

Legislation Outlook

February 2025



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 sees the introduction of legislation for a new deposit return scheme for drinks containers in England and Northern Ireland, which will come into force at the same time as the equivalent scheme in Scotland. We also provide some guidance on the upcoming waste separation requirements in England in our Focus section.

Updated Standard-Related Legislation

ISO 14001

Deposit Scheme for Drinks Containers (England and Northern Ireland) Regulations 2025

These Regulations come into force on 1st October 2025 in order to establish a deposit return scheme (DRS) for drinks containers in England and Northern Ireland.

The DRS will require that a deposit is paid by the buyer of a drink in a container that is in-scope of the DRS to the seller of the drink, and anyone returning the container to a designated return point is entitled to redeem the deposit. The deposit level is still to be determined by the DRS administrator, the Deposit Management Organisation.

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Containers that are in-scope of the DRS are bottles or cans (including any labels, lids or other means of closure) which:

- are made wholly or mainly from aluminium, polyethylene terephthalate (PET) plastic, or steel;
- have a capacity of at least 150 millilitres but no more than three litres of liquid; and
- are likely to be used only once, or for a short period of time, before being discarded.

The Regulations also create civil sanctions for any drinks producer, supplier or retailer that contravenes the DRS. Criminal offences will apply where a person fails to comply with a civil sanction or obstructs an enforcement authority.

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ISO 14001

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News

ICO Registration Fee Increase

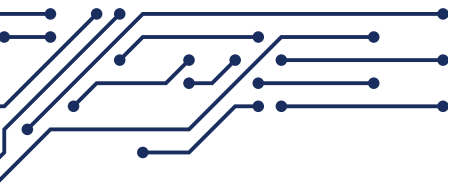
From 17th February, the fee that must be paid to the ICO by data controllers is increasing by 29.8% across all tiers to take account of inflationary increases and in order to provide the ICO with the necessary funding to discharge their legal responsibilities:

- Charges for Tier 1 (10 or fewer employees or an annual turnover of less than £632,000 per annum) are increased from £40 to £52
- Charges for Tier 2 (250 or fewer employees or an annual turnover of less than £36 million, but not in Tier 1) charges are increased from £60 to £78
- Charges for Tier 3 (more than 250 employees and an annual turnover of more than £36 million) are increased from £2,900 to £3,763

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New RPS: Waste Electronic Storage Media

The Environment Agency (EA) has release two new Regulatory Position Statements (RSP), which set out the criteria where the EA will not enforce the need for an environmental permit relating to the disposal of waste electronic storage media: The new RSPs are:

- Shredding electronic storage media containing confidential or sensitive material: RPS 309 – this sets out when you can store and shred electronic storage media containing confidential or sensitive material for data security and destruction only without an environmental permit; and
- Accepting shredded electronic storage media at sites permitted to accept hazardous WEEE: RPS 324 – this sets out when you can accept shredded electronic storage media at permitted hazardous waste electrical and electronic equipment (WEEE) sites where waste code 19 02 04* is not on your permit.



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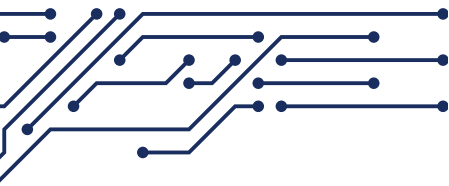
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Focus

Waste Separation in England

As of 31st March 2005, waste collection rules in England are changing. All workplaces in England with 10 or more FTE employees will be required to arrange for the separate collection of certain types of recyclable waste. For workplaces with less than 10 employees, the rules will apply from 31st March 2027.



We have decided to publish this guidance as the legislation implementing separate waste collection rules is complicated and the current [official guidance](#) does not seem to be particularly helpful to organisations. We will let you know if the official guidance is updated or replaced in future editions of the Legislation Outlook.

What recyclable waste do I need to separate from other waste?

The new rules apply to recyclable waste generated by an organisation where that waste:

- falls within one of the waste streams (glass, metal, paper and card, plastic, and food); and
- meets the description of “recyclable relevant waste” as set out in [Schedule 1](#) to the Separation of Waste (England) Regulations 2024); and
- is empty and not heavily contaminated by other substances.

The waste streams, and the recyclable relevant waste that they cover, are set out [here](#).

Any waste that meets the conditions above must be separated from the residual waste (black bin waste) before it is presented for collection.

Do I need to further separate recyclable waste?

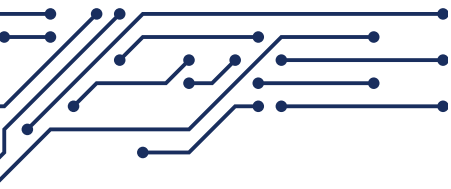
Yes. Recyclable food waste must always be collected separately from the other waste streams. The new rules also stipulate that the other non-food waste streams (collectively known as dry recyclable waste) are separated for collection, but the legislation does allow waste collectors to collect some dry recyclable waste streams together in certain circumstances. You should contact your waste collector to discuss how your dry recyclable waste will be collected. For example, your waste collector may only require you to separate paper and card from the other dry recyclable waste streams (glass metal and plastic).

How many collections will I need to arrange?

At least three:

- food waste;
- dry recyclable waste; and
- black bin waste.

Remember, you will need to arrange further collections if your waste collector requires you to separate one or more of the dry recyclable waste streams from the other dry recyclable waste.



What happens if I don't separate the waste?

From April, the general public will be able to report non-compliant workplaces to the Environment Agency. The Environment Agency have a number of enforcement options available to them, but will usually send a compliance notice initially. Further non-compliance will result in enforcement action being taken against you by the Environment Agency; this may include issuing a penalty notice or even undertaking a criminal prosecution.

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