

Implementation of the Dutch Environment and Planning Act (Omgevingswet) Postponed Due to Pandemic

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On 1 April 2020 the Dutch minister for Environment and Housing (Minister voor Milieu en Wonen) [announced](#) that implementation of the Environment and Planning Act is postponed. Implementation of the new legislation was planned for 1 January 2021, but according to the minister, postponement is inevitable due to the ongoing outbreak of Coronavirus Disease 2019 (COVID-19).

The Environment and Planning Act, passed by the Dutch Senate (*Eerste Kamer*) in 2016, aims to simplify and merge existing rules for environmentally relevant activities and planning. Currently, these rules are spread over 26 acts, 60 orders in council (*AMvB*), and 75 ministerial regulations (*Ministeriële regeling*). The new Environment and Planning Act will bundle all rules in this regard [into one Act, four orders in council, and one ministerial regulation \(Omgevingsregeling\)](#). While the goals of this Act have received much support, the Act has also faced criticism for being complex and potentially difficult to implement.

According to the Dutch minister for Environment and Housing, local authorities (provinces, municipalities and water boards) are overburdened due to the COVID-19 outbreak, for instance with regard to enforcement of protective measures. This may interfere with the “already complicated implementation” of this Act according to the minister. Therefore, [the minister officially postponed implementation of the Act and in addition set out five requirements for implementation](#) (amongst others regarding permit applications for technical facilities and the adaptation of social distancing policies).

A new date for implementation has not been set. It should be noted however that, according to the minister, policies delayed are not policies denied.

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