



Coal Mining Subsidence Act 1991

1991 CHAPTER 45

PART II

REMEDIAL ACTION

General

4 Initial response to damage notice.

- (1) As soon as reasonably practicable—
 - (a) after receiving a damage notice; or
 - (b) where they receive two or more such notices in respect of the same damage, after receiving the first of them,the Corporation shall give to the claimant, and to any other person interested, a notice indicating whether or not they agree that they have a remedial obligation in respect of the whole or any part of the damage specified in the damage notice.
- (2) Where the Corporation give a notice under subsection (1) above indicating their agreement that they have such an obligation, they shall also give to the claimant, and to any other person interested, a notice—
 - (a) stating the kind or kinds of remedial action available for meeting that obligation and, if more than one, which of them the Corporation propose to take; and
 - (b) in the case of a notice stating that the Corporation propose to execute remedial works with respect to any damage, informing the claimant or that person that, if he makes such a request as is mentioned in section 8(3) below, the Corporation may elect to make a payment in lieu instead of executing the works.
- (3) Where the Corporation accede to any such request, they shall give to the claimant and any other person interested a revised notice under subsection (2) above stating that they propose to elect to make a payment in lieu instead of executing the works.

Changes to legislation: There are currently no known outstanding effects for the Coal Mining Subsidence Act 1991, Section 4. (See end of Document for details)

- (4) In this Act references, in relation to any damage, to a notice of proposed remedial action are references to a notice under subsection (2) above (whether as originally given or as revised under subsection (3) above).

Commencement Information

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

Changes to legislation:

There are currently no known outstanding effects for the Coal Mining Subsidence Act 1991, Section 4.