SUBSIDENCE DAMAGE

The Coal-Mining (Subsidence) (Notices) Regulations, 1950

1950 No. 1271

Made - - - -	28*th July*, 1950
Laid before Parliament	28*th July*, 1950
Coming into Operation	29*th July*, 1950

The Minister of Fuel and Power (in these regulations referred to as "the Minister") in exercise of the powers conferred upon him by sections five and sixteen of the Coal-Mining (Subsidence) Act, 1950(a) (in these regulations referred to as "the Act") and of all other powers him enabling, hereby makes the following regulations:—

1.—(1) The time within which a notice of the occurrence of subsidence damage must be given for the purposes of subsection (1) of section five of the Act shall be—

(*a*) in the case of damage which occurred before the passing of the Act, six months from the passing of the Act;

(*b*) in the case of damage which occurs after the passing of the Act, two months from the occurrence of the damage.

(2) The Minister or the National Coal Board may on written application being made in that behalf extend the time for giving such notice, whether it has expired or not, in any case in which it appears to him or them that there is a reasonable ground for the notice not being or not having been given within that time, or that the liabilities of the Board in respect of that damage have not been substantially increased by the notice not having been given within that time.

2. A notice of the occurrence of subsidence damage for the purposes of subsection (1) of section five of the Act must be given in the form in the schedule hereto or in a form containing the like declaration and information.

3. A notice of the occurrence of subsidence damage or a notice given under subsection (2) of section five of the Act may be served by delivering it at, or sending it by post addressed to, any office of the National Coal Board.

4.—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) These regulations shall come into operation on the twenty-ninth day of July, nineteen hundred and fifty, and may be cited as the Coal-Mining (Subsidence) (Notices) Regulations, 1950.

Dated this twenty-eighth day of July, nineteen hundred and fifty.

Philip Noel-Baker,
Minister of Fuel and Power.

(a) 14 Geo. 6. c. 23.

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

SCHEDULE

COAL-MINING (SUBSIDENCE) ACT, 1950, SECTION 5 (1)

NOTICE OF OCCURRENCE OF SUBSIDENCE DAMAGE

Notice is hereby given that the property referred to below, being property to which the above Act applies, has sustained subsidence damage.

1. Address of damaged property

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2. Nature of property

.....

3. Rateable value of dwelling house £.....

4. Date when damage first appeared.....

Brief description of damage (e.g., walls cracked, windows jammed, etc.)

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5. If damage occurred before 28th July, 1950, and has been repaired, state

(*a*) Date of repair (month and year).....

(*b*) Name and address of builder, who did repairs.....

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6. Are you the owner of the property?.....

If not—(*a*) are you a ground lessee or a tenant liable to make good the damage?

.....

(*b*) give name and address of the owner.....

.....

.....

7. If you occupy the property, state days and times (mornings or afternoons) at which it can be inspected.....

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

I understand that by giving this notice I choose my rights under the Coal-Mining (Subsidence) Act, 1950, to require the N.C.B. to carry out repairs or make a payment in respect of the damage, instead of any right I may have apart from that Act to claim damages or compensation from the N.C.B. in respect of the damage.

Date..... Signed.....

Address .....

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