



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

2024 asc 2

PART 1

AIR QUALITY

CHAPTER 1

NATIONAL TARGETS

PROSPECTIVE

8 Maintaining air quality standards

- (1) This section applies in relation to a specified standard for a target set under section 1 or 2 where—
 - (a) the specified date for the target has been reached, and
 - (b) the specified standard for the target has been achieved (whether by the specified date or by a later date).
- (2) The Welsh Ministers, in the exercise of their powers under section 87(1) of the Environment Act 1995 (c. 25) must ensure that—
 - (a) the Welsh Ministers are under a duty to maintain that standard, and
 - (b) reporting requirements are in place in relation to the performance of that duty.
- (3) The Welsh Ministers may exercise their powers under section 87(1) of the Environment Act 1995 to replace the standard mentioned in subsection (2)(a) with a lower standard, or to revoke the standard, but only if satisfied that—
 - (a) meeting the standard would have no significant benefit compared with not meeting it or with meeting a lower standard, or

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Environment (Air Quality and Soundscapes) (Wales) Act 2024. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (b) because of changes in circumstances since the specified standard was set or last lowered, the environmental, social, economic or other costs of meeting it would be disproportionate to the benefits.
- (4) Before making regulations under section 87(1) of the Environment Act 1995 for any purpose mentioned in subsection (3), the Welsh Ministers must (in addition to complying with section 87(7B) of that Act)—
- (a) seek advice from persons they consider to be independent and to have relevant expertise,
 - (b) have regard to scientific knowledge on air pollution,
 - (c) have regard to any guidelines in respect of the pollutant to which the standard applies published by the World Health Organisation in its most recent global air quality guidelines, and
 - (d) lay before Senedd Cymru, and publish, a statement explaining why the Welsh Ministers are satisfied as mentioned in subsection (3).

Commencement Information

II S. 8 in force at 14.4.2024, see [s. 30\(2\)\(b\)](#)

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Changes and effects yet to be applied to :

- s. 8 coming into force by [2024 asc 2 s. 30\(2\)\(b\)](#)