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STATUTORY INSTRUMENTS

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**1981 No. 158**

**Clean Air (Northern Ireland) Order 1981**

Administration and enforcement

**Powers of district councils to act jointly**

**41.**—(1) Two or more district councils may combine for the purpose of declaring an area to be a smoke control area and in that event—

- (a) the smoke control area may be the whole of, or any part of, the districts of those councils;
- (b) the references in Article 17 and Schedule 2, and the first reference in Article 18(1), to the district council shall be construed as references to the district councils acting jointly;
- (c) the reference in Schedule 2, paragraph 2, to a place in the district of the council shall be construed as a reference to a place in each of the districts of the councils; but
- (d) except as mentioned in sub-paragraphs (a) to (c) the references in this Order to the district council shall, in relation to a building or dwelling, or to a boiler or industrial plant, in the smoke control area, be construed as references to that one of the district councils within whose district the building, dwelling, boiler or plant is situated.

(2) Any district council may, subject to the approval of the Department, concur with any other district council or councils in appointing a joint committee of those councils for any of the purposes of this Order which in the opinion of those councils could be carried out by a joint committee more effectually than by separate councils.

(3) The provisions of this Order with respect to the functions of district councils shall, with such modifications as the Department may approve apply to a joint committee appointed under paragraph (2).

(4) The power exercisable by a district council under paragraph (2) to concur with other councils in appointing a joint committee shall include power to appoint a joint committee which includes persons who are not members of the appointing councils, but any committee which includes such persons by virtue of this paragraph shall be advisory only and functions under this Order shall not be exercised by it.

**Changes to legislation:**

There are currently no known outstanding effects for the Clean Air (Northern Ireland) Order 1981, Section 41.