
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in the United Kingdom Directive 2016/2284/EU of the European Parliament and the Council relating to national emission ceilings for certain atmospheric pollutants (OJ No L 344, 17.12.2016, p 1). This Directive implements at the EU level obligations under the United Nations Economic Commission for Europe 1979 Convention on Long-Range Transboundary Air Pollution and its 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, which was revised in 2012.

Regulation 3 requires the Secretary of State to prepare an annual inventory of emissions of certain pollutants occurring in the United Kingdom, and projections of such emissions in certain years specified in Schedule 1. If the conditions in regulation 4 are met, the Secretary of State may prepare an adjusted inventory of emissions.

Regulation 5 requires the Secretary of State to ensure that in 2010 and each year to and including 2019 anthropogenic emissions of sulphur dioxide, nitrogen oxides, volatile organic compounds and ammonia occurring within the United Kingdom do not exceed the amounts specified in Table 1 of Schedule 3.

Regulation 6 requires the Secretary of State to ensure in each year from 2020 until 2029 anthropogenic emissions of sulphur dioxide, nitrogen oxides, volatile organic compounds, ammonia and fine particulate matter occurring within the United Kingdom do not exceed the national emission reduction commitments specified in Table 2 of Schedule 3. It further requires the Secretary of State to ensure that in 2030 and each subsequent year those emissions do not exceed the national emission reduction commitments specified in Table 3 of Schedule 3.

Regulation 7 requires the Secretary of State to ensure emissions in 2025 are following a linear reduction trajectory between the targets to be met in 2020 and 2030, subject to certain conditions. The achievement of the national emission reduction commitments is subject to the derogations in regulation 8 which the Secretary of State can apply in certain conditions.

Regulation 9 requires the Secretary of State to prepare a national air pollution control programme. Public authorities are to have regard to the programme when exercising any functions which significantly affect the level of emissions for the pollutants that these Regulations cover. In accordance with regulation 10 the Secretary of State must consult the public when preparing or significantly revising a national air pollution control programme.

Regulation 11 requires the Secretary of State to locate sites representative of specified ecosystems and habitats in order to monitor the negative impacts of air pollution.

An impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the International Air Quality Team at the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR.

Changes to legislation:

There are currently no known outstanding effects for the The National Emission Ceilings Regulations 2018.