



# Clean Air Act 1993

## 1993 CHAPTER 11

### PART IV

#### CONTROL OF CERTAIN FORMS OF AIR POLLUTION

#### **30 Regulations about motor fuel.**

- (1) For the purpose of limiting or reducing air pollution, the Secretary of State may by regulations—
  - (a) impose requirements as to the composition and contents of any fuel of a kind used in motor vehicles; and
  - (b) where such requirements are in force, prevent or restrict the production, treatment, distribution, import, sale or use of any fuel which in any respect fails to comply with the requirements, and which is for use in the United Kingdom.
- (2) It shall be the duty of the Secretary of State, before he makes any regulations under this section, to consult—
  - (a) such persons appearing to him to represent manufacturers and users of motor vehicles;
  - (b) such persons appearing to him to represent the producers and users of fuel for motor vehicles; and
  - (c) such persons appearing to him to be conversant with problems of air pollution, as he considers appropriate.
- (3) Regulations under this section—
  - (a) in imposing requirements as to the composition and contents of any fuel, may apply standards, specifications, descriptions or tests laid down in documents not forming part of the regulations; and
  - (b) where fuel is subject to such requirements, may, in order that persons to whom the fuel is supplied are afforded information as to its composition or contents, impose requirements for securing that the information is displayed at such places and in such manner as may be prescribed by the regulations.

*Changes to legislation: Clean Air Act 1993, Part IV is up to date with all changes known to be in force on or before 20 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) It shall be duty of every local weights and measures authority to enforce the provisions of regulations under this section within its area; and [<sup>F1</sup>subsection] (2) <sup>F2</sup> . . .of section 26 of the <sup>M1</sup>Trade Descriptions Act 1968 (reports and inquiries) shall apply as respects those authorities’ functions under this subsection as [<sup>F1</sup>it applies] to their functions under that Act.

<sup>F3</sup>(5) . . . . .

[<sup>F4</sup>(5A) For the investigatory powers available to a local weights and measures authority for the purposes of the duty in subsection (4), see Schedule 5 to the Consumer Rights Act 2015.]

(6) In relation to Scotland—

- (a) nothing in subsection (4) authorises a local weights and measures authority to institute proceedings for an offence; and
  - (b) regulations under this section may provide that certificates issued by such persons as may be specified by the regulations in relation to such matters as may be so specified shall, subject to the provisions of the regulations, be received in evidence, and be sufficient evidence, of those matters in any proceedings for an offence under regulations made under this section;
- and such regulations may apply any of the provisions of subsections (2) to (4) of section 31 of the <sup>M2</sup>Trade Descriptions Act 1968 (evidence by certificate).

(7) In Northern Ireland it shall be the duty of the Department of Economic Development to enforce the provisions of regulations under this section; and accordingly this section shall have effect in relation to Northern Ireland with the omission of subsection (4).

<sup>F5</sup>(8) . . . . .

[<sup>F6</sup>(8A) For the investigatory powers available to the Department of Enterprise, Trade and Investment in Northern Ireland for the purposes of the duty in subsection (7), see Schedule 5 to the Consumer Rights Act 2015.]

(9) The Secretary of State shall for each financial year pay into the Consolidated Fund of Northern Ireland such sum as the Secretary of State and the Department of Economic Development for Northern Ireland may agree to be appropriate as representing the expenses incurred by that Department in enforcing the provisions of any regulations made under this section.

Textual Amendments	
<b>F1</b>	Words in s. 30(4) substituted (19.11.1998) by 1998 c. 43, s. 1(2), <b>Sch. 2 para. 13</b>
<b>F2</b>	Words in s. 30(4) repealed (19.11.1998) by 1998 c. 43, s. 1(1), <b>Sch. 1 Pt. X</b> Group 5
<b>F3</b>	S. 30(5) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), <b>Sch. 6 para. 52(2)</b> ; S.I. 2015/1630, art. 3(i) (with art. 8)
<b>F4</b>	S. 30(5A) inserted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), <b>Sch. 6 para. 52(3)</b> ; S.I. 2015/1630, art. 3(i)
<b>F5</b>	S. 30(8) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), <b>Sch. 6 para. 52(4)</b> ; S.I. 2015/1630, art. 3(i) (with art. 8)
<b>F6</b>	S. 30(8A) inserted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), <b>Sch. 6 para. 52(5)</b> ; S.I. 2015/1630, art. 3(i)
Marginal Citations	
<b>M1</b>	1968 c. 29.

---

**Changes to legislation:** Clean Air Act 1993, Part IV is up to date with all changes known to be in force on or before 20 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

M2 1968 c. 29.

