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**1975 No. 1001****CLEAN AIR**
**The Smoke Control Areas (Exempted Fireplaces)  
(No. 2) Order 1975**

*Made* - - - - - 17th June 1975  
*Laid before Parliament* 26th June 1975  
*Coming into Operation* 17th July 1975

The Secretary of State for the Environment, in exercise of powers conferred by section 11(4) of the Clean Air Act 1956(a) and now vested in him (b), and of all other powers enabling him in that behalf, hereby orders as follows:—

*Title and commencement*

1. This order may be cited as the Smoke Control Areas (Exempted Fireplaces) (No. 2) Order 1975 and shall come into operation on 17th July 1975.

*Interpretation*

2. The Interpretation Act 1889(c) 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. 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).

## SCHEDULE

(1) Class of Fireplace	(2) Conditions
The fireplace known as the Riley Nihot Woodchip Fired Air Heater type NMO 11 manufactured by Clarke Chapman Limited International Combustion Division-Riley Unit.	The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke and in accordance with the manufacturer's instructions. No fuel shall be used other than clean wood waste of a size within the limits of the manufacturer's specifications and containing not more than 5 per cent sander dust.

(a) 1956 c. 52.  
 (c) 1889 c. 63.

(b) S.I. 1970/1681 (1970 III, p. 5551).

*Anthony Crosland.*

Secretary of State for the Environment.

17th June 1975.

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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 Riley Nihot Woodchip Fired Air Heater type NMO 11 from the provisions of that section, upon certain conditions as to proper operation.

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