

ALL CYPRUS LAW ASSOCIATION



CYLaw

The Ambient Air Quality Law of 2010 (77(I)/2010)

Modification History

77(I)/2010 3(I)/2017 20(I)/2020

Preamble

For the purposes of harmonizing and creating the legal framework for issuing secondary legislation, with the aim of harmonizing with the act of the European Union entitled: "Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe".

"Commission Directive (EU) 2015/1480 of 28 August 2015 amending certain annexes to Directives 2004/107/EC and 2008/50/EC of the European Parliament and of the Council laying down rules on reporting methods , data validation and location of sampling points for ambient air quality assessment';

The House of Representatives votes as follows:

PART I INTRODUCTORY PROVISIONS

Short title

1. This Law shall be cited as the Ambient Air Quality Law of 2010.

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Interpretation

2. For the purposes of this Law:

"upper assessment limit" means the level determined by regulations issued under this Law, below which a combination of fixed measurements and simulation techniques and/or indicative measurements are permitted to be used for the assessment of ambient air quality;

"Chief Inspector" means the officer of the Ministry of Labor and Social Insurance appointed as Chief Inspector by the Minister under section 5;

"AS10" means particles passing through a size-selective orifice, as defined in the reference method for AS10 sampling and measurement, EN 12341, with fifty percent (50%) efficiency in retaining aerodynamic diameter particles 10 µm;

"PM2.5" means particles passing through a size-selective orifice as defined in Reference Method for PM2.5 Sampling and Measurement, EN 14907, with fifty percent (50%) efficiency in retaining particles with an aerodynamic diameter of 2,5 µm;

"atmospheric air" means the outer air of the troposphere, excluding workplace air, as defined in the Occupational Safety and Health Act;

"average exposure index" means the average level calculated on the basis of measurements in non-exposed urban locations throughout the territory of the Republic and reflecting the exposure of the population and which is used to calculate the national exposure reduction target and the obligation to concerns the collection of the report;

"national exposure reduction target" means the percentage reduction of the average exposure of the population of the Republic, determined for the reference year, with the aim of reducing adverse effects on human health, which must be achieved, if possible, within a specified time period;

"estimation" means any method used to measure, calculate, predict or estimate the level of a pollutant in ambient air;

"indicative measurements" means measurements that meet data quality objectives less stringent than those required for fixed measurements;

"Inspector" means the Inspector appointed by the Minister under subsections (1) and (2) of section 5;

"level" means the concentration of a pollutant in ambient air or its deposition on a surface at a given time;

"Commission" means the European Commission.

"zone" means a part of the Republic demarcated by the Minister for air quality assessment and management purposes.

"Regulation (EC) No. 765/2008" means Regulation (EC) no. 765/2008 of the European Parliament and of the Council of July 9, 2008 to determine the requirements for accreditation and market surveillance regarding the marketing of products and to repeal Regulation (EEC) no. 339/93 of the Council, as amended or replaced from time to time;

"lower assessment limit" means a level, determined by regulations issued under this Law, below which it is only possible to use simulation or objective assessment techniques to assess ambient air quality.

"Member State" means a Member State of the European Union.

"public" means one or more natural or legal persons, as well as associations, organizations or groups thereof.

"critical level" means a level determined on the basis of scientific knowledge, the exceedance of which may entail direct negative effects for certain receptors, such as trees, other plants or natural ecosystems, but not for humans.

"long-term objective" means the level to be achieved in the long-term, unless this is unattainable despite taking appropriate measures, to ensure effective protection of human health and the environment;

"non-exposed urban sites" means sites in urban areas where levels are representative of the exposure of the entire urban population;

"settlement" means an urban area with a population concentration of more than two hundred and fifty thousand (250,000) inhabitants or, when the population concentration is lower than or equal to two hundred and fifty thousand (250,000) inhabitants, with a population density per square kilometer which justifies, according to opinion of the Minister, the assessment and management of ambient air quality;

"nitrogen oxides" means the sum of nitrogen monoxide and nitrogen dioxide, added as parts per billion and expressed as nitrogen dioxide in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$).

"threshold value" means a level determined 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 and which must be achieved within a given period and without subsequently having excesses;

"threshold of information" means the level beyond which the short-term exposure of particularly sensitive groups of the population poses risks to human health as a result of which immediate and appropriate information becomes necessary;

"alert limit" means the level beyond which there is a risk to human health, after short-term exposure, on the finding of which the Minister must take immediate action.

"tolerance margin" means the percentage of the threshold value by which it is allowed to be exceeded, in accordance with the terms of this Law.

"ozone precursors" means substances which contribute to the formation of ground-level ozone.

"volatile organic compounds" or synonymously "VOC" means all organic compounds of anthropogenic and biogenic origin other than methane, which are capable of producing photochemical oxidants through reactions with nitrogen oxides in the presence of sunlight.

"pollutant" means any substance present in atmospheric air that may have an adverse effect on human health and/or the environment as a whole.