### 31 Regulations about sulphur content of oil fuel for furnaces or engines. **E+W**

- (1) For the purpose of limiting or reducing air pollution, the Secretary of State may by regulations impose limits on the sulphur content of oil fuel which is used in furnaces or engines.
- (2) It shall be the duty of the Secretary of State, before he makes any regulations in pursuance of this section, to consult—
  - (a) such persons appearing to him to represent producers and users of oil fuel;
  - (b) such persons appearing to him to represent manufacturers and users of plant and equipment for which oil fuel is used; and
  - (c) such persons appearing to him to be conversant with problems of air pollution, as he considers appropriate.
- (3) Regulations under this section may—
  - (a) prescribe the kinds of oil fuel, and the kinds of furnaces and engines, to which the regulations are to apply;
  - (b) apply standards, specifications, descriptions or tests laid down in documents not forming part of the regulations; and
  - (c) without prejudice to the generality of section 63(1)(a), make different provision for different areas.
- (4) It shall be the duty—
  - (a) of every local authority to enforce the provisions of regulations under this section within its area, except in relation to a furnace which is
    - <sup>F7</sup>(i) part of a process subject to Part I of the <sup>M3</sup>Environmental Protection Act 1990 <sup>F7</sup>, or
    - (ii) part of an installation subject to regulation by the <sup>F8</sup>appropriate agency] under regulations made under section 2 of the Pollution Prevention and Control Act 1999]; and
  - (b) of the inspectors appointed under that Part to enforce those provisions in relation to <sup>F9</sup>furnaces within sub-paragraph (i) of paragraph (a) above and of the <sup>F10</sup>appropriate agency] to enforce those provisions in relation to furnaces within sub-paragraph (ii) of that paragraph];

but nothing in this section shall be taken to authorise a local authority in Scotland to institute proceedings for any offence.
- <sup>F11</sup>(4A) For the investigatory powers available to a local authority for the purposes of the duty in subsection (4)(a), see Schedule 5 to the Consumer Rights Act 2015.]
- (5) In this section “oil fuel” means any liquid petroleum product produced in a refinery.
- <sup>F12</sup>(6) In this section, “appropriate agency” means—
  - (a) in relation to England, the Environment Agency;
  - (b) in relation to Wales, the Natural Resources Body for Wales.]

*Changes to legislation: Clean Air Act 1993, Part IV is up to date with all changes known to be in force on or before 20 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

- F7** Words in s. 31(4)(a) renumbered as s. 31(4)(a)(i) and s. 31(4)(a)(ii) and word inserted (1.8.2000) by S.I. 2000/1973, reg. 39, **Sch. 10 para. 11(a)**
- F8** Words in s. 31(4)(a)(ii) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 343(2)** (with Sch. 7)
- F9** Words in s. 31(4)(b) substituted (1.8.2000) by S.I. 2000/1973, reg. 39, Sch. 10 para. 11(b)
- F10** Words in s. 31(4)(b) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 343(2)** (with Sch. 7)
- F11** S. 31(4A) inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 53**; S.I. 2015/1630, art. 3(i)
- F12** S. 31(6) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 343(3)** (with Sch. 7)

#### Marginal Citations

- M3** 1990 c. 43.

### 31 Regulations about sulphur content of oil fuel for furnaces or engines. **S**

- (1) For the purpose of limiting or reducing air pollution, the Secretary of State may by regulations impose limits on the sulphur content of oil fuel which is used in furnaces or engines.
- (2) It shall be the duty of the Secretary of State, before he makes any regulations in pursuance of this section, to consult—
  - (a) such persons appearing to him to represent producers and users of oil fuel;
  - (b) such persons appearing to him to represent manufacturers and users of plant and equipment for which oil fuel is used; and
  - (c) such persons appearing to him to be conversant with problems of air pollution, as he considers appropriate.
- (3) Regulations under this section may—
  - (a) prescribe the kinds of oil fuel, and the kinds of furnaces and engines, to which the regulations are to apply;
  - (b) apply standards, specifications, descriptions or tests laid down in documents not forming part of the regulations; and
  - (c) without prejudice to the generality of section 63(1)(a), make different provision for different areas.
- (4) It shall be the duty—
  - (a) of every local authority to enforce the provisions of regulations under this section within its area, except in relation to a furnace which is
    - <sup>F16</sup>(i) part of a process subject to Part I of the <sup>M4</sup>Environmental Protection Act 1990 <sup>F17</sup><sup>F16</sup>...
    - (ii) part of an installation subject to regulation by the Scottish Environment Protection Agency under regulations made under the Pollution Prevention and Control Act 1999<sup>F18</sup>; or

