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STATUTORY INSTRUMENTS

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**1991 No. 2892**

**CLEAN AIR**

**The Smoke Control Areas (Exempted Fireplaces) Order 1991**

*Made* - - - - *17th December 1991*

*Laid before Parliament* *6th January 1992*

*Coming into force* - - *27th January 1992*

The Secretary of State for the Environment as respects England and Wales and the Secretary of State for Scotland as respects Scotland, in exercise of the powers conferred by section 11(4)(1) of the Clean Air Act 1956(2), being satisfied that fireplaces of the classes described in the Schedule hereto can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby make the following Order:

**Title and commencement**

1. This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) Order 1991 and shall come into force on 27th January 1992.

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

2. The classes of fireplace described in the Schedule shall, upon the conditions there specified, be exempted from the provisions of section 11 of the Clean Air Act 1956 (which empowers a local authority to declare the whole or any part of its district to be a smoke control area).

17th December 1991

*Michael Heseltine*  
Secretary of State for the Environment

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(1) See the definition of “the Minister” in section 34(1). The powers of the Minister as respects England and Wales are now vested in the Secretary of State by virtue of S.I.1970/1681.  
(2) 1956 c. 52.

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**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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17th December 1991

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office

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## SCHEDULE

Class of fireplace	Conditions
The Hughes Edwards model 65 hot water boiler manufactured by Hughes Edwards Heating Limited.	<ol style="list-style-type: none"><li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "II/02D/11-90 and UI/02D/11-90".</li><li>2. No fuel shall be used other than bituminous Coalflow pearls distributed by the British Coal Corporation.</li></ol>
The Jansen Design stove, using the five channel system, manufactured by Kakkelovnsmakeriet as.	<ol style="list-style-type: none"><li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "CSC-JDS-OI dated 21/10/91".</li><li>2. No fuel shall be used other than wood.</li></ol>
The Resolute Acclaim woodstove manufactured by Vermont Castings, Inc.	<ol style="list-style-type: none"><li>1. The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "AMENDED No. 200 - 0908 U.K. OCTOBER 1991".</li><li>2. No fuel shall be used other than 16" firewood that has been split, stacked and air-dried.</li></ol>
The Talbott's Warm Air Heaters Down Firing Range Models D250, D500 and D700 manufactured by Talbotts Heating Limited.	<ol style="list-style-type: none"><li>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "MAY 1991 Ref No: D257".</li><li>2. No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard.</li></ol>

## 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. Specified classes of fireplace may be exempted from control by order.

This Order, which applies throughout Great Britain, exempts the classes of fireplace mentioned in the Schedule from the provisions of the section subject to conditions requiring compliance with the relevant manufacturer's instructions and subject to certain conditions as to installation, maintenance and operation.

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