



Clean Air Act 1956

1956 CHAPTER 52

Miscellaneous provisions

35 Repeals and transitional provisions

- (1) The provisions of this Act shall be in lieu of the provisions of section one hundred and fourteen of the Railways Clauses Consolidation Act, 1845, section one hundred and seven of the Railways Clauses Consolidation (Scotland) Act, 1845, section one hundred and eight of the Towns Improvement Clauses Act, 1847, the Smoke Nuisance (Scotland) Act, 1857, the Smoke Nuisance (Scotland) Act, 1865, section nineteen of the Regulation of Railways Act, 1868, paragraph (34) of section three hundred and eighty-one, so far as relating to smoke, and section three hundred and eighty-four of the Burgh Police (Scotland) Act, 1892, paragraphs (9) and (10) of section sixteen of the Public Health (Scotland) Act, 1897, sections one hundred and one to one hundred and six of the Public Health Act, 1936, Part V of the Public Health (London) Act, 1936, the Public Health (Coal Mine Refuse) (Scotland) Act, 1939, and the Public Health (Coal Mine Refuse) Act, 1939, and accordingly the enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (2) The references in subsection (1) of this section and in the Fourth Schedule to this Act to section one hundred and fourteen of the Railways Clauses Consolidation Act, 1845, section one hundred and seven of the Railways Clauses Consolidation (Scotland) Act, 1845, and section one hundred and eight of the Towns Improvement Clauses Act, 1847, shall be construed as including references to those sections as incorporated or applied by any Act.
- (3) Any building or other byelaws which have effect by virtue of subsection (2) of section one hundred and four of the Public Health Act, 1936, or subsection (4) of section one hundred and fifty-one of the Public Health (London) Act, 1936, and are in force immediately before the appointed day shall, notwithstanding the repeal of those sections, continue in force and have effect as if they had been made by virtue of section twenty-four of this Act.
- (4) The Minister may, after consultation with any local authority or county council appearing to him to be concerned, by order repeal any provision of any local Act which

Status: This is the original version (as it was originally enacted).

appears to him to be unnecessary having regard to the provisions of this Act and may by that order make such amendments of that or any other local Act as appear to him to be necessary in consequence of the repeal and such transitional provision as appears to him to be necessary or expedient in connection with the matter:

Provided that in the case of a provision of a local Act which appears to the Minister to be unnecessary having regard to the provisions of sections eleven and twelve of this Act, the power conferred by this subsection shall not be exercised without the consent of the local authority.