



Coal Mining Subsidence Act 1991

1991 CHAPTER 45

PART II

REMEDIAL ACTION

General

2 Duty to take remedial action.

- (1) Subject to and in accordance with the provisions of this Part, it shall be the duty of the British Coal Corporation (“the Corporation”) to take in respect of subsidence damage to any property remedial action of one or more of the kinds mentioned in subsection (2) below.
- (2) The kinds of remedial action referred to in subsection (1) above are—
 - (a) the execution of remedial works in accordance with section 7 below;
 - (b) the making of payments in accordance with section 8 or 9 below in respect of the cost of remedial works executed by some other person; and
 - (c) the making of a payment in accordance with section 10 or 11 below in respect of the depreciation in the value of the damaged property.
- (3) References in this Act, in relation to any subsidence damage, to the Corporation’s remedial obligation are references to their obligation under subsection (1) above.
- (4) Where emergency works are executed by any other person, the Corporation shall also be under a duty, subject to the provisions of this Part, to make a payment in accordance with section 12 below in respect of the cost of the works.
- (5) In this Act—
 - (a) references to payments in lieu are references to payments in accordance with section 8 or 9 below; and
 - (b) references to depreciation payments are references to payments in accordance with section 10 or 11 below.

Changes to legislation: Coal Mining Subsidence Act 1991, Section 2 is up to date with all changes known to be in force on or before 12 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](#)

Commencement Information

II S. 2 wholly in force at 30. 11. 1991 see s. 54(2) and S.I.1991/2508, **art. 2**

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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](#)