

Legislation Outlook

October 2018

This monthly legislation briefing is a **supplement** to your Activ Comply service to help you to **plan ahead** for maintenance of your ISO 14001, OHSAS 18001/ISO 45001, ISO 50001 and ISO 27001 systems. In addition to giving you advance warning about important legislation that will affect your compliance with the standards, we'll provide news, newly-published guidance and government consultations that you might find useful, as well as any other significant legislation beyond the scope of the standards listed that may have an impact on your organisation. Unlike other services, we only report items of value: we don't waste your time on items such as an increase of administrative fees or changes that only affect enforcement agencies.

When legislative changes are announced with short notice (<1 month) they are not reported here. All changes are automatically delivered direct into your [Activ Comply](#) system as they come into effect so you can be confident that you are always 100% up to date.

September was another very quiet month for new legislation. October's briefing is correspondingly very short. This may well be the calm before the storm, so let's all enjoy it while it lasts!

Upcoming Standard-Related Legislation

A note from the editor

So far during 2018 there has been only a trickle of new legislation, with by far the most significant for businesses being the GDPR / Data Protection Act 2018. In a typical year 2000-3000 items of legislation are published by the UK government; this year the total is likely to be around 1200 items. Aside from the Data Protection Act 2018, the vast majority of 2018 legislation will have little or no bearing on legal compliance for EHS and IS.

The bulk of parliamentary and government time and resources this year has been spent preparing for Brexit. This situation will continue until the form of the future EU-UK relationship is clarified, at which point we can expect a huge increase in legislative activity in areas where the EU previously had the power to legislate.

At Activ Comply we have been preparing for the anticipated surge in legislation ever since Article 50 was triggered 18 months ago. We are resourced and ready to analyse the increased volume of new legislation quickly to ensure that Activ Comply remains fully up-to-date at all times. As ever, your Activ Comply system will filter out all the noise and highlight only the specific changes that are relevant to your organisation. All you need to do to stay current is run a new legal compliance questionnaire.

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During this period of uncertainty, we are relaxing our strict "no noise" policy in this monthly briefing. Normally, we don't waste your time reporting on any upcoming legislation that won't change your obligations under the law. Both items of upcoming legislation included this month would fall into that category, but we are reporting them for your information and reassurance.

ISO 14001

Timber and Timber Products and FLEGT (EU Exit) Regulations 2018

These [Regulations](#) will come into force on the day that the UK withdraws from the EU. They have been designed to ensure that current EU law preventing illegally harvested timber from being placed on the market will continue to operate effectively in the UK post-Brexit. The changes relate to government administration and will have no impact on your operations.

OHSAS 18001 / ISO 45001

Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018

These [Regulations](#) come into force on the day that the UK leaves the EU. They ensure that the EU-wide system regarding certificates of professional competence for professional drivers of lorries and buses continues to operate effectively domestically after the UK's withdrawal. There will be no significant impact on any organisation from these legislative changes; their very purpose is to ensure that the existing regulatory framework remains unchanged.

Remember: short-notice changes to legislation are not reported in this briefing; all changes are delivered direct into your Activ Comply system as they come into effect.

News

New GDPR-Compliant Accident Book Introduced by HSE

The HSE has published an updated version of The Accident Book BI 510 that is designed to support users in being GDPR compliant. The book can be purchased from the HSE's [website](#).

Maximum Fine for Equifax

The ICO has issued Equifax with the highest possible fine under the Data Protection Act 1998 of £500,000 for a pre-GDPR data breach in 2017. Information on 15 million UK Equifax customers, including credit card numbers and email addresses, was stolen by hackers over a ten-week period.

Information Commissioner Issues First GDPR Enforcement Notice

AggregateIQ (AIQ), a Canadian data-analytics firm, has been issued with the first GDPR enforcement notice after an ICO investigation. The ICO found that personal data had been processed for purposes beyond what would have been expected by data subjects after AIQ used the data to target online advertisements at prospective voters during the Brexit referendum campaign in 2016. AIQ's continued retention of the data beyond 25 May this year allowed the ICO to apply the GDPR. The enforcement notice requires that AIQ 'Cease processing any personal data of UK or EU citizens ... for the purposes of data analytic, political campaigning or any other advertising purposes.'

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