



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

2024 asc 2

PART 1

AIR QUALITY

CHAPTER 2

OTHER PROVISION

PROSPECTIVE

National air quality strategy

12 Power to change review period for strategy

(1) In section 80 of the Environment Act 1995 (c. 25) (national air quality strategy), after subsection (7) insert—

“(8) The Welsh Ministers may by regulations amend this section for the purpose of changing the period within which they must review the strategy.”

(2) In section 87 of that Act (regulations for the purposes of Part 4), after subsection (9) insert—

“(9A) A statutory instrument containing regulations under section 80(8) may not be made unless a draft of the instrument has been laid before, and approved by resolution of, Senedd Cymru.”

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Cross Heading: National air quality strategy. (See end of Document for details)

Commencement Information

II S. 12 in force at 14.4.2024, see [s. 30\(2\)\(d\)](#)

13 Consultation on review of strategy

After section 80(8) of the Environment Act 1995 (c. 25) (as inserted by section 12) insert—

“(9) Subsections (6) and (7) do not apply in relation to the Welsh Ministers.

(10) In reviewing the strategy, the Welsh Ministers must consult—

- (a) the Natural Resources Body for Wales;
- (b) every local authority in Wales;
- (c) every Local Health Board established under section 11 of the National Health Service (Wales) Act 2006;
- (d) every National Health Service trust established under section 18 of the National Health Service (Wales) Act 2006;
- (e) every public services board (within the meaning of Part 4 of the Well-being of Future Generations (Wales) Act 2015);
- (f) the Future Generations Commissioner for Wales;
- (g) Transport for Wales; and
- (h) the public.”

Commencement Information

I2 S. 13 in force at 14.4.2024, see [s. 30\(2\)\(d\)](#)

14 Duty to have regard to strategy

(1) After section 81A of the Environment Act 1995 (c.25) insert—

“81B Functions of relevant Welsh public authorities etc.

- (1) The following persons must have regard to the policies published by the Welsh Ministers in the strategy when exercising any function of a public nature that could affect the quality of air in Wales—
 - (a) local authorities in Wales;
 - (b) relevant Welsh public authorities.
- (2) In this Part, “relevant Welsh public authority” means a person designated in accordance with subsection (3) as a relevant Welsh public authority.
- (3) The Welsh Ministers may by regulations designate a person as a relevant Welsh public authority if (and only if) that person is a “devolved Welsh authority” within the meaning of section 157A(1)(a) of the Government of Wales Act 2006.
- (4) Before making regulations under subsection (3), the Welsh Ministers must consult—

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- (a) the person that is proposed to be designated, and
 - (b) such other persons as the Welsh Ministers consider appropriate.”
- (2) In section 87 of that Act (regulations for the purposes of Part 4), in subsection (2)—
- (a) in paragraph (c), after “relevant public authorities” insert “, relevant Welsh public authorities”;
 - (b) in paragraph (j), after “relevant public authorities,” insert “relevant Welsh public authorities,”;
 - (c) in paragraph (l), after “relevant public authorities” insert “, relevant Welsh public authorities”;
 - (d) in paragraph (m), after “a relevant public authority” insert “, a relevant Welsh public authority”.
- (3) In section 88 of that Act (guidance for the purposes of Part 4)—
- (a) in subsection (3)—
 - (i) for “This section” substitute “Subsections (1) and (2)”;
 - (ii) for “it applies” substitute “they apply”;
 - (b) after subsection (3) insert—
 - “(4) The Welsh Ministers may issue guidance to relevant Welsh public authorities with respect to, or in connection with, the exercise of any of the powers conferred, or the discharge of any of the duties imposed, on those authorities by section 81B or regulations made by the Welsh Ministers under this Part.
 - (5) A relevant Welsh public authority, in exercising those powers and discharging those duties, must have regard to any guidance issued under subsection (4).”
- (4) In section 91 of that Act (interpretation of Part 4), in subsection (1), after the entry for “relevant public authority” insert—
““relevant Welsh public authority” has the meaning given by section 81B(2);”.

Commencement Information

I3 S. 14 in force at 14.4.2024, see [s. 30\(2\)\(d\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Environment (Air Quality and Soundscapes) (Wales) Act 2024, Cross Heading: National air quality strategy.