"fixed measurements" means measurements carried out at specified locations, either continuously or by random sampling, to establish levels in accordance with relevant data quality objectives;

"contribution from natural sources" means emissions that are not directly or indirectly due to human activities, including natural phenomena such as volcanic eruptions, seismic activity, geothermal activity, wildland fires, high wind events, sea spray of water or the resuspension or transport by atmospheric air of natural particles from dry areas;

"air quality plans" means plans setting out measures to achieve limit values or target values;

"plan and/or programme" means a plan and/or program referred to in paragraph (a) of subsection (6) of section 13;

"Technical Committee" means the Technical Committee for the Protection of Ambient Air Quality established pursuant to Annex V;

"target value" means the level established with a view to avoiding, preventing or reducing harmful effects on human health or the environment as a whole, which must be achieved, as far as possible, within a given period of time;

"Minister" means the Minister of Labour, Welfare and Social Insurance and "Ministry" means the Ministry of Labour, Welfare and Social Insurance;

"exposure concentration obligation" means the level defined on the basis of the average exposure index, with the aim of reducing harmful effects on human health, and which must be achieved within a given period;

"bodies operating networks and individual stations" means the bodies which, after approval by the Minister, carry out air quality measurements and their results are used to report to the Commission.

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Competent authority

2A.-(1) Subject to the provisions of subsection (2), the competent authority for the implementation of the provisions of this Law is the Minister.

(2) The competent authority for the implementation of the provisions of Regulation 7(2)(b) and Part 2 of Schedule IV of the Air Quality (Reduction of National Emissions of Certain Air Pollutants) Regulations 2020 is the Minister of Agriculture, of Rural Development and Environment.

(3) Any act or anything that the competent authority is obliged or mandated to do, by virtue of the provisions of this Law, may be carried out by an official of the Ministry acting by virtue of a written authorization from the Minister.

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Purpose of this Law

3. The purpose of this Law is:

(a) the identification and setting of objectives for the quality of ambient air in the Republic, so as to avoid, prevent or reduce harmful effects on human health and the environment as a whole;

(b) the assessment of atmospheric air quality in the Republic based on common methods and criteria commonly accepted in the European Union and other transnational and regional organizations in which the Republic participates;

(c) the collection of information on ambient air quality to facilitate the fight against air pollution and nuisance, as well as the monitoring of long-term trends and improvements resulting from national and Community measures;

(d) ensuring that such air quality information is made available to the public;

(e) the maintenance of ambient air quality, where it is good, and its improvement in other cases; and

(f) the promotion of greater cooperation between Member States in the reduction of air pollution.

Scope

3A. This Law is applied in accordance with the provisions of Regulation (EC) no. 765/2008, in particular regarding the accreditation of conformity assessment bodies.

PART II SPECIAL PROVISIONS**Powers of Minister**

4.-(1) The Minister ensures the adoption of measures aimed at the better implementation of this Law, and in particular, with regard to-

- (a) the assessment of ambient air quality;
- (b) the approval of measurement systems, including methods, devices, networks and laboratories;
- (c) ensuring the accuracy of the measurements.
- (d) the analysis of estimation methods;
- (e) the coordination, in the territory of the Republic, of the European programs for the assurance of quality, which may be organized by the Commission for the whole Community. and
- (f) cooperation with the other Member States and the Commission.

(2) In the exercise of his powers specified in subsection (1), the Minister shall ensure the quality assurance of data obtained during the assessment of ambient air quality, as provided for in Annex VII.

Appointment of Chief Inspector and Inspectors

5.-(1) Subject to the provisions of article 2A, for the purposes of implementing the provisions of this Law, the regulations and/or decrees issued pursuant to it, the competent authority, with notification published in the Official Gazette of the Republic, appoints an officer of the Ministry as Chief Inspector, as well as any other officials of the Ministry as Inspectors.

(2) Without prejudice to the provisions of subsection (1), the competent authority, by notification published in the Official Gazette of the Republic, may authorize suitably qualified persons, who do not serve in the Public Service, to perform the duties and exercise the powers of the Inspector and be subject to such conditions as are set out in the authorisation.

(3) Any person authorized under subsections (1) and (2) shall act under the supervision and direction of the Chief Inspector and shall be subject to his control.

(4) Each person authorized on the basis of subsection (2) receives an appropriate fee, commensurate with the services he provides, which is determined by the competent authority in collaboration with the Minister of Finance.

(5) All Inspectors appointed under this section shall—

- (a) To display appropriate identification issued by the competent authority, in the exercise of their duties, and
- (b) to act within the scope of their powers, in accordance with the provisions of article 2A.

Duties of Inspectors

6.-(1) The Inspector may, for the purposes of carrying out his duties, -

- (a) carry out tests, measurements, analyses, maintenance, calibrations, quality control of the operation of the instruments, evaluate measurements and prepare relevant reports and carry out

sampling, which are deemed necessary for the proper exercise of its powers or arrange for the carrying out of the above qualified persons,

(b) enters premises in which, pursuant to subsection (2) of this article, measuring instruments have been placed for the purposes of implementing this Law and to conduct quality controls,

(c) is accompanied by persons authorized pursuant to subsection (2) of article 5, to exercise the powers defined in the authorization,

(d) is accompanied by any other persons, who assist him in the exercise of his powers or the powers of persons authorized pursuant to subsection (2) of article (5),

(e) takes with him any equipment or any materials required for the exercise of his powers or the powers of persons authorized under subsection (2) of article 5.

(2) The Inspector may place measuring instruments at any point of state or private property in the Republic and observe and record the measurements made by these instruments:

Provided that, the placement of measuring instruments at a point of private property can only be done if this is absolutely necessary to ensure the correct application of this Law, and the use of the property by the owner is not hindered in any way due to this placement.

