



# Clean Air Act 1993

## 1993 CHAPTER 11

### PART III

#### SMOKE CONTROL AREAS

##### *Adaptation of fireplaces*

#### **26 Power of local authority to make grants towards adaptations to fireplaces in churches, chapels, buildings used by charities etc.**

- (1) If, after the making of a smoke control order, the owner or occupier of any premises or part of any premises to which this section applies and which will be within a smoke control area as the result of the order incurs expenditure on adaptations in or in connection with the premises or part to avoid contraventions of section 20 (prohibition of smoke emissions in smoke control area [<sup>F1</sup>in Wales]) [<sup>F2</sup>or the imposition of a financial penalty under Schedule 1A (penalty for emission of smoke in England)], the local authority may, if they think fit, repay to him the whole or any part of that expenditure.
- (2) This section applies to any premises or part of any premises which fall within one or more of the following paragraphs, that is to say—
  - (a) any place of public religious worship, being, in the case of a place in England or Wales, a place which belongs to the Church of England or to the Church in Wales (within the meaning of the <sup>M1</sup>Welsh Church Act 1914) or which is for the time being certified as required by law as a place of religious worship;
  - (b) any church hall, chapel hall or similar premises used in connection with any such place of public religious worship, and so used for the purposes of the organisation responsible for the conduct of public religious worship in that place;
  - (c) any premises or part of any premises occupied for the purposes of an organisation (whether corporate or unincorporated) which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare.

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*Changes to legislation: Clean Air Act 1993, Section 26 is up to date with all changes known to be in force on or before 18 July 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) View outstanding changes*

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[<sup>F3</sup>(3) Where a smoke control order in England applies to a vessel which is moored (see section 44), subsection (2)(c) applies to the vessel as it applies in relation to premises.]

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**Textual Amendments**

- F1** Words in s. 26(1) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 19(a)(i)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F2** Words in s. 26(1) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 19(a)(ii)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F3** S. 26(3) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 19(b)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
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**Marginal Citations**

- M1** 1914 c. 91.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 26(1) words substituted by [2024 asc 2 Sch. 1 para. 14](#)

**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\(a\)](#)