



Clean Air Act 1993

1993 CHAPTER 11

PART VI

SPECIAL CASES

43 Railway engines.

- (1) Section 1 (prohibition of emissions of dark smoke) shall apply in relation to railway locomotive engines as it applies in relation to buildings.
- (2) In the application of section 1 to such engines, for the reference in subsection (1) of that section to the occupier of the building there shall be substituted a reference to the owner of the engine.
- (3) The owner of any railway locomotive engine shall use any practicable means there may be for minimising the emission of smoke from the chimney on the engine and, if he fails to do so, he shall, if smoke is emitted from that chimney, be guilty of an offence.
- (4) A person guilty of an offence under subsection (3) shall be liable on summary conviction—
 - (a) to a fine not exceeding level 5 on the standard scale; or
 - (b) to cumulative penalties on continuance in accordance with section 50.
- (5) Except as provided in this section, nothing in Parts I to III applies to smoke, grit or dust from any railway locomotive engine.

Modifications etc. (not altering text)

C1 Power to exclude conferred (27.8.1993) by 1993 c. 11, s. 45(1)(a)

Changes to legislation:

Clean Air Act 1993, Section 43 is up to date with all changes known to be in force on or before 18 March 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(4A)(4B) inserted by [S.I. 2023/908 reg. 16](#)
- s. 19E-19H and cross-heading inserted by [2024 asc 2 s. 19\(2\)](#)
- s. 20(5D)-(5F) inserted by [2021 c. 30 Sch. 12 para. 10\(2\)](#)
- s. 21(4A)-(4D) inserted by [2021 c. 30 Sch. 12 para. 11\(2\)](#)
- s. 28B inserted by [2024 asc 2 s. 20](#)
- s. 63(2A) inserted by [2024 asc 2 Sch. 1 para. 20\(b\)](#)
- Sch. 1 para. 1A1B inserted by [2024 asc 2 Sch. 1 para. 21\(a\)](#)
- Sch. 1 para. 6B inserted by [2024 asc 2 Sch. 1 para. 21\(c\)](#)
- Sch. 1A para. 3(5) inserted by [2024 asc 2 Sch. 1 para. 4\(c\)](#)
- Sch. 1A para. 4(7) inserted by [2024 asc 2 Sch. 1 para. 5\(d\)](#)
- Sch. 5 para. 12A12B inserted by [2024 asc 2 Sch. 1 para. 22\(a\)](#)