

Legislation Outlook

November 2024



This monthly legislation briefing will help you plan for the maintenance of your ISO 14001, ISO 22301, ISO 27001, ISO 45001 and ISO 50001 systems. We will provide advance warning about important legislation that will affect compliance with these standards, including relevant news, newly published guidance and government consultations, and any other significant legislation beyond the scope of the standards listed, which may potentially impact your organisation. We don't waste your time on items such as an increase in administrative fees, we only report on items of value.

The nights may be drawing in, but the new Government continues to publish legislation. This month sees a Bill that will impact ISO 27001 certificate holders, see the News section below for more details.

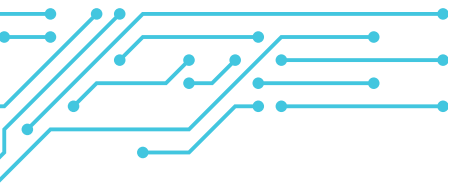
Updated Standard-Related Legislation

ISO 14001

Environmental Protection (Single-Use Vapes) (Scotland) Regulations 2024

These Regulations come into force on 1st April 2025 and prohibit the sale of single-use vapes in Scotland. The Regulations make it an offence to supply, or offer to supply, single-use vapes in the course of a business, as well as authorising local councils to use enforcement officers to enforce the prohibition.

Similar prohibitions are expected to be introduced in England, Wales and Northern Ireland from 1st June 2025; we will confirm this once the legislation has been published.



News

Data (Use and Access) Bill

The Government has published the [Data \(Use and Access\) Bill](#) to reform the UK GDPR with the aim of utilising data for the public benefit, implementing enhanced technological and data use practices in law enforcement and the NHS, and mapping the UK's underground data infrastructure. The previous government attempted to reform the UK GDPR via the Data Protection and Digital Information Bill, but the Bill failed to pass into law prior to the General Election in July.

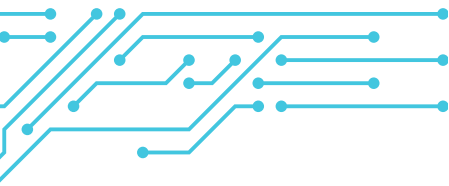


The advertisement banner features a blue background. On the left, the 'activ' logo is at the top, followed by the text 'Improve your organisations information security with Activ Secure' in white. Below this is a white button with the text 'Learn more'. On the right, there is a photograph of a man in a light green shirt working on a laptop. The banner is decorated with white dotted lines and a large white circle on the right side.

The new Bill will implement some of the proposals seen in the prior Bill, such as replacing the sole Information Commissioner with an Information Commission, but key areas in relation to watering down accountability requirements for data protection officers, records of processing activities and data protection impact assessments have been abandoned. The removal of these provisions reduces the risk of the EU deciding the UK is not an adequate jurisdiction for transfers of personal data.

The new Bill does also include some new provisions, such as shortening the ICO's investigatory period to six months and placing the same privacy restrictions on the use of pixel tracking and device fingerprinting as currently exists for browsing cookies.

The Bill will be subject to amendments as it progresses through Parliament, we will bring you more details once the text is finalised on Royal Assent.



Guidance

Emission Limit Values for Hydrogen Combustion Plants

The Environment Agency and the devolved administrations have published [guidance](#) for hydrogen combustion plants within the scope of the:

- Industrial Emissions Directive (IED);
- Best Available Technique (BAT) Reference (BREF) documents; or
- Medium Combustion Plant Directive (MCPD).

Currently there are no emission limit values for hydrogen combustion. The aim of the guidance is to set out carbon monoxide and NOx emissions expectations for combustion plants until regulators can determine achievable emissions targets.



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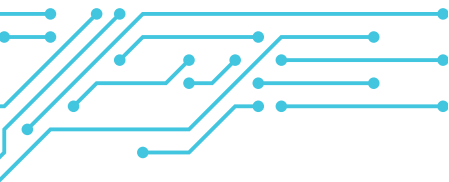


Importing and Exporting Waste Electrical and Electronic Equipment (WEEE)

The Environment Agency has published [guidance](#) for organisation in England on complying with new notification requirements that come into force on 1st January for shipping Waste Electrical and Electronic Equipment (WEEE):

- for recovery in European Union (EU) and OECD countries;
- for recovery in non-OECD countries; and
- containing hazardous substances or persistent organic pollutants.

Similar guidance is available in [Wales](#), [Scotland](#) and [Northern Ireland](#).



When Electrical and Electronic Equipment (EEE) Becomes Waste (WEEE)

The Environment Agency has published [guidance](#) for organisations in England on how to properly identify when electrical and electronic equipment becomes waste. The guidance is designed to assist the following groups to decide what their compliance obligations are in relation such equipment:

- approved authorised treatment facilities (AATFs);
- designated collection facilities;
- producer compliance schemes;
- organisations involved in preparing used EEE for reuse;
- organisations with EEE they no longer need; and
- waste carriers.

Similar guidance is available in [Wales](#), [Scotland](#) and [Northern Ireland](#).

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