

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5296 GIBRALTAR Thursday 2nd April 2026

LEGAL NOTICE NO. 69 OF 2026

ENVIRONMENT ACT 2005

ENVIRONMENT (AIR QUALITY STANDARDS) (AMENDMENT) REGULATIONS 2026

In exercise of the powers conferred on it by section 18(c) of the Environment Act 2005, and all other enabling powers, and in order to make provision for the purposes of the implementation of Article 219(4) of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community of the one part and the United Kingdom of Great Britain and Northern Ireland in respect of Gibraltar the Government has made these Regulations-

Title.

1. These Regulations may be cited as the Environment (Air Quality Standards) (Amendment) Regulations 2026.

Commencement.

2.(1) These Regulations come into operation on the Implementation Date.

(2) In sub regulation (1), "the Implementation Date" has the meaning given in section 3 of the Treaty on Gibraltar and the European Union Act 2026.

Amendment of the Environment (Air Quality Standards) Regulations 2010.

3. The Environment (Air Quality Standards) Regulations 2010 are amended in accordance with the provisions of these Regulations.

Amendment of Regulation 2.

4.(1) In regulation 2-

(a) In subregulation (1) after the definition of "AEI" insert-

““air pollution hotspots” means locations within the zone with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit values or target values, including where the pollution level is strongly influenced by the emissions from heavy pollution sources, such as nearby congested and heavily trafficked roads, a single industrial source or an industrial area with many sources, ports, airports, intensive residential heating, or a combination thereof;

“air quality plan” means a plan that sets out policies and measures in order to comply with limit values, target values or average exposure reduction obligations once these have been exceeded;

“air quality roadmap” means an air quality plan, adopted ahead of the attainment deadline of limit values and target values, that sets out policies and measures in order to comply with those limit values and target values within the attainment deadline;

“air quality standards” means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, alert thresholds, information thresholds and long-term objectives;”.

(b) In subregulation (1) in the definition of “arsenic”, “cadmium”, “nickel” and “benzo(a)pyrene” insert ““lead”,” between “cadmium,” and “nickel”.

(c) In subregulation (1) after the definition of ““arsenic”, “cadmium”, “lead”, “nickel” and “benzo(a)pyrene” insert-

““assessment” means any method used to measure, calculate, predict or estimate levels;

“assessment threshold” means the level that determines the required assessment regime to be used to assess ambient air quality;

“average exposure concentration objective” means a level of the average exposure indicator to be attained, with the aim of reducing harmful effects on human health;

“average exposure reduction obligation” means a percentage reduction of the average exposure of the population, expressed as an average exposure indicator, set with the aim of reducing harmful effects on human health, to be attained over a given period and not to be exceeded once attained;

“black carbon” or “BC” means carbonaceous aerosols measured by light absorption;”.

(d) In subregulation (1) replace the definition of “Directive 2008/50/EC” with-

““Directive (EU) 2024/2881” means Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast), as the same may be from time to time amended;”.

(e) In subregulation (1) delete the definition of “Directive 2004/107/EC”.

(f) In subregulation (1) replace the definition of “fixed measurements” with-

““fixed measurements” means measurements taken at sampling points, either continuously or by random sampling, at constant locations for at least 1 calendar year to determine the levels in accordance with the relevant data quality objectives;”.

- (g) In subregulation (1) replace the definition of “indicative measurements” with-

““indicative measurements” means measurements, taken either at regular intervals during a calendar year or by random sampling, to determine the levels in accordance with data quality objectives that are less strict than those required for fixed measurements;”.

- (h) In subregulation (1) replace the definition of “information threshold” with-

““information threshold” means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;”.

- (i) In subregulation (1) delete the definition of “lower assessment threshold”.

- (j) In subregulation (1) delete the definition of “margin of tolerance”.

- (k) In subregulation (1) after the definition of Minister insert-

““modelling application” means application of a modelling system, understood as a chain of models and submodels, including all necessary input data, and any post-processing;

“objective estimation” means information on the concentration or deposition level of a specific pollutant obtained through expert analysis and which can include use of statistical tools;”.

- (l) In subregulation (1) in the definition of “ozone precursor substances” replace “,” with “.” and replace “some of which are listed in Annex X to Directive 2008/50/EC;” with “Some of which are listed in Section C of Annex VII to Directive (EU) 2024/2881;”.

- (m) In subregulation (1) replace the definition of “pollutant” with-

““pollutant” means any substance present in ambient air and likely to have harmful effects on human health or the environment;”.

- (n) In subregulation (1) after the definition of “polycyclic aromatic hydrocarbons” insert-

““sensitive population and vulnerable groups” means those population groups that are permanently or temporarily more sensitive or more vulnerable to the effects of air pollution than the average population, because of specific characteristics that make the health effects of exposure more significant or because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves;

“short-term action plan” means a plan that sets out emergency measures to be taken in the short term to reduce the immediate risk or the duration of the exceedance of the alert thresholds;

“spatial representativeness” means an assessment approach whereby the air quality metrics observed at a sampling point are representative for an explicitly delineated geographical area to the extent that air quality metrics within that area do not differ from the metrics observed at the sampling point by more than a pre-defined tolerance level;

(o) In subregulation (1) in the definition of “target value” insert “, on the basis of scientific knowledge,” after “fixed”.

(p) In subregulation (1) after the definition of “total or bulk deposition” insert-

““ultrafine particles” or “UFP” means particles with a diameter less than or equal to 100 nm, where UFP are measured as the particle number concentrations per cubic centimetre for a size range with a lower limit of 10 nm and for a size range with no restriction on the upper limit;”.

(q) In subregulation (1) delete the definition of “upper assessment threshold”.

(2) In subregulation (2) for “Directive 2004/107/EC or Directive 2008/50/EC, shall have the same meaning in these Regulations as they have in those Directives” substitute “Directive (EU) 2024/2881, shall have the same meaning in these Regulations as they have in that Directive”.

Amendment of Regulation 3.

5.(1) Replace subregulation 3(1) with-

“3.(1) The Minister with responsibility for the environment is designated as the competent authority for the purposes of Directive (EU) 2024/2881”.

(2) In subregulation (2) replace “Directive 2008/50/EC” with “Directive (EU) 2024/2881”.

