



Clean Air Act 1956

1956 CHAPTER 52

Special cases

18 Colliery spoilbanks

- (1) Subject to the provisions of subsection (3) of this section, the owner of a mine or quarry from which coal or shale has been, is being or is to be got shall employ all practicable means for preventing combustion of refuse deposited from the mine or quarry and for preventing or minimising the emission of smoke and fumes from the refuse and if he fails so to do, he shall be guilty of an offence.
- (2) Subject to the provisions of subsection (3) of this section, neither section ninety-two of the Public Health Act, 1936, nor any provision of this Act other than subsection (1) of this section shall apply in relation to smoke, grit or dust from the combustion of refuse deposited from any such mine or quarry as is mentioned in the said subsection (1).
- (3) Subsections (1) and (2) of this section shall not apply to any deposit of refuse deposited from a mine or quarry before the passing of this Act if, at the time of the passing of this Act, the deposit is no longer in use as such and is not under the control of the owner of the mine or quarry.
- (4) In this section, " mine ", " quarry " and " owner " have the same meanings as in the Mines and Quarries Act, 1954.
- (5) In the application of this section to Scotland, subsection (2) shall have effect as if for the reference to section ninety-two of the Public Health Act, 1936, there were substituted a reference to section sixteen of the Public Health (Scotland) Act, 1897.