
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations contribute towards the implementation, as respects Northern Ireland, of Council Directive [80/779/EEC](#) on air quality limit values and guide values for sulphur dioxide and suspended particulates (“the Directive”).

Regulation 3 prohibits the retail sale or delivery, with certain exceptions, of solid fuel other than an authorised fuel in smoke control areas. Authorised fuels are those fuels prescribed by regulations made under the Clean Air (Northern Ireland) Order 1981 for use in smoke control areas. The current regulations are the Smoke Control Areas (Authorised Fuels) Regulations (Northern Ireland) 1992 and the Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 1993.

That regulation allows unauthorised fuels to be delivered to premises other than private dwellings in smoke control areas, and its possession in such areas for the purpose of sale or delivery outside smoke control areas. It may also be delivered for use in fireplaces exempted by regulations under Article 17(7) of the Clean Air (Northern Ireland) Order 1981. Such fireplaces may be used in smoke control areas for burning fuel other than an authorised fuel, and are listed in the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1992.

Regulation 4 permits the retail sale and delivery of existing stocks of solid fuel held on trade premises in smoke control areas on the date of commencement of the Regulations, and of sticks and paper for use in fireplaces for kindling purposes.

Regulation 5 places a duty on district councils to enforce the Regulations.

Regulation 6 enables authorised officers to enter trade premises, to inspect and to take samples of solid fuel, and to submit any such samples for testing to an approved laboratory. Authorised officers are also empowered to inspect any relevant information and to seize and detain any records held on such premises.

Regulation 7 prohibits the obstruction of an authorised officer or the furnishing of false or misleading information, while regulation 8 creates offences and provides that a person guilty of an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

Copies of the Directive may be obtained from the Stationery Office, 16 Arthur Street, Belfast BT1 4GD.