(3) Any person who, without the authorization of the Minister, moves, damages or interferes with the operation of a measuring instrument installed pursuant to this Act or any recording made thereof, is guilty of a criminal offense and, on conviction of, is subject to a fine not exceeding ten thousand euros (€10,000).

(4) For the purposes of this Law, the results of calibrations, quality control, measurements and analyzes of samples carried out by the Inspectors in the context of its application, are presumed to be correct.

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Measurements by authorized persons

7.-(1) The Minister may assign or grant approval to natural or legal persons to carry out measurements to assess the quality of the atmospheric air.

(2) The approval referred to in subsection (1) is granted for such a period of time and under such terms and conditions as the Minister shall determine.

(3) The Minister has the right to request and receive from a person authorized on the basis of subsection (1), the results of any measurements related to atmospheric air quality issues, which he may use for the purposes of implementing the provisions of this Law.

(4) For the purposes of implementing this Law, only the measurements of atmospheric air quality that are made with the approval of the Minister are valid:

Provided that, although it is not prohibited to carry out measurements for the purposes of gathering appropriate information on the quality of the ambient air, without the approval of the Minister, anyone who announces or in any way informs the public about such measurements, must notify that they have been carried out without this approval.

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Issuance of regulations

8.-(1) The Council of Ministers shall issue regulations for the better application of this Law.

(2) Without affecting the generality of subsection (1), the Council of Ministers by Regulations determines the following matters:

(a) The limit values, long-term objectives and alert limits for the pollutants, included in Annex I, taking into account the factors of Annex II, as well as for other pollutants, as long as based on scientific progress and the criteria included in Annex III, it is judged that the harmful effects of these pollutants on human health or on the entire environment must be avoided, prevented or reduced democracy,

(b) the measures to be taken in case of exceeding the alert limits, as well as the information to be provided to the public,

(c) the criteria and techniques in respect of pollutants for which limit values and alert thresholds have been established, in respect of -

(i) the measurements that must be carried out for the implementation of paragraph (a) of subsection (2) of this article, and the regulation of more specific matters, such as the location of sampling points, the minimum number of sampling points and reference techniques for measurement and sampling; and

(ii) the use of other air quality assessment techniques, in particular simulation and in particular the density of points in space for simulation and objective assessment methods and reference techniques for simulation,

provided that such criteria and techniques are determined for each pollutant and take into account the size of settlements or pollutant levels in the areas considered;

(d) the tolerance margins for the pollutants included in Annex I;

(e) the upper estimate limits;

(f) the lower assessment limits,

(g) the procedures for supervision, exchange of information, information and vigilance of the population, harmonized with those determined by the European Union and other transnational and regional organizations in which the Republic participates, regarding pollutants included in Annex I,

(h) the limits, measures, criteria and techniques for pollutants not mentioned in Annex I and not determined by corresponding legislation of the European Union regarding the quality of the atmospheric air of the Republic:

It is understood that, in the case of issuing regulations regulating the above matter, the Minister must inform the Committee in a timely manner,

(i) the maximum emission limits for any pollutants and the preparation of programs for the issuance of regulations regulating the above matter, for the progressive reduction of emissions of these pollutants, the emission inventories as well as the emission forecasts,

(j) the establishment of detailed procedures for information and consultation with the public, as set out in Article 15, including public hearings;

(k) the regulation of any matters relating to the pollutants included in Schedule I.

(3) The Council of Ministers can determine by regulations, measures and limits stricter than those defined in the corresponding legislation of the European Union and in such a case the Minister must inform the Committee accordingly.

(4) Regulations issued on the basis of this Law may authorize the Minister to issue decrees by which:

(a) technical and administrative issues are regulated; or

(b) technical matters regulated in the annexes of the Regulations are amended.

(5) Regulations issued on the basis of this Law may provide for sanctions for any violations of the provisions of these regulations.

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Issuance of decrees

9. The Minister may issue decrees to regulate the following issues:

(a) Any matter of a technical nature for the better application of this Law, and

(b) establishing fees for the provision of air quality measurement data and reports in paper and/or electronic form.

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Definition of zones and settlements

10.-(1) For the best implementation of this Law, the Minister determines zones and settlements within the territory of the Republic.

(2) Air quality assessment and management is carried out in all zones and in all settlements determined under subsection (1).

Evaluation criteria

11. The quality of the atmospheric air throughout the territory of the Republic is assessed based on the limit values, long-term goals and alarm limits which are defined in regulations issued pursuant to this Law and in accordance with the criteria defined in these regulations.

Short-term action plans

12.-(1) If, in a zone or in a settlement, there is a risk that the levels of pollutants will exceed one or more of the alarm limits or one or more limit values or target values, defined in regulations issued pursuant to of this Law, the Council of Ministers, following a proposal from the Minister, prepares action plans, which state the measures to be taken in the short term to reduce the risks of this excess or to limit the its duration:

It is provided that, in the event that there is a risk of exceeding the ozone alert limit which limit is determined in regulations issued pursuant to Article 8 of this Law, the Minister prepares corresponding short-term action plans only if, in his opinion, and taking into account the national, geographical, meteorological and economic conditions there are serious possibilities to reduce the risk, duration or severity of these exceedances.

