



Clean Air Act 1993

1993 CHAPTER 11

PART VII

MISCELLANEOUS AND GENERAL

Administration and enforcement

51 Duty to notify occupiers of offences.

- (1) If, in the opinion of an authorised officer of the local authority—
- (a) an offence is being or has been committed under section 1, 2 or 20 (prohibition of certain emissions of smoke); ^{F1} . . .
 - ^{F1}(b)
- he shall, unless he has reason to believe that notice of it has already been given by or on behalf of the local authority, as soon as may be notify the appropriate person, and, if his notification is not in writing, shall before the end of the four days next following the day on which he became aware of the offence, confirm the notification in writing.
- (2) For the purposes of subsection (1), the appropriate person to notify is the occupier of the premises, the person having possession of the boiler or plant, the owner of the railway locomotive engine or the owner or master or other officer or person in charge of the vessel concerned, as the case may be.
- (3) In any proceedings for an offence under section 1, 2 or 20 it shall be a defence to prove that the provisions of subsection (1) have not been complied with in the case of the offence; and if no such notification as is required by that subsection has been given before the end of the four days next following the day of the offence, that subsection shall be taken not to have been complied with unless the contrary is proved.

Textual Amendments

F1 S. 51(1)(b) and word “or” immediately preceding repealed (1.4.1996) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3(xxxii)

Changes to legislation:

Clean Air Act 1993, Section 51 is up to date with all changes known to be in force on or before 21 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 :

- s. 51(1)(a) words substituted by [2024 asc 2 Sch. 1 para. 18\(a\)](#)
- s. 51(3) words substituted by [2024 asc 2 Sch. 1 para. 18\(b\)](#)

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\(a\)](#)