

Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 6

RESOURCE EFFICIENCY INFORMATION

PART 1

REQUIREMENTS

General power

- 1 (1) The relevant national authority may by regulations make provision for the purposes of requiring specified persons, in specified circumstances, to provide specified information about the resource efficiency of specified products.
- (2) The regulations may not make such provision in relation to a product which is—
 - (a) a medicinal product, within the meaning of the Human Medicines Regulations 2012 (S.I. 2012/1916);
 - (b) a veterinary medicinal product, within the meaning of the Veterinary Medicines Regulations 2013 (S.I. 2013/2033);
 - (c) food, within the meaning of article 2 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.
- (3) Sub-paragraph (2) does not prevent the regulations making provision in relation to a product which is not within that sub-paragraph, but is packaging for a product which is within that sub-paragraph.

Commencement Information

- I1** Sch. 6 para. 1 in force at 9.1.2022 for E.W.S., see s. 147(2)(b)
- I2** Sch. 6 para. 1 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(d)

Meaning of “information about resource efficiency”

- 2 (1) Information about resource efficiency, in relation to a product, means information which—
 - (a) is within sub-paragraph (2) or (3), and
 - (b) is relevant to the product’s impact on the natural environment.
- (2) The information within this sub-paragraph is information about—
 - (a) the expected life of the product;
 - (b) aspects of the product’s design which affect its expected life;

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- (c) the availability or cost of component parts, tools, or anything else required to repair or maintain the product;
 - (d) whether the product can be upgraded, and the availability or cost of upgrades;
 - (e) any other matter relevant to repairing, maintaining, remanufacturing or otherwise prolonging the expected life of, the product;
 - (f) the ways in which the product can be disposed of at the end of its life (including whether and to what extent it can be recycled, and whether materials used in it can be extracted and reused or recycled).
- (3) The information within this sub-paragraph is information about—
- (a) the materials from which the product is manufactured;
 - (b) the techniques used in its manufacture;
 - (c) the resources consumed during its production or use;
 - (d) the pollutants (including greenhouse gases within the meaning of section 92 of the Climate Change Act 2008) released or emitted at any stage of the product’s production, use or disposal.

Commencement Information

- I3** Sch. 6 para. 2 in force at 9.1.2022 for E.W.S., see s. 147(2)(b)
I4 Sch. 6 para. 2 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(d)

Persons on whom requirements may be imposed

- 3 The regulations may impose requirements to provide information in relation to a product on a person only if the person is a person connected with the manufacture, import, distribution, sale or supply of the product.

Commencement Information

- I5** Sch. 6 para. 3 in force at 9.1.2022 for E.W.S., see s. 147(2)(b)
I6 Sch. 6 para. 3 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(d)

Examples of provision that may be made

- 4 The regulations may include provision—
- (a) about how information about a product is to be provided (for example, by affixing a label to the product);
 - (b) conferring on specified persons the function of determining whether specified products or materials have specified properties or characteristics (for example, whether they can be recycled) and publishing the results of such determinations;
 - (c) specifying a scheme for classifying products by reference to matters about which resource efficiency information must be provided;
 - (d) requiring information provided about a product to be determined according to specified criteria (for example, according to results published by virtue of paragraph (b) or classification schemes under paragraph (c)).

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- I7** Sch. 6 para. 4 in force at 9.1.2022 for E.W.S., see s. 147(2)(b)
I8 Sch. 6 para. 4 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(d)

Consultation etc requirements

- 5 (1) Before making regulations under this Part of this Schedule the relevant national authority must—
- (a) consult any persons the authority considers appropriate, and
 - (b) have regard to the matters in sub-paragraph (2).
- (2) The matters are—
- (a) the extent to which the proposed regulations are likely to reduce the product's impact on the natural environment at any stage of its production, use or disposal;
 - (b) the environmental, social, economic or other costs of complying with the regulations;
 - (c) whether exemptions should be given, or other special provision made, for smaller businesses.
- (3) The requirement in sub-paragraph (1)(a) may be met by consultation carried out before this paragraph comes into force.

Commencement Information

- I9** Sch. 6 para. 5 in force at 9.1.2022 for E.W.S., see s. 147(2)(b)
I10 Sch. 6 para. 5 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(d)

Interpretation

- 6 In this Part of this Schedule—
- “natural environment” has the same meaning as in Part 1 of this Act (see section 44);
 - “product” includes a product which is a component part of, or packaging for, another product;
 - “specified” means specified in, or determined in accordance with, the regulations.

Commencement Information

- I11** Sch. 6 para. 6 in force at 9.1.2022 for E.W.S., see s. 147(2)(b)
I12 Sch. 6 para. 6 in force at 28.2.2022 for N.I. by S.R. 2022/54, art. 2(1)(d)

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