(2) When drawing up any relevant short-term action plan, the Minister shall take into account the act of the European Union entitled "Decision 2004/279/EC of the Commission, concerning guidelines for the implementation of Directive 2002/3/EC of the European Parliament and the Council on ozone in atmospheric air."

(3) The short-term action plans referred to in subsection (1) may, as appropriate, include:

- (a) Taking substantial measures to control and, if necessary, stop activities that contribute to the risk of exceeding the corresponding limit values or target values or alarm limits,
- (b) measures relating to motor vehicle traffic, construction work, berthed ships and the use of industrial facilities or products and domestic heating, and
- (c) special actions aimed at protecting vulnerable groups of the population, including children.

(4) When the Minister prepares a short-term action plan, he shall make available to the public and relevant organizations, such as environmental organizations, consumer organizations, organizations representing the interests of sensitive population groups, other health-related bodies and relevant industry federations, the results of investigations carried out on the feasibility and content of the specific short-term action plan, as well as information on the implementation of this plan.

Air quality plans

13.-(1) When, in specific zones or settlements, pollutant levels exceed any limit value or target value, as well as any corresponding margin of tolerance, the Minister shall ensure that plans are drawn up regarding air quality in said zones or settlements in order to achieve the corresponding limit values or target values specified in the relevant regulations.

(2) In case of exceedances of the above limit values, the prescribed period of which has already passed, the air quality plans include appropriate measures so that the period of exceedance is as short as possible.

(3) The air quality plans referred to in subsection (1) may additionally contain special measures intended to protect sensitive groups of the population, including children.

(4) The air quality plans referred to in subsection (1) shall include at least the information listed in Annex IV and may contain measures in accordance with Article 12, and shall be notified without delay to the Commission, no later than two (2) years after the end of the year in which the first exceedance was observed.

(5) Where plans are to be drawn up or implemented for more than one pollutant, the Minister shall draw up and implement, as appropriate, comprehensive air quality plans covering all the specific pollutants.

(6) To the extent possible, the Minister ensures consistency with other plans required under the following laws and regulations to achieve the respective environmental objectives:

- (a) The Air Quality (Reduction of National Emissions of Certain Air Pollutants) Regulations 2020, including the national Air Pollution control programs provided for in Regulation 7 of those Regulations;
- (b) the Ambient Air Quality (Annual Maximum Emission Limits for Certain Air Pollutants) Order 2005 and 2008; and
- (c) The Environmental Noise Assessment and Management Law.

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Exceptions to the preparation of plans or programmes

14. Articles 15, 16, 17, 18 and 19 do not apply to plans and/or programs -

- (a) which are designed to serve the sole purpose of national defense or to be implemented in emergency situations;
- (b) in respect of which public participation is ensured by virtue of the Environmental Impact Assessment of Certain Plans and/or Programs Law or by virtue of the Water Protection and Management Law.

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Audience participation

15.-(1) The Minister shall ensure that the public is provided a timely and effective opportunity to participate in the preparation, modification or revision of the plans and/or programs.

(2) For the purposes of subsection (1), the Minister, with a notification published in the Official Gazette of the Republic, in two daily newspapers with wide circulation in the Republic and on the internet, informs the public -

- (a) for any proposal relating to such plans and/or programs or their amendment or revision;
- (b) that the information relating to the said proposal is available to the public during working days and hours, at the offices of the Labor Inspection Department of the Ministry of Labour, Welfare and Social Insurance, and
- (c) that any person may submit to the Minister opinions or representations, regarding the content of the proposal, within thirty-five (35) days from the date of publication of the notification.

(3) The Minister publishes a relevant announcement on the internet, in any case submitted by the Minister or to the Minister -

- (a) proposals concerning a plan and/or program or their amendment or revision; and
- (b) views of any person on a matter relating to the proposals.

(4) The public with whom the Minister consults includes the public affected or likely to be affected or whose interests are at stake by the decision-making process in relation to a plan and/or program and includes non-governmental organisations, such as organizations which promote environmental protection.

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Public hearing

16.-(1) Following a reasoned recommendation by the Minister, which is submitted after consultation with the competent Minister referred to in subsection (1) of article 20, where this is necessary, and the Technical Committee, the Council of Ministers may decide on conducting a public hearing, for a proposal submitted in the cases of important plans and/or programs, before the decision-making process is completed, in accordance with article 17.

(2) The objectives, the characteristics of the procedure, the procedure itself, the interested public and other matters related to the public hearings, are determined by Regulations, issued by the Council of Ministers, in accordance with the provisions of paragraph (j) of subsection (2) of article 8.

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Decision making

17. Before taking a decision, regarding a plan and/or program, the Minister takes due account of the opinions or representations expressed in accordance with article 15 and the results of the public hearing, which may be conducted in accordance with subsection (1) of article 16.

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Public notification of final decision

18. After the Minister has taken a final decision on the plan and/or program, he informs the public by publicizing the decision by means of a notification, published in the Official Gazette of the Republic, in two daily newspapers with a wide circulation in the Republic and on the internet and notifies that the following information is entered in the file, kept in accordance with article 19 as well as the place and time, that they can get the following information:

- (a) Description of the plan and/or program, as adopted; and
- (b) summary statement about -
 - (i) the manner in which any opinions or representations expressed, in accordance with article 15, and the results of a public hearing, which may be conducted in accordance with article 16, were taken into account in the final decisions,
 - (ii) the reasons and considerations on which the final decisions taken were based.

