



Regulatory Outlook

Welcome to the Regulatory Outlook, providing you with high-level summaries of important forthcoming regulatory developments to help you navigate the fast-moving business compliance landscape in the UK.

The spotlight development this month is the wave of new regulatory sandboxes being launched by UK regulators, with the ICO, FSA, OPSS and MHRA all consulting on or opening sandbox programmes covering data protection, cell-cultivated food products, product safety and AI-enabled medical devices respectively. See the digital regulation, food and products sections for more.

September 2026

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Advertising and marketing

Advertising and marketing

UK updates

Committee of Advertising Practice publishes new resources to support compliant environmental claims in advertising

The Committee of Advertising Practice (CAP) has published new resources to help advertisers "get environmental claims right". These include a "[Greenspeaking with confidence](#)" guide, the publication of which was foreshadowed by the Advertising Standards Authority's (ASA) [report](#) examining environmental claims across UK online advertising, and an accompanying one-page [checklist](#), which sets out questions to help advertisers review their claims and identify areas that may need further consideration.

CAP and BCAP (the Broadcast Committee of Advertising Practice) have also [updated](#) their existing guidance on environmental claims, which now includes new "key principles" summaries, reflects recent changes to the Advertising Codes following the introduction of the Digital Markets, Competition and Consumers Act 2024, and references the new guide and a checklist.

See this [MarketingLaw article](#) for more information.

CAP outlines current approach to advertising AI products

CAP has [outlined](#) how its code applies to advertising AI products. The UK Code of Non-broadcast Advertising and Direct and Promotional Marketing applies only to advertisements, not the products advertised, CAP notes. The ASA, which enforces the code, accordingly assesses how AI products are presented in ads.

CAP addresses potential scenarios in which ads may exaggerate the solutions that AI products offer, reinforcing that "what the ad promises, the product should deliver". It also recommends avoiding ads that imply an AI service can replace a qualified therapist, and discourages claims that AI chatbots would be suitable for emergency care or crisis situations.

It recommends that advertisers ensure that their ads for AI products do not reinforce harmful gender stereotypes, such as for an AI product offering dating advice, or perpetuate harmful body image. CAP reminds marketers of AI products to hold evidence to substantiate any objective claims about what the product can do and ensure that the content is responsible.

Government to publish consultation on tackling misleading 'discount' prices

See [consumer law](#) section.

EU updates

Directive on empowering consumers for the green transition applies from 27 September

The EU Directive on empowering consumers for the green transition (EmpCo Directive) applies from 27 September 2026. Among other things, it introduces new definitions into the Unfair Commercial Practices Directive (2005/29/EC) (UCPD), including "environmental claim", "generic environmental claim" and "recognised excellent environmental performance", and adds certain practices relating to green claims to the list of banned commercial practices in Annex 1 of the UCPD.

See Osborne Clarke's [Digital Regulation Timeline](#) and this [MarketingLaw article](#) for more information on the EmpCo Directive.



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Artificial Intelligence

Artificial Intelligence

UK updates

ICO explores viability of a data protection regulatory sandbox for testing emerging technologies, including AI

The Information Commissioner's Office (ICO) has [published](#) findings from its research into the viability of a data protection Statutory Regulatory Sandbox (SRS). The SRS would provide innovators with time-limited derogations from certain aspects of data protection law, under ICO oversight, enabling them to test emerging technologies and applications including AI, and automated decision-making use cases.

The ICO recommends that the power to create the SRS be established through primary legislation, which would define the ICO's role in its operation and governance, set out where derogations could be made, and criteria for participant selection. Detailed operational requirements would be set out in secondary legislation.

The regulator states that the government will need to consider protections for participants and the public, including shielding participants from possible civil claims arising from SRS testing and ensuring appropriate oversight and safeguards in respect of individuals' personal information. It also recommends legislative protections for children and clear transparency requirements.

The ICO hopes that these findings will inform policy development as the government progresses the forthcoming Regulating for Growth Bill and the AI Growth Lab.

Facial recognition in policing: ICO audit findings and recommendations

The ICO has [audited](#) five police forces in England and Wales examining their use of facial recognition technology (FRT) and making 107 recommendations in relation to compliance and best practice. It has published two outcomes reports, with core audit activity focused on live facial recognition (LFR) and retrospective facial recognition (RFR).

The ICO observed some good practice, with compliance rates generally higher for LFR than RFR, but also identified gaps, inconsistencies and areas for improvement. It states that forces audited engaged constructively and committed to addressing the issues identified.

Some of the areas for improvement identified by the ICO include:

- **Governance and accountability.** Ensuring clear senior leadership oversight of FRT and that staff understand their roles and responsibilities when deploying it, as well as delivering appropriate training.
- **Document control.** Keeping policy and guidance documents up to date and reviewing them regularly.
- **Data mapping and records of processing activities.** Maintaining clear and up-to-date records of processing activities relating to FRT and conducting data mapping exercises for all FRT procedures.
- **Sources of images.** Ensuring images used for RFR are obtained from appropriate sources and not kept for longer than necessary.
- **Storage limitation.** Assessing whether personal information is being held within retention guidelines and have a defined retention period or time limits for reviewing the need for continued storage of personal data for law enforcement purposes.
- **Accuracy and bias.** Verifying that facial recognition systems are accurate, carrying out regular compliance checks, and clearly outlining approaches to mitigating bias in policies and procedures.

The ICO intends to conduct its final audit of the Metropolitan Police later this year.

National Cyber Security Centre shares initial practical advice on managing agentic AI cyber risk

The National Cyber Security Centre (NCSC) has published a [blog post](#) setting out practical advice to help organisations deploy agentic AI systems securely within their environments, drawing on its research to date. The NCSC said it is working with partners to develop formal guidance that will build upon and supersede its initial blog advice.

The blog covers key considerations aimed at system designers and operators who are building environments in which AI agents are intended to operate with significant degrees of autonomy, or who are concerned about the implications of an AI agent performing unintended actions. These include providing agents with clearly defined instructions and context, ensuring appropriate levels of human oversight, defining the boundaries of a sandboxed environment within which the AI operates, and maintaining the ability to access and analyse telemetry data relating to AI activities. See also cyber security section.

Government seeks views on how AI could transform the energy system

Artificial Intelligence

The government has [launched](#) a call for evidence, closing on 6 November 2026, seeking views on how AI can transform the energy system, including opportunities, risks and barriers to adoption. The vision for an AI-enabled clean energy system outlines the government's emerging thinking on the opportunities AI could create, while recognising the risks and wider system implications that will need to be managed.

The government states that its understanding of AI's role in the energy system is developing and that further evidence is needed. The vision sits alongside other work that will strengthen the evidence base, including the government's AI Champion for Clean Energy review of AI deployment in electricity networks, which makes recommendations on the reforms that may be needed to support safe, effective and timely deployment. According to the government, these will together inform the UK's "AI for Clean Energy Strategy". The strategy will consider the review's recommendations, setting out where further action is needed and identifying next steps on specific reforms, such as changes to funding, legislation or regulation.

MHRA Commission publishes recommendations on regulation of AI in healthcare

See [products section](#).

Committee of Advertising Practice outlines current approach to advertising AI products

See [advertising and marketing section](#).

EU updates

AI Office and national authorities begin enforcing EU AI Act

As of 2 August 2026, the European Commission's AI Office, together with national competent authorities, [became empowered to enforce](#) certain provisions of the EU AI Act. These include the prohibitions on certain AI practices, obligations for providers of general-purpose AI (GPAI) models, and transparency requirements.

The AI Office enforces the AI Act's rules for providers of GPAI models. It also has exclusive competence for the supervision and enforcement of obligations relating to: (i) AI systems based on GPAI models where the model and the system are developed by the same provider, or by providers forming part of the same undertaking (subject to certain exceptions set out in Article 75(1) of the Act, as amended by the Digital Omnibus on AI); and (ii) AI systems that constitute or are integrated into very large online platforms or very large online search engines designated under the Digital Services Act.

National competent authorities enforce the rules for other AI systems, and the European Data Protection Supervisor enforces the rules for AI systems used by EU institutions.

Enforcement powers for other provisions of the AI Act, namely, prohibitions related to the generation or manipulation of non-consensual intimate material and child sexual abuse material, and rules for high-risk AI systems, will apply only once those provisions become applicable.

Transparency rules under Article 50 of the AI Act also became applicable on 2 August.

Standardisation bodies publish first standard under the EU AI Act

The European standardisation bodies, CEN and CENELEC, have [approved](#) the first European standard developed to support the implementation of the EU AI Act. The standard addresses the requirements for, and provides guidance on, the definition, implementation and maintenance of a quality management system for providers of AI systems. It is designed primarily for providers of high-risk AI systems, which are required under the AI Act to have a quality management system in place.

The European Commission is expected to publish the reference to the standard in the Official Journal of the EU later in 2026.

The UK national standards body, the British Standards Institution (BSI), has [published](#) a corresponding standard.

Artificial Intelligence



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Bribery, fraud and anti-money laundering

Bribery, fraud and anti-money laundering

FCA publishes statement on increasing scrutiny of Annex 1 firms

The Financial Conduct Authority (FCA) has published a [statement](#) highlighting concerns about financial crime risks among Annex 1 firms, including unregulated lenders, safe custody providers, money brokers and financial leasing companies. The regulator emphasised that such firms must be registered for [anti-money laundering purposes](#).

