
STATUTORY INSTRUMENTS

1981 No. 158

Clean Air (Northern Ireland) Order 1981

Special cases

Crown premises, etc.

29.—(1) The district council shall, where it seems to it proper so to do, report to the responsible Government department any—

- (a) emissions of dark smoke, or of grit and dust, from any premises which are under the control of any Government department and are occupied for the public service of the Crown or for any of the purposes of any Government department; or
- (b) emissions of smoke, whether dark smoke or not, from any such premises which are within a smoke control area; or
- (c) emissions of smoke, whether dark smoke or not, from any such premises which appear to the council to constitute a nuisance to any of the inhabitants of the neighbourhood; or
- (d) emissions of dark smoke from—
 - (i) any vessel of Her Majesty's navy; or
 - (ii) any Government ship in the service of the Admiralty while employed for the purposes of Her Majesty's navy;

which appear to the council to constitute a nuisance to any of the inhabitants of the neighbourhood.

(2) On receiving any report under paragraph (1) the responsible Government department shall inquire into the circumstances and, if the inquiry reveals that there is cause for complaint, shall employ all practicable means for preventing or minimising the emission of the smoke or grit and dust, or, as the case may be, abating the nuisance and preventing a recurrence of it.

(3) The fact that there subsists in any premises an interest—

- (a) belonging to Her Majesty in right of the Crown; or
- (b) belonging to a Government department; or
- (c) held in trust for Her Majesty for the purposes of a Government department;

shall not affect the application of this Order to those premises so long as that interest is not the interest of the occupier of the premises, and this Order shall have effect accordingly in relation to the premises and that and all other interests in the premises.

(4) Article 27 shall, with the omission of the reference in paragraph (1) of that Article to the owner, apply to vessels owned by the Crown other than—

- (a) vessels of Her Majesty's navy;
- (b) Government ships in the service of the Admiralty while employed for the purposes of Her Majesty's navy.

(5) This Order shall have effect in relation to premises occupied for the service of a visiting force as if the premises were—

- (a) premises occupied for the public service of the Crown; and

(b) under the control of the Government department by arrangement with whom the premises are occupied.

(6) In this Article—

“Crown” includes the Crown in right of Her Majesty's Government in the United Kingdom;

“Government department” includes a department of the Government of the United Kingdom;

“Government ship” has the same meaning as in^{F1} the Merchant Shipping Act 1995];

“visiting force” means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act 1952 .

F1 1995 c. 21

Changes to legislation:

There are currently no known outstanding effects for the Clean Air (Northern Ireland) Order 1981, Section 29.