

SCHEDULES

SCHEDULE 12

SMOKE CONTROL IN ENGLAND AND WALES

PART 2

PRINCIPAL AMENDMENTS TO THE CLEAN AIR ACT 1993: WALES

- 9 The Clean Air Act 1993 is amended as follows.
- 10 (1) Section 20 (prohibition on emission of smoke in smoke control area) is amended as follows.
- (2) After subsection (5C) insert—
- “(5D) In the application of this Part to Wales, “authorised fuel” means a fuel included in a list of authorised fuels kept by the Welsh Ministers for the purposes of this Part.
- (5E) The Welsh Ministers must—
- (a) publish the list of authorised fuels, and
- (b) publish a revised copy of the list as soon as is reasonably practicable after any change is made to it.
- (5F) The list must be published in such manner as the Welsh Ministers consider appropriate.”
- (3) Omit subsection (6).
- 11 (1) Section 21 (power to exempt certain fireplaces) is amended as follows.
- (2) After subsection (4) insert—
- “(4A) For the purposes of the application of this Part to Wales, the Welsh Ministers may exempt any class of fireplace from the provisions of section 20 (prohibition of smoke emissions in smoke control area) if they are satisfied that such fireplaces can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke.
- (4B) An exemption under subsection (4A) may be made subject to such conditions as the Welsh Ministers consider appropriate.
- (4C) The Welsh Ministers must—
- (a) publish a list of those classes of fireplace that are exempt under subsection (4A) including details of any conditions to which an exemption is subject;
- (b) publish a revised copy of the list as soon as is reasonably practicable after any change is made to the classes of fireplace that are so exempt or to the conditions to which an exemption is subject.

Status: This is the original version (as it was originally enacted).

(4D) The list must be published in such manner as the Welsh Ministers consider appropriate.”

(3) Omit subsection (5).