In particular, the FCA is concerned that firms are over-relying on the financial crime controls of their parent company. Each individual firm must independently assess whether controls are appropriate for its financial crime risks, governance and operations.

In response to these risks, the FCA is closely scrutinising Annex 1 firm registration applications and has issued information requests to approximately 900 Annex 1 firms to better understand their activities and risk profiles. It intends to use the responses, together with other intelligence, to identify and address wider financial crime risks across the sector.

Annex 1 firms and their parent companies should review existing controls and ensure that each individual firm has its own tailored financial crime risk assessment in place, rather than relying solely on group-level frameworks.

FCA publishes review of financial crime controls at asset management and alternatives firms

The FCA has published findings from its [review](#) of financial crime systems and controls across 242 firms in the asset management and alternatives sector.

The review assessed firms' controls against the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (SI 2017/692) (MLRs 2017), relevant provisions of the FCA Handbook, the Joint Money Laundering Steering Group guidance and Financial Action Task Force (FATF) guidance.

Key findings include:

- **Inherent risks.** The FCA found that certain firms, particularly those active in private markets, are exposed to heightened financial crime risks. These risks are compounded by factors such as complex cross-jurisdictional ownership structures, high-risk customers and international transactions. The FCA expects firms with elevated risk profiles to have robust frameworks and appropriate controls in place to mitigate these risks, in line with the MLRs 2017 and the Senior Management Arrangements, Systems and Controls (SYSC) section of the FCA Handbook.
- **Control risks.** The FCA found that some firms appeared to underestimate their inherent financial crime risks and had consequently adopted an informal approach to evaluating and managing them. The review sets out examples of good and poor practice across a number of areas, including business-wide risk assessments, customer risk assessments, customer due diligence and enhanced due diligence, ongoing monitoring, sanctions screening, governance and training.

The FCA has encouraged firms to review their business models against its findings and address any gaps in their financial crime control frameworks. It has indicated that it will continue to monitor firms' responses as part of its ongoing supervisory activity.



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Competition

Competition

European Commission adopts guidelines on exclusionary abuses

On 3 September 2026, the European Commission adopted guidelines on exclusionary abuses of a dominant position. Following publication of these guidelines, the Commission has withdrawn its 2008 guidance on enforcement priorities in relation to abusive exclusionary conduct by dominant undertakings. The new guidelines will come into force in early October.

The guidelines set out the legal and economic framework the Commission uses to assess exclusionary conduct with the aim of enhancing legal certainty in this area and helping companies to self-assess their business practices. They outline that, in order to prove an exclusionary abuse of dominance, it must be demonstrated that conduct by a dominant firm distorts effective competition by departing from competition on the merits and produces, at least potentially, exclusionary effects. However, they explain that there are situations where it is not necessary to separately demonstrate that these two criteria are fulfilled. These situations arise when the dominant firm's conduct either fulfils the requirements established by the EU courts, is capable of excluding a hypothetical equally efficient competitor, or is by its very nature (that is, by object) harmful to competition. It will be interesting to see how the Commission interprets this by-object requirement as distinct from capability to foreclose equally efficient rivals and from likelihood to produce exclusionary effects. It is notable that the guidance has moved away from the use of a significant number of presumptions of likely competitive harm as a result of feedback.

This detailed treatment of specific forms of exclusionary conduct codifies several judgments of the EU courts and is one of the most useful aspects of the guidelines. The types of conduct considered include: predatory pricing, margin squeeze, conditional rebates, exclusive dealing, tying and bundling, access restrictions, refusal to supply and, reflecting the most recent case law in digital markets, self-preferencing.

Alongside this, the guidelines provide substantial exploration of the business justifications defence. This is one of the most welcome developments in the final guidelines. The defence may allow the conduct to escape the prohibition against abuse of dominance. It applies to conduct which is objectively necessary or produces efficiencies which outweigh the negative effect on competition. It is vital that consumer benefits, efficiency gains and legitimate commercial objectives are documented from the outset. These are likely to play an increasingly important role in investigations into abuse of a dominant position.

CMA publishes merger assessment guidance and EU consults on merger efficiencies

The Competition and Markets Authority (CMA) published guidance on its approach to merger assessments on 3 September 2026, with a new section discussing its approach to assessing rivalry enhancing efficiencies.

Rivalry enhancing efficiencies arising from a merger induce the merging parties to act as stronger competitors to their rivals and may offset a substantial lessening of competition. The CMA states that it will place greater evidentiary weight on materials generated in the ordinary course of business, such as operational, financial and strategy detail, rather than those generated specifically for gaining merger approval. It will also take into account documents setting out the merger rationale and other transaction materials as well as considering the merging firms' track record in realising and passing on similar benefits. Consequently, rivalry enhancing efficiencies should be considered as early as possible in the deal process and it should be explicit where these form part of the deal rationale.

Similarly, the European Commission is also consulting on how efficiencies should be considered under its EU-wide merger rules. It intends to finalise its review process in Q4 2026. The draft merger guidelines significantly expand on the Commission's guidance on merger efficiencies – it now explicitly covers benefits to innovation, investment, resilience and sustainability. There is an expanded section on direct efficiencies, detailing the types of merger synergies that lead to efficiencies (including economies of scale and scope). In addition, the draft merger guidelines introduce a new category of dynamic efficiencies that confer the ability or increase the incentives of merging firms to invest or innovate, and whose benefits may materialise over a longer timeframe. Additional guidance is provided on resilience and sustainability benefits. The draft merger guidelines also provide guidance on how to balance harm and benefits, including for out-of-market and collective benefits of mergers, as well as when the benefits would only materialise later than the harm.

CMA sets out strategic recommendations and calls for urgent action on bid rigging in public procurement

See [procurement section](#).

Competition



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Consumer law

Consumer law

DMCCA subscriptions contract regime accelerated to January 2027

The new UK prime minister, Andy Burnham, has [announced](#) that the government will bring forward implementation of the new subscriptions contract regime under the Digital Markets, Competition and Consumers Act 2024 (DMCCA) to come into effect in January 2027, "in time for when customers often start new subscriptions for the year ahead". The government, under Sir Keir Starmer's leadership, had planned for the regime to come into force in spring 2027, delayed from the original date of autumn 2026.

In April 2026, the Starmer government published its [response](#) to its consultation on implementing the regime, providing further detail on some aspects of the new regime, but leaving various questions unanswered. Read more about the government's response in this [Insight](#).

In any event, the regime will require secondary legislation to bring it into force. The government also planned to publish guidance to support business implementation of the new regime. Both these documents are expected to provide further details.

Government to publish consultation on tackling misleading 'discount' prices

The prime minister has also [announced](#) that the government wants to tackle "pretend prices and deceptive deals", whereby traders artificially inflate prices to make any "discounts" offered appear larger than they really are.

The government plans to launch a consultation in autumn 2026 to assess whether false "was" prices, invented discounts and misleading recommended retail prices should be added to the list of prohibited practices in Schedule 20 of the DMCCA. This would make these practices automatically unfair in all circumstances, without reference to the effect on consumer transactional decisions.

CMA launches three new investigations over concerns relating to drip pricing

The Competition and Markets Authority (CMA) has [launched](#) three new consumer protection investigations into businesses over concerns relating to drip pricing, a practice banned under the DMCCA.

In particular, it is concerned about the following practices:

- Trainline is being investigated over whether all mandatory fees have been included in the upfront prices displayed to consumers buying train and coach tickets in advance on the Trainline app and website.
- Virgin Atlantic is being investigated over whether mandatory resort fees and local taxes have been included in the total price displayed to consumers at the beginning of the purchasing process and whether consumers are provided with a total price when purchasing a package holiday.
- RED Driving School is being investigated over whether a mandatory booking fee and a "digital" fee have been included in the total upfront price displayed to consumers when booking driving lessons.

These firms were sent "advisory letters", [announced](#) by the CMA in November 2025, as part of its first consumer protection drive using its new enforcement powers under the DMCCA. However, the CMA remains concerned about their pricing practices following ongoing monitoring.

High Court refuses CMA's 'fixed volume requirement' for Emma Sleep's reference pricing

The High Court has [refused](#) the CMA's application for an enforcement order that would have required Emma Matratzen GmbH to adhere to a 1:2 "fixed volume requirement" (FVR) in relation to its use of reference pricing.

The CMA opened an investigation into Emma's online sales practices in 2022. The parties subsequently worked together to address many of the CMA's concerns, resulting in a consent order in May 2026 after Emma admitted infringements of consumer law in relation to its use of "urgency messaging" (countdown timers, headline discount claims and high demand claims) and gave undertakings not to continue/repeat such conduct. See this [Regulatory Outlook](#) for more information.

The remaining concern centred on Emma's use of "reference pricing", or "was/now" pricing. Emma agreed to adhere to the "duration requirement", which precludes it from using a reference price unless the product has been offered for sale at that

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price for a particular length of time. However, the parties could not agree on the CMA's proposed 1:2 FVR, as set out in its guidance "[Discount and reference pricing principles: selling mattresses online](#)", which would require that for every two products sold at the discounted price, Emma must have sold one at the higher reference price.

