of section three of the Act in cases where it appears to the Board likely that further subsidence damage will occur to such property :

Provided that the execution of such remedial works shall not be deemed to have been so required in any case if, or to the extent that, the execution of emergency works would have enabled the damaged property to continue to be used for its respective purpose.

Dated this first day of August, nineteen hundred and fifty-seven.

Mills,
Minister of Power.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations prescribe the cases in which the National Coal Board's obligations under the Act cannot be suspended or limited by the service of a notice by the Board under s. 3 (2) of the Act (i.e. where further damage seems likely to occur and it would, therefore, in the Board's opinion be unreasonable for permanent remedial works to be done for the time being).

The cases prescribed are those in which highways or other public services are damaged and it is necessary immediately to carry out certain permanent remedial works in order to maintain them in use.

1957 No. 1404

The Coal-Mining (Subsidence) (Notice of Uninhabitability) Regulations, 1957

Made - - - -	1*st August*, 1957
Laid before Parliament	2*nd August*, 1957
Coming into Operation	3*rd August*, 1957

The Minister of Power in exercise of the powers conferred upon him by subsection (6) of section one of, and the First Schedule to, the Coal-Mining (Subsidence) Act, 1957(a), and of all other powers him enabling, hereby makes the following regulations :—

1. These regulations shall come into operation on the third day of August, nineteen hundred and fifty-seven, and may be cited as the Coal-Mining (Subsidence) (Notice of Uninhabitability) Regulations, 1957.

2.—(1) In these regulations the following expressions have the meanings hereby assigned to them respectively, that is to say:—

" the Act " means the Coal-Mining (Subsidence) Act, 1957 ;

" the Board " means the National Coal Board ;

(a) 5 & 6 Eliz. 2. c. 59.

"dwelling-house" has the meaning assigned to it by subsection (1) of section seventeen of the Act;

"subsidence damage" has the meaning assigned to it by subsection (1) of section one of the Act.

(2) Expressions to which meanings are assigned by the Act or by these regulations shall (unless the contrary intention appears) have the same meanings in any document issued under the provisions of these regulations.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) The time within which notice must be given to the Board for the purposes of sub-paragraph (1) of paragraph 4 of the First Schedule to the Act that by reason of deterioration due to subsidence damage the condition of any dwelling-house is such that, in the opinion of the person giving the notice, it is not reasonably fit to be used as a dwelling-house, shall be fourteen days after the date on which that person first formed such opinion.

(2) A notice given in pursuance of paragraph (1) of this regulation shall be so given in the form set out in the Schedule to these regulations or in a form containing the like declaration and information, and may be served by delivering it at, or sending it by post in a registered letter to, any office of the Board.

Dated this first day of August, nineteen hundred and fifty-seven.

Mills,
Minister of Power.

SCHEDULE

COAL-MINING (SUBSIDENCE) ACT, 1957, FIRST SCHEDULE, PARAGRAPH 4 (1)
NOTIFICATION OF UNFITNESS OF DWELLING-HOUSE FOR HABITATION

Notice is hereby given that the dwelling-house referred to below is affected by subsidence damage which occurred after the passing of the Act; and that in my/our opinion by reason of deterioration in its condition due to that damage, and having regard to the time which will be required to remedy that deterioration, it is not in a reasonably fit state to be used as such.

1. Address of damaged property (*use block letters*).
2. Date when damage occurred.
3. Date on which it is claimed that the dwelling-house ceased to be habitable.
4. Brief details of the damage.
5. Can the furniture be stored in the dwelling-house?
6. Are you the owner of the dwelling-house?
7. If you are not the owner of the dwelling-house
   (*a*) give name and address of the owner or his agent,
   (*b*) state on what terms you were entitled to possession of the dwelling-house immediately before the damage occurred (e.g. as a ground lessee, or as a weekly tenant),
   (*c*) when does your tenancy expire?
8. Is any other person entitled to possession of the dwelling-house or of part of the dwelling-house?
9. Were you ordinarily resident in the dwelling-house during the period immediately before the subsidence damage occurred?

(a) 52 & 53 Vict. c. 63.

10. State:—

(*a*) the names, ages (if under 21) and sexes of all persons who were ordinarily resident in the dwelling-house or that part of the dwelling-house to possession of which you are entitled, during the period immediately before the subsidence damage occurred;

(*b*) the family relationship, if any, between the persons listed under (*a*),

(*c*) the present addresses of the persons listed under (*a*).

11. State days and times (mornings or afternoons) when the dwelling-house may be inspected by the National Coal Board.

I/We declare that to the best of my/our knowledge and belief the above information is true.

Name in block letters ..... Signed.....

Address to which a reply can be sent ..... Date .....

.....

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations prescribe the time within which and the manner in which a notice is to be given to the National Coal Board in respect of their obligations under s. 1 (6) of, and the First Schedule to, the Coal-Mining (Subsidence) Act, 1957, to provide or pay for alternative accommodation and the removal and storage of furniture where a dwelling-house has been rendered uninhabitable by subsidence damage.

The notice is to be given fourteen days after the date on which in the opinion of the person serving it the dwelling-house first ceased to be in a reasonably fit state for use as such.

The Schedule contains the form in which the notice is to be given.

1957 No. 1406

The Coal-Mining (Subsidence) (Notice of Works) Regulations, 1957

Made - - - -	1*st August*, 1957
Laid before Parliament	2*nd August*, 1957
Coming into Operation	3*rd August*, 1957

The Minister of Power in exercise of the powers conferred upon him by subsection (3) of section two of the Coal-Mining (Subsidence) Act, 1957(a), and of all other powers him enabling, hereby makes the following regulations:—

1. These regulations shall come into operation on the third day of August, nineteen hundred and fifty-seven, and may be cited as the Coal-Mining (Subsidence) (Notice of Works) Regulations, 1957.

(a) 5 & 6 Eliz. 2. c. 59.