1970. No. 222 **[C]**

CLEAN AIR

Smoke Control Areas—Exempted Fireplaces

REGULATIONS. DATED 13TH AUGUST 1970, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 11(7) OF THE CLEAN AIR ACT (NORTHERN IRELAND) 1964.

The Ministry of Health and Social Services in exercise of the powers conferred upon it by Section 11(7) of the Clean Air Act (Northern Ireland) 1964(a) and of every other power enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1970 and shall come into operation on 1st September 1970.

(2) In these regulations—

"fireplace" includes any furnace, grate or stove, whether open or closed.

Exempted fireplaces

2. The classes of fireplaces described in column (1) of Schedule 1 shall, subject to the standard conditions specified in Regulation 3 and the special conditions (if any) as are specified in column (2) of Schedule 1 against that class, be exempted from the provisions of section 11 of the Clean Air Act (Northern Ireland) 1964.

Standard conditions of exemption

3. The standard conditions shall be that the fireplace is installed, maintained and operated—

(*a*) so as to minimise the emission of smoke; and

(*b*) in accordance with the manufacturer's instructions as to operation (if any) or, in the case of the class of fireplace numbered 6 in Schedule 1, in accordance with such instructions of the National Coal Board.

Revocations

4. The regulations set out in Schedule 2 are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 13th day of August 1970.

(L.S.)

S. E. Taylor,
Assistant Secretary.

(a) 1964. c. 16 (N.I.).

SCHEDULE 1

(1) Class of fireplace	(2) Conditions
1. Any fireplace specially designed or adapted for combustion of liquid fuel.	
2. Any fireplace (other than a fireplace fired by pulverised fuel) constructed on or after 1st July 1965 and installed before 1st September 1970 and equipped with mechanical stokers, or adapted between those dates for use with such stokers.	No fuel shall be used other than that for which the mechanical stoker was designed.
3. Any fireplace designed to burn coal (other than a fireplace fired by pulverised coal) with a heating capacity exceeding 150,000 British thermal units per hour constructed and installed on or after 1st July 1965 and equipped with mechanical stokers or adapted on or after that date for use with such stokers.	
4. The fireplace known as the Solid Fuel Ductair Unit, manufactured by Radiation Limit.	
5. The fireplace known as the Fulgora Slow Combustion Stove, manufactured by Fulgora Stoves Limited.	No fuel shall be used other than wood waste in clean condition.
6. The fireplace known as the Housewarmer, manufactured for the National Coal Board by Ideal Standard Limited.	No fuel shall be used other than washed coal singles.
7. The fireplace known as the Wood Chip Fired Air Heater, manufactured by Air Plants limited.	No fuel shall be used other than clean wood waste of a size within the limits referred to in the manufacturer's instructions.
8. The fireplace known as the Hounsell Sawdust Burning Stove, manufactured by John Hounsell (Engineers) Limited.	No fuel shall be used other than wood waste in clean condition.

SCHEDULE 2

Orders Revoked

The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1965(**b**)

The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1966(**c**)

The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1969(**d**)

(**b**) S.R. & O. 1965, No. 76.
(**c**) S.R. & O. 1966, No. 84.
(**d**) S.R. & O. 1969, No. 138.

EXPLANATORY NOTE

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

Section 11 of the Clean Air Act (Northern Ireland) 1964 empowers local authorities to declare the whole or any part of their district to be a smoke control area in which the emission of smoke is, generally, prohibited. These Regulations consolidate with amendments the Regulations which exempt classes of fireplace from the provisions of that section, upon conditions as to proper operation.

The amendments—

(i) exclude from exemption certain fireplaces equipped with mechanical stokers, being fireplaces installed or adapted on or after the date of operation of these Regulations, but retain the exemption for such fireplaces installed or adapted before that date; and

(ii) introduce a new exemption relating to fireplaces designed to burn coal and with a heating capacity above 150,000 British thermal units per hour.