(3) In subregulation (2) replace “Section C of Annex I of that Directive” with “Section F of Annex V of Directive (EU) 2024/2881”.

Insertion of new Regulation 3A.

6. After regulation 3 insert-

“Reviews.

3A.(1) The Minister shall periodically review, or have regard to any review conducted pursuant to Article 3 of Directive (EU) 2024/2881 of the scientific evidence related to air pollutants and their effects on human health and the environment.

- (2) Such review shall assess whether applicable air quality standards continue to be appropriate to achieve the objective of avoiding, preventing or reducing harmful effects on human health and the environment and whether additional air pollutants should be covered, and shall assess options and timelines for the alignment of air quality standards with the most recent World Health Organisation Air Quality Guidelines.”.

Amendment of Regulation 5.

7.(1) In subregulation 5(1), for “the upper or lower assessment thresholds specified in Section A of Annex II to Directive 2008/50/EC are exceeded” substitute “the assessment thresholds specified in Annex II to Directive (EU) 2024/2881 are exceeded”.

- (2) Replace subregulation 5(3) with-

“(3) Exceedances of the assessment thresholds specified in Annex II to Directive (EU) 2024/2881 shall be determined on the basis of concentrations during the previous 5 years where sufficient data are available. An assessment threshold shall be deemed to have been exceeded if it has been exceeded during at least 3 separate years out of those previous 5 years.”.

- (3) After subregulation 5(3) insert-

“(3A) Where data is available for less than 5 years, the Minister may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels, with information from emission inventories and results obtained from modelling applications to determine exceedances of the assessment thresholds.”.

Amendment of Regulation 6.

8.(1) In subregulation 6(1) replace “Annex III to Directive 2008/50/EC with “Annex IV to Directive (EU) 2024/2881”.

- (2) In subregulation 6(2), after “modelling” insert “applications”.

- (3) In subregulation 6(2) after “both in order to” insert “assess air quality and to”.

(4) In subregulation 6(2) replace “the ambient air quality” with “of air pollutants and on the spatial representativeness of fixed measurements”.

- (5) Replace subregulation 6(3) with-

“(3) From 11 June 2028, in addition to fixed measurements, modelling applications or indicative measurements shall be used to assess the ambient air quality in all zones where the level of pollutants exceeds a relevant limit value or target value set out in Annex I to Directive (EU) 2024/2881, and such modelling applications or

indicative measurements shall provide information on the spatial distribution of pollutants and shall be carried out at least every five years.”.

(6) In subregulation 6(4) for “modelling or estimation techniques or both shall be sufficient for the measurement of the ambient air quality” substitute “modelling applications, indicative measurements, objective estimations or a combination thereof shall be sufficient for the assessment of the ambient air quality”.

(7) In subregulation 6(5) replace “Directive 2008/50/EC” with “Directive (EU) 2024/2881”.

(8) In subregulation 6(6), replace “Sections A and C of Annex I, and Annex IV of Directive 2008/50/EC” with “Annex V and Annex VII of Directive (EU) 2024/2881”.

(9) In subregulation 6(7), for “Sections A and C of Annex VI to Directive 2008/50/EC” substitute “Points A and C of Annex VI to Directive (EU) 2024/2881”.

(10) In subregulation 6(8), for "Section B of Annex VI to Directive 2008/50/EC" substitute "Points B, C and D of Annex VI to Directive (EU) 2024/2881”.

(11) After subregulation 6(9) insert-

“(9A) The results of modelling applications used in accordance with subregulations (3) or (4) or regulation 7(4), or of indicative measurements shall be taken into account for the purpose of assessing air quality with respect to the limit values and target values.

(9B) If fixed measurements with an area of spatial representativeness covering the area of exceedance calculated by the modelling application are available, the Minister may choose not to report the modelled exceedance as an exceedance of the relevant limit values and target values.

(9C) If modelling applications used in accordance with subregulations (3) or (4) show an exceedance of any limit value or target value in an area of the zone that is not covered by fixed measurements and their area of spatial representativeness, at least one additional fixed or indicative measurement may be used at possible additional air pollution hotspots in the zone as identified by the modelling application.

(9D) If modelling applications used in accordance with regulation 7(4) show an exceedance of any limit value or target value in an area of the zone that is not covered by fixed measurements and their area of spatial representativeness, at least one additional fixed or indicative measurement shall be used at possible additional air pollution hotspots in the zone as identified by the modelling application.

(9E) Where additional fixed measurements are used, those measurements shall be established within 2 calendar years after the exceedance was modelled. Where additional indicative measurements are used, those measurements shall be established within 1 calendar year after the exceedance was modelled. The measurements shall cover at least 1 calendar year in accordance with the minimum

data coverage requirements set out in Point B of Annex V to Directive (EU) 2024/2881, to assess the concentration level of the relevant pollutant.”.

Amendment of Regulation 7.

9.(1) In subregulation 7(1), for “Annex III to Directive 2008/50/EC” substitute “Annex IV to Directive (EU) 2024/2881”.

(2) In subregulation 7(2), insert “(where the level of pollutants exceeds the relevant assessment threshold specified in Annex II to Directive (EU) 2024/2881)” after “relevant pollutant”.

(3) In subregulation 7(2) for “Section A of Annex V to Directive 2008/50/EC” substitute “Point A of Annex III to Directive (EU) 2024/2881”.

(4) Replace subregulation 7(3) with-

“(3) The Minister shall assess compliance with the critical levels specified in Section 3 of Annex I to Directive (EU) 2024/2881 as assessed in accordance with Point A, point 1, and Point B, point 3, of Annex IV to Directive (EU) 2024/2881.”.

(5) Replace subregulation (4) with-

“(4) Where the level of pollutants exceeds the relevant assessment threshold specified in Annex II to Directive (EU) 2024/2881, but not the respective limit values, target values and critical levels specified in Annex I to Directive (EU) 2024/2881, the minimum number of sampling points for fixed measurements may be reduced by up to 50 %, in accordance with Points A and C of Annex III to Directive (EU) 2024/2881, provided that the following conditions are met-

- (a) indicative measurements or modelling applications provide sufficient information for the assessment of air quality with regard to limit values, target values, critical levels, alert thresholds and information thresholds, as well as adequate information for the public, in addition to the information provided by the sampling points for fixed measurements;
- (b) the number of sampling points to be installed and the spatial resolution of indicative measurements and modelling applications are sufficient for the concentration of the relevant pollutant to be established in accordance with the data quality objectives specified in Points A and B of Annex V to Directive (EU) 2024/2881 and enable assessment results to meet the requirements set out in Point E of Annex V to Directive (EU) 2024/2881; and
- (c) the number of indicative measurements, if used to meet the requirements of this subregulation, is at least the same as the number of fixed measurements that are being replaced and the indicative measurements are evenly distributed over the calendar year.”.

