STATUTORY INSTRUMENTS

1978 No. 195

MINES AND QUARRIES

The Ironstone Restoration Fund (Rates of Contribution) Order 1978

Made - - - -	10*th February* 1978
Laid before Parliament	20*th February* 1978
Coming into Operation	1*st April* 1978

The Secretary of State for the Environment, after consultation with such persons and bodies of persons as appear to him to be representative of ironstone operators and of owners of interests in land from which ironstone is extracted and in exercise of the powers conferred on him by sections 1(2) and (3), 2 and 5 of the Mineral Workings Act 1971**(a)** and of all other powers enabling him in that behalf, hereby makes the following order:—

PART I

CITATION, COMMENCEMENT AND INTERPRETATION

1.—(1) This order may be cited as the Ironstone Restoration Fund (Rates of Contribution) Order 1978 and shall come into operation on 1st April 1978.

(2) The Interpretation Act 1889**(b)** shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(3) In this order—

"the 1951 Act" means the Mineral Workings Act 1951**(c)**;

"the 1971 Act" means the Mineral Workings Act 1971.

PART II

CONTRIBUTIONS FROM IRONSTONE OPERATORS TO THE IRONSTONE RESTORATION FUND

2. The full rate of contribution payable to the Secretary of State under the provisions of section 1(2) of the 1971 Act shall be—

(*a*) in respect of ironstone extracted on or after 1st April 1971 but before 1st April 1975, 3p per ton;

(*b*) in respect of ironstone extracted on or after 1st April 1975 but before 1st April 1976, 4p per ton;

(*c*) in respect of ironstone extracted on or after 1st April 1976 but before 1st April 1977, 5p per ton; and

(*d*) in respect of ironstone extracted on or after 1st April 1977, 6p per ton.

(a) 1971 c. 71. (b) 1889 c. 63. (c) 1951 c. 60.

3. The reduced rate of contribution payable to the Secretary of State in respect of ironstone extracted in the circumstances specified in section 1(3) of the 1971 Act shall be—

(*a*) in respect of ironstone so extracted on or after 1st April 1971 but before 1st April 1975, 1.5p per ton;

(*b*) in respect of ironstone so extracted on or after 1st April 1975 but before 1st April 1976, 2p per ton;

(*c*) in respect of ironstone so extracted on or after 1st April 1976 but before 1st April 1977, 2.5p per ton; and

(*d*) in respect of ironstone so extracted on or after 1st April 1977, 3p per ton.

PART III

Deductions from Mining Rents Etc. in respect of Full Rate Contributions

4. The sum which may in each case be deducted or recovered under section 2(1) of the 1971 Act on account of contributions paid at the full rate as prescribed in article 2 of this order shall be one half of those contributions:

Provided that in no case shall such sum—

(*a*) exceed one third of the tonnage royalty payable under the lease or mineral rights order, as the case may be; nor

(*b*) be less than such amount as, when divided by the number of tons of ironstone extracted in the year in respect of which the contributions were paid, equals the amount which the lessee or other person concerned was entitled to deduct under section 3(2A) of the 1951 Act in respect of each ton so extracted in the year ending 31st March 1971.

PART IV

Revocation of Existing Orders

5. The Ironstone Restoration Fund (Rates of Contribution) Order 1977**(a)** is hereby revoked.

Peter Shore,
Secretary of State for the Environment.

10th February 1978.

(a) S.I. 1977/134.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes and re-enacts with amendments the Ironstone Restoration Fund (Rates of Contribution) Order 1977. It prescribes the full and reduced rates of contribution to be paid by ironstone operators towards the Ironstone Restoration Fund under section 1 of the Mineral Workings Act 1971 in respect of ironstone extracted on or after 1st April 1971 and the sum which may be deducted from payments made under mining leases and mineral rights orders (in accordance with section 2 of that Act) in respect of full rate contributions. The reduced rates of contribution are payable in respect of ironstone extracted in the circumstances set out in section 1(3) of the Act of 1971.

Different rates of contribution are prescribed in respect of ironstone extracted in the periods (*a*) before 1st April 1975, (*b*) on or after 1st April 1975 but before 1st April 1976, (*c*) on or after 1st April 1976 but before 1st April 1977, and (*d*) on or after 1st April 1977. This order retains the full rates of contribution prescribed in the previous order in respect of ironstone extracted during the first three periods (3p per ton, 4p per ton and 5p per ton respectively) and the reduced rates so prescribed (1.5p per ton, 2p per ton and 2.5p per ton respectively), but prescribes new rates (a full rate of 6p per ton and a reduced rate of 3p per ton) in respect of ironstone extracted on or after 1st April 1977. The provisions of the previous order relating to deductions from payments made in respect of full contributions are re-enacted without amendment.

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