STATUTORY INSTRUMENTS

1975 No. 1643 (S. 235)

CLEAN AIR

The Smoke Control Areas (Exempted Fireplaces) (Scotland) (No. 2) Order 1975

Made - - - -	*3rd October* 1975
Laid before Parliament	*22nd October* 1975
Coming into Operation	*12th November* 1975

In exercise of the powers conferred on me by section 11(4) of the Clean Air Act 1956**(a)**, and of all other powers enabling me in that behalf, and being satisfied that fireplaces of the class described in column 1 of the Schedule to this order can be used for burning fuel other than authorised fuels without producing a substantial quantity of smoke, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) (No. 2) Order 1975 and shall come into operation on 12th November 1975.

Interpretation

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

Class of fireplace exempted from section 11 *of the Clean Air Act* 1956

3. In Scotland the class of fireplace described in column 1 of the Schedule hereto shall, subject to the conditions specified in column 2, be exempted from the provisions of section 11 of the Clean Air Act 1956 (which empowers a local authority to declare the whole or any part of their area or district to be a smoke control area).

William Ross,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
3rd October 1975.

(a) 1956 c. 52.

(b) 1889 c. 63.

SCHEDULE

Article 3

Column 1 Class of Fireplace	Column 2 Conditions
The fireplace known as the Riley Nihot Woodchip Fired Air Heater type NMO 11 manufactured by Clarke Chapman Limited International Combustion Division-Riley Unit.	The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke and in accordance with the manufacturer's instructions. No fuel shall be used other than clean wood waste of a size within the limits of the manufacturer's specifications and containing not more than 5 per cent sander dust.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 11 of the Clean Air Act 1956 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.

This Order exempts the Riley Nihot Woodchip Fired Air Heater type NMO 11 from the provisions of that section, upon certain conditions as to proper operation.

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