(6) For subregulation 7(5) substitute -

“(5) The minimum number of sampling points for PM_{2.5} for the calculation of the average exposure indicators shall be in accordance with Point B of Annex III to Directive (EU) 2024/2881 and shall include at least one sampling point.”.

(7) After subregulation 7(5) insert-

“(5A) Sampling points at which exceedances of a relevant limit value or target value specified in Section 1 of Annex I to Directive (EU) 2024/2881 were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development.

(5B) Relocation of such sampling points shall be supported by modelling applications or indicative measurements and shall, wherever possible, ensure continuity of measurements and be done within their area of spatial representativeness.

(5C) A detailed justification of any relocation of such sampling points shall be fully documented in accordance with the requirements set out in Point D of Annex IV to Directive (EU) 2024/2881.

(5D) The Minister shall ensure monitoring of ultrafine particles levels and black carbon concentrations in accordance with Point D of Annex III to Directive (EU) 2024/2881 and Section 4 of Annex VII to Directive (EU) 2024/2881.”.

Amendment of Regulation 8.

10.(1) In subregulation 8(2) replace “Section C of Annex VII to Directive 2008/50/EC” with “Part C of Section 2 of Annex 1 to Directive (EU) 2024/2881”.

(2) In subregulation 8(3) replace “point 8 of Section A of Annex VI to Directive 2008/50/EC” with “point 11 of Section A of Annex VI to Directive (EU) 2024/2881”.

(3) In subregulation 8(4) replace "Section B of Annex VI to Directive 2008/50/EC" substitute "Points B, C and D of Annex VI to Directive (EU) 2024/2881”.

(4) After subregulation 8(4) insert-

“(4A) From 11 June 2028, in addition to fixed measurements, modelling applications or indicative measurements shall be used to assess the ambient air quality in all zones where the level of pollutants exceeds a relevant limit value or target value set out in Annex I to Directive (EU) 2024/2881, and such modelling applications or indicative measurements shall provide information on the spatial distribution of pollutants and shall be carried out at least every five years.

- (4B) The results of modelling applications used in accordance with subregulation (4A) or regulation 9(4), or of indicative measurements shall be taken into account for the purpose of assessing air quality with respect to the limit values and target values.
- (4C) If fixed measurements with an area of spatial representativeness covering the area of exceedance calculated by the modelling application are available, the Minister may choose not to report the modelled exceedance as an exceedance of the relevant limit values and target values.
- (4D) If modelling applications used in accordance with subregulation (4A) show an exceedance of any limit value or target value in an area of the zone that is not covered by fixed measurements and their area of spatial representativeness, at least one additional fixed or indicative measurement may be used at possible additional air pollution hotspots in the zone as identified by the modelling application.
- (4E) If modelling applications used in accordance with regulation 9(4) show an exceedance of any limit value or target value in an area of the zone that is not covered by fixed measurements and their area of spatial representativeness, at least one additional fixed or indicative measurement shall be used at possible additional air pollution hotspots in the zone as identified by the modelling application.
- (4F) Where additional fixed measurements are used, those measurements shall be established within 2 calendar years after the exceedance was modelled. Where additional indicative measurements are used, those measurements shall be established within 1 calendar year after the exceedance was modelled. The measurements shall cover at least 1 calendar year in accordance with the minimum data coverage requirements set out in Point B of Annex V to Directive (EU) 2024/2881, to assess the concentration level of the relevant pollutant.”

Amendment of Regulation 9.

11.(1) In subregulation 9(1) replace “Annex VIII to Directive 2008/50/EC” with “Annex IV to Directive (EU) 2024/2881”.

(2) In subregulation 9(2), insert “where the level exceeds the relevant assessment threshold specified in Annex II to Directive (EU) 2024/2881,” after “air quality,”.

(3) In subregulation 9(2) for “Section A of Annex IX to Directive 2008/50/EC” substitute “Annex III to Directive (EU) 2024/2881”.

(4) In subregulation 9(3) for “Section B of Annex IX to Directive 2008/50/EC” substitute “Annex III to Directive (EU) 2024/2881”.

(5) Replace subregulation 9(4)(a) with-

“(a) indicative measurements or modelling applications provide sufficient information for the assessment of air quality with regard to limit values, target values, critical

levels, alert thresholds and information thresholds, as well as adequate information for the public, in addition to the information provided by the sampling points for fixed measurements;”.

(6) In subregulation 9(4)(b) replace “Section A of Annex I to Directive 2008/50/EC” with “Points A and B of Annex V to Directive (EU) 2024/2881”.

(7) In subregulation 9(4)(b) replace “Section B” with “Point E”.

(8) Replace subregulation 9(4)(c) with-

“(c) the number of indicative measurements, if used to meet the requirements of this paragraph, is at least the same as the number of fixed measurements that are being replaced and the indicative measurements are evenly distributed over the calendar year;”.

(9) In subregulation 9(4)(d) replace “Section A of Annex VIII to Directive 2008/50/EC” with “Point B of Annex IV to Directive (EU) 2024/2881”.

(10) In subregulation 9(5) replace “Section A of Annex IX to Directive 2008/50/EC” with “Point A, Table 2 of Annex III to Directive (EU) 2024/2881”.

(11) Replace subregulation 9(7) with-

“(7) One or more sampling points adapted to the monitoring objective set out in Section 3, Point A, of Annex VII to Directive (EU) 2024/2881, shall be installed in Gibraltar to supply data on concentrations of the ozone precursor substances listed in Point B of that Section at locations determined in accordance with Point C of that Section.”.

(12) In subregulation 9(8) replace “Annex X to Directive 2008/50/EC” with “Annex VII to Directive (EU) 2024/2881”.

