

Changes to legislation: Coal Mining Subsidence Act 1991, Paragraph 2 is up to date with all changes known to be in force on or before 24 January 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](#)

SCHEDULES

SCHEDULE 4

HOME LOSS PAYMENTS

Commencement Information

II [Sch. 4](#) wholly in force at 30.11.1991 see [s. 54\(2\)](#) and [S.I. 1991/2508](#), [art.2](#)

Amount of home loss payment

- 2 (1) In the case of a person who on the date of displacement is occupying, or is treated for the purposes of paragraph 1 above as occupying, the dwelling-house by virtue of an interest in it which is an owner's interest, the amount of the home loss payment shall be the aggregate of—
- (a) 10 per cent. of the value of his interest in the dwelling-house or, as the case may be, the interest in the dwelling-house vested in trustees, subject to a maximum of £15,000 and a minimum of £1,500; and
 - (b) his reasonable expenses in removing from the dwelling-house.
- (2) In the case of any other person, the amount of the home loss payment shall be the aggregate of £1,500 and his reasonable expenses in removing from the dwelling-house.
- (3) The Secretary of State may from time to time by regulations prescribe a different maximum or minimum for the purposes of sub-paragraph (1)(a) above and a different amount for the purposes of sub-paragraph (2) above.
- (4) In this paragraph any reference to the value of an interest in the dwelling-house shall be taken to be a reference to the value of that interest immediately before the deterioration in the condition of the dwelling-house; and paragraph 2 of Schedule 1 to this Act shall apply for the purpose of determining that value as it applies for the purpose of determining the value of a unit of property at any time for the purposes of section 10 or 11 of this Act.
- (5) In this paragraph “owner's interest” means—
- (a) in relation to a dwelling-house situated in England and Wales, the interest of a person who is an owner as defined in section 7 of the ^{M1}Acquisition of Land Act 1981; or
 - (b) in relation to a dwelling-house situated in Scotland, the interest of a person who is an owner as defined in section 45(1) of the ^{M2}Land Compensation (Scotland) Act 1963.

Commencement Information

II [Sch. 4 para. 2](#) wholly in force at 30. 11. 1991 see [s. 54\(2\)](#) and [S.I. 1991/2508](#), [art. 2](#)

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Marginal Citations

M1 1981 c. 67.

M2 1963 c. 51.

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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. 19(1A) inserted by [2023 asc 3 Sch. 13 para. 162](#)