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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3

#### PROVISIONS HAVING EFFECT UNTIL REPEAL OF ALKALI, &C WORKS REGULATION ACT 1906]

##### Textual Amendments

- F1** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

### [<sup>F1</sup>PART I]

#### RELATION OF THIS ACT TO ALKALI, &C. WORKS REGULATION ACT 1906

##### Textual Amendments

- F1** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

[<sup>F2</sup>1 (1) In this Part of this Schedule—

“the Alkali Act” means the <sup>M1</sup>Alkali, &c. Works Regulation Act 1906; and

“work subject or potentially subject to the Alkali Act” means—

- (a) so much of any work registered under section 9 of that Act as is directly concerned in the processes which necessitate its registration under that section; and
- (b) so much of any work in the course of erection or alteration as will on completion of the erection or alteration be directly concerned in such processes.

(2) The Secretary of State may from time to time determine how much of any work mentioned in sub-paragraph (1) is or will be directly concerned as there mentioned and his determination shall, until revoked or varied by him, be conclusive.]

##### Textual Amendments

- F2** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which

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that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

**Marginal Citations**

**M1** 1906 c. 14.

[<sup>F3</sup>2 Subject to paragraphs 3 and 4, Parts I to III of this Act shall not apply to any work subject or potentially subject to the Alkali Act.]

**Textual Amendments**

**F3** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

[<sup>F4</sup>3 If, on the application of the local authority, the Secretary of State is satisfied that in all the circumstances it is expedient to do so, he may by order exclude the application of paragraph 2 to the whole or any specified part of any work subject or potentially subject to the Alkali Act.]

**Textual Amendments**

**F4** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

[<sup>F5</sup>4 While, by virtue of an order under paragraph 3 above, paragraph 2 is excluded from applying to any work or to any specified part of any work—

- (a) in any proceedings brought under section 1, 2 or 20 in respect of the emission of smoke from the work or (as the case may be) from the specified part of the work it shall be a defence to prove that the best practicable means had been employed to prevent or minimise the alleged emission;

<sup>F6</sup>(b) .....]

**Textual Amendments**

**F5** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

**F6** Sch. 3 para. 4(b) 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

[<sup>F7</sup>5 Any order made under paragraph 3 may be varied or revoked by a subsequent order of the Secretary of State.]

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#### Textual Amendments

- F7** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

- [<sup>F8</sup>6 Nothing in section 55 shall be taken as extending to the enforcement of any of the provisions of the Alkali Act.]

#### Textual Amendments

- F8** Sch. 3 ceased to have effect (in relation to activities falling within a prescribed process which has on 1.12.1994 ceased to be a prescribed process, on that date; in relation to activities falling within a prescribed process which has ceased to be a prescribed process later than 1.12.1994, on the date on which that process ceased to be a prescribed process; for all remaining purposes on 16.12.1996) by virtue of 1993 c. 11, s. 66(2); S.I. 1994/2854, art. 2(1); S.I. 1996/3056, art. 2

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