



# Alkali, &c. Works Regulation Act 1906

1906 CHAPTER 14 6 Edw 7

## PART III

### (IV)

#### PROCEDURE

#### 16 Provision as to calculation of acid.

In calculating the proportion of acid to a [<sup>F1</sup>cubic metre] of air, smoke, or gases, for the purposes of this Act, such air, smoke, or gases shall be calculated at the temperature of [<sup>F1</sup>15 degrees Celsius], and at a barometric pressure of [<sup>F1</sup>one bar].

**Annotations:**

**Amendments (Textual)**

F1 Words substituted by [S.I. 1983/943, reg. 6, Sch. 3](#)

#### 16A .....<sup>F2</sup>

**Annotations:**

**Amendments (Textual)**

F2 [S. 16A](#) repealed by [S.I. 1974/2170, Sch. 1](#)

#### 17 .....<sup>F3</sup>

*Changes to legislation:* Alkali, &c. Works Regulation Act 1906, (iv) is up to date with all changes known to be in force on or before 01 May 2018. 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)

**Annotations:**

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**Amendments (Textual)**

**F3** S. 17 repealed by [Control of Pollution Act 1974 \(c. 40\)](#), [Sch. 4](#)

**18** ..... **F4**

**Annotations:**

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**Amendments (Textual)**

**F4** S. 18 repealed by [S.I. 1974/2170](#), [Sch. 1](#)

**19** ..... **F5**

**Annotations:**

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**Amendments (Textual)**

**F5** S. 19 repealed by [Control of Pollution Act 1974 \(c. 40\)](#), [Sch. 4](#)

**20, 21.** ..... **F6**

**Annotations:**

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**Amendments (Textual)**

**F6** [Ss. 20, 21](#) repealed by [S.I. 1974/2170](#), [Sch. 1](#)

**22 Complaint by sanitary authority in cases of nuisance.**

- (1) Where complaint is made to the central authority by any sanitary authority, on information given by any of their officers, or any ten inhabitants of their district, that any work to which this Act applies is carried on (either within or without the district) in contravention of this Act, . . . <sup>F7</sup>, and that a nuisance is occasioned thereby to any of the inhabitants of their district, the central authority shall make such inquiry into the matters complained of, and after the inquiry may direct such proceedings to be taken by [<sup>F8</sup>the appropriate Agency], as they think fit and just.
- (2) The sanitary authority complaining shall, if so required by the central authority, pay the expense of any such inquiry.

**Annotations:**

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**Amendments (Textual)**

**F7** Words repealed by [Control of Pollution Act 1974 \(c. 40\)](#), [Sch. 4](#)

**F8** Words in [s. 22\(1\)](#) substituted (1.4.1996) by [1995 c. 25, s. 120\(1\)](#), [Sch. 22 para. 1\(5\)](#) (with [ss. 7\(6\), 115, 117](#)); [S.I. 1996/186](#), [art. 3](#)

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## 23 Actions in case of contributory nuisance.

- (1) Where a nuisance arising from the discharge of any noxious or offensive gas or gases is wholly or partially caused by the acts or defaults of the owners of several works to which any of the provisions of this Act applies, any person injured by such nuisance may proceed against any one or more of such owners, and may recover damages from each owner made a defendant in proportion to the extent of the contribution of that defendant to the nuisance, notwithstanding that the act or default of that defendant would not separately have caused a nuisance.
- (2) This section shall not authorise the recovery of damages from any defendant who can produce a certificate from [<sup>F9</sup>the appropriate Agency] that in the works of that defendant the requirements of this Act have been complied with and were complied with when the nuisance arose.

### Annotations:

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#### Amendments (Textual)

- F9** Words in s. 23(2) substituted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 1(6)** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Alkali, &c. Works Regulation Act 1906**

Commencement Orders bringing legislation that affects this Act into force:

- [S.R. 2005/77 art. 2](#) commences ([S.I. 1997/2777 \(N.I.\)](#))