EXPLANATORY NOTE

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

Section 1 of the Clean Air Act, 1956, as applied by section 20 of that Act, makes it an offence to emit dark smoke (as defined) from the chimney of a vessel, but provides that emissions of smoke lasting for not longer than such periods as may be specified by the Minister of Housing and Local Government by Regulations shall, in such classes of case and subject to such limitations as may be so specified, be left out of account for the purposes of the section. These Regulations specify the permitted emissions of smoke.

1958 No. 1934 (S. 107)

The Dark Smoke (Permitted Periods) (Vessels) (Scotland) Regulations, 1958

Made - - - -	*15th November,* 1958
Laid before Parliament	*25th November,* 1958
Coming into Operation	*31st December,* 1958

In exercise of the powers conferred on me by subsection (2) of section 1 of the Clean Air Act, 1956(a), and of all other powers enabling me in that behalf I hereby make the following regulations : —

1. These regulations may be cited as the Dark Smoke (Permitted Periods) (Vessels) (Scotland) Regulations, 1958, and shall come into operation on the 31st day of December, 1958.

2.—(1) In these regulations "the Act of 1956" means the Clean Air Act, 1956, and "black smoke" means smoke which, if compared in the appropriate manner with a chart of the type known at the date of the passing of the Act of 1956 as the Ringelmann chart, would appear to be as dark as or darker than shade 4 on the chart.

(2) The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) Emissions of dark smoke from a chimney of a vessel for not longer than the period specified in column (2) of the schedule to these regulations in respect of the class of case specified in column (1) of the said schedule shall be left out of account for the purposes of section 1 of the Clean Air Act, 1956 : Provided that—

(*a*) continuous emissions of dark smoke caused otherwise than by the soot-blowing of a water tube boiler do not exceed :

(i) in the case of classes 1 and 2, 4 minutes ;

(ii) in the case of natural draught oil-fired boiler furnaces in class 4, 10 minutes ; and

(*b*) black smoke is not emitted for more than 3 minutes in the aggregate in any period of 30 minutes.

(a) 4 & 5 Eliz. 2. c. 52. (b) 52 & 53 Vict. c. 63.

(2) For the purposes of the said schedule a vessel is not under way when it is at anchor or made fast to the shore or bottom, and a vessel which is aground shall be deemed to be under way.

Dated this 15th day of November, 1958.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

(1) Class of case	(2) Permitted period for emission of dark smoke
1. Emissions from a forced draught oil-fired boiler furnace, or an oil engine.	10 minutes in the aggregate in any period of 2 hours.
2. Emissions from a natural draught oil-fired boiler furnace (except in the cases falling within class 4 below).	10 minutes in the aggregate in any period of 1 hour.
3. Emissions from a coal-fired boiler furnace:—	
(*a*) when the vessel is not under way (except in the cases falling within class 4 below).	10 minutes in the aggregate in any period of 1 hour.
(*b*) when the vessel is under way	20 minutes in the aggregate in any period of 1 hour.
4. Emissions from a natural draught oil-fired boiler furnace or a coal-fired boiler furnace in the following cases:—	
(*a*) a tug not under way, but preparing to get under way or supplying power to other vessels or to shore installations;	20 minutes in the aggregate in any period of 1 hour.
(*b*) a vessel not under way but using main power for the purpose of dredging, lifting, pumping or performing some other special operation for which the vessel is designed.	
5. Emissions from any other source	5 minutes in the aggregate in any period of 1 hour.

EXPLANATORY NOTE

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

Section 1 of the Clean Air Act, 1956, as applied by section 20 of that Act makes it an offence to emit dark smoke (as defined) from the chimney of a vessel, but provides that emissions of smoke lasting for not longer than such periods as may be specified by the Secretary of State by regulations, shall, in such classes of case and subject to such limitations as may be so specified, be left out of account for the purposes of the section. These Regulations specify the permitted emissions of smoke from the chimney of a vessel.