



Clean Air Act 1993

1993 CHAPTER 11

PART III

SMOKE CONTROL AREAS

Supplementary provisions

27 References to adaptations for avoiding contraventions of section 20.

(1) References in this Part to adaptations in or in connection with a dwelling to avoid contraventions of section 20 (prohibition of smoke emissions from smoke control area) shall be read as references to the execution of any of the following works (whether in or outside the dwelling), that is to say—

- (a) adapting or converting any fireplace;
- (b) replacing any fireplace by another fireplace or by some other means of heating or cooking;
- (c) altering any chimney which serves any fireplace;
- (d) providing gas ignition, electric ignition or any other special means of ignition; or
- (e) carrying out any operation incidental to any of the operations mentioned in paragraphs (a) to (d);

being works which are reasonably necessary in order to make what is in all the circumstances suitable provision for heating and cooking without contraventions of section 20.

(2) For the purposes of this section the provision of any igniting apparatus or appliance (whether fixed or not) operating by means of gas, electricity or other special means shall be treated as the execution of works.

(3) Except for the purposes of section 24 (power of local authority to require certain adaptations), works which make such suitable provision as is mentioned in subsection (1) shall not be treated as not being adaptations to avoid contraventions of section 20 of this Act by reason that they go beyond what is reasonably necessary

Status: Point in time view as at 27/08/1993.

Changes to legislation: Clean Air Act 1993, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

for that purpose, but any expenditure incurred in executing them in excess of the expenditure which would have been reasonably incurred in doing what was reasonably necessary shall be left out of account.

- (4) References in this section to a dwelling include references to any premises or part of any premises to which section 26 (grants towards certain adaptations in churches and other buildings) applies.

28 Cases where expenditure is taken to be incurred on execution of works.

- (1) References in this Part to expenses incurred in the execution of works include references to the cost of any fixed cooking or heating appliance installed by means of the execution of the works, notwithstanding that the appliance can be readily removed from the dwelling without injury to itself or the fabric of the dwelling.
- (2) For the purposes of this Part a person who enters into either—
- (a) a conditional sale agreement for the sale to him, or
 - (b) a hire-purchase agreement for the bailment or (in Scotland) hiring to him,
- of a cooking or heating appliance shall be treated as having incurred on the date of the agreement expenditure of an amount equal to the price which would have been payable for the appliance if he had purchased it for cash on that date.
- (3) References in this section to a dwelling include references to any premises or part of any premises to which section 26 (grants towards certain adaptations in churches and other buildings) applies.

29 Interpretation of Part III.

In this Part, except so far as the context otherwise requires—

“authorised fuel” has the meaning given in section 20(6);

“conditional sale agreement” means an agreement for the sale of goods under which—

- (a) the purchase price or part of it is payable by instalments; and
- (a) the property in the goods is to remain in the seller (notwithstanding that the buyer is to be in possession of the goods) until such conditions as to the payment of instalments or otherwise as may be specified in the agreement are fulfilled;

“heating”, in relation to a dwelling, includes the heating of water;

“hire-purchase agreement” means an agreement, other than a conditional sale agreement, under which—

- (a) goods are bailed or (in Scotland) hired in return for periodical payments by the person to whom they are bailed or hired; and
- (b) the property in the goods will pass to that person if the terms of the agreement are complied with and one or more of the following occurs—
 - (i) the exercise of an option to purchase by that person;
 - (ii) the doing of any other specified act by any party to the agreement; and
 - (iii) the happening of any other specified event;

“old private dwelling” has the meaning given in section 25; and

“smoke control order” means an order made by a local authority under section 18.

Status:

Point in time view as at 27/08/1993.

Changes to legislation:

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