



Clean Air Act 1993

1993 CHAPTER 11

PART VI

SPECIAL CASES

44 Vessels.

- (1) Section 1 (prohibition of emissions of dark smoke) shall apply in relation to vessels in waters to which this section applies as it applies in relation to buildings.
- (2) In the application of section 1 to a vessel—
 - (a) for the reference in subsection (1) of that section to the occupier of the building there shall be substituted a reference to the owner of, and to the master or other officer or person in charge of, the vessel;
 - (b) references to a furnace shall be read as including references to an engine of the vessel; and
 - (c) subsection (5) of that section shall be omitted;

and a person guilty of an offence under that section in relation to a vessel shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

[^{F1}(2A) A smoke control order made under section 18 by a local authority in England may provide for vessels which are moored in the smoke control area to be subject to the operation of Schedule 1A.

- (2B) For the purposes of a smoke control order which so provides—
 - (a) any reference in Part 3 and in section 54 to a building is to be read with any necessary modifications as a reference to such a vessel, but
 - (b) references in sections 24 and 25 to dwellings do not include such vessels.

(2C) In subsection (2A) the reference to vessels which are moored includes a vessel which is unmoored but which is stationary at a mooring place in circumstances where it might reasonably be moored.]

- (3) For the purposes of this Act a vessel in any waters to which this section applies which are not within the district of any local authority shall be deemed to be within the district

Changes to legislation: Clean Air Act 1993, Section 44 is up to date with all changes known to be in force on or before 12 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

of the local authority whose district includes that point on land which is nearest to the spot where the vessel is.

- (4) The waters to which this section applies are—
- (a) all waters not navigable by sea-going ships; and
 - (b) all waters navigable by sea-going ships which are within the seaward limits of the territorial waters of the United Kingdom and are contained within any port, harbour, river, estuary, haven, dock, canal or other place so long as a person or body of persons is empowered by or under any Act to make charges in respect of vessels entering it or using facilities in it.
- (5) In subsection (4) “charges” means any charges with the exception of light dues, local light dues and any other charges payable in respect of lighthouses, buoys or beacons and of charges in respect of pilotage.
- (6) Except as provided in this section, nothing in Parts I to III applies to smoke, grit or dust from any vessel.

Textual Amendments

- F1** S. 44(2A)-(2C) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 7** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)

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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\(a\)](#)