



# Clean Air Act 1993

## 1993 CHAPTER 11

### PART II

#### SMOKE, GRIT, DUST AND FUMES

##### *Limits on rate of emission of grit and dust*

#### **5 Emission of grit and dust from furnaces.**

- (1) This section applies to any furnace other than a domestic furnace.
- (2) The Secretary of State may by regulations prescribe limits on the rates of emission of grit and dust from the chimneys of furnaces to which this section applies.
- (3) If on any day grit or dust is emitted from a chimney serving a furnace to which this section applies at a rate exceeding the relevant limit prescribed under subsection (2), the occupier of any building in which the furnace is situated shall be guilty of an offence.
- (4) In proceedings for an offence under subsection (3) it shall be a defence to prove that the best practicable means had been used for minimising the alleged emission.
- (5) If, in the case of a building containing a furnace to which this section applies and which is served by a chimney to which there is no limit applicable under subsection (2), the occupier fails to use any practicable means there may be for minimising the emission of grit or dust from the chimney, he shall be guilty of an offence.
- (6) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

#### **Modifications etc. (not altering text)**

**C1** S. 5 power to exclude conferred (27.8.1993) by 1993 c. 11, s. 45(1)(a)

**Changes to legislation:**

Clean Air Act 1993, Section 5 is up to date with all changes known to be in force on or before 20 March 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.

[View outstanding changes](#)

**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\(a\)](#)