



# Environment Act 2021

## 2021 CHAPTER 30

### PART 3

#### WASTE AND RESOURCE EFFICIENCY

##### *Resource efficiency*

#### **53 Resource efficiency requirements**

- (1) In Schedule 7—
  - (a) Part 1 confers power on the relevant national authority to make regulations about resource efficiency requirements;
  - (b) Part 2 confers power on the relevant national authority to make regulations about the enforcement of regulations made under Part 1.
- (2) In this section and that Schedule “relevant national authority” means—
  - (a) in relation to England, the Secretary of State;
  - (b) in relation to Wales, the Welsh Ministers or the Secretary of State;
  - (c) in relation to Scotland, the Scottish Ministers or the Secretary of State;
  - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland or the Secretary of State.
- (3) Regulations under Schedule 7—
  - (a) made by the Welsh Ministers, may contain only provision which, if contained in an Act of Senedd Cymru, would be within the legislative competence of the Senedd;
  - (b) made by the Scottish Ministers, may contain only provision which, if contained in an Act of the Scottish Parliament, would be within the legislative competence of the Parliament;
  - (c) made by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, may contain only provision which, if contained in an Act of the Northern Ireland Assembly, would be within the legislative competence of the Assembly and would not require the Secretary of State’s consent.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Regulations under Schedule 7 made by the Secretary of State may not contain provision that could be contained in regulations under that Schedule made by another relevant national authority, unless that authority consents.
- (5) Regulations under Schedule 7 are subject to the affirmative procedure.