STATUTORY INSTRUMENTS

# 1974 No. 1325 (S.112)

# CLEAN AIR

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

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| *Made - - -* | *25th July* 1974 |
| *Laid before Parliament* | *7th August* 1974 |
| *Coming into Operation* | *28th August* 1974 |

In exercise of the powers conferred on me by section 11(8) of the Clean Air Act 1956(**a**) and of all other powers enabling me in that behalf, I hereby order as follows:—

*Title and commencement*

**1.** This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Variation) (Scotland) Order 1974 and shall come into operation on 28th August 1974.

*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.

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

**3.** For the class of fireplace specified in column 1 of the Schedule to the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1974(**c**) as "The fireplace known as the Rayburn Prince Model H and manufactured by Glynwed Foundries Limited" there shall be substituted "The fireplace known as the Rayburn Prince 301 and manufactured by Glynwed Foundries Limited.".

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

**4.** For the conditions specified in column 2 against the class of fireplace numbered 5 in column 1 of Schedule 1 to the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1970(**d**) and for the conditions specified in column 2 in the Schedule to each of the orders specified in the Schedule to this Order

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(**a**) 1956 c. 52.
(**b**) 1889 c. 63.
(**c**) S.I. 1974/83 (1974 I, p. 297).
(**d**) S.I. 1970/1190 (1970 II, p. 3968).

being 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 respectively the following—

"No fuel shall be used other than selected washed coal marketed under the name "Housewarm" by agreement with the National Coal Board." and "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.".

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

St. Andrew's House,
Edinburgh.

25th July 1974.

## SCHEDULE

The Smoke Control Areas (Exempted Fireplaces) (Scotland) (No. 2) Order 1970(**a**)
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1971(**b**)
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1972(**c**)
The Smoke Control Areas (Exempted Fireplaces) (Scotland) (No. 2) Order 1972(**d**)
The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1974

## EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order (*a*) varies the description of one of the classes of fireplaces exempted by order from the provisions of section 11; and (*b*) varies the conditions with regard to type of fuel, on which a number of classes of fireplace are so exempted.

(**a**) S.I. 1970/1762 (1970 III, p. 5749).
(**b**) S.I. 1971/1281 (1971 II, p. 3675).
(**c**) S.I. 1972/611 (1972 I, p. 2025).
(**d**) S.I. 1972/1005 (1972 II, p. 3087).

SI 1974/1325
ISBN 0-11-041325-3