The proceedings fell to be determined under the "old law", the Consumer Protection from Unfair Trading Regulations 2008, now repealed and reinstated by the DMCCA, as they were issued before the relevant DMCCA regimes became effective.

The CMA argued that if substantially all sales are made at the discounted price, it is misleading to suggest consumers are getting a good deal, since the discounted price is in effect the usual price. The court held that:

- In deciding whether a reference price is "genuine" or "realistic", an average consumer would pay some regard to the number of sales made at that price.
- However, an average consumer would also consider whether Emma had a genuine belief that it could make significant sales at the reference price since Emma can be expected to know the market in which it operates.
- Accordingly, even if sales at a reference price did not satisfy the 1:2 FVR, an average consumer might still regard the reference price as genuine if Emma held a real belief it could sell significant quantities at that price.
- The CMA's argument that use of a reference price is necessarily misleading if almost all sales are made at the discounted price was accordingly flawed.

By way of illustration, the court posited a scenario in which Emma offered a mattress at £1,000, genuinely believing this to be a realistic price, but made no sales at that price due to a competitor offering a comparable mattress for £800. If Emma then discounted to £750, the court considered that purchasers on the first day of the promotion would not necessarily regard the £1,000 reference price as unrealistic, even absent any sales at that price. However, the longer the mattress continued to be advertised at the discounted price, the less realistic the reference price would become.

The court held that the CMA had not established that Emma lacked a genuine belief that its reference prices were realistic and achievable. While it concluded that Emma had committed some infringements and the pre-conditions for making an enforcement order were present, it declined to make one in the form requested.

The court directed that the parties should liaise with a view to agreeing on the terms of an enforcement order consistent with the court's conclusions. Following the judgment, the CMA has temporarily withdrawn its guidance.



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Cyber-security

Cyber-security

Cyber Security and Resilience Bill completes Lords committee stage

The Cyber Security and Resilience Bill (CSRB) completed its [committee stage](#) in the House of Lords on 7 September 2026. During the committee stage, the government tabled a number of amendments to the bill, which aims to strengthen the cyber security of organisations providing essential services.

Among the most significant provisions considered are the national security direction powers in section 54 of the bill. The secretary of state may direct regulated persons to take specified action where a threat to network and information systems gives rise to a risk to national security. Directions may include a prohibition or restriction on the use of goods, services or facilities; a prohibition on the installation of goods or the taking up of services; and a requirement to remove, disable or modify goods, facilities or services.

The report stage, where members will further scrutinise elements of the bill and make changes, has been scheduled for 26 October 2026.

Organisations providing essential services, managed service providers, data centres and their supply chains (particularly in the technology, energy and infrastructure sectors) should be actively assessing their readiness for the CSRB's expanded regulatory requirements, including vendor risk management, incident reporting capabilities and governance structures.

Monitor developments via Osborne Clarke's [Digital regulation timeline](#).

NCSC publishes joint advisory warning UK and allies of spyware used by Iranian state actors

The National Cyber Security Centre (NCSC), alongside the US Federal Bureau of Investigation (FBI) and the Netherlands' General Intelligence and Security Service (AIVD), has published a [joint advisory](#) on the "CHOSEN BRICK" malware used by Iranian state-linked cyber actors to target dissidents, activists and journalists around the world, including in the UK.

The malware allows attackers to collect information on a target's contacts, emails and social media messages, capture screen content and access device microphones. The advisory states that Iranian state actors have been observed impersonating contacts over messaging apps such as WhatsApp and Telegram, to build rapport with targets before deploying the malware. The personal details of previous victims of CHOSEN BRICK have appeared on pro-Iranian leak sites, potentially increasing the risk to the personal safety of those affected.

To reduce the chances of compromise, the NCSC recommends individuals and organisations at risk to follow the mitigation steps in the advisory, which include following guidance on [staying safe online](#), keeping devices up-to-date and to take up the NCSC's [dedicated support for high-risk individuals](#).

Organisations are recommended to circulate the advisory with staff who may be at risk and ensure that relevant individuals supported in securing their personal devices as well.

See the NCSC [press release](#).

UK and partners issue warning over new 'zero-click' phishing campaign targeting Western organisations

The NCSC and international partners have issued a [joint advisory](#) warning of the threat from the Russian state-supported "LAUNDRY BEAR" cyber threat group, which is targeting users within Western organisations as part of an ongoing phishing campaign.

The advisory states that the threat group uses a zero-click exploit, which requires no action from the victim, and is triggered simply by viewing a malicious email within a vulnerable version of the Zimbra Collaboration Suite webmail service. The exploit enables the exfiltration of the victim's emails from the last 90 days, email addresses, passwords, the organisation's email directory, and other sensitive information, to infrastructure controlled by Laundry Bear. It also attempts to establish persistent access to victim accounts through a variety of means.

Organisations that use the service are urged to follow the recommended mitigation advice, including immediately patching vulnerabilities and improving network monitoring capabilities. Laundry Bear has to date targeted and compromised users across a range of sectors, including defence industrial base, local government, education, energy, law enforcement, media, non-governmental organisations (NGOs) and technology

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See the [NCSC press release](#).

NCSC publishes guidance on agentic AI security

The NCSC has published a [blog post](#) aimed at helping system designers and operators manage the risks associated with agentic AI. It sets out seven recommendations, intended to be applied proportionately based on the level of autonomy of each agentic AI system:

- Identify what could go wrong by documenting the scope of intended activity and carrying out threat modelling to identify risks and determine whether additional controls should be implemented.
- Prompt carefully and review how the agent handles tasks in context over time, ensuring that controls are in place for the agent to stop and seek human approval where appropriate.
- Set the right level of oversight. Among other things, where unintended activity would have significant consequences, the NCSC recommends maintaining human oversight and using real-time monitoring alerts to identify unexpected or concerning behaviour.
- Control the AI agent's environment with a robust sandbox, including restricting access to the resources needed for a task to be performed and monitoring for attempts at wider access.
- Maintain a log and monitor agentic AI activity as part of 24/7 security monitoring and incident response, to allow organisations to actively oversee an AI agent's activities in real time and investigate any incidents.
- Where an AI agent communicates with third-party systems, make AI activity easy to attribute. This could include ensuring that traffic originates from IP addresses that support reverse lookups, or adding identifying headers to outbound communications (such as HTTP headers).
- Maintain the ability to rapidly shut down and stop autonomous AI agent activity if an incident is detected or reported.

The NCSC states that this is intended as interim practical advice, pending the publication of formal guidance in due course. Organisations deploying or considering agentic AI systems should review these recommendations now and assess whether their existing governance, oversight and incident response frameworks are adequate to manage the risks of autonomous AI activity, particularly where such systems interact with sensitive data or critical infrastructure.

NCSC guidance on the risks of shadow AI

The NCSC has published a [blog post](#) on the hidden risks of shadow AI (a form of shadow IT that describes the use of AI tools by employees without organisational approval or oversight). It notes that, as AI use has grown rapidly in the workplace, organisational policies and guidance have not always developed at the same pace, which can lead employees to adopt unapproved AI tools that introduce new cyber security risks.

The NCSC highlights a number of cyber security risks arising from shadow AI:

- Providing unapproved AI tools with access to company or customer data increases the risk of data breaches, intellectual property loss and regulatory non-compliance.
- Employees who transfer sensitive or proprietary information to consumer AI services may reduce the organisation's visibility and control over that information, as data may be stored, retained or used to improve the service outside of the organisation's established security and governance arrangements.
- Shadow AI can also create new opportunities for attackers. AI agents may contain critical security vulnerabilities, which if exploited, can allow attackers to gain access to the same data, services and privileges that the agent has legitimate access to.

To manage these risks, the NCSC recommends that organisations adopt a positive cyber security culture and encourage open communication, so that employees are less likely to turn to unapproved services. Organisations should seek to understand why staff are using shadow AI and, where possible, securely integrate AI systems into the workplace that meet employees' needs, reducing the incentive to use unapproved alternatives.

NCSC publishes guidance on risk from internet-exposed systems and edge devices

The NCSC has published an [alert](#) warning of increased targeting of internet-exposed operational technology (OT) systems across multiple sectors globally, including in the UK.

It warns that any organisations with internet-exposed technology (hardware and software systems) as well as edge network devices (such as routers and remote access appliances) could be affected and should therefore review their security posture accordingly.

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In response to the increased threat, the NCSC recommends that organisations take a number of actions, including replacing default credentials and preventing the use of shared passwords, controlling access to operational technology, monitoring connectivity to and within operational technology networks as well as testing backups and recovery procedures to minimise downtime and support safe recovery from cyber incidents.

The NCSC reiterates that organisations that have embedded strong cyber resilience practices are better placed to prevent, detect and respond to cyber incidents before they cause operational disruption. It reminds organisations to register for their free [Early Warning service](#) and to consider implementing the [Cyber Assessment Framework](#) or [Cyber Essentials](#) as a way of gaining assurance that systems are protected against the most common threats.

Ofcom launches engagement on the role of AI in cyber defence

Ofcom has launched an [engagement exercise](#) to explore how advances in AI can support cyber defence across critical communications networks and services. It notes that frontier AI models are increasingly being used by malicious actors to identify vulnerabilities, automate elements of attack chains and target critical services, but that AI-enabled tools can help organisations detect threats more quickly, improve vulnerability management, accelerate incident response and strengthen the resilience of networks and services.

