2001 No. 422

CLEAN AIR, ENGLAND

The Smoke Control Areas (Exempted Fireplaces) (England) Order 2001

Made - - - - -	*14th February 2001*
Laid before Parliament	*21st February 2001*
Coming into force - -	*14th March 2001*

The Secretary of State, in exercise of the power conferred upon him by section 21 of the Clean Air Act 1993(**a**), being satisfied that the classes of fireplace exempted by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby makes the following Order—

Citation, commencement and extent

1.—(1) This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (England) Order 2001 and shall come into force on 14th March 2001.

(2) This Order extends to England only(**b**).

Classes of fireplace exempted from section 20 of the Clean Air Act 1993

2. The classes of fireplace described in the Schedule shall, upon the conditions there specified, be exempted from the provisions of section 20 of the Clean Air Act 1993 (which prohibits smoke emissions in smoke control areas).

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions

Michael Meacher
Minister of State
Department of the Environment, Transport and the Regions

14th February 2001

(**a**) 1993 c. 11.
(**b**) The relevant powers of the Secretary of State have been devolved in relation to Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) (see the entry in Schedule 1 for the Clean Air Act 1993) and in relation to Scotland by section 53 of the Scotland Act 1998 (c. 46).

[DETR 2033]

SCHEDULE

Article 2

Class of Fireplace	*Conditions*
The Beech Wood Fired Pizza Oven manufactured by Beech Wood Fired Ovens, Brisbane, Australia.	1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 3rd March 2000 and bearing the reference "BBP236UK". 2. No fuel shall be used other than untreated dry hardwood.
The Morsø 3400 Owl GB Series for wood burning manufactured by Morsø Jernstøberi A/S, Denmark.	1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 1st January 2000 and bearing the reference "72345600". 2. No fuel shall be used other than— (a) untreated dry wood, which has been split, stacked and air dried; or (b) air dried wood briquettes.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 20 of the Clean Air Act 1993 generally prohibits the emission of smoke in smoke control areas. The Secretary of State may by order made under section 21 of the Act exempt specified classes of fireplace from the provisions of section 20, if he is satisfied that they can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke.

This Order extends to England only. Article 2 of the Order exempts the classes of fireplace listed in the first column of the Schedule to the Order from the provisions of section 20, subject to the conditions listed in the second column of that Schedule.

ISBN 0-11-028696-0

£1.50

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E2129 2/2001 562627 19585

9 780110 286969