

**1971 No. 1281 (S. 164)**
**CLEAN AIR**
**The Smoke Control Areas (Exempted Fireplaces) (Scotland)  
Order 1971**

<i>Made</i> - - -	<i>3rd August 1971</i>
<i>Laid before Parliament</i>	<i>10th August 1971</i>
<i>Coming into Operation</i>	<i>24th August 1971</i>

In exercise of the powers conferred on me by section 11(4) of the Clean Air Act 1956(a), and of all other powers enabling me in that behalf, and being satisfied that fireplaces of the class described can be used for burning fuel other than authorised fuels without producing a substantial quantity of smoke, I hereby make the following order:—

*Citation and commencement*

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Scotland) Order 1971 and shall come into operation on 24th August 1971.

*Interpretation*

2. The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

*Class of fireplace exempted from section 11 of the Clean Air Act 1956*

3. In Scotland the class of fireplace described in column (1) of the Schedule hereto shall, subject to the conditions specified in column (2), be exempted from the provisions of section 11 of the Clean Air Act 1956 (which empowers a local authority to declare the whole or any part of their district to be a smoke control area).

*Gordon Campbell,*  
One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh.

3rd August 1971.

## SCHEDULE

## Article 3

Column 1 Classes of Fireplace	Column 2 Conditions
The fireplace known as the Rayburn CB 34 and manufactured by Glynwed Foundries Limited	The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke and in accordance with the manufacturers instructions.  No fuel shall be used other than selected washed coal singles.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

Section 11 of the Clean Air Act 1956 empowers local authorities to declare the whole or any part of their district to be a smoke control area in which the emission of smoke is, generally, prohibited. This Order exempts the Rayburn CB34 fireplace from the provisions of that section, upon certain conditions as to proper operation.