1969. No. 6 **[C]**

CLEAN AIR

New Buildings—Prevention of Emission of Smoke

REGULATIONS, DATED 28TH JANUARY 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 23(1) OF THE CLEAN AIR ACT (NORTHERN IRELAND) 1964.

The Ministry of Health and Social Services in exercise of the powers conferred upon it by section 23(1) of the Clean Air Act (Northern Ireland) 1964(a) (hereinafter referred to as "the Act") and of all other powers enabling it in that behalf hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the New Buildings (Prevention of Emission of Smoke) Regulations (Northern Ireland) 1969 and shall come into operation on the 1st day of March 1969.

Prevention of Emission of Smoke

2. In any new building in the sanitary authority areas specified in the Schedule there shall not be installed for the purposes of heating or cooking in that or any other building any appliance which discharges the products of combustion into the atmosphere, unless that appliance is designed to burn as fuel either gas, hard coke or anthracite:

Provided that nothing in this regulation shall prohibit the installation of—

(i) a furnace which complies with section 3 of the Act; or

(ii) an appliance of a class exempted conditionally or unconditionally from the provisions of section 11 of the Act (which relates to smoke control areas) by any order for the time being in force under subsection (7) of that section.

3. A sanitary authority may dispense with compliance with these regulations in any part of its area which it does not propose to declare to be a smoke control area.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 28th day of January 1969.

(L.S.)

S. H. O'Fee,
Assistant Secretary.

(a) 1964, c. 16 (N.I.).

SCHEDULE

County Boroughs

Belfast
Londonderry

Boroughs

Ballymena
Bangor
Carrickfergus
Coleraine
Larne
Lisburn
Lurgan
Newtownards
Portadown

Urban Districts

Armagh
Ballyclare
Banbridge
Craigavon
Donaghadee
Downpatrick
Dromore
Holywood
Newtownabbey
Portrush
Portstewart
Tandragee
Whitehead

Rural Districts

Antrim
Ballymena
Banbridge
Castlereagh
Coleraine
East Down
Hillsborough
Larne
Lisburn
Londonderry
Moira
North Down
Tandragee

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

Under section 23(1) of the Clean Air Act (Northern Ireland) 1964 requirements may be prescribed as to the provision in new buildings of such arrangements for heating or cooking as are calculated to prevent so far as practicable the emission of smoke. These regulations prescribe the types of appliance which may be installed in the areas specified in the Schedule and set out the condition under which compliance with the regulations may be dispensed with. By virtue of section 23(2) of the Clean Air Act (Northern Ireland) 1964 the regulations shall be deemed to be by-laws made by a sanitary authority.