
Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 7

RESOURCE EFFICIENCY REQUIREMENTS

PART 1

REQUIREMENTS

Consultation etc requirements

- 5 (1) Before making regulations under this Part of this Schedule the relevant national authority must—
- (a) consult such persons as the authority considers appropriate, and
 - (b) where sub-paragraph (3) or (4) applies, publish for the purposes of the consultation—
 - (i) the authority’s assessment of the matters it must be satisfied of, and
 - (ii) a draft of the regulations.
- (2) The requirements in sub-paragraph (1) may be met by consultation carried out, and assessments and draft regulations published, before this paragraph comes into force.
- (3) Before making regulations under this Part of this Schedule in relation to a new product, the relevant national authority must be satisfied that—
- (a) the product has a significant impact on the natural environment at any stage of its production, use or disposal,
 - (b) the proposed regulations would be likely to reduce the product’s impact on the natural environment,
 - (c) the benefit of that would be significant as against the likely environmental, social, economic or other costs of the proposed regulations, and
 - (d) a reduction in the product’s impact on the natural environment could not be achieved as effectively without making the regulations.
- (4) Before making regulations under this Part of this Schedule which—
- (a) specify additional resource efficiency requirements in relation to a product, or
 - (b) specify additional persons who must meet resource efficiency requirements in relation to a product,
- the relevant national authority must be satisfied of the matters in sub-paragraph (3) (b) to (d).
- (5) A “new product” means a product in relation to which there are no existing regulations made by the relevant national authority under this Part of this Schedule.

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- (6) Before making regulations under this Part of this Schedule the relevant national authority must consider whether exemptions should be given, or other special provision made, for smaller businesses.

Commencement Information

- I1** Sch. 7 para. 5 in force at 9.1.2022 for E.W.S., see s. 147(2)(c)
I2 Sch. 7 para. 5 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(e)

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