(13) After subregulation 9(8) insert-

“(8A) The minimum number of sampling points for nitrogen dioxide for the calculation of the average exposure indicators shall be in accordance with Point B of Annex III to Directive (EU) 2024/2881 and shall include at least one sampling point.

(8B) Sampling points at which exceedances of a relevant limit value or target value specified in Section 1 of Annex I to Directive (EU) 2024/2881 were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development.

(8C) Relocation of such sampling points shall be supported by modelling applications or indicative measurements and shall, wherever possible, ensure

continuity of measurements and be done within their area of spatial representativeness.

(8D) A detailed justification of any relocation of such sampling points shall be fully documented in accordance with the requirements set out in Point D of Annex IV to Directive (EU) 2024/2881.

(8E) The Minister shall ensure monitoring of ultrafine particles levels and black carbon concentrations in accordance with Point D of Annex III to Directive (EU) 2024/2881 and Section 4 of Annex VII to Directive (EU) 2024/2881.”.

Amendment of Regulation 10.

12.(1) In subregulation 10(1) delete “upper and lower”.

(2) In subregulation 10(1) replace “Section 1 of Annex II to Directive 2004/107/EC” with “Annex II to Directive (EU) 2024/2881”.

(3) In subregulation 10(3) replace “Section II of Annex II to Directive 2004/107/EC” with “Annex III to Directive (EU) 2024/2881”.

Amendment of Regulation 11.

13.(1) In subregulation 11(2) delete “upper”.

(2) In subregulation 11(3) delete “upper and lower”.

(3) In subregulation 11(3) replace “Section 1 of Annex IV to Directive 2004/107/EC” with “Annex V to Directive (EU) 2024/2881”.

(4) In subregulation 11(4) delete “lower”.

(5) After subregulation 11(5) insert-

“(5A) From 11 June 2028, in addition to fixed measurements, modelling applications or indicative measurements shall be used to assess the ambient air quality in all zones where the level of pollutants exceeds a relevant limit value or target value set out in Annex I to Directive (EU) 2024/2881, and such modelling applications or indicative measurements shall provide information on the spatial distribution of pollutants and shall be carried out at least every five years.

(5B) The results of modelling applications used in accordance with subregulation (5A) or regulation 13(2), or of indicative measurements shall be taken into account for the purpose of assessing air quality with respect to the limit values and target values.

(5C) If fixed measurements with an area of spatial representativeness covering the area of exceedance calculated by the modelling application are available, the

Minister may choose not to report the modelled exceedance as an exceedance of the relevant limit values and target values.

- (5D) If modelling applications used in accordance with subregulation (5A) show an exceedance of any limit value or target value in an area of the zone that is not covered by fixed measurements and their area of spatial representativeness, at least one additional fixed or indicative measurement may be used at possible additional air pollution hotspots in the zone as identified by the modelling application.
- (5E) If modelling applications used in accordance with regulation 13(2) show an exceedance of any limit value or target value in an area of the zone that is not covered by fixed measurements and their area of spatial representativeness, at least one additional fixed or indicative measurement shall be used at possible additional air pollution hotspots in the zone as identified by the modelling application.
- (5F) Where additional fixed measurements are used, those measurements shall be established within 2 calendar years after the exceedance was modelled. Where additional indicative measurements are used, those measurements shall be established within 1 calendar year after the exceedance was modelled. The measurements shall cover at least 1 calendar year in accordance with the minimum data coverage requirements set out in Point B of Annex V to Directive (EU) 2024/2881, to assess the concentration level of the relevant pollutant.”.

Amendment of Regulation 12.

14. Replace Regulation 12 with-

- “12.(1) The Minister shall ensure that the reference measurement methods specified in Points A and C of Annex VI to Directive (EU) 2024/2881 are applied but other measurement methods may also be used subject to the conditions set out in Points B, C and D of Annex VI to Directive (EU) 2024/2881.
- (2) The Minister shall ensure that air quality modelling applications subject to the conditions set out in Point E of Annex VI to Directive (EU) 2024/2881 are applied.
- (3) Air quality assessment data shall meet the data quality objectives laid down in Annex V to Directive (EU) 2024/2881.”.

Amendment of Regulation 13.

15.(1) In subregulation 13(1) replace “Directive 2008/107/EC” with “Directive (EU) 2024/2881”.

(2) Replace subregulation 13(2) with-

- “(2) Where the level of pollutants exceeds the relevant assessment threshold specified in Annex II to Directive (EU) 2024/2881, but not the respective limit values, target values and critical levels specified in Annex I to Directive (EU) 2024/2881, the

minimum number of sampling points for fixed measurements may be reduced by up to 50 %, in accordance with Points A and C of Annex III to Directive (EU) 2024/2881, provided that the following conditions are met-

- (a) indicative measurements or modelling applications provide sufficient information for the assessment of air quality with regard to limit values, target values, critical levels, alert thresholds and information thresholds, as well as adequate information for the public, in addition to the information provided by the sampling points for fixed measurements;
- (b) the number of sampling points to be installed and the spatial resolution of indicative measurements and modelling applications are sufficient for the concentration of the relevant pollutant to be established in accordance with the data quality objectives specified in Points A and B of Annex V to Directive (EU) 2024/2881 and enable assessment results to meet the requirements set out in Point E of Annex V to Directive (EU) 2024/2881; and
- (c) the number of indicative measurements, if used to meet the requirements of this subregulation, is at least the same as the number of fixed measurements that are being replaced and the indicative measurements are evenly distributed over the calendar year.”.

(3) After subregulation 13(2) insert-

- “(3) Sampling points at which exceedances of a relevant limit value or target value specified in Section 1 of Annex I to Directive (EU) 2024/2881 were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development.
- (4) Relocation of such sampling points shall be supported by modelling applications or indicative measurements and shall, wherever possible, ensure continuity of measurements and be done within their area of spatial representativeness.
- (5) A detailed justification of any relocation of such sampling points shall be fully documented in accordance with the requirements set out in Point D of Annex IV to Directive (EU) 2024/2881.
- (6) The Minister shall ensure monitoring of ultrafine particles levels and black carbon concentrations in accordance with Point D of Annex III to Directive (EU) 2024/2881 and Section 4 of Annex VII to Directive (EU) 2024/2881.”