The engagement will explore the opportunities and challenges associated with AI-enabled cyber security tools, including questions around trust, assurance, accountability and compliance with existing cyber security requirements. Ofcom is also keen to ensure that current regulatory frameworks do not create unintended barriers to the adoption of technologies. The regulator plans to hold a series of discussions with industry, technical experts and vendors during autumn 2026, with findings expected to be published in early 2027.

Government publishes response to consultation on cyber security regulation for downstream gas and electricity

The government has published its [response](#) to the joint consultation by Ofgem and the Department of Energy Security and Net Zero (DESNZ) on new baseline cyber requirements across the downstream gas and electricity (DGE) sector (as [previously reported](#)). Following consideration of the feedback received, the government intends to take forward proposals to review the regulatory thresholds of the Network and Information Systems (NIS) Regulations 2018 in the DGE sector, including whether to bring new critical sub-sectors within scope, and to develop baseline cyber resilience requirements for all Ofgem licensees.

ESAs publish statement on mitigating ICT risks from frontier AI models

The European Supervisory Authorities (ESAs) have published a [joint statement](#) on taking a consistent and risk-based approach to ICT risks from frontier AI models.

In the statement, the ESAs encourage financial entities to adjust their ICT risk management processes, procedures and controls to address issues arising from frontier AI models. The statement includes an Annex which provides examples of risk mitigation strategies firms should implement in relation to:

- Prevention, such as applying secure-by-design principles and implementing proactive patching processes.
- Detection, including transitioning from periodic to continuous vulnerability monitoring to reduce detection and response times.
- Risk management and operational resilience, including operational resilience testing, disaster recovery and data backup processes, and adapting risk management frameworks to address AI-assisted threats and potential multi-system failures.

The ESAs expect firms to establish governance structures that support effective management of frontier AI-related risks and to monitor these risks closely. They also call on competent authorities to ensure that firms' management bodies are fully committed to mitigating frontier AI model-driven cyber risks. Firms should have established clear governance and accountability frameworks, prepared timely response plans and dedicated sufficient internal investments to strengthening cyber resilience.

The ESAs will work with competent authorities to maintain a proportionate, risk-based and forward-looking approach regarding emerging risks from advanced AI models. Financial entities subject to the EU's Digital Operational Resilience Act (DORA) should review their ICT risk management frameworks against the risk mitigation strategies outlined in the statement and ensure that governance structures are in place to support effective oversight of frontier AI-related risks.

Cyber-security

In the UK, the FCA published findings from its multi-firm review of frontier AI and cyber resilience. See [fintech, digital assets, payments and consumer credit section](#).



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Data law

Data law

UK updates

ICO transformation into Information Commission set for 30 September

On 30 September 2026, the [Data \(Use and Access\) Act 2025 \(Commencement No. 9 and Transitional and Saving Provisions\) Regulations 2026](#) bring into force the provisions of the Data (Use and Access) Act 2025 abolishing the Information Commissioner's Office and transferring its functions to the Information Commission.

In connection with this transition, the ICO [consulted](#) on its corporate strategy, which aimed to "provide a bridge" from its current approach to its future Information Commission governance model. See this [Regulatory Outlook](#) for more information.

ICO consults on draft guidance on the use of anonymisation and pseudonymisation for research, archiving and statistical purposes

The ICO has published for consultation draft guidance on the use of anonymisation and pseudonymisation for research, archiving and statistical (RAS) purposes.

The ICO reminds readers that the RAS provisions in the UK GDPR relate to the following categories of research-related processing of personal data: archiving in the public interest, scientific research, historical research and statistical purposes. Article 84B of the UK GDPR contains additional requirements for processing for RAS purposes. In particular, personal data may only be processed for RAS purposes where:

- the processing consists of the collection of personal data (whether from the data subject or otherwise);
- the processing is carried out in order to convert the personal data into information that cannot be used to identify a data subject; or
- without the processing, the RAS purposes cannot be fulfilled.

The UK GDPR also states that processing of personal data for RAS purposes must be carried out subject to appropriate safeguards for the rights and freedoms of the data subject.

In its draft guidance, the ICO provides questions to help organisations decide whether they need to anonymise or pseudonymise data for research-related purposes. It also explains the roles, responsibilities and accountability involved in the anonymisation and pseudonymisation process and what safeguards are appropriate for RAS processing. The guidance further covers the concept of synthetic data, when it is appropriate to use synthetic data for RAS purposes and what considerations to bear in mind before using synthetic data for these purposes.

The [consultation](#) closes on 19 October 2026.

ICO explores viability of a data protection regulatory sandbox for testing emerging technologies, including AI

The ICO has [published](#) findings from its research into the viability of a data protection Statutory Regulatory Sandbox. This would be an evolution of its existing regulatory sandbox (which is not statutory). It would provide innovators with time-limited derogations from certain aspects of data protection law, under ICO oversight, to test emerging technologies, including AI. Read more in the AI section.

Facial recognition in policing: ICO audit findings and recommendations

The ICO has [audited](#) five police forces in England and Wales examining their use of facial recognition technology, in light of ongoing change in how the police use this technology. The ICO's findings identify that while some good practice was observed, gaps and inconsistencies remain, and consequently make 107 recommendations covering both compliance and best practice. Read more in the [AI section](#).

Data law



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Digital regulation

Digital regulation

Online safety and age assurance

EU KIDS ACT: European Commission announces new restrictions on children's access to social media and other digital services

The Commission has published a new legislative proposal in the form of a regulation, the KIDS ACT (EU Keeping Internet Digital Spaces Accountable and Trustworthy), which will ban social media and some other digital services, such as online games, for under-13s; introduce "mini" accounts with limited features that can be used by 13-15-year-olds but only with parental supervision; and provide that autonomous accounts can only be opened by 15-year olds if the platforms are "safe by design", as set out in the legislation. See this [Insight](#) for more information.

UK to legislate to make it 'impossible' for children to take or share nude images

The UK government has [announced](#) that it will introduce legislation requiring device providers to prevent children from taking, sharing or viewing nude images.

This follows its call, in June, on producers of smartphone devices to activate existing measures by September to prevent children from using their devices to take and share naked images, as reported in this [Regulatory Outlook](#). The government had said that, should providers fail to act voluntarily, it would introduce legislation to compel compliance. Despite some progress by the technology companies, the government said that the voluntary measures did not meet the "scale of the government's ambition".

The legislation, which the government intends to introduce "as soon as possible", will be based on the following principles:

- It must be "impossible" for anyone under the age of 18 to take, view or send nude images. This means that nude images must be blocked across all device features, including the camera and third-party apps.
- Nudity detection filters must be switched on by default.
- The only way for a user to take, view or send nude images should be for an adult to verify their age through a robust age-assurance process.

The government is also exploring legislation that would require providers of apps used by children to prevent them from accessing or sharing nude content, with the aim of "ensuring the whole ecosystem changes to protect children".

UK Online Safety Act updates

Parliamentary inquiry launched into Online Safety Act effectiveness

The House of Lords Communications and Digital Select Committee has [launched an inquiry](#) into the implementation, enforcement and impact of the Online Safety Act 2023 (OSA). It will examine whether the OSA has begun to make regulated online services safer for UK users. It will consider Ofcom's interpretation, implementation and enforcement of the OSA's provisions, whether these have led online services to make meaningful changes to their systems, processes and design, and the impact of the OSA on children's and adults' online experiences.

The committee will also assess whether there are shortcomings in the OSA itself that limit the regime's effectiveness, and identify what further action may be required from the government, Ofcom, providers of regulated services or Parliament to drive improvements.

As part of the inquiry, the committee conducted a [call for evidence](#), which closed on 7 September 2026.

Amendments to illegal content codes of practice on 'hash matching' in effect from 30 September

Ofcom has [published](#) the finalised version of its amendments to the illegal content codes of practice for user-to-user and search services, setting out its recommendation that certain service providers use automated technology (known as "hash matching") to detect and prevent the sharing of illegal intimate images, including explicit AI-generated deepfakes. The amendments come into effect on 30 September 2026.

It has also [opened](#) an enforcement programme to monitor whether platforms are either using automated detection technology as recommended or have other sufficient measures in place. It is a priority offence under the OSA to share or threaten to share intimate photographs or film without consent.

Digital regulation

Ofcom has said that it aims, by the end of this year, to consult on strengthening its illegal content codes of practice in relation to the duty requiring platforms to remove non-consensual intimate image content within 48 hours, which was [added to the OSA by the Crime and Policing Act](#), but is not yet in effect.

Ofcom seeks evidence on women and girls' online experiences

Ofcom published its final guidance on a safer life online for women and girls under the OSA in November 2025, setting out how regulated service providers can deal with content and activities that disproportionately have an impact on women and girls. See this [Regulatory Outlook](#) for more information.

Fulfilling its commitment to monitor how service providers choose to protect their users, Ofcom intends to publish a report in Q2 2027 examining what steps they are taking to improve online safety for women and girls. The regulator is now seeking evidence about women's and girls' online experiences since the guidance was published, including what, if any, changes they have experienced during this period.

The [call for evidence](#) closes on 4 November 2026.

