



Clean Air Act 1993

1993 CHAPTER 11

PART III

SMOKE CONTROL AREAS

Supplementary provisions

27 References to adaptations for avoiding contraventions of section 20 ^[F1] or Schedule 1A].

(1) References in this Part to adaptations in or in connection with a dwelling to avoid contraventions of section 20 (prohibition of smoke emissions from smoke control area ^[F2]in Wales) ^[F3]or the imposition of a financial penalty under Schedule 1A (penalty for emission of smoke in England) shall be read as references to the execution of any of the following works (whether in or outside the dwelling), that is to say—

- (a) adapting or converting any fireplace;
- (b) replacing any fireplace by another fireplace or by some other means of heating or cooking;
- (c) altering any chimney which serves any fireplace;
- (d) providing gas ignition, electric ignition or any other special means of ignition; or
- (e) carrying out any operation incidental to any of the operations mentioned in paragraphs (a) to (d);

being works which are reasonably necessary in order to make what is in all the circumstances suitable provision for heating and cooking without contraventions of section 20 ^[F4]or incurring liability under Schedule 1A].

(2) For the purposes of this section the provision of any igniting apparatus or appliance (whether fixed or not) operating by means of gas, electricity or other special means shall be treated as the execution of works.

(3) Except for the purposes of section 24 (power of local authority to require certain adaptations), works which make such suitable provision as is mentioned in

Changes to legislation: Clean Air Act 1993, Section 27 is up to date with all changes known to be in force on or before 09 March 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

subsection (1) shall not be treated as not being adaptations to avoid contraventions of section 20 of this Act [^{F5}or liability under Schedule 1A to this Act] by reason that they go beyond what is reasonably necessary for that purpose, but any expenditure incurred in executing them in excess of the expenditure which would have been reasonably incurred in doing what was reasonably necessary shall be left out of account.

- (4) References in this section to a dwelling include references to any premises or part of any premises to which section 26 (grants towards certain adaptations in churches and other buildings) applies [^{F6}, and to any vessel to which section 26 or 26A (adaptations of vessels in England) applies].

Textual Amendments

- F1** Words in s. 27 heading inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 20(a)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F2** Words in s. 27(1) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 20(b)(i)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F3** Words in s. 27(1) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 20(b)(ii)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F4** Words in s. 27(1) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 20(b)(iii)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F5** Words in s. 27(3) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 20(c)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)
- F6** Words in s. 27(4) inserted (E.W.) (1.5.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 12 para. 20(d)** (with s. 144, Sch. 12 para. 26); S.I. 2022/48, reg. 4(d)

Changes to legislation:

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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\(2\)](#)