(4) In subregulation 14(4) replace “sections I to III of Annex III to Directive 2004/107/EC” with “Annex IV to Directive (EU) 2024/2881”.

Amendment of Regulation 15.

16. In subregulation 15(2)(b) replace “Annex III to Directive 2004/107/EC” with “Annex IV to Directive (EU) 2024/2881”.

Amendment of Regulation 16.

17. In regulation 16, replace “Annex V to Directive 2004/107/EC” with “Annex VI to Directive (EU) 2024/2881”.

Insertion of new Regulation 16A.

18. After regulation 16 insert—

“Air pollution hotspots.

16A. The Minister shall ensure that at least one sampling point is located at an air pollution hotspot and at least one sampling point is located at an urban background location, provided this does not increase the minimum number of sampling points required under regulation 7(2).”.

Amendment of Regulation 17.

19.(1) In subregulation 17(1), for “Annexes XI and XIV to Directive 2008/50/EC” substitute “Section 1 of Annex I to Directive (EU) 2024/2881”.

(2) In subregulation 17(2), for after “subregulation (1)” insert “, (5) and regulation 18(1)”.

(3) In subregulation 17(2) for “Annex III to Directive 2008/50/EC” substitute “Annex IV to Directive (EU) 2024/2881”.

(4) In subregulation 17(3), for “Annexes XI and XIV to Directive 2008/50/EC” substitute “Section 1 of Annex I to Directive (EU) 2024/2881”.

(5) After subregulation 17(3), insert—

“(3A) The Minister shall endeavour to achieve and preserve the best ambient air quality and a high level of protection of human health and the environment, with the aim of achieving a zero-pollution objective in line with World Health Organisation recommendations, and below the assessment thresholds laid down in Annex II to Directive (EU) 2024/2881.”

(6) In subregulation 17(4) replace “sulphur dioxide and nitrogen dioxide” with “sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone”.

(7) In subregulation 17(4), for “Section A of Annex XII to Directive 2008/50/EC” substitute “Section 4 of Annex I to Directive (EU) 2024/2881”.

Amendment of Regulation 18.

20. Replace subregulation 18(1) with-

“(1) Where the levels of pollutants in ambient air are below the respective target values specified in Sections 1 and 2 of Annex I to Directive (EU) 2024/2881, the Minister shall take the necessary measures not entailing disproportionate costs to maintain those levels below the target values.”.

Amendment of Regulation 19.

21. Replace regulation 19 with-

“Postponement of attainment deadline and exemption from the obligation to apply certain limit values.

19.(1) Where conformity with the limit values for particulate matter (PM₁₀ and PM_{2.5}), nitrogen dioxide, benzene or benzo(a)pyrene cannot be achieved by the deadline specified in Section 1, Table 1, of Annex I to Directive (EU) 2024/2881, the Minister may postpone that deadline by a period justified by an air quality roadmap and provided that the conditions set out in subregulation (3) are met-

- (a) up to 1 January 2040, if justified by site-specific dispersion characteristics, orographic boundary conditions, adverse climatic conditions, transboundary contributions, or where the necessary reductions can only be achieved by replacing a considerable fraction of the existing domestic heating systems that are the source of pollution causing exceedances; or
- (b) up to 1 January 2035, if justified by projections that demonstrate that even taking into account the expected impact of effective air pollution measures identified in the air quality roadmap, the limit values cannot be attained by the attainment deadline.

(2) Where an attainment deadline has been postponed in accordance with subregulation (1)(b), but attainment cannot be achieved by that postponed deadline, the Minister may postpone the deadline for a second and last time by a period which is no longer than 2 years from the end of the first postponement period and which is justified by an updated air quality roadmap, provided that the conditions set out in subregulation (3) are met.

(3) The Minister may postpone an attainment deadline in accordance with subregulation (1) if the following conditions are met-

- (a) an air quality roadmap is established by 31 December 2028;
- (b) the air quality roadmap referred to in subregulation (3)(a) is supplemented by information on air pollution abatement measures listed in Point B of Annex VIII to Directive (EU) 2024/2881 and demonstrates how exceedance periods above the limit values will be kept as short as possible;
- (c) the air quality roadmap referred to in subregulation (3)(a) is underpinned by air quality projections, including those performed for the purposes of

Point A, point 5 and point 7(e), of Annex VIII, which show how the limit values will be attained as soon as possible and no later than by the end of the postponed attainment deadline, taking into account reasonable and proportionate measures;

- (d) the air quality roadmap referred to in subregulation (3)(a) outlines how the public and, in particular, sensitive population and vulnerable groups will be informed in a coherent and easily understandable manner about the consequences of the postponement for human health and the environment;
 - (e) the air quality roadmap referred to in subregulation (3)(a) outlines how additional funding, including via relevant national programmes, and Union funding programmes where applicable, will be mobilised to accelerate the improvement of air quality in the zone to which the postponement would apply;
 - (f) the conditions laid down in paragraph 3 are fulfilled throughout the period of postponement of the attainment deadline;
 - (g) where an attainment deadline is postponed in accordance with subregulation (1)(b) the updated air quality roadmap referred to in that subparagraph demonstrates that the first air quality roadmap has been implemented or that steps have been taken in view of its implementation and is supplemented by an analysis showing that the original projections of compliance made in accordance with subregulation (3)(c) did not materialise.
- (4) During the period of postponement of an attainment deadline in accordance with subregulation (1), the Minister shall ensure that the following conditions are met:
- (a) the measures in the air quality roadmap, where applicable as updated in accordance with subregulation (4)(b) are being implemented, as demonstrated by the Minister by way of an implementation report, including updated projections of emissions and, where possible, of concentrations published on the website of the Department of the Environment on a two and a half yearly basis and for the first time by 30 June 2031; where relevant, reference may be made to the most recent programmes and projections of emissions reported pursuant to the Public Health (National Emission Reduction) Rules 2018 and the accompanying informative inventory report and, where relevant, the implementation report may be integrated in the updated air quality roadmap;
 - (b) the air quality roadmap referred to in subregulation (1) is updated in accordance with regulation 26(17);
 - (c) from 1 January 2035, the concentration levels for the relevant pollutant show a general decreasing trend in line with an indicative trajectory

towards compliance estimated in an updated air quality roadmap established pursuant to Point A, point 7(e), of Annex VIII;

