



Mines (Working Facilities And Support) Act 1966

1966 CHAPTER 4

General

8 Compensation.

- (1) Where a right is granted under section 1 of this Act, or any restriction is imposed under section 7 of this Act, the court may determine the amount and nature of compensation or consideration to be paid or given and the persons to whom it is to be paid or given, either at the time when it determines whether the right should be granted or the restrictions imposed or at any subsequent time.
- (2) The compensation or consideration in respect of any right, including a right to enforce restrictions, shall be assessed by the court on the basis of what would be fair and reasonable between a willing grantor and a willing grantee, having regard to the conditions subject to which the right is or is to be granted.
- (3) The court may, if it thinks fit—
 - (a) where the amount of the compensation or consideration has been determined by the court, order the payment into court of the whole or any part of it;
 - (b) pending the determination of the amount of the compensation or consideration, order the payment into court of such sum on account as the court thinks fit.
- (4) Where the person to whom any compensation or consideration is payable cannot be found or ascertained the compensation or consideration shall be paid into court.
- (5) The court may impose as a condition on the grant of any right or the imposition of any restriction that any compensation or consideration payable in respect thereof shall be paid, or that security to the satisfaction of the court for the payment thereof shall be given, before the right is commenced to be exercised, or the restriction is enforced.
- (6) References in this section to payment into court are—

Changes to legislation: Mines (Working Facilities And Support) Act 1966, Section 8 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) in the application of this Act to England and Wales, references to payment into the [^{F1}Senior Courts], and
- (b) in the application of this Act to Scotland, references to consignation in the Court of Session.

Textual Amendments

F1 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 4](#); S.I. 2009/1604, art. 2(d)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(9) inserted by [2023 asc 3 Sch. 13 para. 11](#)