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**AN BILLE UM FHORBAIRT PHEITRILIAM AGUS  
MIANRAÍ EILE 2005  
PETROLEUM AND OTHER MINERALS DEVELOPMENT  
BILL 2005**

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*Mar a tionscnaíodh  
As initiated*

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**ARRANGEMENT OF SECTIONS**

**Section**

1. Oireachtas approval of licensing scheme for purposes of Petroleum and Other Minerals Development Act 1960.
2. Extension of functions of Environmental Protection Agency in relation to petroleum pipelines.
3. Short title, collective citation and construction.

ACTS REFERRED TO

Environmental Protection Agency Act 1992	1992, No. 7
Environmental Protection Agency Acts 1992 and 2003	
Petroleum and Other Minerals Development Act 1960	1960, No. 7



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MIANRAÍ EILE 2005  
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# **BILL**

*entitled*

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AN ACT TO PROVIDE FOR THE APPROVAL, WITH OR WITHOUT AMENDMENT, BY BOTH HOUSES OF THE OIREACHTAS OF THE TERMS SUBJECT TO WHICH LICENCES AND OTHER RIGHTS ARE GRANTED BY THE MINISTER FOR COMMUNICATIONS, MARINE AND NATURAL RESOURCES UNDER THE PETROLEUM AND OTHER MINERALS DEVELOPMENT ACT 1960, TO AMEND THE ENVIRONMENTAL PROTECTION AGENCY ACT 1992, AND TO PROVIDE FOR CONNECTED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this section—

20 “approved”, in relation to the approval of a draft scheme by resolution of both Houses of the Oireachtas, means approved by such Houses, with or without such amendment as may be agreed by both such Houses, in accordance with such rules and standing orders of the Houses as are for the time being relevant and in operation;

Oireachtas approval of licensing scheme for purposes of Petroleum and Other Minerals Development Act 1960.

“licence” means—

- 25 (a) an exploration licence,  
(b) a lease undertaking,  
(c) a licensing option,  
(d) a petroleum prospecting licence,  
(e) a petroleum lease, and  
30 (f) a reserved area licence,

in respect of an area in the State or a designated area under the Petroleum and Other Minerals Development Act 1960;

“the Minister” means the Minister for Communications, Marine and Natural Resources.

(2) The Minister shall, within six months after the passing of this Act and at least every six years thereafter, prepare and cause to be laid before each House of the Oireachtas— 5

(a) a draft scheme setting out the terms subject to which he or she proposes to grant licences, and

(b) a report on the draft scheme, setting out the Minister’s views on his or her proposals and on the general advantages likely to accrue to the State, including in particular— 10

(i) the advantages likely to accrue to the residents within the localities to which such licences relate and any relevant proposals for economic and social development within those localities, and 15

(ii) the views of the Minister in relation to measures proposed to be taken to safeguard the health, safety and general welfare of those residents and of others who may be affected by the exploitation of such licences,

regard being had to relevant taxation provisions, as well as to the proposed licensing terms. 20

(3) The Minister shall not—

(a) make a scheme until the draft of that scheme has been approved by resolution of both Houses of the Oireachtas, or 25

(b) grant a licence unless it is granted subject to the terms set out in a scheme made by the Minister, the draft of which has been so approved by both such Houses.

(4) The making of a scheme by the Minister, following the approval of a draft of the scheme by both Houses of the Oireachtas, 30  
revokes any scheme then in operation, but without prejudice to the validity of any licence previously granted thereunder.

Extension of functions of Environmental Protection Agency in relation to petroleum pipelines.

**2.**—The First Schedule to the Environmental Protection Agency Act 1992 is amended by the addition, after paragraph 9.3 of the following— 35

“9.3A The construction, operation and maintenance of pipelines, meaning pipelines used or intended to be used for the transmission of petroleum (within the meaning assigned to it by section 2(1) of the Petroleum and Other Resources Act 1960) and including part of a pipeline and also including any apparatus, equipment or other thing which is ancillary to such a pipeline.”. 40

Short title, collective citation and construction.

**3.**—(1) This Act may be cited as the Petroleum and Other Minerals Development Act 2005.

(2) *Section 1* of this Act and the Petroleum and Other Minerals Development Act 1960 may be cited together as the Petroleum and 45

Other Minerals Development Acts 1960 and 2005 and shall be construed together as one Act.

(3) *Section 2* of this Act and the Environmental Protection Agency Acts 1992 and 2003 may be cited together as the Environmental Protection Agency Acts 1992 to 2005.