- (d) the implementation reports and the updated air quality roadmaps are published on the website of the Department of the Environment within 2 months of their adoption.
- (5) The Minister shall, no later than 31 January 2029, where in his or her view subregulation (1)(a) or (b) is applicable, publish on the website of the Department of the Environment a notice setting out the air quality roadmap referred to in subregulation (1) and all relevant information necessary to assess whether the invoked reason for postponement and the conditions set out in subregulation (1)(a) or (b), as the case may be, are satisfied.
- (6) The Minister shall, no later than 31 January 2034, where in his or her view attainment cannot be achieved by an attainment deadline postponed in accordance with subregulation (1)(b), publish on the website of the Department of the Environment a notice setting out the updated air quality roadmap referred to in subregulation (1) and all relevant information necessary to assess whether the invoked reason for a second and last postponement and the conditions set out in that subregulation are satisfied.
- (7) As regards the projections provided as a reason for postponement, the Minister shall justify the methods as well as the data used to obtain those projections.”.

Amendment of Regulation 20.

22.(1) In subregulation 20(1) replace “Section C of Annex VII to Directive 2008/50/EC” with “Annex I to Directive (EU) 2024/2881”.

(2) In subregulation 20(2) insert “, volatile organic compounds from biogenic sources,” after “meteorological conditions”.

Amendment of Regulation 21.

23. Replace regulation 21 with-

- “21.(1) Where any alert threshold or any information threshold laid down in Section 4 of Annex I to Directive (EU) 2024/2881 is exceeded, or, where appropriate, if it is predicted to be exceeded based on modelling applications or other forecasting tools, the Minister shall take the necessary steps to inform the public within the shortest possible timeframe, in accordance with points 2 and 3 of Annex X to Directive (EU) 2024/2881, making use of different media and communication channels and ensuring broad public access.
- (2) The information thresholds for concentrations of sulphur dioxide, nitrogen dioxide, PM10, PM2.5 and ozone in ambient air shall be those laid down in Section 4, Point B, of Annex I to Directive (EU) 2024/2881.”.

Amendment of Regulation 22.

24. Replace “Annex XIII to Directive 2008/50/EC” with “Annex I to Directive (EU) 2024/2881”.

Insertion of new Regulations 22A and 22B.

25. After regulation 22 insert-

“Natural sources.

22A.(1) Where the Minister can, for a given year, demonstrate that-

- (a) exceedances of limit values for a given pollutant in the zone are attributable to natural sources;
- (b) exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources,

the Minister shall publish on the website of the Department of the Environment the information necessary to demonstrate that any exceedance is attributable to natural sources.

- (2) Where an exceedance attributable to natural sources in accordance with subregulation (1) has been published on the website of the Department of the Environment, that exceedance shall not be considered as an exceedance for the purposes of these Regulations.

Re-suspension of particulates following winter-sanding or winter-salting of roads.

22B.(1) Where the Minister can, for a given year, demonstrate that exceedances of limit values for PM10 in the zone are attributable to the re-suspension of particulates following winter-sanding or winter-salting of roads, the Minister shall publish the necessary evidence in the website of the Department of the Environment.

- (2) The evidence referred to in subregulation (1) shall demonstrate that the exceedances are due to re-suspended particulates and that reasonable measures have been taken to lower such concentrations.
- (3) In the case of a zone referred to in subregulation (1), the Minister need only establish an air quality plan provided for in regulation 26 in so far as exceedances are attributable to PM10 sources other than winter-sanding or winter-salting of roads.”.

Amendment of Regulation 23.

26. Replace regulation 23 with-

- “23.(1) The average exposure indicators shall be assessed in accordance with Section 5, Point A, of Annex I.
- (2) Where the average exposure indicators for PM_{2.5} and NO₂ are below the respective value of the average exposure concentration objectives for those pollutants as laid down in Section 5 of Annex I, Member States shall maintain the levels of those pollutants below the average exposure concentration objectives
- (3) The Minister shall ensure that the average exposure reduction obligations for PM_{2.5} and NO₂ laid down in Section 5, Point B, of Annex I to Directive (EU) 2024/2881 are met where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I to Directive (EU) 2024/2881.”.

Amendment of Regulation 24.

27. Replace regulation 24 with –

- “24.(1) The Minister shall ensure that the average exposure reduction obligations for PM_{2.5} and NO₂ laid down in Section 5, Point B, of Annex I to Directive (EU) 2024/2881 are met.
- (2) The average exposure reduction obligations are that the AEI shall not exceed a level that is-
- (a) for PM_{2.5}-
- (i) when 10 years before the AEI was less than 10.0 µg/m³: 10% lower than the AEI was 10 years before or 8.5 µg/m³, whichever is the lower, unless the AEI is already no higher than the average exposure concentration objective;
- (ii) when 10 years before the AEI was less than 12.0 µg/m³ and at least 10.0 µg/m³: 15% lower than the AEI was 10 years before or 9.0 µg/m³, whichever is the lower;
- (iii) when 10 years before the AEI was at least 12.0 µg/m³: 25% lower than the AEI was 10 years before;
- (b) for NO₂-
- (i) when 10 years before the AEI was less than 20.0 µg/m³: 15% lower than the AEI was 10 years before or 15.0 µg/m³, whichever is the

lower, unless the AEI is already no higher than the average exposure concentration objective;

- (ii) when 10 years before the AEI was at least 20.0 µg/m³: 25% lower than the AEI was 10 years before.”.

Amendment of Regulation 25.

28.(1) In the heading of regulation 25, after “PM2.5” insert “and NO₂”.

(2) In subregulation 25(1), after “PM2.5” insert “and NO₂” and for “by 2020” substitute “in accordance with Section 5 of Annex I to Directive (EU) 2024/2881”.

(3) For regulation 25(2), substitute-

“(2) The Minister shall ensure that the average exposure concentration objectives are met, being an AEI of 5 µg/m³ for PM2.5 and an AEI of 10 µg/m³ for NO₂.”

(4) Delete regulation 25(3).

Amendment of Regulation 26.

29. Replace regulation 26 with-

“Air quality plans and air quality roadmaps.

