

1960

c 184 Industrial and Mining Lands Compensation Act

Ontario

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Bibliographic Citation

Industrial and Mining Lands Compensation Act, SO 1966, c 184

Repository Citation

Ontario (1960) "c 184 Industrial and Mining Lands Compensation Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 2, Article 59.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1960/iss2/59>

CHAPTER 184

The Industrial and Mining Lands Compensation Act

1. It is lawful for an owner or operator of a mine, factory, industry or works, or a person contemplating acquiring or operating a mine, factory, industry or works, to make an agreement with the owner or lessee of any land for payment to the owner or lessee of the land of compensation for any damage or injury resulting or likely to result to the land or to its use and enjoyment from the operation of the mine, factory, industry or works in connection therewith. R.S.O. 1950, c. 177, s. 1, *amended*.

Agreement
for com-
pensation

2. The agreement, if so expressed therein, binds and ensures to the benefit of the heirs, executors, administrators and assigns, or the successors and assigns of the parties thereto, and may relate not only to a mine, factory, industry or works then in operation, but may also relate to a mine, factory, industry or works that may thereafter be established by the party paying the compensation, within a specified area, even though the land upon which the mine, factory, industry or works is thereafter operated is not at the time owned or leased by the party making the compensation. R.S.O. 1950, c. 177, s. 2, *amended*.

Effect and
extent of
operation of
agreement

3. Where the land in respect of which the agreement is made is not under *The Land Titles Act*, the agreement shall be registered, and where the land is under *The Land Titles Act*, a notice of the agreement shall be registered in the register of the title of the parcel of land on which the burden is imposed with a note referring to this Act, and any subsequent agreement cancelling an agreement so registered or in respect of which a notice is registered shall in like manner be registered or the notice deleted, as the case may be. R.S.O. 1950, c. 177, s. 3, *amended*.

Registra-
tion of
agreement
R.S.O. 1960,
c. 204

4. The payment of compensation under the agreement affords a complete answer to any action that may be brought for damages or for an injunction in respect of any matter for which compensation has been made. R.S.O. 1950, c. 177, s. 4.

Payment of
compensa-
tion to
be an
answer to
action

