



# Environment (Air Quality and Soundscapes) (Wales) Act 2024

2024 asc 2

## PART 1

### AIR QUALITY

#### CHAPTER 1

##### NATIONAL TARGETS

### **3 Target-setting process**

- (1) Before making regulations under section 1 or 2, the Welsh Ministers must—
  - (a) seek advice from persons they consider to be independent and to have relevant expertise, and
  - (b) have regard to scientific knowledge on air pollution.
- (2) Before making regulations under section 1 or 2 which set or amend a target in respect of a particular pollutant, the Welsh Ministers must have regard to any guidelines for that pollutant published by the World Health Organisation in its most recent global air quality guidelines.
- (3) Before making regulations under section 1 or 2 which set or amend a target, the Welsh Ministers must be satisfied that the target or amended target can be met.
- (4) The Welsh Ministers may not make regulations under section 1 or 2 which revoke or lower a target (the “existing target”) unless they are satisfied that—
  - (a) meeting the existing target would have no significant benefit compared with not meeting it or with meeting a lower target, or
  - (b) because of changes in circumstances since the existing target was set or last amended, the environmental, social, economic or other costs of meeting it would be disproportionate to the benefits.

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**Changes to legislation:** There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Section 3. (See end of Document for details)

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- (5) Before making regulations under section 1 or 2 which revoke or lower a target, the Welsh Ministers must lay before Senedd Cymru, and publish, a statement explaining why the Welsh Ministers are satisfied as mentioned in subsection (4).
- (6) Regulations lower a target if, to any extent, they—
  - (a) replace the specified standard with a lower standard, or
  - (b) replace the specified date with a later date.
- (7) Regulations under section 1 may not revoke the air quality target that has been set to comply with subsection (2) of that section (but may amend it in accordance with this section).
- (8) Regulations under section 2 may not revoke a PM2.5 air quality target (but may amend it in accordance with this section).
- (9) For the purposes of this Chapter, a target is met if the specified standard is achieved by the specified date.
- (10) The Welsh Ministers must lay a draft of a statutory instrument containing the regulations required by section 1(2) before Senedd Cymru before the end of the period of 6 years beginning with the date on which this Act receives Royal Assent.
- (11) The Welsh Ministers must lay a draft of a statutory instrument containing regulations setting a PM2.5 air quality target before Senedd Cymru before the end of the period of 3 years beginning with the date on which this Act receives Royal Assent.

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**Commencement Information**

**II** S. 3 in force at 14.4.2024, see s. 30(2)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Section 3.