26.(1) Where, the levels of pollutants in ambient air exceed any limit value or target value laid down in Section 1 of Annex I to Directive (EU) 2024/2881, the Minister shall establish air quality plans that set out appropriate measures to achieve the limit value or target value concerned and to keep the exceedance period as short as possible, and in any case no longer than 4 years from the end of the calendar year in which the first exceedance was recorded.

(2) The air quality plans shall be established as soon as possible and no later than 2 years after the calendar year during which that exceedance of any limit value or target value was recorded.

(3) Where an exceedance of a limit value is already covered by an air quality roadmap, the Minister shall ensure that-

- (a) the measures set out in that roadmap are appropriate to keep the exceedance period as short as possible; and,
- (b) where relevant, take additional and more effective measures and follow the procedure for updating an air quality roadmap as set out in subregulation (17).

- (4) Where the levels of pollutants in ambient air exceed any ozone target value, laid down in Section 2 of Annex I to Directive 2024/2881, the Minister shall establish air quality plans that set out appropriate measures in order to achieve the ozone target value and to keep the exceedance period as short as possible.
- (5) Those air quality plans shall be established as soon as possible and no later than 2 years after the calendar year during which the exceedance of the ozone target value was recorded.
- (6) Where an exceedance of an ozone target value is already covered by an air quality roadmap, the Minister shall ensure that the measures set out in that roadmap are appropriate to keep the exceedance period as short as possible and, where relevant, follow the procedure for updating an air quality roadmap as set out in subregulation (17).
- (7) The Minister may refrain from establishing such air quality plans or air quality roadmaps to address the exceedance of ozone where there is no significant potential to reduce ozone concentrations, considering geographical and meteorological conditions, and where the measures would entail disproportionate costs.
- (8) Where an air quality plan or air quality roadmap is not established, the Minister shall provide to the public a detailed justification as to why there is no significant potential to reduce the exceedance resulting in a decision not to establish an air quality plan or air quality roadmap, and shall publish the justification on the website of the Department of the Environment.
- (9) The Minister shall reassess the potential to reduce ozone concentrations, at least once every 5 years.
- (10) Where the ozone target value is exceeded, the Minister shall ensure that the relevant national air pollution control programme prepared pursuant to the Public Health (National Emissions Reduction) Rules 2018 includes measures addressing ozone precursors.
- (11) Where the average exposure reduction obligation laid down in Section 5 of Annex I to Directive (EU) 2024/2881 is not achieved, the Minister shall establish air quality plans that set out appropriate measures to achieve the average exposure reduction obligation and to keep the exceedance period as short as possible.
- (12) Those air quality plans shall be established as soon as possible and no later than 2 years after the calendar year during which the exceedance of the average exposure reduction obligation was recorded.
- (13) Where from 1 January 2026 until 31 December 2029, the levels of pollutants are above any limit value or target value to be attained by 1 January 2030 as laid down in Section 1, Table 1, of Annex I and in Section 2, Point B, of Annex I to Directive (EU) 2024/2881, and without prejudice to subregulation (7), the Minister shall

establish an air quality roadmap for the pollutant concerned to attain the respective limit values or target values by the expiration of the attainment deadline.

- (14) Those air quality roadmaps shall be established as soon as possible and no later than 2 years after the calendar year during which the exceedance was recorded.
- (15) The Minister may refrain from establishing such air quality roadmaps when the baseline scenario following the information required by Point A, point 5, of Annex VIII to Directive 2024/2881, shows that the limit value or target value will be achieved with the measures that are already in force, including when the exceedance is caused by temporary activities influencing the levels of pollutants in a single year.
- (16) Where an air quality roadmap is not established pursuant to subregulation (15), the Minister shall provide to the public a detailed justification and shall publish the justification on the website of the Department of the Environment.
- (17) Where exceedances of any limit value, average exposure reduction obligation or target value persist during the third calendar year after the deadline for establishment of an air quality plan or air quality roadmap, and without prejudice to subregulation (7), the Minister shall-
 - (a) update the air quality plan or air quality roadmap and the measures therein, including their impact on projected emissions and concentrations, no later than 5 years following the deadline for establishment of the previous air quality plan or air quality roadmap; and
 - (b) take additional and more effective measures to keep the exceedance period as short as possible.
- (18) Air quality plans and air quality roadmaps shall contain at least the following information-
 - (a) the information listed in Point A, points 1 to 7, of Annex VIII to Directive (EU) 2024/2881;
 - (b) where applicable, the information listed in Point A, points 8, 9 and 10, of Annex VIII to Directive (EU) 2024/2881;
 - (c) information on relevant abatement measures listed in Point B, point 2, of Annex VIII to Directive (EU) 2024/2881.
- (19) The Minister shall include specific measures aiming at the protection of sensitive population and vulnerable groups, including children, in their air quality plans and air quality roadmaps.
- (20) The Minister shall assess, when preparing air quality plans or air quality roadmaps, the risk of exceeding the respective alert thresholds for the pollutants concerned.

- (21) The analysis referred to in subregulation (20) shall be used for establishing short-term action plans where applicable.
- (22) Where air quality plans or air quality roadmaps are to be established in respect of several pollutants or air quality standards, the Minister shall, where appropriate, establish integrated air quality plans or air quality roadmaps covering all pollutants and air quality standards concerned.
- (23) The Minister shall, to the extent feasible, ensure consistency of the air quality plans and air quality roadmaps with other plans that have a significant impact on air quality, including those required under the Environment (Assessment and Management of Noise) Regulations 2006, Pollution Prevention and Control Regulations 2013 and the Public Health (National Emissions Reduction) Rules 2018 and under climate, biodiversity, energy, transport and agriculture legislation.
- (24) Air quality plans and air quality roadmaps shall be published on the website of the Department of the Environment within 2 months of their adoption.”.

Amendment of Regulation 27.

30. Replace regulation 27 with-

- “27.(1) Where, there is a risk that the levels of pollutants will exceed one or more of the alert thresholds specified in Section 4 of Annex I to Directive (EU) 2024/2881, the Minister shall establish short-term action plans indicating the emergency measures to be taken in the short term in order to reduce the risk or duration of such an exceedance.
- (2) Where there is a risk that the alert threshold for ozone will be exceeded, the Minister may refrain from establishing such short-term action plans when there is no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.
- (3) Where there is a risk that the alert threshold for ozone will be exceeded, the Minister may refrain from establishing such short-term action plans when there is no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.
- (4) Where, for particulate matter (PM₁₀ and PM_{2.5}), the potential to reduce the risk of such an exceedance is severely limited, taking into account local geographical and meteorological conditions and specificities of domestic heating systems, the Minister may establish a short-term action plan that focuses only on specific actions aiming to protect both the general public and sensitive population and

vulnerable groups, as well as easily understandable information on recommended behaviour to reduce exposure to the measured or forecasted exceedance.

