2. What is the General Advice to the Public on the Use of Metal Detectors?

It is against the law to engage in general searches for archaeological objects in Ireland using a metal detecting device unless you have written consent from the Minister for Arts, Heritage and the Gaeltacht. To do so without such consent places you at risk of prosecution. The onus is on the operator to ensure that a metal detector is used in accordance with the law.

While it is illegal to use a metal detector anywhere to search for archaeological objects without the formal consent of the Minister for Arts, Heritage and the Gaeltacht, it is an offence to be in possession of a metal detecting device without the Minister’s consent on the site of any monument or archaeological area protected under the National Monuments Acts. This also applies to areas which are subject to heritage protection orders made under the National Monuments Acts.

3. What is the Duty Officer’s Role?

The Duty Officer of the Irish Antiquities Division, National Museum of Ireland, Kildare Street, Dublin 2; Email – antiquitiesdo@museum.ie; Tel: 01-8882169.

The Duty Officer is the first point of contact for those who wish to seek permission to use a metal detector for archaeological purposes as a result of any of the circumstances below:

- your membership of any organisation or body;
- your level of training in the use of metal detectors;
- your use of a particular device or type of metal detector;
- obtaining your metal detector from a particular supplier or source.

4. How do I Get Consent to Use a Metal Detector?

As a general rule, the Minister, for Arts, Heritage and the Gaeltacht grants consent for the use and possession of metal detectors except to suitably qualified persons or groups working under professional on-site archaeological supervision. Before consent to use a metal detector is issued, the applicant must be able to make clear that the use of the device is in accordance with best archaeological practice. This is achieved through the submission of a formal application describing the intended use of a metal detector and including a work programme for assessing a site and achieving the greatest possible level of archaeological knowledge from the work undertaken.

5. Does the Minister Consent to the Use of Metal Detectors for the Public?

The Minister’s consent is only issued in public places where the search for cultural objects is necessary in the interest of the greatest possible level of archaeological knowledge from the site and subject to the National Monuments Acts 1930-2004. The legislation governing the usage of detection devices and provisions relating to the discovery and reporting of archaeological objects is available online at www.irishstatutebook.ie.

6. How Long Does Consent Take?

This depends on the nature of the site, and the information and documentation required. The minimum time is usually eight weeks from the date of receipt. It may take longer in cases where the site is large or requires special equipment.

7. Can I Take My Metal Detector on a Site under the National Monuments Acts?

You do not have a Ministerial consent to detect or any other authorisation to use a metal detector for archaeological purposes as a result of any of the circumstances below:

- on a site under the ownership or control of any other organisation or individual;
- in possession of metal detectors except for suitably trained operators.

8. Who is Responsible for Granting Consents and Licences under the National Monuments Acts?

In Ireland, only the Minister for Arts, Heritage and the Gaeltacht is authorised to grant consent to use a metal detector for archaeological purposes within the State and to license archaeological excavations. There is no other form of legal authorisation or approval to detect for archaeological objects. Detection consents and licences are only given to named individuals for specific sites. Licences are never issued collectively or through intermediary.

Before consent to use a metal detector is issued, the applicant will have to make clear that the use of the device is in accordance with best archaeological practice. This is achieved through the submission of a formal application describing the intended use of the metal detector and including a work programme for assessing a site and achieving the greatest possible level of archaeological knowledge from the work undertaken.

9. What is the Policy of the Minister in Relation to Consents for Use of Metal Detectors?

As a general rule, the Minister for Arts, Heritage and the Gaeltacht grants consents for the use and possession of metal detectors except to suitably qualified persons or groups working under professional on-site archaeological supervision. Before consent to use a metal detector is issued, the applicant must be able to make clear that the use of the device is in accordance with best archaeological practice. This is achieved through the submission of a formal application describing the intended use of a metal detector and including a work programme for assessing a site and achieving the greatest possible level of archaeological knowledge from the work undertaken.

