



Coal Mining Subsidence Act 1991

CHAPTER 45

COAL MINING SUBSIDENCE ACT 1991

PART I

PRELIMINARY

- 1 Subsidence damage to which Act applies.

PART II

REMEDIAL ACTION

General

- 2 Duty to take remedial action.
- 3 Notice of subsidence damage.
- 4 Initial response to damage notice.
- 5 Determination of appropriate remedial action.
- 6 Schedule of remedial works.

The kinds of remedial action available

- 7 Execution of remedial works.
- 8 Discretionary payments in lieu.
- 9 Obligatory payments in lieu.
- 10 Discretionary depreciation payments.
- 11 Obligatory depreciation payments.
- 12 Payments in respect of emergency works.

Payments in lieu and depreciation payments

- 13 Payments in lieu.
- 14 Depreciation payments: general.

Changes to legislation: There are currently no known outstanding effects for the Coal Mining Subsidence Act 1991. (See end of Document for details)

- 15 Recipients of depreciation payments.

Further damage

- 16 Stop notices where further damage is likely.
17 Revocation and review of stop notices.
18 Effect of further damage.

Special cases

- 19 Ancient monuments and listed buildings.
20 Ecclesiastical property etc.
21 Property belonging to protected tenants.

PART III

ADDITIONAL REMEDIES

Dwelling-houses rendered uninhabitable etc.

- 22 Home loss payments.
23 Relief for temporary dispossession.
24 Care of vacant dwelling-houses.
25 Compensation for inconvenience etc. during works.

Agricultural losses

- 26 Farm loss payments.
27 Crop loss payments.
28 Payments for tenant farmers.

Miscellaneous

- 29 Purchase etc. of property affected by blight.
30 Compensation for consequential losses of small firms.
31 Compensation for damage to moveable property.
32 Compensation for death or disablement.

PART IV

PREVENTIVE AND OTHER MEASURES

- 33 Existing buildings, structures or works.
34 Preventive and Other Measures
35 Preventive and Other Measures
36 Land drainage systems.

PART V

SUPPLEMENTAL

Claims

- 37 Avoidance of double claims.
38 Reimbursement of successful claimants' expenses.
39 False information in support of claims.

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Disputes and complaints

- 40 Disputes: general.
- 41 Disputes about withholding of agreement or consent.
- 42 Disputes about access etc. to premises.
- 43 Determination of disputes by arbitration.
- 44 Time limits for certain disputes.
- 45 Investigation of complaints.

Notices, information and reports

- 46 Notices to property owners etc.
- 47 Notices to local authorities.
- 48 Provision of information on request.
- 49 Reports on operation of Act.

General

- 50 Regulations and orders.
- 51 Service of documents
- 52 Interpretation etc.
- 53 Transitional provisions, savings and repeals.
- 54 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Determination of Amount of Depreciation Payments

Units of property

- 1 (1) Subject to sub-paragraph (2) below, the unit of property...

Basis of valuation

- 2 (1) For any purposes of section 10 or 11 of...

Amount of depreciation

- 3 (1) For the purposes of section 10 or 11 of...

Interest on depreciation payments

- 4 (1) Subject to sub-paragraph (2) below, so much of the...

SCHEDULE 2 — Recipients of Depreciation Payments: Special Cases

Mortgages

- 1 (1) Subject to paragraph 2 below, where
- 2 (1) The following provisions of this paragraph apply in the...

Rentcharges

- 3 (1) The Secretary of State may by regulations make provision...

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Settlements etc.

- 4 (1) Where in the case of property situated in England...

Effect of devises or bequests

- 5 Where the interest in the property in question of the...

Sale and compulsory acquisition

- 6 (1) Where the interest in the property in question of...

SCHEDULE 3 — Property Belonging to Protected Tenants

Protected tenant treated as liable to make good the damage

- 1 (1) Subject to paragraph 2 below, the protected tenant shall...

Circumstances in which Schedule applies

- 2 (1) Where in the case of any damaged property—

Supplemental

- 3 The following enactments, namely— (a) section 8(1) of the Small...

SCHEDULE 4 — Home Loss Payments

Right to home loss payment

- 1 (1) Subject to the provisions of this Schedule, any person...

Amount of home loss payment

- 2 (1) In the case of a person who on the...

Supplementary provisions

- 3 (1) The Corporation shall not be liable to make a...

SCHEDULE 5 — Relief for Temporary Dispossession

Preliminary

- 1 In this Schedule— “the local authority” means the local authority...

Obligations of Corporation

- 2 (1) Subject to the following provisions of this Schedule, in...

Cessation of obligations

- 3 (1) Subject to sub-paragraphs (2) and (3) below, the obligations...

Procedural requirements

- 4 (1) The Corporation shall not be under any obligation by...

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Alternative living accommodation

5 (1) This paragraph applies where, in pursuance of paragraph 2(1)(a)...

Supplemental

6 (1) This paragraph applies where— (a) no damage notice has...
7 Where the Corporation have elected to make a payment in...

SCHEDULE 6 — Farm Loss Payments

Right to a farm loss payment

1 (1) Subject to the provisions of this Schedule, if any...

Amount of farm loss payment

2 (1) Subject to the provisions of this paragraph, the amount...

Supplementary provisions

3 (1) The Corporation shall not be liable to make a...

SCHEDULE 7 — Transitional Provisions and Savings

Remedial action

1 (1) Subject to sub-paragraphs (3) and (4) below, Part II...
2 (1) In any case where— (a) immediately before the commencement...

Additional remedies

3 (1) In Part III of this Act—

Preventive and other measures

4 For the purposes of section 33 of this Act (preventive...
5 (1) For the purposes of section 34 of this Act...
6 For the purposes of section 36 of this Act (remedial...

Notices

7 Where any underground coal-mining operations proposed to be carried on...

Supplemental

8 In this Schedule— “the 1938 Act” means the Coal Act...

SCHEDULE 8 — Repeals

Changes to legislation:

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