
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 491 (W. 89) (C. 20)

**ENVIRONMENTAL
PROTECTION, WALES**

The Environment Act 2021
(Commencement No. 3) (Wales)
Regulations 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Environment Act 2021 (c. 30) (“the Act”). These are the third commencement regulations made under the Act.

Regulation 2 brings into force Part 2 of Schedule 12 and section 73(d), in so far as it relates to that Part of the Act, on 16 April 2025.

Section 73(d) enacts Part 2 of Schedule 12 to the Act which makes amendments to the Clean Air Act 1993 (c. 11). Part 2 of Schedule 12 amends, for Wales, the procedure for declaring a fuel to be authorised or fireplace to be exempt for the purposes of Part 3 of the Clean Air Act 1993, by enabling the Welsh Ministers to publish a list of these fuels and fireplaces, and to update these lists as needed.

**NOTE AS TO EARLIER COMMENCEMENT
REGULATIONS**

(This note is not part of the Regulations)

The following provisions of the Act have been brought into force by commencement regulations made before the date of these regulations.

The provisions of the Act listed in the table below have been brought into force in relation to Wales by commencement regulations made by the Welsh Ministers.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------|-----------------------------|-----------------|
|------------------|-----------------------------|-----------------|

| | | |
|------------|---|----------------------------------|
| Section 50 | 7 March 2022 (so far as relating to Wales) | S.I. 2022/223 (W. 71) (C. 10) |
| Section 60 | 7 March 2022 (so far as relating to Wales) | S.I. 2022/233 (W. 71) (C. 10) |
| Section 64 | 7 March 2022 (so far as relating to Natural Resources Body for Wales) | S.I. 2022/233 (W. 71) (C. 10) |
| Section 79 | 1 March 2025 (so far as relating to undertakers whose areas are wholly or mainly in Wales) | S.I. 2025/175 (W. 37) (C. 7) |
| Schedule 4 | 7 March 2022 (so far as relating to Wales) | S.I. 2022/233 (W. 71) (C. 10) |

The provisions of the Act listed in the table below have been brought into force in relation to England and Wales by commencement regulations made by the Secretary of State.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--------------------|--|--------------------------|
| Sections 1 to 7 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Sections 8 to 15 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Section 16 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Sections 17 and 18 | 10 May 2022 | S.I. 2022/518 (C. 21) |
| Section 19 | 10 May 2022 (partially) | S.I. 2022/518 (C. 21) |
| | 1 November 2023 (for all remaining purposes) | S.I. 2023/381 (C. 18) |
| Section 20 | 10 May 2022 | S.I. 2022/518 (C. 21) |
| Section 21 | 1 April 2022 | S.I. 2022/48 |

| | | |
|----------------------|---|------------------------|
| | | (C. 2) |
| Sections 22 to 24 | 17 November 2021 | S.I. 2021/1274 (C. 72) |
| Section 25 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Section 26 | 17 November 2021 | S.I. 2021/1274 (C. 72) |
| Section 27 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Sections 28 to 30 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Sections 31 to 41 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Sections 42 and 43 | 24 January 2022 | S.I. 2022/48 (C. 2) |
| Sections 44 to 47 | 17 November 2021 | S.I. 2021/1274 (C. 72) |
| Section 57 | 17 May 2024 | S.I. 2024/639 (C. 40) |
| Section 73 | 1 May 2022 (partially) | S.I. 2022/48 (C. 2) |
| Section 74 to 77 | 17 May 2024 | S.I. 2024/639 (C. 40) |
| Section 81 | 17 May 2024 (partially) | S.I. 2024/639 (C. 40) |
| Section 81 | 1 January 2025 (for all remaining purposes) | S.I. 2024/639 (C. 40) |
| Section 82(2) | 17 May 2024 (insofar as it is not already in force) | S.I. 2024/639 (C. 40) |
| Sections 100 and 101 | 17 January 2024 (partially) | S.I. 2024/44 (C. 4) |
| Section 116 | 30 September 2022 (partially) | S.I. 2022/518 (C. 21) |
| Part 7 | 30 September 2022 | S.I. 2022/48 (C. 2) |
| Schedule 12, Part 3 | 1 May 2022 | S.I. 2022/48 (C. 2) |
| Schedule 17 | 30 September 2022 (partially) | S.I. 2022/518 (C. 21) |

Various provisions of the Act have been brought into force in relation to England by S.I. 2021/1274 (C.72), S.I. 2022/48 (C. 2), S.I. 2022/518 (C. 21), S.I. 2022/988 (C. 75), S.I. 2022/1266 (C. 100), S.I. 2023/381 (C. 18), S.I. 2023/1170 (C. 77), S.I. 2024/44 (C. 4) and S.I. 2024/639 (C. 40).

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2025 No. 491 (W. 89) (C. 20)

**ENVIRONMENTAL
PROTECTION, WALES**

**The Environment Act 2021
(Commencement No. 3) (Wales)
Regulations 2025**

Made

15 April 2025

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 147(4)(f) of the Environment Act 2021⁽¹⁾.

Title and interpretation

1.—(1) The title of these Regulations is the Environment Act 2021 (Commencement No. 3) (Wales) Regulations 2025.

(2) In these Regulations, “the Act” means the Environment Act 2021.

Provisions coming into force on 16 April 2025

2. The following provisions of the Act come into force on 16 April 2025—

- (a) section 73(d) (smoke control areas: amendments of the Clean Air Act 1993), so far as it relates to Wales; and
- (b) Part 2 of Schedule 12 (principal amendments to the Clean Air Act 1993: Wales).

Huw Irranca-Davies

Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs, one of the Welsh
Ministers
15 April 2025

(1) 2021 c. 30.