

Explanatory Memorandum to the Environment (Air Quality and Soundscapes) (Wales) Act 2024 (Commencement No. 3) Order 2026

This Explanatory Memorandum has been prepared by the Environmental Protection Division for laying before Senedd Cymru alongside the Environment (Air Quality and Soundscapes) Act 2024 (Commencement No. 3) Order 2026. This is in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Environment (Air Quality and Soundscapes) (Wales) Act 2024 (Commencement No. 3) Order 2026.

Huw Irranca-Davies MS

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

19 January 2026

1. Purpose and overview

- 1.1. The Environment (Air Quality and Soundscapes) (Wales) Act 2024 (Commencement No. 3) Order 2026 (“the Order”) will bring into force section 7 (monitoring progress towards meeting targets) of the Environment (Air Quality and Soundscapes) (Wales) Act 2024 (“the Act”). Section 7 will be commenced on 23 January 2026.
- 1.2. This is the third Commencement Order made in relation to the Act. The ‘Notes to earlier commencement orders table’ found within the Explanatory Notes to the Order provides additional information on those sections which have already been commenced.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

- 2.1. None.

3. Legislative background

- 3.1. The Order is made under section 30 of the Act. Although this Order is not subject to a Senedd process, it must be laid before Senedd Cymru pursuant to section 37F of the Legislation (Wales) Act 2019.
- 3.2. Section 1(1) of the Act gives the Welsh Ministers a power to make regulations that set long-term targets in respect of any matter relating to air quality in Wales. Section 1(2) of the Act sets out that Welsh Ministers must exercise this power to set a long-term target in respect of one of the following pollutants: ammonia; PM₁₀; nitrogen dioxide; sulphur dioxide; ground level ozone; or carbon monoxide. Under the Act, these regulations must be laid before the Senedd by February 2030. Section 2(1) of the Act requires the Welsh Ministers to set at least one target in respect of the annual mean level of PM_{2.5} in ambient air in Wales. These regulations must be laid before the Senedd by February 2027. The Welsh Government is currently [consulting](#) on regulations to implement stricter targets for PM_{2.5}. Sections 1 and 2 of the Act came into force at the end of the period of two months beginning with the day on which the Act received Royal Assent (on 14 February 2024).
- 3.3. Targets set in regulations under sections 1 and 2 of the Act require the commencement of section 7.
- 3.4. Section 7(1) of the Act sets out that the Welsh Ministers must make arrangements for obtaining data about air quality in Wales to enable the monitoring of progress being made towards meeting targets set under section 1 or section 2. Furthermore, section 7(2) sets out that the Welsh Ministers must publish any data obtained under subsection (1) as soon as is reasonably practicable.

4. Regulatory Impact Assessment (RIA)

- 4.1. An RIA has not been completed for the Order. This is in line with the exemption in section 3.2 of the Welsh Ministers' code of practice for carrying out regulatory impact assessments for subordinate legislation.