Ofcom reminds providers of their existing duties in light of potential social media ban

Ofcom has published an [open letter](#) to in-scope service providers stating that the government's announcements about future safety measures, such as plans to introduce a [social media ban for under-16s](#), do not affect providers' current obligations under the OSA. They must, therefore, continue to comply with their existing child safety and illegal content duties.

Ofcom has also published an [article](#) outlining its approach to online safety supervision and compliance. The regulator describes the range of tools available to it to drive compliance, from setting expectations upfront and gathering information, to engaging directly with individual services, launching formal investigations and imposing fines.

UK Media Act updates

Ofcom consults on code of practice for designated radio selection services

In March 2026, Ofcom recommended that three smart speakers should be designated by the secretary of state to fall within the scope of the radio selection services (RSS) regime in the Media Act. See this [Regulatory Outlook](#) for more information.

Ofcom is now consulting on its proposed code of practice for designated RSS. The code sets out recommended actions that providers of designated RSS should follow in order to comply with their duties under the Act. The [consultation](#) closes on 9 November 2026.



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Employment, contingent workforce and immigration

Employment, contingent workforce and immigration

Employment

Latest ERA developments: more reforms in force this October

The next wave of reforms under Employment Rights Act (ERA) come into force in October 2026 and January 2027. However, over the summer, the government pushed back the date for a number of reforms from 1 October to 30 October 2026.

The one reform which will still come in on 1 October 2026 is the extension to the time limits for bringing most tribunal claims from three to six months. The extended time limit will apply where the "relevant date" of the date of the act, conduct or failure complained of (or the date of the last act or failure in a series) falls on or after 1 October. Employers will face a greater period of uncertainty during which a claim may be made and this, coupled with ongoing delays in the tribunal system, means steps must be taken to capture witness evidence and to preserve documentary evidence.

Reforms now set to come into force on 30 October 2026 include:

- strengthening trade unions' right of access;
- new rights and protections for trade union representatives;
- requiring employers to take "all reasonable steps" to prevent sexual harassment of their employees; and
- introducing an obligation on employers not to permit the harassment of their employees by third parties.

The government has [published a statement](#) in response to its consultation on the new right under the ERA requiring employers to provide a statement to workers of their right to join a trade union. It has now confirmed that this duty "is intended to come into force between December 2026 and January 2027" (it was previously expected October 2026).

The full list of reforms can be found on Osborne Clarke's [microsite](#). We also have a practical tracker setting out actions to take in the run up to the reforms coming into force and guiding you through the associated actions and considerations; please speak to your Osborne Clarke contact for further details.

Government publishes responses to two more consultations on ERA reforms

The government has published its response to the Make Work Pay consultation on leave for bereavement including pregnancy loss, looking at the detail of the new statutory day one right provided for in the ERA. The new right is set to come into force in April 2027.

It has also published its response to the Make Work Pay consultation on improving access to flexible working, confirming that both a new statutory process before rejecting a flexible working request and the introduction of a statutory requirement of reasonableness when rejecting a request will be implemented via regulations. These changes are intended to take effect in autumn 2027.

Read more in our latest [Employment Law Coffee Break](#).

Upcoming webinar: new harassment prevention duties under the Employment Rights Act

The next instalment in our Employment Rights Act [webinar series](#), "Every step you take: the new harassment prevention duties," takes place on Monday 12 October at 10am. The session will cover what is coming into force and what "prevention" means in practice, from policies and training through to culture and enforcement. [Register here](#).

This follows our first webinar in the series, "You're (not so easily) fired: the new era of unfair dismissal," in which partners Vic Parry and Olivia Sinfield and associate directors Emma Ladey and Natalie Paddock explored how forthcoming changes to unfair dismissal rights will affect the risk and cost of dismissals, including a significant shift in exposure for executive dismissals, alongside practical steps for employers adjusting to the new legal landscape. If you missed it, [catch up here](#).

Contingent workforce

Right-to-work reform extends liability along supply chains from 1 October

From 1 October 2026, the [right to work framework extends civil penalty liability](#) beyond direct employers to businesses using contractors, agencies, platforms and subcontractors, under the Border Security, Asylum and Immigration Act 2025.

Employment, contingent workforce and immigration

The definition of "employer" is broadened to capture those engaging individual sub-contractors or operating online matching services, applying a substance-over-form test regardless of "self-employed" or "contractor" labels. Penalties of up to £60,000 per worker apply, but a statutory defence is available to those who can show they have met prescribed requirements: written contractual protections, substitution controls and identity verification processes, in place before work begins.

ERA – not to permit harassment of employees by third parties from 30 October

The ERA introduces an obligation on employers not to permit harassment of their employees by third parties. Third parties include agency workers, contractors and other external resource. [See our microsite](#) for more.

Immigration

Global Talent visa opens new pathways for designers, academics and researchers

The UK's unsponsored Global Talent visa has become [more accessible to a wider group of high-achieving professionals](#). Since 1 July 2026, a new standalone design industry endorsement pathway has been available for product, graphic, UX/UI, digital and game designers, addressing a previous gap that forced many applicants through the harder-to-satisfy arts and culture route. Applications are assessed by the Design Business Association under "exceptional talent" or "exceptional promise" tiers.

Separately, changes effective since March 2026 have clarified eligibility for the fast-track appointments pathway for researchers and academics, confirming that eligible roles must require a PhD or equivalent and involve genuine research or innovation leadership, or research as a primary function.

Employers in creative industries and universities and research institutions should review whether their talent now falls within these clarified routes.

'Earned settlement' reforms set to extend qualifying period to 10 years for visa holders

The government's [proposed "earned settlement" reforms](#) would extend the default qualifying period for indefinite leave to remain (ILR) from five to 10 years for most visa holders, with a 15-year baseline for lower-skilled Skilled Worker and Health and Care visa routes. A reduction and addition framework would allow this period to be shortened by up to seven years for those meeting income, language and public service criteria, or lengthened for receipt of public funds or illegal entry.

The Home Office consultation has closed and further guidance is awaited. If introduced, changes are likely to apply retrospectively to those already on a path to settlement, a prospect the House of Lords has criticised as unfair and damaging to the UK's competitiveness for international talent. Employers may consider auditing visa-holding staff now to identify anyone nearing ILR eligibility under the current rules.

Visa fees reimbursement introduced for scale-ups in clean energy, life sciences, and technology

The government has [launched the Visa Fees Reimbursement Scheme for Scale-Ups](#), allowing eligible businesses to reclaim up to £5,000 per international hire (including dependants), capped at £25,000 per business each year, for visa costs incurred on or after 9 June 2026. The scheme runs until 1 March 2027 unless extended, operates on a first-come, first-served basis from a limited fund, and is open to UK-based scale-ups in the clean energy, life sciences, or digital and technologies sectors meeting specific growth, sponsorship and due diligence criteria. As the total funds available have not been disclosed, eligible businesses should act promptly to take advantage of this time-limited scheme.



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Employment, contingent workforce and immigration



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Environment

Environment

UK

UK government consults on technical changes to free allocation for hydrogen production in the UK Emissions Trading Scheme

On 8 September 2026, the government published a [consultation](#) on technical changes to free allocation for hydrogen production under the UK Emissions Trading Scheme (UK ETS).

The changes are proposed as a result of the interaction between the UK ETS and UK Carbon Border Adjustment Mechanism (UK CBAM).

UK ETS is a cap-and-trade scheme that places a carbon price on emissions from energy-intensive industries, while UK CBAM imposes a carbon levy on certain imported goods to ensure they face an equivalent carbon cost to those produced domestically. Both schemes seek to reduce carbon leakage (the risk that production shifts to jurisdictions with lower carbon costs). They do so through different mechanisms, creating potential overlap where domestic producers benefit from free allocation under the UK ETS while also being shielded from foreign competition by the UK CBAM.

The government intends to phase out free allocation under UK ETS where UK CBAM protects against carbon leakage.

The proposed changes to the scheme would:

- Treat hydrogen supplied to another refinery or organic chemicals installation equivalently to on-site use, where the hydrogen is not used in the production of a good covered by UK CBAM.
- Allow a product benchmark sub-installation to be divided between UK CBAM and non-UK CBAM production. The UK-CBAM related free allocation phase-out would apply only to the share of the sub-installation used to produce UK CBAM goods.

The consultation closes on 2 October 2026.

Government publishes guidance on environmental delivery plans

The Department for Environment, Food and Rural Affairs (Defra), the Ministry of Housing, Communities and Local Government, and Natural England have published guidance on environmental delivery plans (EDPs) under the Planning and Infrastructure Act 2025.

EDPs allow for developers to meet certain environmental obligations relating to protected sites and species, removing requirements for developers to undertake their own assessments for matters addressed in the EDP where one is in place. Developers are obliged to pay the nature restoration levy into the Nature Restoration Fund (NRF) in order to use an EDP. The NRF is then used to pay for the conservation measures contained in the EDP.

New guidance has been published covering the [nature restoration levy](#), what [EDPs](#) are, and the [NRF](#). Natural England will be launching a consultation on the first draft EDP in due course.

Department for Energy Security and Net Zero postpones the inclusion of waste incineration and energy from waste operations in the UK ETS

The Department for Energy Security and Net Zero (DESNZ) has postponed plans to expand UK ETS from 1 January 2028 to include waste incineration and energy from waste (EfW). A new timeline with full policy details will be published in due course, providing operators with sufficient time to implement changes.

