
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 16

CLEAN AIR

**The Smoke Control Areas (Exempt
Fireplaces) (Scotland) Order 2001**

Made - - - - 23rd January 2001
*Laid before the Scottish
Parliament* - - - - 25th January 2001
Coming into force - - 16th February 2001

The Scottish Ministers, in exercise of the powers conferred by section 21 of the Clean Air Act 1993⁽¹⁾ and of all other powers enabling them in that behalf, being satisfied that the classes of fireplace which are exempt by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby make the following Order—

Citation, commencement and extent

1.—(1) This Order may be cited as the Smoke Control Areas (Exempt Fireplaces) (Scotland) Order 2001 and shall come into force on 16th February 2001.

(2) This Order extends to Scotland only.

Classes of fireplace exempt from section 20 of the Clean Air Act 1993

2. The classes of fireplace described in the first column of the Schedule to this Order are hereby exempt, upon the conditions specified in the corresponding entry in the second column of that Schedule, from the provisions of section 20 of the Clean Air Act 1993 (which prohibits smoke emissions in smoke control areas).

St Andrew's House,
Edinburgh
23rd January 2001

SAM GALBRAITH
A member of the Scottish Executive

(1) 1993 c. 11. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 2

<i>Column 1</i> <i>Class of Fireplace</i>	<i>Column 2</i> <i>Conditions</i>
The Beech Wood Fired Pizza Oven manufactured by Beech Wood Fired Ovens, Brisbane, Australia.	<p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 3rd March 2000 and bearing the reference "BBP236UK".</p> <p>2. No fuel shall be used other than untreated dry hardwood.</p>
The Morsø 3400 Owl GB Series for wood burning manufactured by Morsø Jernstøberi A/S, Denmark.	<p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 1st January 2000 and bearing the reference "72345600".</p> <p>2. No fuel shall be used other than—</p> <p>(a) untreated dry wood, which has been split, stacked and air dried; or</p> <p>(b) air dried wood briquettes.</p>

EXPLANATORY NOTE

(This note is not part of the Order)

Section 20 of the Clean Air Act 1993 ("the 1993 Act") prohibits the emission of smoke in smoke control areas. The Scottish Ministers may exempt specified classes of fireplace from the provisions of section 20, if they are satisfied that they can be used for burning fuel (other than authorised fuels) without producing any smoke or a substantial quantity of smoke.

Article 2 of this Order exempts the classes of fireplace listed in the first column of the Schedule to the Order from the provisions of section 20 of the 1993 Act, subject to the conditions listed in the second column of that Schedule.

This Order extends to Scotland only.