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(3) Address(es) of Applicant(s) Registered Office.

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Company Telephone and Fax Number

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(4) Nationality of Applicant(s).

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(5) Occupation of Applicant(s).

In the case of a company that is not the holder of a current prospecting licence, the application must be accompanied by copies of its most recent Annual Report and audited accounts, together with information concerning its share capital and details of significant shareholdings.

(6) A description of the area sought. In the case of ground for which established boundaries are shown on the prospecting licence map, the area required can simply be referred to by one or more licence numbers. For 'open ground' the boundaries required should be outlined in red on a one inch (or, where appropriate, six inch) Ordnance Sheet.

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(7) A priority listing of areas, or in the case of open ground, a breakdown of the area in terms of sub-areas in order of priority of interest (where practical or relevant). The area with the highest priority should be listed first.

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(8) The basis of the interest of the applicant in this ground (all minerals which are of interest, the basis for the belief that these minerals might be present etc), and for which the applicant will carry out exploration.

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The applicant is invited to submit any maps, diagrams or reports which support the belief of the applicant that minerals are present. This information will be treated as confidential, and will not be placed on Open File at the Geological Survey of Ireland at any stage. Such information will assist in determining which applicant (if any) in the case of competition will be offered a Licence over the area.

(9) (a) A full and detailed description of the programme of prospecting which the applicant proposes to carry out for each of the areas applied for including particulars of any special techniques or equipment to be used.

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(b) Estimates, for each two year phase of the 6—year Licence term, of the proposed expenditure on each category of activity comprising the programme for each area applied for

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(10) Information concerning the applicant's previous experience in prospecting for minerals
(if not previously the holder of a Prospecting Licence).

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(11) Names, addresses, qualifications and experience of technical experts or advisers who
will organise and carry out the prospecting programme. If the applicant will be the operator,
then this should be stated.

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(12) Amount of capital available for operations under the Licence(s) now applied for

(a) At present available

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(b) Which applicant can make available

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and the source

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Applicants may be asked to provide evidence that these amounts are available.

(13) Names and addresses of persons to whom the Minister can refer for evidence as to (a) character, (b) financial standing and (c) technical qualifications of the applicant(s). Independent references must be provided to cover each aspect.

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(b)

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I/We hereby declare that all the foregoing particulars are correct. I/We enclose herewith the Ordnance Sheets referred to under (6) and a remittance of £150.00 per Prospecting Licence being the prescribed fee on application.

Signature(s) of Applicant(s)

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Date

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THE SECRETARY,

Department of Transport, Energy and Communications,

Exploration and Mining Division,

Beggar's Bush,

Haddington Road,

Dublin 4.

Note:

Acceptance of applications for prospecting licences for consideration will not create any obligation on the part of the Minister to grant any facilities.

GIVEN under my Official Seal, this 25th day of October, 1994.

BRIAN COWEN,

Minister for Transport, Energy

and Communications.

The Minister for Finance hereby consents to the foregoing Regulations in so far as they relate to the amount or collection of any fees.

GIVEN under my Official Seal, this 28th day of October, 1994.

BERTIE AHERN,

Minister for Finance.

EXPLANATORY NOTE.

These amending Regulations provide that from the 1st day of November, 1994 applications for prospecting licences must be made in a revised Form and be accompanied by a revised fee of £150 (in lieu of £50) and all applications for an ancillary rights licence or preservation of support order must be accompanied by a revised fee of £150 (in lieu of £30).

The Regulations provide also that the requirement to give a specific security to the Minister will be abolished for all applicants for prospecting licences on or after the 1st day of November, 1994