STATUTORY INSTRUMENTS

1974 No. 762

CLEAN AIR

The Smoke Control Areas (Exempted Fireplaces) (Variation) Order 1974

Made - - - -	30*th April* 1974
Laid before Parliament	8*th May* 1974
Coming into Operation	29*th May* 1974

The Secretary of State for the Environment, in exercise of the powers conferred by section 11(8) of the Clean Air Act 1956**(a)** and now vested in him **(b)** and of all other powers enabling him in that behalf, hereby orders as follows:—

Title and commencement

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Variation) Order 1974 and shall come into operation on 29th May 1974.

Interpretation

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

Variation of conditions for classes of fireplace exempted from section 11 *of the Clean Air Act* 1956

3. For the conditions set out in column 2 of the Schedule to each of the orders specified in the Schedule hereto, being the conditions upon which certain fireplaces are 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 district to be a smoke control area), there shall be substituted the following:—

"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 selected washed coal marketed under the name "Housewarm" by agreement with the National Coal Board.".

(a) 1956 c. 52.
(b) S.I. 1970/1681 (1970 III, p. 5551).
(c) 1889 c. 63.

SCHEDULE

The Smoke Control Areas (Exempted Fireplaces) Order 1970(a)
The Smoke Control Areas (Exempted Fireplaces) (No. 2) Order 1970(b)
The Smoke Control Areas (Exempted Fireplaces) Order 1971(c)
The Smoke Control Areas (Exempted Fireplaces) Order 1972 (d)
The Smoke Control Areas (Exempted Fireplaces) (No. 2) Order 1972 (e)
The Smoke Control Areas (Exempted Fireplaces) Order 1973 (f)

Anthony Crosland,
Secretary of State
for the Environment.

30th April 1974.

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 alters the conditions, by extending them, upon which the fireplaces in the Orders listed are exempted, namely the Housewarmer manufactured for the National Coal Board by Ideal Standard Ltd; the Triancomatic T80 manufactured by Trianco Limited; the Rayburn CB 34 manufactured by Glynwed Foundries Ltd; the Parkray Coalmaster manufactured by Radiation Parkray Limited; the Trianco TGB17 manufactured by Trianco Limited; the Rayburn Prince 101 manufactured by Glynwed Foundries Limited and the Rayburn Prince 301 manufactured by Glynwed Foundries Limited.

(a) S.I. 1970/615 (1970 I, p. 1948).
(b) S.I. 1970/1667 (1970 III, p. 5438).
(c) S.I. 1971/1265 (1971 II, p. 2630).
(d) S.I. 1972/438 (1972 I, p. 1640).
(e) S.I. 1972/955 (1972 II, p. 2980).
(f) S.I. 1973/2166 (1973 II, p.7568).

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