



Clean Air Act 1993

1993 CHAPTER 11

PART III

SMOKE CONTROL AREAS

Creation of smoke control areas

18 Declaration of smoke control area by local authority.

- (1) A local authority may by order declare the whole or any part of the district of the authority to be a smoke control area; and any order made under this section is referred to in this Act as a “smoke control order”.
- (2) A smoke control order—
 - (a) may make different provision for different parts of the smoke control area;
 - (b) may limit the operation of section 20 (prohibition of emissions of smoke [^{F1}in Wales]) [^{F2}or Schedule 1A (penalty for emission of smoke in England)] to specified classes of building in the area; and
 - (c) may exempt specified buildings or classes of building or specified fireplaces or classes of fireplace in the area from the operation of that section [^{F3}or Schedule], upon such conditions as may be specified in the order;and the reference in paragraph (c) to specified buildings or classes of building include a reference to any specified, or to any specified classes of, fixed boiler or industrial plant.
- [^{F4}(2A) For the purposes of this Part a smoke control order in England “applies” to a building, fireplace, fixed boiler or industrial plant if the operation of Schedule 1A is not excluded in relation to it by virtue of subsection (2)(b) or (c).]
- (3) A smoke control order may be revoked or varied by a subsequent order.
- (4) The provisions of Schedule 1 apply to the coming into operation of smoke control orders.

Status: Point in time view as at 01/05/2022.

Changes to legislation: Clean Air Act 1993, Section 18 is up to date with all changes known to be in force on or before 13 June 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. (See end of Document for details)

Textual Amendments

- F1** Words in s. 18(2)(b) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 13(2)(a)(i)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F2** Words in s. 18(2)(b) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 13(2)(a)(ii)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F3** Words in s. 18(2)(c) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 13(2)(b)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F4** S. 18(2A) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 13(3)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)

Status:

Point in time view as at 01/05/2022.

Changes to legislation:

Clean Air Act 1993, Section 18 is up to date with all changes known to be in force on or before 13 June 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.