

2026 No. **XX**

ENVIRONMENTAL PROTECTION

**The Air Quality (Amendment) Regulations (Northern Ireland)
2026**

Made - - - - *xx 2026*
Coming into operation *In accordance with regulation*
1(2) and (3)

The Department of Agriculture, Environment and Rural Affairs(**a**) makes these Regulations in exercise of the powers conferred by Article 15(1), (2), and 15(5) of the Environment (Northern Ireland) Order 2002(**b**).

In accordance with Article 15(6) of that Order the Department has consulted with—

- (a) such competent authorities as it considers appropriate;
- (b) such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate; and
- (c) such other bodies or persons as it considers appropriate.

Citation and commencement

1.—(1) These Regulations may be cited as the Air Quality (Amendment) Regulations (Northern Ireland) 2026 and shall come into operation as provided by paragraphs (2) and (3).

- (2) Part I shall come into operation on 1 January 2027.
- (3) Part II shall come into operation on 1 January 2028.

Part I

Amendment of the Air Quality Regulations (Northern Ireland) 2003

- 2.—(1) The Air Quality Regulations (Northern Ireland) 2003(**c**) are amended as follows.
- (2) In regulation 2, in column 1 of the Table, in each place the words occur, for—
- (a) “Department for Regional Development” substitute “Department for Infrastructure”;
 - (b) “Department for Social Development” substitute “Department for Communities”;
 - (c) “Department of Enterprise, Trade and Investment” substitute “Department for the Economy”;

(a) See S.R. 2016 No. 76
(b) S.I. 2002/3153 (NI 7)
(c) S.R. 2003 No. 342

- (d) “Department of Health, Social Services and Public Safety” substitute “Department of Health”;
- (e) “Department of the Environment” substitute “Department of Agriculture, Environment and Rural Affairs”;
- (f) “Northern Ireland Authority for Energy Regulation” substitute “Northern Ireland Authority for Utility Regulation”.

(3) In regulation 3(2), for “the period beginning with the date on which these Regulations come into operation and ending on the date set out in the third column of the Table in the Schedule which relates to that objective” substitute “a period of 12 months, the first such period being the period beginning with 1 January 2027 and ending with 31 December 2027, and subsequent relevant periods being periods of 12 months beginning with the day after the end of the previous relevant period.”

(4) In regulation 4(1) omit “by no later than the date set out in the third column of that Table for that substance and level”.

(5) In the Schedule, for the table substitute the following table—

<i>“Pollutant</i>	<i>Air Quality objective levels*</i>
Benzene	3.25µg/m ³ when expressed as a running annual mean
1,3-butadiene	2.25µg/m ³ when expressed as a running annual mean
Carbon monoxide	10mg/m ³ when expressed as a maximum daily running 8 hour mean
Lead	0.25µg /m ³ when expressed as an annual mean
Nitrogen dioxide	200µg/m ³ when expressed as a 1 hour mean, not to be exceeded more than 18 times a year 40µg/m ³ when expressed as an annual mean
Sulphur dioxide	350µg/m ³ when expressed as a 1 hour mean, not to be exceeded more than 24 times a year 125µg/m ³ when expressed as a 24 hour mean, not to be exceeded more than 3 times a year 266µg/m ³ when expressed as a 15 minute mean, not to be exceeded more than 35 times a year
Particles (PM ₁₀)	50µg/m ³ when expressed as a 24 hour mean, not to be exceeded more than 35 times a year 20µg/m ³ when expressed as an annual mean”.

(*)

µg/m³: micrograms per cubic metre

Revocation

3. The Air Quality (Amendment) Regulations (Northern Ireland) 2003 are revoked.

Part II

Amendment of the Air Quality Standards Regulations (Northern Ireland) 2010

- 4.(1) The Air Quality Standards Regulations (Northern Ireland) 2010(a) are amended as follows.
- (2) In regulation 6(1) for “Annex II of the Directive” substitute “Section A of SCHEDULE 9”.
- (3) In regulation 6(3) for “Annex II to the Directive” substitute “Section B of SCHEDULE 9”.
- (4) In regulation 11(1) for “Section 1 of Annex II to Council Directive 2004/107/EC” substitute “Section A of SCHEDULE 9”.
- (5) In regulation 11(3) for “Section II of Annex II to Council Directive 2004/107/EC” substitute “Section B of SCHEDULE 9”.
- (6) In Schedule 2—
- (a) in the table for PM₁₀ in the second column opposite calendar year for “40 µg/m³” substitute “20 µg/m³”.
- (b) for the table for PM_{2.5} substitute the following table—

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PM_{2.5}

<i>Averaging Period</i>	<i>Limit Value</i>
Calendar year	10 µg/m ³ .