- (5) Short-term action plans shall be published on the website of the Department of the Environment within 1 year of their adoption.”.

Amendment of Regulation 29.

31. Replace regulation 29 with-

“29.(1) The Minister shall ensure that the public as well as appropriate organisations such as environmental and health organisations, consumer organisations, organisations representing the interests of sensitive populations and vulnerable groups, organisations representing healthcare professionals and other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following-

- (a) air quality in accordance with Annex X to Directive (EU) 2024/2881;
 - (b) the location of sampling points for all air pollutants, as well as information on any issues in complying with data coverage requirements per sampling point and pollutant;
 - (c) any postponement decision pursuant to regulation 19;
 - (d) air quality plans and air quality roadmaps as provided for in regulation 26;
 - (e) short-term action plans established pursuant to regulation 27;
 - (f) the effects of exceedances of limit values, target values, average exposure reduction obligations, average exposure concentration objectives, alert thresholds and information thresholds in a summary assessment; the summary assessment shall include, where appropriate, further information and assessments on the environment as well as information on pollutants covered by Article 10 and Annex VII to Directive (EU) 2024/2881.
- (2) The Minister shall establish and make available through a public source, in an easily understandable manner, an air quality index covering hourly updates on at least sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2,5}) and ozone, provided that there is an obligation to monitor those pollutants pursuant to these Regulations.
- (3) That index may include additional pollutants, when relevant.
- (4) The air quality index shall build on the air quality indices at European scale provided by the European Environment Agency and include information regarding impacts on health, including information tailored to sensitive population and vulnerable groups.

- (5) The Minister may use the air quality index provided by the European Environment Agency to meet the requirements set out in this regulation.
- (6) If the Minister decides not to use the index provided by the European Environment Agency, a reference to that index shall be made publicly available.
- (7) The Minister shall make publicly available information on symptoms associated with air pollution peaks and on air pollution exposure reduction and protection behaviours, and shall encourage its display to the public in locations frequented by sensitive population and vulnerable groups, such as healthcare facilities.
- (8) The information referred to in this Article shall be made available to the public free of charge by means of easily accessible media and communication channels in a coherent and easily understandable manner in accordance with Directive 2007/2/EC and Directive (EU) 2019/1024 of the European Parliament and of the Council, while ensuring broad public access to that information.”.

Amendment of Regulation 30.

32. In subregulation 30(3) replace “section B of Annex X to Directive 2008/50/EC” with “Annex VII to Directive (EU) 2024/2881”.

Amendment of Regulation 31.

33. In subregulation 31(5) replace “Article 4 of Directive 2008/50/EC” with “Article 6 of Directive (EU) 2024/2881”.

Amendment of Regulation 32.

34. After subregulation 32(1) insert-

“(1A) A person who contravenes or fails to comply with any requirement or obligation imposed on that person by or under these Regulations is guilty of an offence.

(1B) In determining a penalty under this regulation, the court shall have due regard to—

- (a) the nature, gravity, extent and duration of the infringement;
- (b) the impact on the population, including sensitive population and vulnerable groups, or the environment affected by the infringement;
- (c) the repetitive or singular character of the infringement; and
- (d) the economic benefits derived from the infringement by the person held responsible, insofar as this can be determined.”

Insertion of new Regulations 34, 35 and 36.

35. After regulation 33 insert-

“Transitional provisions.

- 34.(1) The limit values set out in Section 1, Table 2, of Annex I to Directive (EU) 2024/2881 shall apply until 31 December 2029.
- (2) From 1 January 2030, the limit values set out in Section 1, Table 1, of Annex I to Directive (EU) 2024/2881 shall apply.
- (3) Air quality plans, short-term action plans, or any other plans drawn up under the Environment (Air Quality Standards) Regulations 2010 prior to the coming into force of these amending Regulations shall continue to have effect until replaced or updated in accordance with Directive (EU) 2024/2881.

Access to justice.

- 35.(1) Any member of the public concerned who has a sufficient interest, or who maintains the impairment of a right, may apply to the Supreme Court for judicial review of any decision, act or omission of the Minister concerning—
- (a) the location and number of sampling points under regulation 7, in accordance with the relevant criteria laid down in Annexes III and IV to Directive (EU) 2024/2881;
- (b) air quality plans and air quality roadmaps referred to in regulation 26; and
- (c) short-term action plans referred to in regulation 27.
- (2) For the purposes of subregulation (1), the interest of any non-governmental organisation that promotes the protection of human health or the environment shall be deemed sufficient.
- (3) The Minister shall ensure that practical information is made available to the public on access to administrative and judicial review procedures under this regulation.

Compensation for damage to human health.

- 36.(1) Any natural person who suffers damage to human health caused by a violation of regulation 26(1) to (5) or regulation 27(1) or (4) of these Regulations, where that violation has been committed intentionally or negligently by the Minister, shall have the right to claim and obtain compensation for that damage.
- (2) Rules and procedures relating to claims for compensation under subregulation (1) shall not render it impossible or excessively difficult to exercise the right to compensation.

- (3) An action for compensation under this regulation must be brought within six years beginning on the later of—
- (a) the date on which the violation ceased; and
 - (b) the date on which the claimant knew, or could reasonably be expected to have known, that he or she suffered damage from a violation referred to in subregulation (1).

Amendment to Schedule 1.

36. Delete schedule 1.

Amendment to Schedule 2.

37. Delete schedule 2.

Dated: 1st April 2026.

PROF. J CORTES,
Minister with responsibility for the Environment,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Environment (Air Quality Standards) Regulations 2010 ("the 2010 Regulations") in order to create equivalent domestic provisions for Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe ("the Directive"). The Directive recasts and replaces Directive 2004/107/EC and Directive 2008/50/EC, which were the instruments previously transposed by the 2010 Regulations.