
STATUTORY INSTRUMENTS

1974 No. 855

CLEAN AIR

**The Smoke Control Areas (Exempted
Fireplaces) (Variation) (No. 2) Order 1974**

| | | |
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| <i>Made</i> | - - - - | <i>20th May 1974</i> |
| <i>Laid before Parliament</i> | | <i>20th May 1974</i> |
| <i>Coming into Operation</i> | | <i>29th May 1974</i> |

The Secretary of State for the Environment, in exercise of the powers conferred by section 11(8) of the Clean Air Act 1956 and now vested in him⁽¹⁾ and of all other powers enabling him in that behalf, hereby orders as follows:—

Title and commencement

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Variation) (No. 2) Order 1974 and shall come into operation on 29th May 1974.

Interpretation

2. The Interpretation Act 1889 shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Variation of conditions for class of fireplace exempted from section 11 of the Clean Air Act 1956

3. In Schedule 1 to the Smoke Control Areas (Exempted Fireplaces) Order 1970⁽²⁾, for the condition specified in column (2) against the class of fireplace numbered 6 in column (1), there shall be substituted the following condition:—

“No fuel shall be used other than selected washed coal marketed under the name “Housewarm” by agreement with the National Coal Board.”

(1) S.I. 1970/1681 (1970 III, p. 5551).

(2) (1970 I, p. 1948).

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Revocation

4. The Smoke Control Areas (Exempted Fireplaces) (Variation) Order 1974⁽³⁾ shall be amended by omitting from the Schedule thereto the reference to the Smoke Control Areas (Exempted Fireplaces) Order 1970.

20th May 1974

Anthony Crosland
Secretary of State for the Environment

⁽³⁾ (1974 I, p. 2922).

EXPLANATORY NOTE

Section 11 of the Clean Air Act 1956 empowers the creation of smoke control areas. Certain classes of fireplace, as specified by order, are exempt from control, upon conditions as to proper operation. This Order amends one of the conditions (as to type of fuel) attaching to the Housewarmer fireplace, manufactured for the National Coal Board by Ideal Standards Ltd. This is effected by way of amendment to the Smoke Control Areas (Exempted Fireplaces) Order 1970, and consequentially a reference to this order is removed from the Smoke Control Areas (Exempted Fireplaces) (Variation) Order 1974 (which comes into operation on the same date as this Order—namely, 29th May 1974).