

POLICY NOTE

THE AIR QUALITY STANDARDS (SCOTLAND) AMENDMENT REGULATIONS 2016

SSI 2016/376

The above instrument is made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. The instrument is subject to the negative procedure.

Background

These Regulations amend the Air Quality Standards (Scotland) Regulations 2010, which implement Directive 2004/107/EC relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air and Directive 2008/50/EC on ambient air quality and cleaner air for Europe.

Directive (EU) 2015/1480 amends several annexes to the 2004 and 2008 Directives laying down the rules concerning reference methods, data validation and location of sampling points for the assessment of ambient air quality. Specifically, the 2015 Directive amends Annexes IV and V of the 2004 Directive and Annexes I, III, VI and IX of the 2008 Directive.

To take account of these amendments, these Regulations amend the 2010 Regulations to insert new definitions of the 2004 Directive and the 2008 Directive (regulation 3). They also amend schedule 1 of the 2010 Regulations to take account of amendments made to Annex III of the 2008 Directive by the 2015 Directive (regulation 4).

Policy objectives

The changes introduced by the 2015 Directive are technical in nature and have no implications for policy development or implementation in relation to ambient air quality.

Consultation and Impact Assessment

The Instruments do not impose any new legal or financial burdens on business or industry, therefore no consultation or impact assessment was undertaken.

Financial effects

The Cabinet Secretary confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

**Scottish Government
Directorate for Environment & Forestry**

14 November 2016