

Legislation Outlook

February 2026



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.

This month's Legislation Outlook provides details of increased landfill tax rates and new building safety duties in Wales, to significant reforms to the EPC regime in Scotland. We also provide a useful summary of how upcoming changes to employment rights will affect your organisation.

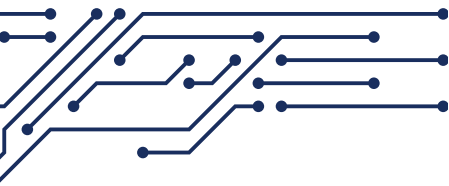
Upcoming Standard-Related Legislation

There is no long lead-time standard-related legislation to report this month.

News

Transfer of Building Safety Regulator

The newly created Building Safety Regulator will, from 27th January 2026, replace the functions, responsibilities and obligations of the Health and Safety Executive in relation to the regulation and monitoring of Building Safety standards and regulations. This means that any matters that are outstanding with HSE at the time of the transfer will be carried over to the Building Safety Regulator, this includes any outstanding legal proceedings.



New RPS: Accepting and Treating Gypsum-Based Waste

The Environment Agency has published a new Regulatory Position Statement setting out the criteria where the EA will not enforce the need for an environmental permit in relation to the treatment of gypsum or cement-based waste (other than waste coming from construction and demolition activities) from plasterboard manufacturers coded and described as:

- 10 13 01 waste raw material containing gypsum;
- 10 13 06 particulates and dust containing gypsum;
- 10 13 99 other gypsum wastes not otherwise specified;
- 16 03 04 off-specification products containing gypsum or cement; or
- 19 12 12 processed gypsum waste not meeting PAS109 specification.

To take advantage of the RPS you must:

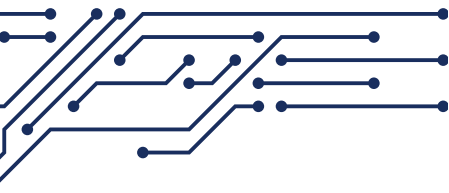
- tell the Environment Agency before you use this RPS by emailing RPS335gypsumenquiries@environment-agency.gov.uk and include the site address, permit reference number, a description of the waste you are taking, its end use and 'RPS 335 – plasterboard manufacturing waste' in the subject of the email;
- have a permit which allows you to accept and treat waste plasterboard coded as 17 08 02 or waste cement-based products coded as 17 09 04;
- apply to vary your permit to include at least one of these codes: 10 13 01, 10 13 06, 10 13 99, 16 03 04 or 19 12 12 by 26th June 2026;
- only accept the plasterboard manufacturing waste if you intend to recover it for use; and
- keep records for 2 years from the date of the last use of the RPS to show that you have complied with this RPS and make these records available to the Environment Agency on request.

This RPS is due to be withdrawn by 21st January 2029.

New RPS: Storing Backhauled Cans of Waste Paint at Distribution Centres

The Environment Agency has published a new Regulatory Position Statement on the storage of waste paint by organisations that store waste paints at distribution centres where the waste paint cans have been collected from a manufacturer, retailer or wholesaler as part of a trade and householders take-back scheme. To take advantage of the RPS you must:

- only store cans of waste paint at a distribution centre that have been collected from trade or householders by manufacturers, wholesalers, or retailers take-back scheme;
- store cans of waste paint upright with secured lids, in covered secure storage containers that prevent the escape of paint;
- store the secure storage containers containing cans of waste paint on impermeable pavement with sealed drainage;



- store cans of hazardous waste paint and non-hazardous waste paint separately;
- ensure the priority is for the paint and paint tins to be recovered, with disposal being a last resort;
- for consignee returns of the hazardous waste paint, enter 'RPS 363' followed by the postcode of the receiving site in the permit field;
- keep records for 3 years from the date of the last use of the RPS to show that you have complied with this RPS and make these records available to the Environment Agency on request;
- not decant paint from their cans and bulk up in larger containers;
- not store more than 50 cubic metres of cans of non-hazardous waste paint at any one time;
- not store more than 50 cubic metres of cans of hazardous waste paint at any one time;
- not store paint containing lead, marine and motor industry paints, industrial paints, aerosol paints, hobby DIY products or non-paint products (for example, paint thinners or adhesives); and
- not store paint for longer than 4 months.

The RPS is due to be reviewed by 1st August 2026.

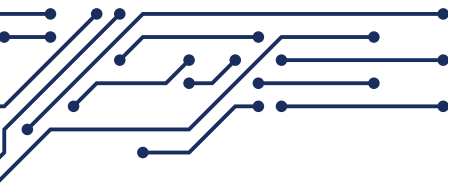
Guidance

International Data Transfers

The Information Commissioner's Office has updated its [guidance](#) on international transfers of personal information in relation to the GDPR rules. It sets out a 'three step test' designed to simplify the process of establishing whether the transfer of data they are dealing with is restricted. To accompany this, they have also provided a brief guide, quick reference FAQs and a glossary.

The three-step process is set out below:

- Does the UK GDPR apply to our processing of the personal information we're transferring?
 - The organisation must be established in the UK, and the processing is carried out by that organisation
 - The processing within the group is outside the UK but is inextricably linked to your UK establishment
 - The organisation is outside the UK, but the processing is related to offering goods and service or monitoring the behaviour of data subjects in the UK



- Are we initiating the transfer of personal information to an organisation outside the UK?
 - If yes, (note this includes allowing the organisation access to your system) you must ensure that any restricted transfer is covered by a transfer mechanism
 - This is to be considered when initiating the transfer not when it is authorised.
- Is the organisation we're transferring the personal information to a separate legal entity from us?
 - If you are part of a group, then each member of the group is a separate entity from you for the purpose of the transfer
 - A branch is not considered to be a separate legal entity
 - Transfers of personal data into the UK from outside the UK do not constitute a restricted transfer.

Consultations

Heat Network Technical Standards

The Department for Energy Security and Net Zero has published a [consultation](#) seeking views on the introduction of regulatory heat network technical standards and a Heat Network Technical Assurance Scheme (HNTAS) to help heat network developers, contractors and operators demonstrate compliance with those standards. The consultation closes on 15th April 2026.

New HGV CO2 Emissions Regulatory Framework for the UK

The Department of Transport and the Office for Zero Emission Vehicles have launched a [consultation](#) seeking views on the options for future regulatory frameworks to support the transition to zero emission heavy goods vehicles. The consultation closes on 17th March 2026.

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