



Coal Mining Subsidence Act 1991

1991 CHAPTER 45

PART II

REMEDIAL ACTION

Special cases

20 Ecclesiastical property etc

- (1) In the case of subsidence damage to any ecclesiastical property—
 - (a) the Church Commissioners shall be entitled, in addition to any other person who is so entitled, to give a damage notice; and
 - (b) where any other such person is the claimant, the Commissioners shall be treated as another person interested whether or not they give such a notice.
- (2) Any payment under section 10 or 11 above in respect of ecclesiastical property which would, apart from this subsection, fall to be made to the owner of the property—
 - (a) shall be made to the Church Commissioners; and
 - (b) shall be applied by them for the purposes for which the proceeds of a sale of the property by agreement would be applicable under any enactment or Measure authorising, or disposing of the proceeds of, such a sale.
- (3) Where, in relation to any property other than ecclesiastical property—
 - (a) any payment under section 10 or 11 above would, apart from this subsection, fall to be made to a person whose interest in the property is held for religious purposes; and
 - (b) a request for payment is made to the Corporation by or on behalf of the representative body,
the payment shall be made to that body.
- (4) In this section—

“ecclesiastical property” means property in England belonging to any ecclesiastical benefice, or being or forming part of a church subject to the

Status: This is the original version (as it was originally enacted).

jurisdiction of a bishop of any diocese or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction;

“the representative body”, in relation to property of any description held for religious purposes, means the body of persons (if any) which, in relation to that property or property of that description, has been notified to the Corporation by the Secretary of State, after consultation with such persons and organisations as he may think appropriate.