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Record keeping

19.-(1) The Minister shall ensure that a file is kept in which details of -

- (a) the limit values established for atmospheric air in the Republic,
- (b) the methods of measuring and determining the quality of the ambient air,
- (c) all matters referred to in subsection (2) of article 23,
- (d) proposals concerning plans and/or programs, including their modification or revision,
- (e) the views or representations of any person, submitted in accordance with section 15, and
- (f) the information referred to in article 18.

(2) The file is available to the public and may be inspected during working days and hours.

(3) The receipt of information from the archive is governed by the provisions of the Public Access to Information Related to the Environment Law.

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Opinion of the Technical Committee

20.-(1) In the event that the plans referred to in subsection (2) of article 12 and subsection (3) of article 13 include, among other measures, measures that touch on the responsibilities of another Minister, the competent Minister shall be informed and the designs are referred to the Technical Committee for an opinion.

(2) The opinion of the Technical Committee is submitted to the Council of Ministers together with the plans referred to in subsection (1).

(3) The procedure for the convergence of the Technical Committee is set out in Annex V.

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Requirements for zones where levels do not exceed limit values

21. The Minister ensures the compilation of lists of zones and settlements where the levels of pollutants do not exceed the limit values, referred to in the regulations issued pursuant to this Law, and ensures, alone

or in cooperation with the competent Minister as the case may be, so that the levels of pollutants in these zones and settlements are kept below the limit values and makes efforts to preserve the best possible quality of the ambient air which is compatible with sustainable development.

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Measures in case of exceedance of notification or alarm limits

22. In the event of exceeding the information limit or any alarm limit, specified in regulations issued pursuant to this Law, the Minister shall take measures to inform the public, through radio, television, newspapers or the internet, and transmit to Commission, preliminary information on the levels noted and the duration of the periods during which the information threshold or alert threshold was exceeded.

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Transmission of information and reports

23. In order to assess compliance with limit values and critical levels and the achievement of target values, ambient air quality information shall be made available to the Commission no later than nine months after the end of each year, and shall include:

- (a) the changes which occurred during the year in which they were taken in the list and in the definition of zones and settlements drawn up under section 10; and
- (b) the list of zones and settlements in which the levels of one or more pollutants are higher than the sum of the limit values and the tolerance margin, where applicable, or higher than the target values or critical levels:

It is understood that, for these zones and settlements, the following information is also available:

- (i) The levels estimated and, if applicable, the dates and periods during which those levels were observed;
- (ii) if applicable, an assessment of the contribution, to the levels assessed, of any natural sources and resuspension of particles due to the spreading of sand or salt on the roads in winter, as notified to the Commission in accordance with the regulations issued under this Law.

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Pollutant contributions from natural sources

24. The Minister transmits to the Commission a list of the zones and settlements, where the exceedances of the limit values for a specific pollutant are attributable to natural sources, as well as information to the Commission on the concentrations, the sources and the evidence proving that the exceedance is due to natural sources, for each year in which such exceedances are observed.

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Transboundary air pollution

25.-(1) In the event that an alarm limit, threshold value or target value is exceeded, increased by any corresponding tolerance margins, or a long-term target is exceeded due to significant cross-border transport of pollutants or their precursors, the Minister cooperates and, if necessary, contributes to the development joint activities with other interested States, such as the preparation of joint or coordinated air quality plans, in accordance with Article 13, for the dealing with excesses through appropriate but proportionate measures.

(2) The Commission is invited to attend and contribute to every collaboration referred to in subsection (1).

(3) As far as it is necessary, in accordance with article 12, the Minister together with the other Member States concerned draw up and implement joint short-term action plans covering the neighboring zones between them, and the Minister ensures that the neighboring zones in the other Member States, which have drawn up short-term action plans, to receive all appropriate information.

(4) When notification or alert limits are exceeded in zones or settlements close to national borders, the competent authorities of the affected neighboring member state are informed as soon as possible and this information is made available to the public.

(5) When drawing up the plans provided for in subsections (1) and (3) and when informing the public in accordance with subsection (4), the Minister tries, depending on the case, to cooperate with third countries and in particular with the candidate countries for joining the European Union.

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Public information

26.-(1) The Minister shall ensure that the public and interested organizations, such as environmental organizations, consumer organizations, organizations representing the interests of vulnerable population groups, other health authorities

bodies and the relevant sectoral federations, to be properly and timely informed regarding:

- (a) ambient air quality in accordance with Annex VI;
- (b) any decisions to postpone compliance with the deadlines for the application of limit values which determined by regulations issued pursuant to this Law;
- (c) any exemptions from the obligation to observe certain limit values which are determined by regulations issued pursuant to this Law;
- (d) air quality plans in accordance with regulations made under this Act and section 13; and
- (e) programs provided for in regulations issued pursuant to this Law.

(2) The information referred to in subsection (1) is available free of charge, by any convenient means of communication, including the Internet, or by any other means of telecommunication, taking into account the provisions of the Creation of a Spatial Data Infrastructure (INSPIRE) Law.

(3) The Minister shall make available to the public annual reports on all pollutants that are the subject of the provisions of this Law and the relevant Regulations.

