

---

STATUTORY INSTRUMENTS

---

**1990 No. 345**

**CLEAN AIR**

**The Smoke Control Areas (Exempted Fireplaces) Order 1990**

*Made* - - - - 26th February 1990  
*Laid before Parliament* 5th March 1990  
*Coming into force* - - 26th March 1990

The Secretary of State, in exercise of the powers conferred by sections 11(4) and 33(1)(1) of the Clean Air Act 1956(2), and now vested in him(3), and of all other powers enabling him in that behalf, being satisfied that fireplaces of the classes described in the Schedule hereto can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby makes the following Order:

**Title, commencement and extent**

1.—(1) This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) Order 1990 and shall come into force on 26th March 1990.

(2) This Order shall extend to England and Wales.

**Classes of fireplace exempted from section 11 of the Clean Air Act 1956**

2. The classes of fireplace described in the Schedule shall, upon the conditions there specified, be exempted from the provisions of section 11 of the Clean Air Act 1956 (which empowers a local authority to declare the whole or any part of its district to be a smoke control area).

26th February 1990

*Chris Patten*  
One of Her Majesty's Principal Secretaries of  
State

---

(1) See the definition of "Minister" in section 34(1).  
(2) 1956 c. 52.  
(3) S.I.1970/1681.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Class of fireplace	Conditions
The Haat Pioneer AB1 Incinerators, models 12, 20, 28 and 36 manufactured by Haat Incineration Limited.	<p>1. The fireplaces shall be installed, maintained and operated so as to minimise the emission of smoke at all times, and in accordance with the manufacturer's instructions bearing the reference "HAAT/2/CAA/10/89".</p> <p>2. No fuel shall be used other than the following fuels used in the mixtures by volume recommended in Appendix A of the manufacturer's instructions: paper, cardboard, corrugated paper, office or domestic waste, wood, polythene sheet or foam, polypropylene, nylon, polyethylene, rubber foam backed carpet, polystyrene, polyurethane and glass fibre reinforced plastics.</p>
The Triancomatic 45 boiler manufactured by Trianco Redfyre Limited.	<p>1. The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke at all times, and in accordance with the manufacturer's instructions dated September 1989 and which—</p> <p>(a) in the case of the installation instructions bear the reference "No. 44359"; and</p> <p>(b) in the case of the user instructions bear the reference "No. 44358".</p> <p>2. No fuel shall be used other than the washed coals recommended in the manufacturer's user instructions.</p>

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 11 of the Clean Air Act 1956 empowers local authorities to declare the whole or any part of their district to be a smoke control area in which the emission of smoke is generally prohibited. Specified classes of fireplace may be exempted from control by order.

This Order, which applies to England and Wales, exempts five classes of fireplace from the provisions of the section subject to certain conditions as to installation, maintenance and operation.