UK government publishes guidance on biodiversity net gain in nationally significant infrastructure projects

On 27 August 2026, Defra published [guidance](#) on biodiversity net gain (BNG) requirements in nationally significant infrastructure projects (NSIPs). The guidance covers how BNG requirements should be met throughout the design and consenting processes for NSIPs, and builds on the [guidance](#) on the final biodiversity gain statements published in June 2026. June's guidance clarified the following:

- BNG only applies to habitats impacted by developments, as opposed to the whole development site.

Environment

- BNG obligations can be achieved through on-site or off-site measures.
- Developments with temporary impacts are subject to streamlined requirements.

This guidance comes ahead of BNG requirements applying to all new NSIP applications from 2 November 2026.

Welsh government responds to consultation on air quality targets for fine particulate matter

The Welsh government has responded to its November 2025 consultation on air quality targets for fine particulate matter (PM2.5) in Wales. The response sets out its proposed aims of:

- Reducing the average concentration of PM2.5 in ambient air to ten microgrammes per cubic metre by 31 December 2035.
- Reducing the average exposure to PM2.5 by 25% by 31 December 2035, in comparison to the average exposure between 1 January 2017 to 31 December 2019.

These measures will help the Welsh government comply with requirements to make regulations which set targets for PM2.5 by January 2027 under the Environment (Air Quality and Soundscapes) (Wales) Act 2024, as well as bringing Wales in line with the World Health Organization's September 2021 recommendations on PM2.5 levels.

Consultation on granting local authorities powers to issue conditional cautions to fly-tippers

The Welsh government and Defra have published a joint consultation on giving powers to local authorities which would allow them to issue conditional cautions to fly-tippers.

Local authorities in England can currently issue a fixed penalty notice (FPN) of £5,000 for fly-tipping, but cannot prosecute for such offences. In Wales, they can issue FPNs of up to £400 (this is subject to a separate consultation and could increase to £5,000).

The consultation proposes using conditional cautions to tackle fly-tipping offences. Conditional cautions require the offender to admit guilt and accept the caution before they can be issued. If they refuse to comply with the conditional caution, the offender can then be prosecuted for the offence in question. Conditions attached to the caution can require offenders to clean up streets and parks, and may require them to cover costs for clearing public land.

The consultation closes on 16 October 2026.

Department for Transport consults on potential changes to the zero emission vehicle mandate

On 14 August 2026, the UK government published a consultation on potential changes to the zero emission vehicle (ZEV) mandate. The consultation also covers defining the 2030 phase-out of new petrol and diesel cars. The government is seeking views on:

- Four potential annual targets for the proportion of a manufacturer's new car registrations that must be zero emission, with the options to reach 70%, 60% or 50% ZEV sales by 2030, or retaining the current 80% target with extended flexibilities, being proposed.
- Four potential annual targets for the proportion of a manufacturer's new van registrations that must be zero emission, with the options to reach 60%, 50% or 40% ZEV sales by 2030, or retaining the current 70% with extended flexibilities, being proposed.
- The effectiveness of current compliance flexibilities, as well potential new flexibilities, including credits for vehicle-to-grid and vehicle-to-home capable cars.
- The technical definition for the 2030 phase-out (England only).

The consultation closes on 23 October 2026 and the government has confirmed that the outcome will not result in it changing its commitments for all new cars and vans to be zero emission by 2035.

Environment

Environment Agency publishes response to November 2025 consultation on significant water management issues for updating river basin management plans

The Environment Agency has responded to its consultation on significant water management issues as part of its review and update of river basin management plans (RBMPs). These set out how environmental objectives for a specific river basin district's water bodies will be achieved, with some containing a programme of measures to help bring the quality of waters in line with required standards.

The published response summarises stakeholder feedback on the consultation, covering issues such as climate-related pressures on the water environment, discharge of chemicals to water, water abstraction and biosecurity. The draft RBMPs will be published in December 2026 and will be subject to a six-month statutory consultation. The final RBMPs will then be published in December 2027, following approval from the secretary of state.

Guidance on planning for decommissioning of radioactive substances activities and on radioactive waste management plans

On 12 August 2026, the Environment Agency published guidance on decommissioning radioactive substances activities and radioactive waste management plans. Both guidance documents are aimed at sites without nuclear licences. The guidance relates to the radioactive substances regulation (RSR), which is governed by the Environmental Permitting regime.

The [guidance](#) on planning for decommissioning of radioactive substances activities sets out what should be included in a decommissioning plan. It also notes that operators should begin planning for decommissioning and surrender of RSR environmental permits as soon as their permit is granted by the Environment Agency. They should then continue to refine their decommissioning plan through the lifetime of the facility.

The [guidance](#) on developing and managing radioactive waste management plans explains why operators need a radioactive waste management plan. It also covers what this plan should include and how it should be developed.

Environment Agency consultation on updates to enforcement and sanction policy

The Environment Agency is [consulting](#) on proposals to update its enforcement and sanctions policy to include new waste and water powers. It is also seeking views on changes to general principles on how enforcement undertakings are assessed and a new additional enforcement penalty principle aimed at better protecting the interests of victims. The consultation sets out how the Environment Agency intends to apply Water (Special Measures) Act 2025 civil sanctions. It also sets out proposed amendments to the enforcement approach for the Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024, a proposed enforcement approach for the first phase of Digital Waste Tracking, and a proposed approach for the Deposit Returns Scheme.

New regulations moving waste carrier broker and dealer system to Environmental Permitting regime

The Environmental Permitting (Waste Controlling or Transporting) and Relevant Functions of Primary Authorities (Amendment) (England) Regulations 2026 (SI 2026/873) were made on 22 July 2026, accompanied by an explanatory memorandum.

The regulations will have the effect of regulating waste carriers, brokers and dealers as waste controllers and transporters under the Environmental Permitting regime. They also introduce waste controlling activities, waste transporting activities, and waste controlling-transporting activities as categories of regulated facility. Additionally, they introduce a penalty of up to five years imprisonment for waste controlling and transporting offences. Most provisions under the new regulations will come into force on 22 July 2027.

Welsh government consultation on a Rural Proofing and Environmental Sustainability white paper

The Welsh government has launched a consultation on a Rural Proofing and Environmental Sustainability white paper. The white paper contains proposals to require Welsh ministers to consider rural needs when developing policies and designing public services. It also proposes changes to Welsh statutory reporting and planning arrangements on climate resilience. Specifically, the environmental and sustainability proposals aim to support the effective delivery of nature recovery, woodland protection, waste management, environmental enforcement and sustainable management of natural resources. The consultation closes on 14 October 2026.

Environment

EU

European Commission publishes guidance on Articles 25 and 26 of the Net-Zero Industry Act

On 31 August 2026, the European Commission published non-binding [guidance](#) on Article 25 of Regulation (EU) 2024/1735. The regulation established measures to strengthen the EU's net-zero technology manufacturing ecosystem, helping the EU to achieve its climate and energy targets. Article 25 is in place to ensure public spending boosts the demand for net-zero technologies and places a minimum requirement for environmental sustainability and supply chain resilience in public procurement procedures. The new guidance aims to support contracting authorities and entities in assessing the sustainability and resilience contribution in public procurement procedures in accordance with this article.

In July 2026, the European Commission published [guidance](#) on Article 26 of the same Act. Article 26 requires member states to apply non-price criteria in renewable energy auctions, rather than awarding support on the basis of the lowest cost alone. The guidance was issued to help member states, auction authorities, and other participants understand and apply the rules contained in Article 26.

EU regulation on regulatory technical standards setting out requirements for authorisation and recognition as an ESG rating provider published

The [Commission Delegated Regulation \(EU\) 2026/1119](#) was published in the Official Journal of the European Union on 1 September 2026, setting out regulatory technical standards (RTS) specifying what information should be included in an application for authorisation or recognition to operate as an ESG rating provider in the EU.

The RTS also notes the additional information needed from non-EU entities in applications for recognition. The regulation entered into force on 2 September 2026 and applies from 2 July 2026.

Additionally, [Commission Delegated Regulation \(EU\) 2026/904](#) and [Commission Delegated Regulation \(EU\) 2026/910](#) were recently published in the Official Journal of the European Union. They address rules of procedure on fines and periodic penalty payments imposed on ESG rating providers, and fees charged to ESG rating providers respectively. Both of these delegated regulations have already entered into force.

European Commission seeks feedback on proposals to modernise the EU Emissions Trading System

The European Commission has called for feedback on three proposals to amend the EU Emissions Trading System (EU ETS). The proposals relate to:

- The monitoring, reporting and verification requirements for the maritime sector.
- An increase in free allocation with respect to heat and fuel benchmarks for 2026 to 2030.
- A directive to amend the main EU ETS directive and the Market Stability Reserve Decision.

Feedback is being accepted on the proposals until 16 October 2026.

European Commission publishes ten guidance documents on the implementation of the EU CBAM for non-EU operators

See [ESG section](#).



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Environmental, social and governance

Environmental, social and governance

UK

Mandatory digital waste tracking comes into force on 1 October 2026 in England and Wales

The [Digital Waste Tracking \(England\) Regulations 2026 \(SI 2026/729\)](#) and the [Digital Waste Tracking \(Wales\) Regulations 2026 \(SI 2026/105\)](#) both come into force on 1 October 2026, introducing the first phase of a UK-wide digital waste tracking regime under the Environment Act 2021.

