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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 292**

**CLEAN AIR**

**The Smoke Control Areas (Exempted  
Fireplaces) (Scotland) Revocation Order 2016**

*Made - - - - 14th September 2016*  
*Laid before the Scottish*  
*Parliament - - - - 16th September 2016*  
*Coming into force - - 31st October 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 21(5) of the Clean Air Act 1993<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Revocation Order 2016 and comes into force on 31st October 2016.

**Revocation**

2. The Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 2014<sup>(2)</sup> is revoked.

St Andrew's House,  
Edinburgh  
14th September 2016

*R CUNNINGHAM*  
A member of the Scottish Government

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(1) 1993 c.11. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). Section 21 was amended by section 50(3) and (4) of the Regulatory Reform (Scotland) Act 2014 (asp 3).  
(2) S.S.I. 2014/316.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 2014 (“the 2014 Order”). The 2014 Order made provision for certain fireplaces to be exempted from the prohibition, under section 20 of the Clean Air Act 1993 (“the 1993 Act”), of the emission of smoke in smoke control areas.

The Regulatory Reform (Scotland) Act 2014 amended section 21 of the 1993 Act to allow a list of the exempted classes or descriptions of fireplace to be published in such manner as the Scottish Ministers consider appropriate. That list is published at [www.scottishairquality.co.uk](http://www.scottishairquality.co.uk). Consequently, the 2014 Order is no longer required.

No Business and Regulatory Impact Assessment has been prepared for this Order as no impact upon business, charities or voluntary bodies is foreseen.