
Changes to legislation: Clean Air Act 1993, Cross Heading: Smoke control orders is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

TRANSITIONAL PROVISIONS

PART II

EXCLUSION AND MODIFICATION OF CERTAIN PROVISIONS OF THIS ACT

Smoke control orders

- 8 (1) In relation to any smoke control order made by a local authority under section 18 of this Act which revokes or varies an order made under section 11 of the ^{M1}Clean Air Act 1956 before 13th November 1980 (which was the date of the passing of the ^{M2}Local Government, Planning and Land Act 1980, which amended section 11 of that Act to omit the requirement that an order made by a local authority should be confirmed by the Secretary of State) the provisions of this Act mentioned in the following provisions of this paragraph shall have effect subject to the modifications there mentioned.
- (2) In section 18—
- (a) in subsection (1) after the word “order” where it first appears there shall be inserted the words “ confirmed by the Secretary of State ”;
 - (b) in subsection (3), after the word “order” where it first appears there shall be inserted the words “ confirmed by the Secretary of State ” and at the end there shall be inserted the words “ so confirmed ”; and
 - (c) in subsection (4), after the words “to the” there shall be inserted the words “ confirmation and ”.
- (3) In section 26(1) and paragraph 1(1) of Schedule 2, for the word “making” there shall be substituted the word “ confirmation ”.

Marginal Citations

M1 1956 c. 52.

M2 1980 c. 65.

- 9 The provisions of Part III of this Schedule (which are derived from Schedule 1 to the Clean Air Act 1956 as that Schedule had effect immediately before the date mentioned in paragraph 8(1) of this Schedule) shall apply in substitution for Schedule 1 to this Act in relation to any such order; and references in this Act, as it applies in relation to any such order, to Schedule 1 to this Act or to any specified provision of that Schedule shall be read as referring to Part III of this Schedule or the corresponding provision of that Part (as the case may be).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(4A)(4B) inserted by [S.I. 2023/908 reg. 16](#)
- s. 19E-19H and cross-heading inserted by [2024 asc 2 s. 19\(2\)](#)
- s. 20(5D)-(5F) inserted by [2021 c. 30 Sch. 12 para. 10\(2\)](#)
- s. 21(4A)-(4D) inserted by [2021 c. 30 Sch. 12 para. 11\(2\)](#)
- s. 28B inserted by [2024 asc 2 s. 20](#)
- s. 63(2A) inserted by [2024 asc 2 Sch. 1 para. 20\(b\)](#)
- Sch. 1 para. 1A1B inserted by [2024 asc 2 Sch. 1 para. 21\(a\)](#)
- Sch. 1 para. 6B inserted by [2024 asc 2 Sch. 1 para. 21\(c\)](#)
- Sch. 1A para. 3(5) inserted by [2024 asc 2 Sch. 1 para. 4\(c\)](#)
- Sch. 1A para. 4(7) inserted by [2024 asc 2 Sch. 1 para. 5\(d\)](#)
- Sch. 5 para. 12A12B inserted by [2024 asc 2 Sch. 1 para. 22\(a\)](#)