

Legislation Outlook

April 2021

This monthly legislation briefing is a **supplement** to your Activ Comply service to help you to **plan ahead** for maintenance of your ISO 14001, OHSAS 18001/ISO 45001, ISO 50001 and ISO 27001 systems. In addition to giving you advance warning about important legislation that will affect your compliance with the standards, we'll provide news, newly-published guidance and government consultations that you might find useful, as well as any other significant legislation beyond the scope of the standards listed that will potentially impact your organisation. Unlike other services, we only report items of value: we don't waste your time on items such as an increase in administrative fees or changes that only affect enforcement agencies.

When legislative changes are announced with short notice (<1 month) they are not reported here. All changes are automatically delivered direct into your [Activ Comply](#) system as they come into effect so you can be confident that you are always 100% up to date.

A substantial amount of legislation is coming into force on 1 April, but you will receive update notifications if any of these changes are going to affect you. In the meantime, we thought that the following might be of interest to you...

Upcoming Standard-Related Legislation

ISO 14001

Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021

The Scottish Government plans to introduce low emission zones (LEZs) into Glasgow, Edinburgh, Aberdeen and Dundee between February 2022 and May 2022. The purpose of these [Regulations](#) is to specify for the planned LEZs:

- emission standards for compliance;
- exemptions from compliance;
- penalty charge and surcharge rates;
- the circumstances in which persons other than the registered keeper of a vehicle will be responsible for a penalty charge for non-compliance; and
- provisions in relation to enforcement.

This information may be of interest to operators of vehicles in these Scottish cities who need to ensure compliance when the LEZs come into effect next year.

Wildlife and Countryside Act 1981 (Variation of Schedule 9) (England) Order 2021

This [Order](#) comes into force on 4 May 2021 and amends the Wildlife and Countryside Act 1981 to remove New Zealand flatworm *Artiposthia triangulate*, pumpkinseed (otherwise known as sun-fish or pond-perch) *Lepomis gibbosus* and giant salvinia *Salvinia molesta* from the lists of non-native animals and plants that must not be released, allowed to escape into the wild, be planted or otherwise caused to grow in the wild. These changes apply only to England.

ISO 14001 and ISO 50001

Heat Networks (Scotland) Act 2021

This [Act of the Scottish Parliament](#) aims to encourage greater use of heat networks in Scotland. Heat networks (also known as district heating) supply heat from a central source to multiple premises, carrying hot water or steam via a network of insulated pipes and heat generation systems. The Act contains provisions that regulate heat networks, including making applications, identifying exemptions, granting licenses and setting up heat network zones. In addition, all public sector building owners will need to assess their buildings to check if they're suitable to connect to a heat network. No commencement date has been set as yet.

ISO 45001/OHSAS 18001

Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations 2021

These [Regulations](#) come into force on 5 May 2021 to correct an error in Schedule A1 to the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012. Schedule 1A contains a list of substances which are restricted in electrical and electronic equipment ("EEE"), together with maximum concentration values by weight of those substances in homogeneous materials which may be contained in EEE placed on the market. The amendment corrects the threshold for cadmium from 0.1% to 0.01%

Remember: short-notice changes to legislation are not reported in this briefing; all changes are delivered direct into your Activ Comply system as they come into effect.

ISO 22301 Business Continuity Legislation Now Available In Activ Comply

We have recently added Business Continuity Legislation to the options available to select when setting up the scope of your audit in Activ Comply. To use this option, simply start a new audit, and choose **UK Information Security and Business Continuity Legislation** as the **Compliance Area** when setting up your **Scope of Audit**. Alternatively, if you have a live audit already in place for Information Security, you will be able to add ISO 22301 by editing your **Scope of Audit**. For any questions, please contact us at info@myactiv.co.uk.

Are you involved in Information Security Management?

