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 S T A T U T O R Y I N S T R U M E N T S
 

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1985 No. 315 (S.32)

CLEAN AIR

**The Smoke Control Areas (Exempted Fireplaces)  
(Scotland) Order 1985**

*Made* - - - - - 19th February 1985

*Laid before Parliament* 14th March 1985

*Coming into Operation* 4th April 1985

In exercise of the powers conferred on me by section 11(4) and (8) of the Clean Air Act 1956(a), and of all other powers enabling me in that behalf, and being satisfied that fireplaces of the classes described can be used for burning fuel other than authorised fuel without producing a substantial quantity of smoke, I hereby made the following order:—

*Citation, commencement and extent*

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1985, and shall come into operation on 4th April 1985 and applies to Scotland only.

*Class of fireplace exempted from section 11 of the Clean Air Act 1956*

2. The class of fireplace described in column (1) of Schedule 1 hereto shall, subject to the conditions specified in column (2) against that class, be exempted from the provisions of section 11 of the Clean Air Act 1956 (which enables local authorities to establish smoke control areas in which emission of smoke is an offence, but provides for the exemption of certain fireplaces or classes of fireplace).

*Variation of class of fireplace exempted from section 11 of the Clean Air Act 1956*

3. For the second class of fireplace listed in column (1) and for the conditions specified against that class in column (2) of the Schedule to the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1984(b), there shall be substituted the class of fireplace described in column (1) and the conditions specified in column (2) of Schedule 2 hereto.

New St Andrew's House,  
Edinburgh.  
19th February 1985.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

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(a) 1956 c. 52.

(b) S.I. 1984/1805.

## Article 2

## SCHEDULE 1

(1) Class of fireplace	(2) Conditions
The SE60 Coalburner Stove manufactured by Jetmaster Fires Limited	<p>1. The fireplace shall be installed maintained and operated so as to minimise the emission of smoke at all times and in accordance with the manufacturer's instructions which—</p> <p style="padding-left: 2em;">(a) in the case of the installation instructions bear the reference "SE60/1 8/84", and</p> <p style="padding-left: 2em;">(b) in the case of the user instructions bear the reference "SE60/2 8/84".</p>

## Article 3

## SCHEDULE 2

(1) Class of fireplace	(2) Conditions
The fireplace known as the Parkray Coalmaster II and manufactured, both as an inset model and as a freestanding model, by T. I. Parkray Limited.	<p>1. The fireplace shall be installed maintained and operated so as to minimise the emission of smoke at all times, and in accordance with the manufacturer's instructions which—</p> <p style="padding-left: 2em;">(a) in the case of the installation instructions for the inset model bear the reference "List No. 1048/June '83 8402" and</p> <p style="padding-left: 2em;">(b) in the case of the installation instructions for the free standing model bear the date February 1984 and the reference "List No. 1058/February 1984", and</p> <p style="padding-left: 2em;">(c) in the case of the user instructions for both models bear the reference "List No. 1049/September 1983".</p> <p>2. No fuel shall be used other than selected washed coal doubles and trebles.</p>

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

Section 11 of the Clean Air Act 1956 empowers local authorities to declare the whole or any part of their district to be a smoke control area in which the emission of smoke is, generally, prohibited.

This order—

(a) exempts the SE60 coalburner stove manufactured by Jetmaster Fires Limited from the provisions of that section upon certain conditions as to proper operation; and

(b) varies the description of one of the classes of fireplace exempted by order from the provisions of section 11 and the conditions applying thereto to clarify that the exemption applies to both the inset and free standing models of the fireplace known as the Parkray Coalmaster II manufactured by T.I. Parkray Limited.

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