



# Clean Air Act 1993

## 1993 CHAPTER 11

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Power to apply certain provisions to fumes and gases*

#### **47 Application to fumes and gases of certain provisions as to grit, dust and smoke.**

- (1) The Secretary of State may by regulations—
- apply all or any of the provisions of sections 5, 6, 7, 42(4) 43(5), 44(6) and 46(1) to fumes or prescribed gases or both as they apply to grit and dust;
  - apply all or any of the provisions of section 4 to fumes or prescribed gases or both as they apply to smoke; and
  - apply all or any of the provisions of section 11 to prescribed gases as they apply to grit and dust,
- subject, in each case, to such exceptions and modifications as he thinks expedient.
- (2) No regulations shall be made under this section unless a draft of the regulations has been laid before and approved by each House of Parliament.
- (3) In the application of any provision of this Act to prescribed gases by virtue of regulations under this section, any reference to the rate of emission of any substance shall be construed as a reference to the percentage by volume or by mass of the gas which may be emitted during a period specified in the regulations.
- (4) In this section—
- “gas” includes vapour and moisture precipitated from vapour; and
  - “prescribed” means prescribed in regulations under this section.

**Changes to legislation:**

Clean Air Act 1993, Cross Heading: Power to apply certain provisions to fumes and gases is up to date with all changes known to be in force on or before 18 May 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. 19E-19H and cross-heading inserted by [2024 asc 2 s. 19\(2\)](#)
- 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\(2\)](#)
- s. 28B inserted by [2024 asc 2 s. 20](#)
- s. 63(2A) inserted by [2024 asc 2 Sch. 1 para. 20\(b\)](#)
- Sch. 1 para. 1A1B inserted by [2024 asc 2 Sch. 1 para. 21\(a\)](#)
- Sch. 1 para. 6B inserted by [2024 asc 2 Sch. 1 para. 21\(c\)](#)
- Sch. 1A para. 3(5) inserted by [2024 asc 2 Sch. 1 para. 4\(c\)](#)
- Sch. 1A para. 4(7) inserted by [2024 asc 2 Sch. 1 para. 5\(d\)](#)
- Sch. 5 para. 12A12B inserted by [2024 asc 2 Sch. 1 para. 22\(a\)](#)