



Coal Mining Subsidence Act 1991

1991 CHAPTER 45

PART II

REMEDIAL ACTION

Payments in lieu and depreciation payments

15 Recipients of depreciation payments.

- (1) Subject to the provisions of this section, a depreciation payment shall be made to the person who is for the time being the owner of the property in question.
- (2) If any other person is liable to make good the whole of the damage to which the payment relates, the payment shall be made to him.
- (3) If any other person is liable to make good any part of that damage, such part of the amount of the payment shall be paid to him as bears to the whole of that amount the same proportion as the scheduled cost of works for which he is responsible bears to the total scheduled cost.
- (4) In subsection (3) above—
 - (a) the reference to the scheduled cost of works for which the other person is responsible is a reference to the aggregate amount of the costs specified in the schedule of remedial works in respect of works required for making good the part of the damage which he is liable to make good; and
 - (b) the reference to the total scheduled cost is a reference to the aggregate amount of all costs specified in the schedule of remedial works.
- (5) Schedule 2 to this Act applies for determining the persons who are to receive depreciation payments in special cases; and references in this section and that Schedule to a depreciation payment or part of such a payment include any interest payable in respect of that payment or that part in accordance with Schedule 1 to this Act.

Changes to legislation: Coal Mining Subsidence Act 1991, Section 15 is up to date with all changes known to be in force on or before 07 May 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

Modifications etc. (not altering text)

- C1** S. 15 amended (31.10.1994) by 1994 c. 21, s. 43, **Sch. 6 para. 4** (with ss. 40(7), 66); S.I. 1994/2553, **art. 2**
-

Commencement Information

- I1** S. 15 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 15 is up to date with all changes known to be in force on or before 07 May 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.

[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](#)