
STATUTORY INSTRUMENTS

2019 No. 1350

The Environment (Legislative Functions
from Directives) (EU Exit) Regulations 2019

PART 2

Air quality

CHAPTER 3

Retention of functions from [Directive 2008/50/EC](#)

Power to amend non-essential elements

- 7.—(1) The appropriate authority may, by regulations—
- (a) amend provision in any enactment which corresponds to that made by a relevant Annex to [Directive 2008/50/EC](#);
 - (b) make provision requiring (whether by amending an enactment, or otherwise) a reference to a relevant Annex to [Directive 2008/50/EC](#) (or a reference which encompasses a relevant Annex) to be read as a reference to that Annex with modifications.
- (2) But the appropriate authority may not exercise the power in paragraph (1) to the extent that it would result in—
- (a) changes to—
 - (i) the limit values;
 - (ii) exposure reduction targets;
 - (iii) critical levels;
 - (iv) target values;
 - (v) information or alert thresholds;
 - (vi) long-term objectives;
 - (b) any change to a date by which compliance with the matters referred to in sub-paragraph (a) is required.
- (3) The relevant Annexes to [Directive 2008/50/EC](#) are—
- (a) Annex 1 (data quality objectives);
 - (b) Annex 2 (determination of requirements for assessment of concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀ and PM_{2.5}), lead, benzene and carbon monoxide in ambient air within a zone or agglomeration);
 - (c) Annex 3 (assessment of ambient air quality and location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀ and PM_{2.5}), lead, benzene and carbon monoxide in ambient air);
 - (d) Annex 4 (measurements at rural background locations irrespective of concentration);

- (e) Annex 5 (criteria for determining minimum number of sampling points for fixed measurement of concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀, PM_{2.5}), lead, benzene and carbon monoxide in ambient air);
- (f) Annex 6 (reference methods for assessment of concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀ and PM_{2.5}), lead, benzene, carbon monoxide, and ozone);
- (g) Annex 8 (criteria for classifying and locating sampling points for assessments of ozone concentrations);
- (h) Annex 9 (criteria for determining the minimum number of sampling points for fixed measurement of concentrations of ozone);
- (i) Annex 10 (measurements of ozone precursor substances);
- (j) Annex 15 (information to be included in the local, regional or national air quality plans for improvement in ambient air quality).