

EXPLANATORY MEMORANDUM TO
The Air Quality (Amendment) Regulations (Northern Ireland) 2026
SR 2026 No. ****

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 15(1), (2), and 15(5) of the Environment (Northern Ireland) Order 2002 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. These regulations amend existing limits, targets and objectives for particulate matter (PM₁₀ and PM_{2.5}) contained within existing legislation: the Air Quality Standards Regulations (Northern Ireland) 2010 and the Air Quality Regulations (Northern Ireland) 2003. It will also correct typos, remove outdated references and revoke the Air Quality (Amendment) Regulations (Northern Ireland) 2003.

3. Background

- 3.1. According to the Air Quality Expert Group (AQEG), particulate matter (PM) is a complex mixture of solid particles and liquid droplets suspended in the air. It comprises primary components (directly emitted) and secondary components (formed in the atmosphere). PM₁₀ are particles with a diameter less than 10 µg and PM_{2.5} are fine particles less than 2.5 µg.
- 3.2. The potential impact on human health of PM is well established. PM_{2.5} and PM₁₀ can act directly as a respiratory irritant in the airways, and for PM_{2.5} in particular, because of the small size of these particles, they may cross from the lungs into the bloodstream, where they can have more indirect systemic effects, such as increasing the risk of cardiovascular disease and stroke. The International Agency for Research on Cancer has also classified ambient outdoor pollution, including PM_{2.5} as a Group 1 human carcinogen. The carcinogenic potential extends beyond respiratory implications, affecting various organs, including the digestive tract, breast, and prostate. Long-term exposure to PM_{2.5} is associated with increased cancer mortality, with specific risks identified for different cancer types.
- 3.3. The World Health Organisation (WHO) global air quality guidelines (AQG), which were published on 22 September 2021, recommends targets for air

quality. These guidelines are not legally binding standards. However, they do provide WHO Member States with an evidence-informed tool that can be used to inform legislation and policy.

3.4. In the 2021 guideline update, recommendations on AQG levels are formulated, together with interim targets, for a number of air pollutants including PM_{2.5} and PM₁₀. The WHO has not specified dates or timelines as to when these interim targets should be met but indicated that they should be used as a guide for reduction efforts towards the ultimate and timely achievement of the AQG levels.

3.5. The WHO global air quality interim targets are graduated from 1 to 4 with one being a challenging but attainable target, and four being a higher standard. The AQG level is an aspirational target.

3.6. At present annual average limit values, target values and objectives for PM₁₀ and PM_{2.5} in Northern Ireland are set out in the Air Quality Standards Regulations (Northern Ireland) 2010 and the Air Quality Regulations (Northern Ireland) 2003. The limit value is a level fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health and/or the environment as a whole, to be attained within a given period and not to be exceeded once attained. The target value is a level fixed with the aim of avoiding, preventing or reducing harmful effects on human health and/or the environment as a whole, to be attained where possible over a given period. Objectives are policy targets often expressed as a maximum ambient concentration not to be exceeded, either without exception or with a permitted number of exceedances, within specified timescales.

3.7. The Air Quality (Amendment) Regulations (Northern Ireland) 2026 will bring into operation the following annual average limits, targets and objectives with compliance required by 1 January 2028 and will align with interim target 4 of the WHO AQG levels:

- Limit values: PM_{2.5} – 10 µg/m³ (currently 25 µg/m³), PM₁₀ – 20 µg/m³ (currently 40µg/m³)
- Target value: PM_{2.5} – 8 µg/m³ (currently 25 µg/m³)
- Objective: PM₁₀ – 20 µg/m³ (currently 40 µg/m³)

4. Consultation

4.1. Following the Committee's Citizen Space survey, seeking a call for views on the draft SR, the Department intends to carry out a 12 week public consultation which will seek views on the proposals.

5. Equality Impact

5.1. In accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the Statutory Rule have been assessed. No adverse equality impacts of the Regulations to establish the Commission have been identified under the Equality and Human Rights screening procedures. The Department considers that the Statutory Rule will not result in any equality issues amongst Section 75 groups.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment (RIA) screening was completed by the Department. It was determined that it is unlikely that there will be any mandatory costs, savings or administrative burdens placed on Northern Ireland businesses or the voluntary/community sector with this SR. For these reasons, a full RIA has been screened out.

7. Financial Implications

7.1. The SR is not expected to have any significant financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Statutory Rule does not have any human rights implications, nor is it incompatible with the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement. The Statutory Rule is therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. The regulations will bring in new PM10 and PM2.5 limit values which are aligned with those set out in Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast). It will ensure Ireland and Northern Ireland are aligned on these limit values by 1 January 2030.

10. Parity or Replicatory Measure

10.1. *England*: The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 require England to achieve an annual average of 10 µg/m³ for PM_{2.5} by 31 December 2040.

10.2. *Scotland*: The Air Quality (Scotland) Regulations 2000, as amended 2016, require Scotland at present to achieve an annual average of 10 µg/m³ for PM_{2.5} and 18 µg/m³ for PM₁₀.

10.3. *Wales*: Welsh Government recently carried out a public consultation on draft regulations which would seek to reduce annual average concentrations of PM_{2.5} to 10 µg/m³ by 31 December 2035.

10.4. *Ireland*: Ireland's Clean Air Strategy commits to a legislative annual average of 10 µg/m³ for PM_{2.5} and 20 µg/m³ for PM₁₀ to be achieved by 1 January 2030 in line with Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast).

11. Additional Information

11.1. For further information contact Martin Blayney (028 9056 9835) at the Department of Agriculture, Environment and Rural Affairs or e-mail martin.blayney@daera-ni.gov.uk.