

TRANSPPOSITION NOTE

Directive 2016/2284/EC of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ No. L344/1, 17.12.2016)

The Secretary of State for Environment, Food and Rural Affairs relies, from the transposition deadline of 1 July 2018, on the provisions of the National Emission Ceilings Regulations 2018 set out in the Table below in respect of the transposition of the above Directive in the UK. The Regulations apply to the following pollutants – sulphur dioxide, oxides of nitrogen, fine particulate matter, non-methane volatile organic compounds, and ammonia.

Directive Article	Objective	Implementation	Responsibility
Article 1	Objectives and subject matter of the Directive as a whole.	Implicit in the Regulations as a whole. Does not require transposition.	
Article 2	Scope of application of the Directive	Regulation 2	
Article 3	Definitions	Regulation 2	
Article 4	Sets national emission reduction commitments for each pollutant.	Regulation 6, 7	Secretary of State
Article 5	Provides for flexibilities to be used in meeting the emission reduction commitments.	Regulation 4, 8	Secretary of State
Article 6	Establishes the requirement to prepare a National Air Pollution Control Programme setting out national measures which will meet the emission reduction commitments for the relevant pollutants.	Regulation 9, 10	Secretary of State
Article 7	Establishes obligations on the European Commission to provide financial support to measures to be taken by Member States with a view to complying with the present Directive.	Transposition not required.	

Article 8	Establishes requirement to produce national emissions inventories, projections, spatially disaggregated maps, and informative inventory reports.	Regulation 3, 12	Secretary of State
Article 9	Establishes requirement to develop national ecosystems monitoring networks.	Regulation 11	Secretary of State
Article 10	Establishes the reporting requirements and deadlines for the provision of information to the Commission..	Regulation 3, 9, 11, 12	Secretary of State
Article 11	Requires the European Commission to provide reports to the European Parliament and the Council as specified.	Transposition not required.	
Article 12	Requires the European Commission to set up a European Clean Air Forum.	Transposition not required.	
Article 13	Duties for the European Commission to review provisions in this Directive as appropriate.	Transposition not required.	
Article 14	Establishes obligations to provide information to the public.	Regulation 3, 4, 10, 12	Secretary of State
Article 15	Duties on the Commission and Member States to cooperate with third countries and international organisations as appropriate.	Transposition not required.	Secretary of State
Article 16	Establishes power of European Commission to adopt delegated acts with regard to specific provisions of the Directive as appropriate.	Transposition not required.	
Article 17	Establishes role of the Ambient Air Quality Committee in assisting the European Commission.	Transposition not required.	
Article 18	Establishes provision for penalties pursuant to provisions adopted for the purpose of the Directive.	Transposition not required.	

Article 19	Amends Directive 2003/35/EC to refer to the present Directive.	Transposition not required.	
Article 20	Transposition provisions for the Directive.	Transposition not required.	
Article 21	Repeal and transitional provisions.	Regulation 5, 13	Secretary of State
Article 22	Directive entry into force date.	Transposition not required.	
Article 23	Provision to address Directive to Member States.	Transposition not required.	
Annex I	Prescribes monitoring and reporting requirements for relevant pollutants.	Regulation 3, 12 Schedule 1, 4,	Secretary of State
Annex II	Prescribes national emission reduction commitments for relevant pollutants.	Schedule 3, Regulation 6	Secretary of State
Annex III	Prescribes minimum content for inclusion in National Air Pollution Control Programmes.	Regulation 9	Secretary of State
Annex IV	Prescribes methodologies for the preparation and updating of national emission inventories and projections, informative inventory reports, and adjusted national emission inventories.	Regulation 3, 12, Schedule 1, 4	Secretary of State
Annex V	Prescribes optional indicators for monitoring air pollution impacts on ecosystems.	Transposition not required.	Secretary of State
Annex VI	Correlation table	Not applicable	