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**An Bille um Fhorbairt Peitriam agus Mianraí Eile (Toirmeasc ar Scoilteadh  
Hiodrálach i dTír Mór), 2016**

**Petroleum and Other Minerals Development (Prohibition of Onshore Hydraulic  
Fracturing) Bill 2016**

*athraithe ó  
changed from*

AN BILLE UM THOIRMEASC AR PHEITRILIAM I DTÍR MÓR A THAISCÉALADH AGUS A  
ASTARRAINGT, 2016  
PROHIBITION OF THE EXPLORATION AND EXTRACTION OF ONSHORE PETROLEUM BILL 2016

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*Mar a leasaíodh sa Roghchoiste um Chumarsáid, Gníomhú ar son na hAeráide agus Comhshaol*

*As amended in the Select Committee on Communications, Climate Action and Environment*

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**AN BILLE UM FHORBAIRT PEITRILIAM AGUS MIANRAÍ EILE (TOIRMEASC AR  
SCOILTEADH HIODRÁLACH I DTÍR MÓR), 2016  
PETROLEUM AND OTHER MINERALS DEVELOPMENT (PROHIBITION OF  
ONSHORE HYDRAULIC FRACTURING) BILL 2016**

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Comhshaol*

*As amended in the Select Committee on Communications, Climate Action and Environment*

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1. Amendment of Petroleum and Other Minerals Development Act 1960
2. Short title

ACTS REFERRED TO

Petroleum and Other Minerals Development Act 1960 (No. 7)

Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8)



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**AN BILLE UM FHORBAIRT PEITRILIAM AGUS MIANRAÍ EILE (TOIRMEASC AR  
SCOILTEADH HIODRÁLACH I DTÍR MÓR), 2016  
PETROLEUM AND OTHER MINERALS DEVELOPMENT (PROHIBITION OF  
ONSHORE HYDRAULIC FRACTURING) BILL 2016**

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# Bill

5

*entitled*

An Act to amend the Petroleum and Other Minerals Development Act 1960 to provide for the prohibition of exploration for and extraction of onshore petroleum by means of hydraulic fracturing; and to provide for related matters.

**Be it enacted by the Oireachtas as follows:**

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## **Amendment of Petroleum and Other Minerals Development Act 1960**

1. Part II of the Petroleum and Other Minerals Development Act 1960 is amended by the insertion of the following Chapter after Chapter II:

“Chapter IIA

*Hydraulic Fracturing*

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### **Definitions**

**5A.** In this Chapter—

‘enactment’ means—

(a) an Act of the Oireachtas,

(b) a statute that was in force in Saorstát Éireann immediately before the date of the coming into operation of the Constitution and that continues in force by virtue of Article 50 of the Constitution, or

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(c) an instrument made under an Act of the Oireachtas or a statute referred to in paragraph (b);

‘hydraulic fracturing’ means the generation of mechanical fractures in rock below the surface by means of the physical process of pumping fluid at high pressure into the rock via a petroleum wellbore for the purpose of enhancing the flow of petroleum between the rock and petroleum wellbore;

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‘internal waters’ has the same meaning as it has in Part 3 of the Sea-Fisheries and Maritime Jurisdiction Act 2006;

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‘petroleum wellbore’ means a boring or other excavation in the earth’s crust made for the purpose of searching for or extracting petroleum.

**Prohibition of hydraulic fracturing**

**5B.** (1) Notwithstanding anything in this Act or any other enactment or rule of law it shall not be lawful for a person to search for, get, raise, take, carry away or work petroleum by means of hydraulic fracturing. 5

(2) The prohibition in subsection (1)—

(a) shall apply in respect of petroleum that is situated in the State including the internal waters, and

(b) shall not apply in respect of petroleum that is offshore. 10

**Offence and penalty**

**5C.** A person who contravenes section 5B shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine or imprisonment for a term not exceeding 6 months or both.”.

**Short title**

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**2.** This Act may be cited as the Petroleum and Other Minerals Development (Prohibition of Onshore Hydraulic Fracturing) Act 2017.



An Bille um Fhorbairt Peitriiliam agus  
Mianraí Eile (Toirmeasc ar Scoilteadh  
Hiodrálach i dTír Mór), 2016

# BILLE

*(mar a leasaíodh sa Roghchoiste um Chumarsáid,  
Gníomhú ar son na hAeráide agus Comhshaol)*

*dá ngairtear*

Acht do leasú an Achta um Fhorbairt Pheitriiliam agus Mianraí Eile, 1960 chun socrú a dhéanamh maidir le toirmeasc ar pheitriiliam i dtír mór a thaiscéaladh agus a astarraingt trí scoilteadh hiodrálach; agus do dhéanamh socrú maidir le nithe gaolmhara.

*Ordaíodh ag an Roghchoiste a chlóbhualadh,  
9 Bealtaine, 2017*

Petroleum and Other Minerals Development  
(Prohibition of Onshore Hydraulic  
Fracturing) Bill 2016

# BILL

*(as amended in the Select Committee on  
Communications, Climate Action and Environment)*

*entitled*

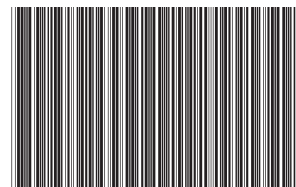
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*Ordered by the Select Committee to be printed,  
9th May, 2017*

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