Our parent company, Amtivo Group, is delighted to announce an expansion to its product portfolio through the acquisition of InfoSaas. Founded in 2014, InfoSaaS has developed a **cutting edge platform that supports organisations with their information security, data protection and business compliance requirements including compliance management systems for ISO 27001, GDPR and other standards**. The company has an established international blue-chip client base and is an approved provider to the UK Government's G-Cloud 12 Framework.

Read more about InfoSaas [here](#).

News

Government Plans Changes to GDPR

The Secretary of State for Digital, Culture, Media and Sport, Oliver Dowden, has stated that the UK Government plans to reform data protection law now that the United Kingdom has left the EU. The EU has provisionally recognised the UK's data protection law as adequate, meaning that no further safeguards are required to transfer personal data from the EU to the UK; Mr Dowden suggested that the granting of a full adequacy decision to the UK would not be affected by the proposed changes as the plans would not water down data protection, but would instead look for opportunities to drive growth.

Safety Alert: Pressure/Vacuum Relief Valves

The Health and Safety Executive has issued a safety alert after finding that a pressure/ vacuum relief valve on a road tanker had undergone an unauthorised modification by a third party which prevented the valve's safe operation. The modification, most likely made to allow the tank to be serviced without the use of a special tool to remove the valve cap, prevented the free movement of the valve stem and resulted in the valve sticking in an open position.

The HSE are urging users of tank containers (iso-tanks) and road tankers used for carriage of dangerous liquids and gases to visually inspect the pressure/vacuum relief valves to establish if there have been any unauthorised modifications made to the valve, particularly items added to the valve to allow for easier dismantling.

Guidance

COVID: Easing of Restrictions

The Health and Safety Executive has created a [webpage](#) that provides the latest information on changes related to workplace safety following the easing of coronavirus restrictions. In addition to linking to HSE guidance, it also provides details of advice from public health bodies and other government departments on requirements not enforced by HSE such as face coverings, workplace testing, vaccinations and NHS Test and Trace

COVID: Ventilation and Air-Conditioning

The Health and Safety Executive has updated its [guidance](#) on providing adequate ventilation to premises during the coronavirus pandemic. The changes provide greater assistance for identifying, and taking action in, poorly ventilated areas. It has also updated the factors to consider when assessing the risk from aerosol transmission and determining whether adequate ventilation is being provided to reduce this risk.

Consultations

Drinks Containers Deposit Return Scheme

The Department for Environment, Food and Rural Affairs has issued a [consultation](#) seeking views on its proposals to introduce a deposit return scheme for drinks containers in England, Wales, and Northern Ireland. The aim of the scheme is to increase the recycling rate of drinks containers, reduce littering, and encourage higher levels of drinks container recycling. Scotland has already implemented such a scheme. The consultation closes on 4 June 2021.

Extended Producer Responsibility for Packaging

The Department for Environment, Food and Rural Affairs has issued a [consultation](#) seeking views on its plans to introduce an Extended Producer Responsibility scheme for packaging. To encourage producers to use less packaging and use more easily-recyclable materials, it is proposed that packaging producers will pay the full cost of managing packaging once it becomes waste. The consultation closes on 4 June 2021.

Healthcare Waste Permits

The Environment Agency has issued a [consultation](#) about a revision to the existing standard rules (SR) environmental permit for healthcare waste ([SR 2008 No:24: 75Kte clinical waste and healthcare waste transfer station](#)). The key proposed changes to the existing standard rules set 2008 No. 24 are:

- Reducing the total annual quantity of waste on site from 75,000 tonnes per year to 5,000 tonnes per year, with a maximum quantity of waste stored at any one time of 20 tonnes for non-hazardous waste and 10 tonnes for hazardous waste;
- Adding healthcare waste codes from Chapters 15 and 18 of the European Waste Catalogue codes (EWC) to the SR set;
- Updating operating techniques to reflect the revised healthcare waste appropriate measures guidance; and
- The removal of existing SR sets 2008 No.25 and 2013 No.1.

The consultation closes on 10 May 2021.

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