(4) The reports referred to in subsection (3) shall summarize the levels exceeding limit values, target values, long-term targets, information thresholds and alert thresholds, for the respective averaging periods:

It is provided that said information is combined with a summary assessment of the effects of these exceedances and may include, depending on the case, further information and assessments for the protection of forests, as well as information on other pollutants for which monitoring provisions are established, such as , among others, for selected ozone precursors that are not the subject of regulations and are included in regulations issued pursuant to article 8 of this Law.

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PART III TRANSITIONAL PROVISIONS

Repeal and transitional provisions

27.-(1) Subject to the provisions of subsection (2), the Law on Atmospheric Air Quality is repealed from the date of entry into force of this Law.

(2) Regardless of the provisions of subsection (1), the following articles of the Atmospheric Air Quality Law remain in force:

- (a) Article 10 until 31 December 2010;
- (b) subsections (1) and (2) of article 17 until the end of the second calendar year from the entry into force of the implementing measures that may be decided by the Commission through a regulatory procedure.

(3) The following regulations shall remain in force as if they had been issued under this Act:

- (a) the Ambient Air Quality (Annual Maximum Emission Limits for Certain Air Pollutants) Regulations 2004; and
- (b) the Ambient Air Quality (Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air) Regulations.

APPENDICES

APPENDIX I

APPENDIX I

(Article 8)

LIST OF ATMOSPHERIC POLLUTANTS TO BE CONSIDERED FOR THE ASSESSMENT AND THE MANAGEMENT OF ATMOSPHERIC AIR QUALITY

1. Sulfur dioxide
2. Nitrogen dioxide
3. Suspended particles
4. Lead
5. Ozone
6. Benzene
7. Carbon monoxide
8. Polycyclic aromatic hydrocarbons
9. Cadmium
10. Male
11. Nickel
12. Mercury

APPENDIX II

APPENDIX II

(Article 8)

FACTORS TO BE CONSIDERED WHEN DETERMINING OF LIMIT VALUES AND ALARM LIMITS

When setting the limit value and, if necessary, the alarm limit, the following factors may be taken into account, among others:

1. The degree of exposure of the population and especially of sensitive population groups,
2. the climatic conditions,
3. the sensitivity of fauna and flora, as well as their habitats,
4. the historical heritage exposed to pollutants,

5. the economic and technical feasibility, and
6. the long-range transport of pollutants, including secondary pollutants, including ozone.

APPENDIX III

APPENDIX III

(Article 8)

CRITERIA TO BE CONSIDERED WHEN DETERMINING OF ATMOSPHERIC POLLUTANTS

1. Probability, severity and frequency of the effects of the presence of the pollutant in the atmosphere. Regarding human health and the environment in general, special attention must be paid to irreversible effects.
2. Wide presence and increased concentration of the pollutant in the atmosphere.
3. Environmental or metabolic changes, to the extent that they may lead to the production of chemicals with greater toxicity.
4. Long lifetime in the environment, especially if the pollutant is not biodegradable and can accumulate in the human body, the environment or food chains.
5. In relation to the effects of the pollutant:
 - (a) the size of the exposed population, biological resources or ecosystems;
 - (b) the existence of particularly sensitive targets in the zone under consideration.
6. Risk assessment methods may also be used. When defining the pollutants, the risk criteria determined by the currently applicable Community legislation are taken into account.

APPENDIX IV

APPENDIX IV

(Article 13)

INFORMATION TO BE INCLUDED IN LOCAL, REGIONAL OR NATIONAL PROGRAMS TO IMPROVE THE QUALITY OF THE ATMOSPHERIC AIR

PART I

Information to be provided under Article 13 (air quality plans)

1. Place where the exceedance occurred
 - (a) region;
 - b) city (map);
 - c) measuring station (map, geographic coordinates).
2. General information

- a) type of zone (city, industrial or rural area);
- b) estimation of the polluted area (km²) and the population exposed to the pollution;
- (c) useful climate data;
- d) useful topographical data;
- e) sufficient information on the type of protected targets in the area under consideration.

3. Competent authorities

Name and address of those responsible for the preparation and implementation of the air improvement plans.

4. Nature and assessment of pollution

- (a) concentrations observed in previous years (before the implementation of the remedial measures);
- (b) concentrations measured after the start of the project;
- c) techniques used for estimation.

5. Origin of pollution

- (a) list of the main emission sources responsible for the pollution (map);
- (b) total amount of emissions from those sources (tonnes per year);
- c) information on pollution imported from other areas.

6. Analysis of the situation

- (a) details of the factors causing the exceedance (e.g. transport, including transboundary transport, formation of secondary pollutants in the atmosphere);
- (b) details of measures that can be taken to improve air quality.

7. Information on air improvement measures or projects that existed prior to June 11, 2008, namely:

- a) local, regional, national, international measures;
- (b) observed effects of the measures in question.

8. Information regarding the measures or plans to reduce pollution that have been approved after the entry into force of this Law:

- a) list and description of all measures provided for in the project;
- (b) implementation schedule;
- c) assessment of the planned improvement of air quality and assessment of the time required to achieve these objectives.

9. Information on measures or plans envisaged or planned in the long term.

10. List of publications, documents, works, etc., which complete the information required under this annex.

PART II

Information to be provided in accordance with relevant regulations

1. All information listed in Part I.

2. Information regarding the implementation stage of the following laws and regulations, as they are amended or replaced from time to time:

(a) The Vehicle Type Approval Law.