- (7) In Schedule 3, in the table for “PM_{2.5}” for “25 µg/m³” substitute “8 µg/m³”.
- (8) After Schedule 8 insert Schedule 9 which is set out in the Schedule.

SCHEDULE

“SCHEDULE 9 regulation 4(7)

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, carbon monoxide, arsenic, cadmium, nickel and benzo(a)pyrene in ambient air within a zone or agglomeration

A. Upper and lower assessment thresholds

The following upper and lower assessment thresholds will apply:

1. Sulphur dioxide

	Health protection	Vegetation protection
Upper assessment threshold	60 % of 24-hour limit value (75 µg/m ³ , not to be exceeded more than 3 times in any calendar year)	60 % of winter critical level (12 µg/m ³)
Lower assessment threshold	40 % of 24-hour limit value (50 µg/m ³ , not to be exceeded more than three times in any calendar year)	40 % of winter critical level (8 µg/m ³)

2. Nitrogen dioxide and oxides of nitrogen

	Hourly limit value for the protection of human health (NO ₂)	Annual limit value for the protection of human health (NO ₂)	Annual critical level for the protection of vegetation and natural ecosystems (NO _x)
Upper assessment threshold	70 % of limit value (140 µg/m ³ , not to be exceeded more than 18 times in any calendar year)	80 % of limit value (32 µg/m ³)	80 % of critical level (24 µg/m ³)
Lower assessment threshold	50 % of limit value (100 µg/m ³ , not to be exceeded more than 18 times in any calendar year)	65 % of limit value (26 µg/m ³)	65 % of critical level (19.5 µg/m ³)

3. Particulate matter (PM₁₀/PM_{2.5})

	24-hour average PM ₁₀	Annual average PM ₁₀	Annual average PM _{2.5} (a)
Upper assessment threshold	70 % of limit value (35 µg/m ³ , not to be exceeded more than 35 times in any calendar year)	70 % of limit value (14 µg/m ³)	70 % of limit value (7 µg/m ³)

Lower assessment threshold	50 % of limit value (25 µg/m ³ , not to be exceeded more than 35 times in any calendar year)	50 % of limit value (10 µg/m ³)	50 % of limit value (5 µg/m ³)
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(a) The upper assessment threshold and the lower assessment threshold for PM_{2.5} do not apply to the measurements to assess compliance with the PM_{2.5} exposure reduction target for the protection of human health.

4. Lead

	Annual average
Upper assessment threshold	70 % of limit value (0.35 µg/m ³)
Lower assessment threshold	50 % of limit value (0.25 µg/m ³)

5. Benzene

	Annual average
Upper assessment threshold	70 % of limit value (3.5 µg/m ³)
Lower assessment threshold	40 % of limit value (2 µg/m ³)

6. Carbon monoxide

	Annual average
Upper assessment threshold	70 % of limit value (7 mg/m ³)
Lower assessment threshold	50 % of limit value (5 mg/m ³)

7. Arsenic, cadmium, nickel and benzo(a)pyrene

	Arsenic	Cadmium	Nickel	B(a)P
Upper assessment threshold in percent of the target value	60 % (3,6 ng/m ³)	60 % (3 ng/m ³)	70 % (14 ng/m ³)	60 % (0.6 ng/m ³)
Lower assessment threshold in percent of the target value	40 % (2,4 ng/m ³)	40 % (2 ng/m ³)	50 % (10 ng/m ³)	40 % (0.4 ng/m ³)

B. Determination of exceedances of upper and lower assessment thresholds

Exceedances of upper and lower assessment thresholds shall be determined on the basis of concentrations during the previous five years where sufficient data are available. An assessment threshold shall be deemed to have been exceeded if it has been exceeded during at least three separate years out of those previous five years.

Where fewer than five years' data are available the Department may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels with results obtained from information from emission inventories and modelling to determine exceedances of the upper and lower assessment thresholds.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on
XX 2026

Address
Date

Name
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

DRAFT

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers under Article 15(1), (2) and (5) of the Environment (Northern Ireland) Order 2002.

These Regulations make amendments to air quality secondary legislation in Northern Ireland.

Regulation 2 makes amendments to the Air Quality Regulations (Northern Ireland) 2003. It inserts the current names of Competent Authorities. It amends the definition of relevant period so that the 'relevant period' is a period of 12 months beginning with 1st January and ending with 31st December each year. It amends the annual average of PM₁₀ and 1 hour mean for sulphur dioxide.

Regulation 3 revokes the Air Quality (Amendment) Regulations (Northern Ireland) 2003.

Regulation 4 makes amendments to the Air Quality Standards Regulations (Northern Ireland) 2010 to update the limit value for PM₁₀ and PM_{2.5} and updates the target value for PM_{2.5}. It also adds in a new Schedule outlining the upper and lower assessment thresholds of pollutants and determination of their exceedances.