STATUTORY INSTRUMENTS

1981 No. 249 (S.27)

CLEAN AIR

The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1981

Made - - - -	*6th February* 1981
Laid before Parliament	*5th March* 1981
Coming into Operation	*26th March* 1981

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 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) Order 1981 and shall come into operation on 26th March 1981.

Class of fireplace exempted from Section 11 of the Clean Air Act 1956

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

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
6th February 1981.

(a) 1956 c.52

SCHEDULE Article 3

Column 1 Class of Fireplace	Column 2 Conditions
The fireplace known as the Spänex Wood Fired Air Heater (types UL50, UL75 and UL100 only) manufactured by Spänex Sander GmbH Co KG of Volpriehausen, Solling in the Federal Republic of Germany.	1. The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke and in accordance with Issue No.1 of the manufacturers instructions dated May 1978. 2. No fuel shall be used other than clean wood waste containing not more than 5 per cent sander and not more than 1 per cent plastic contamination.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 11 of the Clean Air Act 1956 empowers islands and district councils to declare the whole or any part of their area to be a smoke control area in which the emission of smoke is, generally, prohibited.

This Order exempts a class of fireplace comprising certain types of the Spänex Wood Fired Air Heater from the provisions of that section subject to certain conditions as to the mode, installation, maintenance and operation thereof and the type of fuel to be used.

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