CLEAN AIR

1959 No. 1207

The Smoke Control Areas (Exempted Fireplaces) Order, 1959

Made - - - -	10*th July*, 1959
Laid before Parliament	15*th July*, 1959
Coming into Operation	17*th July*, 1959

The Minister of Housing and Local Government, in exercise of his powers under subsection (4) of section 11 of the Clean Air Act, 1956(a), and of all other powers enabling him in that behalf, hereby orders as follows:—

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) Order, 1959, and shall come into operation on the 17th day of July, 1959.

2.—(1) The Interpretation Act, 1889(b), applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

(2) In this order "fireplace" includes any furnace, grate, or stove, whether open or closed.

3. In England and Wales the classes of fireplace described in the first column of the schedule hereto shall, subject to the conditions set out in the second column opposite the description of the fireplace, be exempted from the provisions of section 11 of the Clean Air Act, 1956.

SCHEDULE

(1) Class of fireplace	(2) Conditions
Fireplaces, other than fireplaces fired by pulverised fuel, constructed on or after 31st day of December, 1956, and equipped with mechanical stokers, or adapted on or after that date for use with such stokers.	The fireplace shall be so installed, maintained and operated as to minimise the emission of smoke. No fuel shall be used other than that for which the mechanical stoker was designed.
The fireplace known as the Solid Fuel Ductair Unit, manufactured by Radiation Limited.	The fireplace shall be so installed, maintained and operated as to minimise the emission of smoke, and in any case in accordance with the manufacturers' instructions.
The fireplace known as the Fulgora Slow Combustion Stove, manufactured by Fulgora Stoves Limited.	The fireplace shall be so installed, maintained and operated as to minimise the emission of smoke, and in any case in accordance with the manufacturers' instructions. No fuel shall be used other than wood waste in clean condition.

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

Given under the official seal of the Minister of Housing and Local Government this tenth day of July, nineteen hundred and fifty-nine.

(L.S.)

Henry Brooke,
Minister of Housing and Local Government.

EXPLANATORY NOTE

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

S. 11 (4) of the Clean Air Act, 1956, empowers the Minister of Housing and Local Government by order to exempt any class of fireplace, upon such conditions as he may specify, from the provisions of the section (which relates to smoke control areas) if he is satisfied that such fireplaces can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke. This order exempts the classes of fireplaces set out in the first column of the schedule thereto on the conditions set out opposite the class in the second column.

1959 No. 2264 (S. 123)

The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order, 1959

Made - - - -	16*th December*, 1959
Laid before Parliament	31*st December*, 1959
Coming into Operation	15*th January*, 1960

In exercise of the powers conferred on me by subsection (4) of section 11 as read with subsection (1) of section 34 of the Clean Air Act, 1956(**a**), and of all other powers enabling me in that behalf, I hereby make the following order:—

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order, 1959, and shall come into operation on the fifteenth day of January, 1960.

2.—(1) In this order "fireplace" includes any furnace, grate, or stove, whether open or closed.

(2) The Interpretation Act, 1889(**b**), applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

3. In Scotland any fireplace (other than a fireplace fired by pulverised fuel) constructed on or after 31st December, 1956, and equipped with a mechanical stoker, or adapted on or after that date for use with such a

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