
EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces with amendments the Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2016 (S.I. 2016/811) (W. 201).

Section 20 of the Clean Air Act 1993 (“the 1993 Act”) places a general prohibition on the emission of smoke in smoke control areas.

The Welsh Ministers may, by order made under section 21(5) of the 1993 Act, exempt, in relation to Wales, specified classes of fireplace from the provisions of section 20, 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.

Article 2 of this Order exempts the classes of fireplace listed in the first column of the Schedule to this Order from the provisions of section 20 of the 1993 Act, subject to the conditions in the second and third columns of that Schedule in relation to that class of fireplace.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.