Operators of permitted facilities receiving controlled waste must record specified information in a digital waste record and confirm it has been entered into the digital tracking system by the end of the second working day after the load is received, replacing reliance on paper waste transfer notes and hazardous waste consignment notes for this purpose. Failure to comply is a criminal offence, and the Environment Agency can also impose civil sanctions such as a fixed monetary penalty.

Businesses operating permitted waste receiving sites in England or Wales should confirm which sites are in scope and are registered for the digital tracking system ahead of the deadline.

HMRC publishes guidance on mass balance approach for chemically recycled plastic in Plastic Packaging Tax

See [sustainable products section](#).

EU

European Commission publishes ten guidance documents on EU CBAM implementation for non-EU operators

On 14 August 2026, the European Commission [published ten guidance documents](#) to help non-EU operators, third-country installation operators, declarants and verifiers implement the EU Carbon Border Adjustment Mechanism (CBAM) during its definitive phase, which began on 1 January 2026.

The series comprises four general guidance documents (covering an introduction to CBAM concepts, roles, responsibilities, exemptions and deadlines; a quick guide for non-EU operators; calculation of embedded emissions and related monitoring and reporting obligations; and calculation of the adjustment for free allocation under the EU ETS) and six sector-specific guides, each including worked examples (covering cement, hydrogen, fertilisers, iron and steel, aluminium and electricity).

The guidance is intended to help affected businesses prepare for the verification of emissions data, understand the changes to embedded emissions calculations compared with the transitional period, and correctly apply default values and the free allocation adjustment for their 2026 imports.

Delegated regulation under EUDR updating covered products published in the Official Journal

The delegated regulation [updating the list of covered products](#) under the EU Deforestation Regulation (EUDR) was [published in the Official Journal](#) on 17 September 2026. This removes cattle hides, skins and leather, re-treaded tyres, soybeans for sowing, articles of vulcanised rubber, conveyor and transmission belts and aircraft and motor vehicle seats, while adding soluble coffee, certain palm oil derivatives, and frozen cattle tongues from 30 December 2027.

Separately, the European Commission has proposed removing French Guiana from the EUDR's territorial scope, using the special legislative procedure under Article 349 TFEU. The EUDR, which covers cocoa, coffee, palm oil, soybeans, livestock, rubber and timber, is due to start applying on 30 December 2026 following two earlier delays. The Commission points to French Guiana's geography, with around 95% of its territory covered by Amazon rainforest, and its porous land border with Brazil and Suriname, as justifying tailored treatment for the outermost region.

Under the proposal, trade in EUDR-covered products between French Guiana and Brazil, and products produced and consumed within French Guiana, would fall outside the regulation's scope, while goods shipped from French Guiana to the rest of the EU would still need to comply. Because the proposal relies solely on Article 349, the European Parliament has only a consultative role, and any amendments sought by member states during Council negotiations would generally require unanimity unless incorporated into the Commission's own proposal.

European Commission publishes guidance on Digital Battery Passport data requirements

See [products section](#).

Environmental, social and governance

European Commission publishes Notice setting out guidelines on the Forced Labour Regulation

See [modern slavery section](#).



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Fintech, digital assets, payments and consumer credit

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Fintech

Mills Review: FCA priority recommendations on AI in retail financial services

On 6 July 2026, the Financial Conduct Authority (FCA) published the ["Mills review"](#) on the implications of advanced AI for retail financial services. The report concludes there will be four systemic shifts reshaping financial services to 2030: AI will transform firms; consumer journeys will become agent-led; AI will reshape market power and competition; and AI will amplify financial crime and cyber risk.

The report includes the following seven priority recommendations for the FCA Board to:

- Secure and adapt the regulatory perimeter.
- Strengthen system-wide coordination and oversight.
- Monitor the transition to autonomous models and adapt regulatory frameworks.
- Scale up the FCA's AI Lab to support AI models and system innovation in financial services.
- Enable the foundations for agentic finance.
- Build and adopt an AI-enabled agentic supervisory model.
- Develop a trusted public-interest AI-enabled financial capability service.

The review found that the overall regulatory framework, including the Consumer Duty and the Senior Managers Regime, remains sound, but stakeholders want greater clarity on how to interpret and govern increasing AI use within the existing regime.

Financial services AI adoption plan

On 14 July 2026, HM Treasury published the [Financial Services AI Adoption Plan](#), developed by AI Champions Harriet Rees (Starling) and Dr Rohit Dhawan (Lloyds). Key areas covered include:

- the need for accessible and consistent regulatory support and a review of the regulatory perimeter for AI-enabled services;
- AI sovereignty and resilience, including oversight of critical external AI and cloud providers;
- upskilling across the sector; and
- readiness for agentic payments, and clarifying how existing legal and regulatory frameworks apply, or need to adapt, for near-term payment use cases.

HM Treasury has accepted the recommendations addressed to it.

FCA multi-firm review: frontier AI and cyber resilience

On 2 September 2026, the FCA published [findings](#) from its multi-firm review of frontier AI and cyber resilience, aimed particularly at small to medium-sized firms. The findings focus on three areas:

- **Harness engineering**, the environment, controls and processes around an AI model that make its outputs useful, safe and reliable. Firms should consider whether their use of frontier AI is supported by clear ownership, appropriate guardrails and specialist review.
- **Preparing for vulnerability waves**, frontier AI is changing the speed and scale at which vulnerabilities are discovered. Firms should assess whether their vulnerability management and change processes can cope with an increased volume and pace of findings.

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- **Cyber- and operational resilience foundations**, frontier AI is exposing existing weaknesses not just in technology but in the people, systems and processes responsible for fixing vulnerabilities. The FCA notes firms' increasing reliance on third-party and software supply chain dependencies.

Firms should review the findings to understand the regulator's expectations and consider implementing any required adjustments.

The Financial Services and Markets Bill 2026–27: progress through the House of Lords

The FSM Bill is a legislative vehicle for (a) the UK's new cryptoassets regulatory framework, and (b) reform of the consumer credit regime. It has made the following progress through the House of Lords:

8 July 2026: Committee stage completed, with topics including tokenisation in UK wholesale financial markets, FCA rules on AI in financial services, and regulation of the digital asset industry.

9 September 2026: Report stage completed and a revised bill published, containing new clauses on section 166 reviews under FSMA 2000 and an innovation objective for the Bank of England.

15 September 2026: Third reading was scheduled, the final opportunity for the House of Lords to amend the bill.

Payments

HM Treasury consultation: modernising payment services regulation

On 14 July 2026, HM Treasury published a major [consultation paper](#) on modernising payment services regulation, setting out how it intends to work with the FCA to modernise the regulatory framework for payment services and electronic money.

Key proposals include:

- facilitating a more outcomes-focused, faster and proportionate regulatory system by retaining core provisions (including the regulatory perimeter and key definitions) in legislation but moving the details (for example, technical standards relating to strong customer authentication, notice periods) into regulations which the FCA can adapt in a more agile fashion. The consultation seeks views on which requirements should remain in legislation and which should be delegated to the FCA;
- reforming the current regulations to better reflect the evolving payments landscape. This includes proposals to change the list of regulated activities that constitute payment services and e-money and proposals relating to tokenised payments (tokenised deposits and stablecoins), agentic payments, financial inclusion and managing sector risks; and
- establishing a long-term regulatory framework for Open Banking, by enshrining fundamental rights of access in legislation and equipping the FCA with powers to better police pricing and services. The consultation also seeks views on whether access should remain free or move to a commercial basis, and whether adjustments are needed to support new Open Banking payment and data use cases.

The paper represents the most significant structural reform of the UK payments regulatory landscape in a long time. The consultation closes on 6 October 2026 and changes will be implemented through secondary legislation.

Court of Appeal: Quincecare duty in APP fraud, *Moorwand v Hamblin*

On 21 July 2026, the Court of Appeal restored a trial judge's dismissal of a *Quincecare* duty claim against a PSP in an authorised push payment (APP) fraud case, overturning the High Court on second appeal, *Moorwand Ltd v Hamblin and others* (2026).

The facts involved fraudsters incorporating a company using details stolen from an identity theft victim, opening accounts with Moorwand Ltd (an FCA-regulated payment services provider(PSP)/Electronic Money Institution (EMI)) and inducing victims to make a payment of £160,000, which was rapidly dissipated.

The Court of Appeal held that the threshold for overturning the trial judge's evaluative assessment was not met and that the High Court had misinterpreted the trial judge's reasoning.

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The Court of Appeal proceeded on the basis that PSPs/EMIs can owe common law duties, including a *Quincecare*-type duty.

Foxton LJ flagged issues that courts may need to consider in future cases involving companies established as vehicles for fraud.

New Bank of England secondary payments innovation objective

On 27 August 2026, HM Treasury published a [press release](#) announcing its intention to give the Bank of England a new secondary payments innovation objective, subordinate to its primary financial stability objective.

HM Treasury is extending the Bank of England's existing innovation facilitation role to the regulation of systemic payment systems, including those using digital settlement assets, via an amendment to the Financial Services and Markets Bill, which is currently before Parliament.

The new objective expressly covers tokenisation and distributed ledger technology developments that have the potential to transform financial markets.

