

Statutory Instrument 1993 No. 1366

The Crop Residues (Burning) Regulations 1993

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STATUTORY INSTRUMENTS

1993 No. 1366

AGRICULTURE

The Crop Residues (Burning) Regulations 1993

<i>Made</i>	<i>24th May 1993</i>
<i>Laid before Parliament</i>	<i>8th June 1993</i>
<i>Coming into force</i>	<i>29th June 1993</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, in exercise of the powers conferred on them by section 152 of the Environmental Protection Act 1990⁽¹⁾, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Crop Residues (Burning) Regulations 1993, shall extend to England and Wales and shall come into force on 29th June 1993.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires-
"A-road" means any principal road so classified under section 12 of the

Highways Act 1980^[2]) to which is assigned in common usage an identifying number with the prefix "A";

"crop residue" means straw or stubble or any other crop residue remaining on the land after harvesting of the crop grown thereon;

"district council" includes the Council of the Isles of Scilly;

"dual carriageway" means a road part of which consists of a central reservation to separate a carriageway to be used by vehicles proceeding in one direction from a carriageway to be used by vehicles proceeding in the opposite direction;

"fire-break" means an area of ground of which the surface consists wholly or mainly of substances other than combustible material;

"motorway" means a special road within the meaning of section 142(1) of the Road Traffic Regulation Act 1984^[3] which has been declared open for use under section 1(4) of that Act; and

"scheduled monument" has the meaning assigned to that expression in section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979^[4].

(2) Any reference in these Regulations to a numbered regulation or schedule shall be construed as a reference to the regulation or schedule bearing that number in these Regulations.

Revocation

3. The Crop Residues (Restrictions on Burning) (No.2) Regulations 1991^[5] are hereby revoked.

Prohibition on burning

4. No person engaged in agriculture shall, on agricultural land, burn any crop residue of a kind specified in Schedule 1 unless the burning is for the purposes of-

- (a) education or research;
- (b) disease control or the elimination of plant pests where a notice has been served under article 22 of the Plant Health (Great Britain) Order 1993^[6];
- (c) the disposal of straw stack remains or broken bales.

Restrictions on burning

5. No person engaged in agriculture shall, on agricultural land, burn-
- (a) any crop residue of a kind specified in Schedule 1 to which an exemption specified in regulation 4(a) or (b) applies; or
 - (b) any linseed residues,

otherwise than in accordance with the restrictions and requirements set out in Schedule 2.

Offence

6. A person who contravenes regulation 4 or regulation 5 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st May 1993.

John Selwyn Gummer

Minister of Agriculture, Fisheries and Food

David Hunt

Secretary of State for Wales

24th May 1993

Notes:

[1] 1990 c. 43; section 152(3)(c) is to be read with section 17 of the Criminal Justice Act 1991 (c. 53). [back](#)

[2] 1980 c. 66. [back](#)

[3] 1984 c. 27. [back](#)

[4] 1979 c. 46. [back](#)

[5] S.I. 1991/1590. [back](#)

[6] S.I. 1993/1320. [back](#)