



# Clean Air Act 1993

## 1993 CHAPTER 11

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Administration and enforcement*

#### **55 General provisions as to enforcement.**

- (1) It shall be the duty of the local authority to enforce—
  - (a) the provisions of Parts I to III, section 33 and Part VI; and
  - (b) the provisions of this Part so far as relating to those provisions;but nothing in this section shall be taken as extending to the enforcement of any building regulations.
- (2) A local authority in England and Wales may institute proceedings for an offence under section 1 or 2 (prohibition of emissions of dark smoke) in the case of any smoke which affects any part of their district notwithstanding, in the case of an offence under section 1, that the smoke is emitted from a chimney outside their district and, in the case of an offence under section 2, that the smoke is emitted from premises outside their district.
- (3) Nothing in this section shall be taken as authorising a local authority in Scotland to institute proceedings for an offence against this Act.

**Changes to legislation:**

Clean Air Act 1993, Section 55 is up to date with all changes known to be in force on or before 24 January 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. 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\(2\)](#)