

Legislation Outlook

September 2023

This monthly legislation briefing is a supplement to your Activ Comply service to help you to plan ahead for the maintenance of your ISO 14001, ISO 22301, ISO 27001, ISO 45001 and ISO 50001. We will give you advance warning about important legislation that will affect your compliance with the standards, news, newly published guidance and government consultations that you might find useful, and any other significant legislation beyond the scope of the standards listed that will potentially impact your organisation. We don't waste your time on items such as an increase in administrative fees, we only report items of value.

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

This month it has been a slow summer for standard-related legislation, but we anticipate that this will change once Parliament starts sitting next week.

Upcoming Standard-Related Legislation

ISO 14001

Agriculture (Wales) Act 2023

This [Act](#) has yet to be provided with a commencement date, but it will impact organisations involved in agriculture in Wales. The Act sets out sustainable land management objectives that will inform policymaking by the Welsh government, as well as:

- giving the Welsh government powers to require anyone involved in the ‘agri-food supply chain’ to collect and report data about their activities in Wales;
- allowing Welsh government to set standards with which agricultural products must conform to when marketed in Wales;
- granting Natural Resources Wales new powers to amend, suspend or revoke tree felling licences; and
- prohibiting two specific methods of pest control, namely the use of snares for capturing wild animals, and the use of glue traps for capturing (non-human) vertebrates.

We will keep you informed of any commencement dates that are relevant to you by publishing updates directly into your system.

ISO 45001

Building Regulations etc. (Amendment) (England) Regulations 2023

These [Regulations](#) come into force in England on 1 October 2023 and amend the Building Regulations 2010 to:

- insert new duty holder and competence requirements that will apply to all building work, including that undertaken on higher-risk buildings. The regulations will provide accountability and clarity of roles and responsibilities of those involved in the procurement, design and undertaking of building work, and the duties which will apply to them;
- support the introduction of regulator’s notices, which can be used where a project comprises both higher-risk buildings and low-risk buildings. This will allow developers to use a single building control body for both higher-risk and low-risk building work on the same project;
- introduce a new definition of ‘commencement’ of work for existing and new buildings, and automatic lapse of building control approval after three years from when the building control approval was granted, for projects that do not meet the definition of commencement; and
- strengthen the fire safety information handover to make the process safer and more efficient.



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News

Invasive Potato Pest Confirmed in Kent

The Animal and Plant Health Agency confirmed the finding of a single adult male Colorado beetle in Kent, the first time an outbreak of the beetle has been confirmed in the UK since 1977. If not eradicated, Colorado potato beetles are a significant threat to potato crops. Farmers and growers in Kent are being encouraged to remain vigilant for signs of the pest. The beetle is bright yellow or orange with black stripes and is usually between 8.5-11.5mm in length and 3mm in width. Its larvae are a reddish brown in colour, round and globular, and up to 15mm in length.

Safety Alert: Vehicle Lifts

The Health and Safety Executive has issued a [Safety Alert](#) in relation to BendPak XPR series two-post vehicle lifts. Evidence from an investigation of a fatal incident revealed that, on some of the lifts with the arm restraint gear attached with bolts, the bolts do not meet the required strength standard. Users of BendPak two-post lifts should check Safety Alert for more information on the actions they need to take.



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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.

Consultations

Unlimited Fines for Polluters

The Environment Agency has published a [consultation](#) to seek views on its proposals to remove the cap for variable monetary penalties in the Environmental Civil Sanctions (England) Order 2010 from its current amount of £250,000 and introduce powers to issue variable monetary penalties for enforcing the Environmental Permitting (England and Wales) Regulations 2016.

The consultation closes on 8 October 2023.

Environmental Permitting Standard Rules: Biogas

The Environment Agency has published a [consultation](#) to seek views on its new standard rules permit for the capture, treatment, and storage of biogas from lagoons and tanks. The consultation also includes proposals for a generic risk assessment and a charging framework for the new standard rules permit.

The consultation closes on 9 November 2023.



 British Assessment Bureau  First 4 Safety

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0333 301 9003

legal@myactiv.co.uk

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