(b) the Regulations on Type Approval of Vehicles (categories M, N and O), Components, Systems and Separate Technical Units.

(c) the Gas Emissions of Certain Motor Vehicles Ordinance.

(d) the Air Pollution Control (Control of Volatile Organic Substances (VOC) Emissions from Gasoline Storage and its Disposal from Terminal Facilities at Fuel Service Stations) Regulations.

(e) the Air Pollution Control Law.

(f) the Water Pollution Control Law.

(g) the Integrated Pollution Prevention and Control Law.

(h) on the Emission of Gaseous and Particulate Pollutants from Internal Combustion Engines Installed in Non-Road Mobile Machinery Ordinance.

(i) the Motor Vehicles and Traffic Regulations.

(j) the Petroleum and Fuel Specifications Law.

(k) the Gasoline Diesel and Biodiesel Specifications Ordinance.

(l) the Air Pollution Control (Restriction of Volatile Organic Compound Emissions from the Use of Organic Solvents in Certain Activities and Facilities) Regulations.

(m) the Decree on the Specifications of Heavy Fuel Oil, Light Fuel Oil, Internal Combustion Oil and Ship Fuels.

(n) the Air Pollution Control (Waste Incineration) Regulations.

(o) the Ambient Air Quality (Annual Maximum Emission Limits for Certain Atmospheric Pollutants) Regulations.

(p) the Limitation of Emissions of Volatile Organic Compounds Due to the Use of Organic Solvents in Decorative Paints, Varnishes, Automotive Glass Products and Other Paint Products Law.

(q) regarding the Content of Fuel Ships in Divine Decree.

(r) the EC Press Approval (Emissions of Pollution from Compression Ignition and Positive Ignition Engines Fueled with Natural Gas or LPG, of Vehicles) Decree. and

(s) the Law on Energy Efficiency during End Use and Energy Services.

3. Information regarding air pollution abatement measures considered for implementation at the appropriate local, regional or national level in relation to the achievement of air quality objectives including the following:

(a) reducing emissions from stationary sources by ensuring that emission control equipment is installed on small and medium-sized stationary combustion sources (and for biomass) or that these sources are replaced;

b) reduction of emissions from vehicles by retrofitting them with emission control equipment. The use of financial incentives should be considered to accelerate the uptake of this approach;

c) contracting with public authorities in accordance with the provisions of the environmental public procurement manual for vehicles, fuels and combustion equipment to reduce emissions, including purchasing:

(i) new vehicles, including low-emission vehicles;

(ii) transportation services with cleaner vehicles;

- (iii) stationary combustion sources with low emissions;
- (iv) low emission fuels for stationary and mobile sources;
- d) measures to limit transport emissions through traffic planning and management (including congestion charges, differentiated parking charges or other financial incentives and the establishment of "low emission zones");
- e) measures to encourage the shift of transport towards less polluting means of transport;
- f) ensuring the use of low-emission fuels in small, medium and large-scale stationary sources, as well as in mobile sources;
- g) measures to reduce atmospheric pollution by granting permits pursuant to the Atmospheric Air Quality Law and the Atmospheric Air Quality (Annual Maximum Emission Limits for Certain Atmospheric Pollutants) Regulations, with national plans pursuant to the regulations and with the use of economic instruments such as taxes, charges or emissions trading;
- h) whenever deemed appropriate, measures to protect the health of children or other sensitive groups.

APPENDIX V

APPENDIX V

(Article 2 and 20)

TECHNICAL COMMITTEE FOR THE PROTECTION OF ATMOSPHERIC AIR QUALITY

1. (a) A Committee is established with the name "Technical Committee for the Protection of Atmospheric Air Quality" to exercise the powers specified in this Law and in which one (1) representative participates from -
 - (i) The Ministry of Labour, Welfare and Social Insurance,
 - (ii) the Ministry of Agriculture, Rural Development and Environment,
 - (iii) the Ministry of Health,
 - (iv) the Ministry of the Interior,
 - (v) the Ministry of Energy, Commerce, Industry and Tourism,
 - (vi) the Ministry of Transport, Communications and Works,
 - (vii) the Scientific and Technical Chamber of Cyprus, and
 - (viii) the Cyprus Federation of Environmental Organizations.
- (b) Each ministry appoints its representative to participate in the sessions of the Technical Committee.
- (c) The representative of each Ministry may be accompanied during the sessions by one (1) or two (2) scientific or technical advisors.
2. The Chairman of the Technical Committee is the representative of the Ministry of Labour, Welfare and Social Insurance and in case of his absence, another representative is elected by the remaining members to chair the session.
3. At each session of the Technical Committee, the presence of five (5) members constitutes a quorum.
4. (a) The sessions of the Technical Committee are convened by the president.
 - (b) Any member of the Technical Committee may request in writing an extraordinary session after stating the reasons that require it and the matter to be discussed and the extraordinary session is convened by the President within fourteen (14) days from the date on which the convening is requested her.

(c) (i) The chairman shall ensure that notice of the meeting of the Technical Committee is sent to its members at least seven (7) days before the meeting.

