Draft Regulations laid before Parliament under section 87(8) of the Environment Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2000 No.

ENVIRONMENTAL PROTECTION, ENGLAND

The Air Quality (England) Regulations 2000

Made - - - -	*2000*
Coming into force - -	*2000*

The Secretary of State, in exercise of the powers conferred on him by section 87(1) and (2) and 91(1)(**1**) of the Environment Act 1995(**2**) ("the 1995 Act") and of all other powers enabling him in that behalf, having, in accordance with section 87(7) of the 1995 Act, consulted the Environment Agency, such bodies or persons appearing to him to be representative of the interests of local government and of industry as he considers appropriate, and such other bodies or persons as he considers appropriate, hereby makes the following Regulations, a draft of which has, in accordance with section 87(8) of the 1995 Act, been laid before, and approved by a resolution of, each House of Parliament:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Air Quality (England) Regulations 2000 and shall come into force on the seventh day after the day on which they are made.

(2) These Regulations extend to England only.

Interpretation

2.—(1) In these Regulations, "the 1995 Act" means the Environment Act 1995.

(2) The provisions of the Schedule to these Regulations which follow the Table in that Schedule shall have effect for the purpose of the interpretation of that Schedule.

Relevant periods

3.—(1) The relevant period for the purposes of section 86(3) of the 1995 Act shall be, in relation to the preparation of an action plan to which that section applies, the period of 9 months beginning

(**1**) *See* the definition of "prescribed", "regulations " and "relevant period".
(**2**) 1995 c. 25. The Secretary of State can exercise these powers only in relation to England; *see* article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) and section 53 of the Scotland Act 1998 (c. 46).

[DETR 1825]

with the date on which the district council preparing the action plan first consults the relevant county council in relation to the plan pursuant to paragraph 1(2)(e) of Schedule 11 to the 1995 Act.

(2) The relevant period for the purposes of any other provision of Part IV of the 1995 Act(**3**) shall be, in relation to an air quality objective, the period beginning with the date on which these Regulations come into force and ending on the date set out in the third column of the Table in the Schedule which relates to that objective.

Air quality objectives

4.—(1) It is an air quality objective for each substance listed in the first column of the Table in the Schedule to these Regulations that the level at which that substance is present in the air is restricted to a level set out in the second column of that Table for that substance by no later than the date set out in the third column of that Table for that substance and level.

(2) The achievement or likely achievement of an air quality objective prescribed by paragraph (1) shall be determined by reference to the quality of air at locations–

(a) which are situated outside of buildings or other natural or man-made structures above or below ground; and

(b) where members of the public are regularly present.

Revocation

5. The Air Quality Regulations 1997(**4**) are hereby revoked in so far as they extend to England.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Minister of State,
Department of the Environment, Transport and the Regions

(**3**) *See* sections 82 to 85 and 86(6) of the 1995 Act.
(**4**) S.I. 1997/3043.