



2016 CHAPTER 13

PART 3

AMENDMENTS TO THE CLEAN AIR  
(NORTHERN IRELAND) ORDER 1981

**Authorised fuel**

**15.**—(1) In Article 2(2) of the Clean Air (Northern Ireland) Order 1981 (interpretation), for the definition of “authorised fuel” substitute—

“authorised fuel” means a fuel that is included on a list of authorised fuels kept by the Department under Article 17(3A);”.

(2) After Article 17(3) of the Clean Air (Northern Ireland) Order 1981 (smoke control areas) insert—

“(3A) The Department must keep a list of authorised fuels for the purposes of this Article.

(3B) The Department, having regard (among other things) to the sulphur content of a fuel, may include the fuel on the list of authorised fuels.

(3C) The Department must publish in such manner as it considers appropriate—

- (a) the list of authorised fuels; and
- (b) a revised copy of the list as soon as is reasonably practicable after any change is made to it.”.

**Exempt fireplaces**

**16.** For Article 17(7) of the Clean Air (Northern Ireland) Order 1981 (smoke control areas) substitute—

“(7) The Department may exempt any class of fireplace from the provisions of this Article if it is satisfied that such class of fireplace can be used for burning fuel, other than authorised fuels, without producing any smoke or a substantial quantity of smoke.

(7A) An exemption under paragraph (7) may be made subject to such conditions as the Department considers appropriate.

(7B) The Department must publish in such manner as it considers appropriate—

- (a) a list of those classes of fireplace that are exempt under paragraph (7), including details of any conditions to which an exemption is subject; and
- (b) a revised copy of the list as soon as is reasonably practicable after any change is made to the classes of fireplace that are so exempt or to the conditions to which an exemption is subject.”.