(ii) In the above notification, details related to each topic to be discussed and each work to be carried out and in particular details regarding-

(aa) action plans provided for in article 12(1), which include, among other things, measures that fall within the competence of another Minister,

(bb) programs or plans provided for in article 13(3), which include, among other things, measures that fall within the competence of another Minister,

which will be studied in the session as well as reference to any other topic that will be discussed.

(iii) The notice of the Technical Committee meeting, together with the agenda and copies of the relevant documents, are also sent to each prefecture, municipality and/or community council, as long as the issues to be discussed directly or indirectly concern their area of jurisdiction .

ANNEX VI

ANNEX VI

(Article 26)

PUBLIC INFORMATION

1. The Minister ensures that information is regularly made available to the public regarding the concentrations in the environment of the pollutants covered by this Law.

2. The notified concentrations are notified as average values for the respective appropriate period for calculating the average in accordance with the annexes of the relevant Regulations issued pursuant to this Law. The information shall, at a minimum, report any levels in excess of air quality objectives, including limit values, target values, alert limits, notification limits or long-term targets for the controlled pollutant. They shall also include a brief assessment against air quality objectives and appropriate information on effects on health or, as appropriate, vegetation.

3. Information on the concentrations of sulfur dioxide, nitrogen dioxide, particulate matter (at least PM₁₀), ozone and carbon monoxide in the environment shall be made public at least once a day and where possible on an hourly basis. Information on ambient concentrations of lead and benzene, submitted as an average value for the last twelve months, is published quarterly and, where possible, monthly.

4. Member States shall ensure that the public is informed in a timely manner of detected or predicted exceedances of alert thresholds and notification levels. The details provided include at least the following information:

a) information on the observed exceedance(s):

- the location or area of the exceedance,
- the type of limit exceeded (notification or alarm),
- the start time and duration of the exceedance,
- the maximum 1-hour concentration and, in addition, the maximum 8-hour average concentration for ozone;

b) forecast for the next afternoon/day or days:

- the geographical area of the expected exceedance of the information limit and/or the alert limit,
- the expected change in concentrations (improvement, stabilization or deterioration) as well as reasons for this change;

c) information on the affected population group, potential health effects and recommended behaviour;

- information on population groups at risk,
- description of possible symptoms,

- precautionary measures recommended to be taken by the population group concerned, and
- where there is more information;

d) information on preventive measures to reduce pollution and/or exposure to it: indication of the main sources of pollution; recommendations for action to reduce emissions; and

e) in the case of foreseen exceedances, the Minister takes measures so that, as far as possible, the relevant information is disclosed, with announcements in the mass media and on the internet.

APPENDIX VII

APPENDIX VII

(Article 4)

DATA QUALITY ASSURANCE IN ATMOSPHERIC AIR QUALITY ASSESSMENT – DATA VALIDATION

1. For the purposes of ensuring the accuracy of the measurements and compliance with the data quality objectives referred to in the Regulations issued pursuant to this Law, the Minister shall ensure that:

(a) The traceability of all measurements performed for the assessment of ambient air quality, in accordance with Regulations 5 and 7 of the Ambient Air Quality (Limit Values of Sulfur Dioxide, Nitrogen Dioxide and Nitrogen Oxides, Particles, of Lead, Carbon Monoxide, Benzene and Ozone in the Atmospheric Air) Regulations of 2010 and 2017, is done in accordance with the requirements set out in the harmonized standard for testing and calibration laboratories;

(b) operators operating networks and individual stations shall establish a quality assurance and control system, which provides for regular maintenance to ensure the accuracy of the measuring devices; the quality system shall be reviewed, every five (5) years at the latest or whenever deemed necessary necessary, by the relevant national reference laboratory;

(c) a quality control/assurance process has been established for data collection and reporting and that the bodies entrusted with this work are actively participating in the respective quality assurance programs covering the whole of the European Union;

(d) the national reference laboratories approved in accordance with Article 4 and which are accredited for the reference methods referred to in Part I of Annex VI of the Ambient Air Quality (Limit Values of Sulfur Dioxide, Nitrogen Dioxide and Nitrogen Oxides, Particles, Lead, Carbon Monoxide, Benzene and Ozone in Atmospheric Air) Regulations of 2010 and 2017, at least for pollutants whose concentrations are greater than the minimum assessment limit, according to the relevant harmonized standard for testing and calibration laboratories whose reference data were published in the Official Journal of the European Union, according to with article 2, paragraph 9 of Regulation (EC) no. 765/2008.

(e) the national reference laboratories are also responsible for the coordination of the quality assurance programs implemented throughout the European Union, in the Republic, which are organized by the Commission's Joint Research Centre, while at the same time they are responsible for the coordination of the correct implementation of reference methods and the verification of the equivalence of methods that are not reference methods at national level;

(f) national reference laboratories responsible for organizing interlaboratory comparison at national level must also be accredited according to the relevant harmonized standard for interlaboratory proficiency testing;

(g) the national reference laboratories participate at least every three (3) years in the quality assurance programs implemented throughout the European Union and organized by the Commission's Joint Research Centre. If this participation does not bring the expected results, then the national laboratory must indicate during its next participation in the interlaboratory comparison satisfactory remediation measures and also submit a relevant report to the Joint Research Center;

(h) the national reference laboratories shall support the work carried out by the European network of national reference laboratories established by the Commission.

2. All the data submitted pursuant to article 23 are considered valid, except for the data that have been characterized as temporary.