



Coal Mining Subsidence Act 1991

1991 CHAPTER 45

PART III

ADDITIONAL REMEDIES

Dwelling-houses rendered uninhabitable etc.

23 Relief for temporary dispossession.

- (1) Where a dwelling-house is affected by subsidence damage, Schedule 5 to this Act (which confers on any person temporarily dispossessed of the dwelling-house a right to certain relief) shall apply as respects any period during which the requirements of subsection (2) below are satisfied.
- (2) The requirements of this subsection are satisfied if—
 - (a) by reason of deterioration due to the subsidence damage in the condition of the dwelling-house, and having regard to the time which will be required to remedy that deterioration, the dwelling-house is not in a reasonably fit state for it to be used as such; and
 - (b) the dwelling-house is not used as such by or with the authority of the person who immediately before the deterioration in its condition was entitled to possession of it.

Commencement Information

II S. 23 wholly in force at 30. 11. 1991 see s. 54(2) and S.I. 1991/2508, art. 2

Changes to legislation:

Coal Mining Subsidence Act 1991, Section 23 is up to date with all changes known to be in force on or before 18 October 2023. 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.

[View outstanding changes](#)

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](#)