

**Strategic Planning and Corporate
Services Group**
Strategic Support Directorate



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment
an' Kintra Matthers**

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**FROM: PAUL MCGRANAGHAN
DAERA DALO**

DATE: 24 April 2026

**TO: DR. JANICE THOMPSON
AERA COMMITTEE CLERK**

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

Summary: The Department of Agriculture, Environment and Rural Affairs intends to make the Air Quality (Amendment) Regulations (Northern Ireland) 2026 to tighten annual average limits, targets and objectives for PM₁₀ and PM_{2.5} in Northern Ireland.

The legislation will amend these annual average limits, targets and objectives contained within existing legislation: the Air Quality Standards Regulations (Northern Ireland) 2010 and the Air Quality Regulations (Northern Ireland) 2003 to ensure applicable annual mean limits, targets and objectives are more reflective of the concentrations of these pollutants being monitored in Northern Ireland at present. The amending regulations also seek to correct typos, remove outdated references and revoke the Air Quality (Amendment) Regulations (Northern Ireland) 2003.

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Business Area: Air and Environmental Quality.

Issue: To advise the AERA Committee of the intention to make these amendment regulations.

Restrictions: None

Action Required: To note the content of this letter.

Officials Attending: Amy Holmes. Head of Air and Environmental Quality
Martin Blayney, Environmental Policy Advisor.

Background

The Department of Agriculture, Environment and Rural Affairs proposes to make the above named Statutory Rule under powers conferred on it by Article 15(1), (2), and 15(5) of the Environment (Northern Ireland) Order 2002¹.

The Statutory Rule is subject to negative resolution procedure before the Assembly.

Part I of the Statutory Rule will come into operation on 1 January 2027 and Part II will come into operation on 1 January 2028. A copy of the Statutory Rule is attached at **Annex A** and the associated Explanatory Memorandum is at **Annex B**.

Purpose of legislation/policy background

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.

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.

The World Health Organisation (WHO) global air quality guidelines (AQG)², which were published on 22nd 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.

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

⁽¹⁾ [The Environment \(Northern Ireland\) Order 2002](#)

⁽²⁾ [WHO global air quality guidelines: particulate matter \(PM2.5 and PM10\), ozone, nitrogen dioxide, sulfur dioxide and carbon monoxide](#)

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.

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.

Table 1: WHO Air Quality Guideline (AQG) levels and Interim Targets for Particulate Matter (PM₁₀ and PM_{2.5})

Pollutant	Averaging time	Interim target				AQG
		1	2	3	4	
PM ₁₀ µg/m ³	Annual	70	50	30	20	15
PM _{2.5} µg/m ³	Annual	35	25	15	10	5

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 based on 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.

The Statutory Rule 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)

Annual compliance results³ have been used to assess compliance of the air quality monitoring sites in Northern Ireland against the proposed new tighter annual mean limits, targets and objectives. The data indicates that the levels selected in line with interim target 4 are likely achievable going forward but the ultimate WHO AQG would not be achievable without significant policy interventions and because of natural sources of particulate matter, e.g. sea salt, Saharan dust, which cannot be controlled. Any decision for Northern Ireland not to act on particulate matter will lead to divergence with Ireland and other jurisdictions in the UK who have committed to stricter standards for particulate matter.

The Regulations also make some technical amendments to existing legislation, such as updating names of competent authorities, amending typos removing obsolete references and incorporating information on assessment thresholds previously contained in EU Directives.

⁽³⁾ <https://www.airqualityni.co.uk/reports>

Previous Engagement with the Committee

The Committee has been engaged on this issue through the development of the Air Quality Target within the draft Climate Action Plan (CAP) 2023-2027. The draft CAP was considered by the committee at its meeting on Thursday 19 June 2025.

Financial Implications

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

Pre Consultation with District Councils

Pre consultation engagement has been carried out with the Environmental Health Officers of the District Councils and overall, the feedback from the councils has been consistent with support shown for proposals to tighten ambient air quality standards due to associated health risks. Consideration has been given to the recommendations provided.

Air Quality Consultants Technical Advice

Officials sought specialist consultancy advice on the technical and operational aspects of the draft SR. Several technical, operational, and policy recommendations have been incorporated to improve clarity and regulatory effectiveness.

Public Consultation

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.

Compliance with Section 24 of the Northern Ireland Act 1998

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.

Consideration by the Executive

Executive agreement is not required as the Statutory Rule does not:

- cut across the responsibilities of two or more Ministers;
- require agreement on prioritisation;
- require the adoption of a common position;
- have implications for the Programme for Government;
- represent anything significant or controversial with regards to Executive priorities; or
- relate to a proposal to make a determination, designation or scheme for the provision of financial assistance under the Financial Assistance Act (Northern Ireland) 2009.

Equality Impact

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.

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Regulatory Impact

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 NI businesses or the voluntary/community sector with this SR. For these reasons, a full RIA has been screened out.

Rural Needs Impact

As required by the Rural Needs Act (Northern Ireland) 2016, a Rural Needs Impact Assessment has been completed by the Department.

Data Protection Impact

A Data Protection Impact Assessment is not required for these Regulations.

Child Rights Impact

A Child Rights Impact Assessment Screening Template has been completed for these regulations, which has determined that a full impact assessment will not be required.

Position in Great Britain and Ireland

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.

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.

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.

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).

Any other information

N/A

Proposed timing of consideration of the SL1

The Air Quality (Amendment) Regulations (Northern Ireland) 2026 is scheduled to be considered on 28 May 2026.

Proposed Operational Date

Part I of the Statutory Rule will come into operation on 1 January 2027 and Part II will come into operation on 1 January 2028. This will ensure full compliance required for the new limits, targets and objectives by 1 January 2028.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Agriculture, Environment and Rural Affairs.

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This SL1 is being copied to the Human Rights Commission, Equality Commission and Assembly & Legislation Section of The Executive Office.

Yours sincerely,



Paul McGranaghan
Departmental Assembly Liaison Officer

Enc.

Annex A: The Draft Air Quality (Amendment) Regulations (Northern Ireland) 2026

Annex B: Explanatory Memorandum to the Air Quality (Amendment) Regulations (Northern Ireland) 2026

Cc: Human Rights Commission
Equality Commission
Assembly & Legislation Section of The Executive Office

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