



# 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.