**Changes to legislation:** Clean Air Act 1993, Part IV is up to date with all changes known to be in force on or before 20 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (iii) part of an activity subject to regulation by the Scottish Environment Protection Agency under regulations under section 18 of the Regulatory Reform (Scotland) Act 2014;] and
- (b) of the inspectors appointed under that Part to enforce those provisions in relation to <sup>F19</sup>furnaces within sub-paragraph (i) of paragraph (a) above and of the Scottish Environment Protection Agency to enforce those provisions in relation to furnaces within sub-paragraph (ii) <sup>F20</sup>or (iii)] of that paragraph];
- but nothing in this section shall be taken to authorise a local authority in Scotland to institute proceedings for any offence.
- <sup>F11</sup>(4A) For the investigatory powers available to a local authority for the purposes of the duty in subsection (4)(a), see Schedule 5 to the Consumer Rights Act 2015.]
- (5) In this section “oil fuel” means any liquid petroleum product produced in a refinery.

#### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

- F11** S. 31(4A) inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 53](#); S.I. 2015/1630, art. 3(i)
- F16** Words in s. 31(4)(a) renumbered as s. 31(4)(a)(i) and s. 31(4)(a)(ii) and word inserted (S.) (28.9.2000) by S.S.I. 2000/323, [reg. 36](#), [Sch. 10 para. 4\(2\)\(a\)](#)
- F17** Word in s. 31(4)(a) repealed (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), [sch. 3 para. 4\(2\)\(a\)\(i\)](#); S.S.I. 2014/160, art. 2(1)(2), sch.
- F18** S. 31(4)(a)(iii) and word inserted (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), [sch. 3 para. 4\(2\)\(a\)\(ii\)](#); S.S.I. 2014/160, art. 2(1)(2), sch.
- F19** Words in s. 31(4)(b) substituted (S.) (28.9.2000) by S.S.I. 2000/323, [reg. 36](#), SCh. 10 para. 4(2)(b)
- F20** Words in s. 31(4)(b) inserted (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), [sch. 3 para. 4\(2\)\(b\)](#); S.S.I. 2014/160, art. 2(1)(2), sch.

#### Marginal Citations

- M4** 1990 c. 43.

## 32 Provisions supplementary to sections 30 and 31.

- (1) Regulations under section 30 or 31 (regulation of content of motor fuel and fuel oil) may authorise the Secretary of State to confer exemptions from any provision of the regulations.
- (2) A person who contravenes or fails to comply with any provision of regulations under section 30 or 31 shall be guilty of an offence and liable—
- (a) on conviction on indictment, to a fine; and
- (b) on summary conviction, to a fine not exceeding the statutory maximum;
- but the regulations may in any case exclude liability to conviction on indictment or reduce the maximum fine on summary conviction.
- (3) Regulations under section 30 or 31 shall, subject to any provision to the contrary in the regulations, apply to fuel used for, and to persons in, the public service of the Crown as they apply to fuel used for other purposes and to other persons.

---

*Changes to legislation: Clean Air Act 1993, Part IV is up to date with all changes known to be in force on or before 20 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (4) A local authority shall not be entitled by virtue of subsection (3) to exercise, in relation to fuel used for and persons in that service, any power conferred on the authority by virtue of <sup>F13</sup>Schedule 5 to the Consumer Rights Act 2015 (investigatory powers)] .

**Textual Amendments**

**F13** Words in s. 32(4) substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 54**; S.I. 2015/1630, art. 3(i)

**33 Cable burning.**

- (1) A person who burns insulation from a cable with a view to recovering metal from the cable shall be guilty of an offence unless the burning is part of <sup>F14</sup>...an activity subject to regulations under section 2 of the Pollution Prevention and Control Act 1999 [<sup>F15</sup>or section 18 of the Regulatory Reform (Scotland) Act 2014]
- (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Textual Amendments**

**F14** Words in s. 33(1) repealed (1.4.2015 for S.) by [Pollution Prevention and Control Act 1999 \(c. 24\)](#), s. 7(3), **Sch. 3**; S.S.I. 2015/74, art. 2(2)(d)

**F15** Words in s. 33(1) inserted (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), **sch. 3 para. 4(3)**; S.S.I. 2014/160, art. 2(1)(2), sch.

**Changes to legislation:**

Clean Air Act 1993, Part IV is up to date with all changes known to be in force on or before 20 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16(4A)(4B) inserted by [S.I. 2023/908 reg. 16](#)
- s. 20(5D)-(5F) inserted by [2021 c. 30 Sch. 12 para. 10\(2\)](#)
- s. 21(4A)-(4D) inserted by [2021 c. 30 Sch. 12 para. 11\(2\)](#)