10. What If I Discover an Archaeological Object by Chance?

The Minister has powers to order the recovery of any object discovered by chance. This is a legal requirement for the finder of cultural objects and a legal obligation for the owner of the land on which the object is discovered. Any finder or owner who fails to report any discovery of an object of archaeological significance or value to the National Museum of Ireland for examination and preservation may be subject to prosecution under the National Monuments Acts 1930-2004 and is also guilty of an offence under the Protection of Monuments Act 1930. The finder or owner may be entitled to a reward for the discovery, and is entitled to compensation for any damage caused by the recovery of the object.

11. Where Can I Get Further Information?

For further information, you may also contact:

National Monuments Service, Department of Arts, Heritage and the Gaeltacht, Custom House, Dublin 1; Email – nationalmonuments@ahg.gov.ie; Tel: 01-6777444.

The Duty Officer of the Irish Antiquities Division, National Museum of Ireland, Kildare Street, Dublin 2; Email – antiquitiesdo@museum.ie; Tel: 01-8882169.

This document is intended only as a general guide to the use of metal detection devices and is not a legal interpretation of those Acts. The full text of the National Monuments Acts relating to metal detection devices is available online on the website of the National Monuments Service of the Department of Arts, Heritage and the Gaeltacht.
SUMMARY OF KEY POINTS

- The unauthorised and inappropriate use of detection devices causes serious damage to Ireland’s archaeological heritage.
- Unauthorized recovery of archaeological objects may only be searched for under licence, and any non-metallic evidence and objects are likely to be destroyed.

INTRODUCTION

1. How Can Metal Detecting Cause Damage to Archaeological Sites and Objects?

Unauthorized and inappropriate use of metal detectors causes serious damage to Ireland’s archaeological heritage.

- Unsupervised recovery of archaeological objects without the prior written consent of the Minister results in an additional offence under the National Monuments Acts.
- Anyone using a metal detector in contravention of the above restrictions and who, following detection of an archaeological object, does not report that finding within 96 hours to An Garda Síochána or the National Museum of Ireland, may be guilty of this offence.

2. What is the Law on Metal Detecting?

To prevent damage to our archaeological heritage by the unauthorised use of metal detection devices, the National Monuments Acts 1930 to 2014 regulate the use of metal detectors for archaeological purposes throughout the State of Ireland and its territorial seas.

3. Can I Search for Archaeological Objects Without a Metal Detector?

Unless you have a licence from the Minister for Arts, Heritage and the Gaeltacht, it is also against the law to dig or excavate for archaeological objects, or to dive on a protected wreck, anywhere in Ireland, such as coins, tokens, buttons, clothes fasteners, thimbles, keys, seals, weights, strap ends and belt mounts, all fulfil the definition of ‘archaeological object’, which may only be searched for under licence, and any non-metallic evidence and objects are likely to be destroyed.

Evidence of ground disturbance as a result of unauthorised metal detecting is often an indicator of illegal activity.

4. What Is a “Archaeological Object”?

The term ‘archaeological object’ is defined in the National Monuments Acts 1930 to 2004. This includes:—
- A monument entered in the Record of Monuments and Places;
- The area around a wreck subject to an underwater heritage order;
- Any object (archaeological or otherwise) subject to an archaeological site order.

5. Where Should I Report the Finding of an Archaeological Object?

Under the terms of the National Monuments Acts 1930 to 2004, ownership of any archaeological object with no known owner is vested in the State. Anyone who finds an archaeological object must report it within 96 hours to the National Museum of Ireland or to a designated local authority.

6. What Is The Law in Relation to the Promotion of the Sale or Use of Metal Detectors to Search for Archaeological Objects?

Under the terms of the National Monuments Acts 1930 to 2004, it is against the law to promote, whether by advertising or otherwise, the sale of an instrument or device for the purpose of searching for archaeological objects. This does not apply to those found guilty of the offence of a fine up to €25,000 and/or 12 months imprisonment.

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