WELSH STATUTORY INSTRUMENTS

2005 No. 426 (W.43)

CLEAN AIR, WALES

The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2005

Made - - - -	*1 March 2005*
Coming into force - -	*5 March 2005*

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred upon the Secretary of State by section 21 of the Clean Air Act 1993(**1**) and now vested in the National Assembly(**2**), and being satisfied that the classes of fireplace exempted by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2005 and comes into force on 5 March 2005.

(2) This Order applies to Wales.

Classes of Fireplaces exempted from section 20 of the Clean Air Act 1993

2. The classes of fireplace described in the Schedule are, upon the conditions there specified, exempted from the provisions of section 20 of the Clean Air Act 1993 (which prohibits smoke emissions in smoke control areas).

Amendment of earlier Order

3. In the entry relating to the Dunsley Yorkshire Stove in the Schedule to the Smoke Control Areas (Exempted Fireplaces) Order 1999(**3**)—

(a) in the column headed "Class of fireplace", after "Dunsley Yorkshire Stove" insert "and Dunsley Yorkshire Multifuel Stove and Dunsley Yorkshire Multifuel Stove and Boiler"; and

(**1**) 1993 c. 11.
(**2**) The relevant powers of the Secretary of State were transferred to the National Assembly for Wales by Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(**3**) S.I. 1999/1515.

(b) in the column headed "Conditions", after "bearing the reference A/22160" insert ", as amended by the manufacturer's instructions dated 4 October 2004 bearing the reference D13 with regard to the Stove and Multifuel Stove and the manufacturer's instructions dated December 2004 bearing the reference GHD/DUN4B/1 with regard to the Multifuel Stove and Boiler".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**4**)

John Marek
The Deputy Presiding Officer of the National Assembly

1 March 2005

(**4**) 1998 c. 38.