



# Coal Mining Subsidence Act 1991

## 1991 CHAPTER 45

### PART I

#### PRELIMINARY

#### **1 Subsidence damage to which Act applies**

- (1) In this Act “subsidence damage” means any damage—
  - (a) to land; or
  - (b) to any buildings, structures or works on, in or over land,caused by the withdrawal of support from land in connection with lawful coal-mining operations.
- (2) An alteration of the level or gradient of any land not otherwise damaged which does not affect its fitness for use for the purposes for which, immediately before the alteration occurred, it was used, or might reasonably have been expected to be used, shall not be regarded as damage for the purposes of subsection (1) above.
- (3) In subsection (1) above “lawful coal-mining operations” means the lawful working and getting of coal, or of coal and other minerals worked with coal, or the lawful getting of any product from coal in the course of working it.
- (4) References in this Act to subsidence damage shall not apply—
  - (a) to damage caused in connection with the working and getting of coal and other minerals—
    - (i) where the working and getting of the coal was ancillary to the working of the other minerals; or
    - (ii) where the coal was worked or gotten by virtue of the grant of a gale in the Forest of Dean or any other part of the Hundred of St. Briavels in the county of Gloucester; or
  - (b) to damage occurring underground in a mine of coal (being a mine within the meaning of the Mines and Quarries Act 1954).