The bank will report to Parliament annually on progress.

Digital assets

Cryptoasset regulatory regime: FCA final rules

On 30 June 2026, the FCA published a large package of policy statements and guidance on the new cryptoasset regulatory regime, as follows:

- A [policy statement](#) (PS26/9) on the regimes for cryptoasset admissions and disclosures, and market abuse.
- A [policy statement](#) (PS26/10) on rules and guidance for UK stablecoin issuers covering issuance, backing assets, redemption, cryptoasset safeguarding and disclosures.
- A [policy statement](#) (PS26/11) on regulated cryptoasset activities.
- A [policy statement](#) (PS26/12) on the prudential regime for cryptoasset firms.
- A [policy statement](#) (PS26/13) on the application of the FCA Handbook for regulated cryptoasset activities and finalised guidance.
- FG26/5 – [non-Handbook guidance](#) on the application of the Consumer Duty to cryptoasset firms.
- FG26/6 – [non-Handbook guidance](#) on cryptoasset operational resilience.
- FG26/7 – [non-Handbook guidance](#) on the approach to international cryptoasset firms.

The FCA also published a [webpage](#) giving an overview of the publications and their relevance to firms carrying on various cryptoasset activities. The new rules will come into force on 25 October 2027.

The FCA will consult later in 2026 on its proposed approach to managing cryptoasset firm failure. It also plans to provide further clarity on financial crime requirements through updates to the Financial Crime Guide, and publish a further policy statement in September setting out how the regulatory perimeter applies to cryptoasset activities. Once the regime has been in force for two years, the FCA intends to undertake a formal review to assess whether it is delivering its intended outcomes.

PS26/10 is supplemented by a joint publication with the Bank of England on how systemic stablecoins recognised by HM Treasury will be jointly regulated and how firms will transition between the two regimes. The final rules, which introduce a new Cryptoasset sourcebook (CRYPTO) and a new chapter in CASS, are in the [Cryptoassets \(Stablecoins\) Instrument 2026 \(FCA 2026/36\)](#). They will come into force on 25 October 2027.

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Wholesale digital markets champion report: tokenisation framework

On 13 July 2026, HM Treasury published the [first report](#) from UK wholesale digital markets champion, Chris Woolard, setting out a framework to drive tokenisation of wholesale financial markets. The report's industry priorities include:

- supporting the development of tokenised markets, including tokenised collateral and a tokenised funds market;
- building wholesale payment rails to support tokenised markets;
- developing legal certainty and best practice to remove obstacles;
- ensuring regulatory standards support tokenised markets and domestic and international interoperability; and
- supporting financial crime compliance and digital identity.

Comments on the report could be submitted until 4 September 2026.

FCA first enforcement action for unlawful cryptoasset promotion: FCA v Huobi Global SA

On 7 September 2026, the FCA published a [consent order](#) by Chief Master Shuman relating to civil proceedings commenced in the High Court against Huobi Global SA and alleged related entities (including the HTX Exchange).

The FCA alleges that HTX unlawfully promoted cryptoasset services to UK consumers in breach of section 21 of FSMA 2000.

The proceedings are stayed until 22 September 2026 to allow the parties to attempt settlement by alternative dispute resolution.

This is the FCA's first enforcement action against a cryptoasset business for unlawfully promoting cryptoassets to UK consumers.

The terms of any published settlement will provide a key indication of the FCA's approach to enforcing section 21 of FSMA in relation to cryptoassets.

The financial promotion regime for cryptoassets has been in force since October 2023. Offshore exchanges with UK customer bases should review their financial promotion compliance as a matter of urgency.



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Food law

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UK

FSA Board backs plans to overhaul food safety regulation, including national scrutiny of the largest retailers

The Food Standards Agency (FSA) Board has agreed to move ahead with designing [detailed reforms to the food safety system](#) under its Future of Food Regulation programme, following engagement with over 1,200 stakeholders across the UK.

The plans include strengthening local authority food teams' tools and enforcement powers, improving food business registration, applying a more consistent national approach to scrutinising the very largest food businesses, better use of supply chain data, and making it compulsory to display food hygiene ratings online across the UK, and in shops and restaurants in England.

In the autumn 2025 Budget, the government asked the FSA to develop proposals for a national system of regulation for large food businesses in England, starting with major retailers. The board has previously agreed that this approach has the potential to strengthen oversight and improve visibility of risk across the sector, and plans for this approach will now be designed in further detail. The vast majority of food businesses, over 99.5%, are micro, small and medium businesses, but over 97% of food sold in shops comes from 10 national retailers with extensive global food supply chains. A recent FSA trial with retailers demonstrated that national level scrutiny of their data could be used to identify food safety issues and risks at a systemic level, alongside checks on the ground.

The programme will return to the FSA Board in March 2027 with developed proposals for the whole system, followed by a public consultation later in 2027.

FSA publishes policy paper on its approach to economic growth

The FSA has [published a policy paper](#) setting out its approach to supporting economic growth while safeguarding public health and consumer protection in food regulation across England, Wales and Northern Ireland. It states it has delivered regulatory action plan pledges made in March 2025, including new risk-based approaches to local authority food regulation. It has also been formally designated as competent authority for recycled plastics in Great Britain. It also points to completion of six inward trade audits from the EU, South Korea and the USA, and publication of the UK's first safety guidance for cell-cultivated products.

The FSA has agreed five economic growth goals with the Department of Health and Social Care (DHSC). These cover supporting delivery of a UK-EU sanitary and phytosanitary (SPS) agreement, a new national approach to regulating large food businesses in England, and a regulatory sandbox programme for cell-cultivated products. The remaining two goals cover greater use of data and AI in regulatory work, and support for DHSC's 10-Year Health Plan commitment to introduce healthier food targets and reporting.

The goals signal where FSA attention and resource are likely to concentrate over the coming months.

Origin and 'true' claims under scrutiny: UK tribunal ruling and EU Parliament briefing both test the limits of what 'origin' labelling protects

Two recent developments test where the legal concept of "origin" starts and stops when it comes to consumer-facing claims, one in a UK tribunal ruling on a geographical indication (GI), the other in a European Parliament briefing on customs-based origin claims.

In the UK, campaign groups Animal Equality and Wildfish [challenged](#) the Department for Environment, Food and Rural Affairs (Defra)'s decision to approve a non-minor amendment to the Protected Geographical Indication (PGI) for "Scottish Farmed Salmon," which removed the word "farmed" so the PGI would read "Scottish Salmon".

The appellants argued this was likely to mislead consumers as to the product's true origin, contrary to Article 6(2) of the Assimilated Regulation 1151/2012, because removing "farmed" obscured the product's method of production. The tribunal dismissed both appeals, finding that "true origin" under Article 6(2) refers only to geographical origin, not method of production, so removing "farmed" could not mislead consumers as to true origin. It separately confirmed that consumer and animal welfare organisations, not just competing producers, have standing to bring such challenges.

For businesses holding or relying on geographical indications, this confirms that production-method claims (such as farmed versus wild) sit outside the protection Article 6(2) offers against misleading "true origin" claims, only geographic origin claims

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are protected on that basis. Advocates for Animals, who acted for Animal Equality, have indicated an intention to appeal, so the point may not yet be settled.

At EU level, a [European Parliament briefing](#) has raised a related but broader concern: that the customs concept of origin, based on where a product undergoes its "last substantial, economically justified processing or working" is increasingly relied on to support consumer-facing origin claims despite being designed for a different purpose (determining a good's economic nationality for customs and trade purposes, not informing consumers where a product is genuinely made). The briefing finds this mismatch means a product can lawfully claim a given origin even where most of its actual production occurred elsewhere, while products incorporating substantial local expertise and inputs can fail to qualify for that origin, because the sole test is where final substantial transformation occurred, a distortion the briefing says can disadvantage businesses making accurate claims against those structuring supply chains for a favourable label.

This highlights a specific enforcement gap. Current systems catch unlawful misrepresentation but not lawful ambiguity, where a business fully complies with customs origin rules while still creating what it calls an "economically incomplete impression" of where a product is made. Rather than proposing new legislation, the briefing recommends a targeted programme of regulatory clarification, including clearer guidance on voluntary origin claims, stronger coordination between customs, consumer protection and market surveillance authorities, more consistent enforcement, and targeted support for smaller businesses.

Read together, both developments point the same way: regulators and tribunals are increasingly willing to draw a sharp line around what "origin" legally means, geography under the UK's GI regime, customs-based economic nationality under EU rules, while leaving related claims about production method or true economic value largely unprotected or unmonitored.

Businesses making "Made in," geographical, or origin-based claims on internationally sourced, assembled or processed products should treat technically accurate claims that diverge from consumer expectations as a growing area of reputational and future-regulatory risk, even where current enforcement gaps mean they are not yet unlawful.

Windsor Framework inquiries: end-of-life vehicles and food supply chain

See [sustainable products section](#).

EU

EU bans certain meat names for plant-based products

[Regulation \(EU\) 2026/1739](#), amending the Common Agricultural Policy framework to strengthen the contractual position of farmers in the food supply chain, was published in the Official Journal of the European Union on 29 July 2026 and entered into force on 18 August 2026.

It amends Regulations (EU) 1308/2013, (EU) 2021/2115 and (EU) 2021/2116, and includes provisions clarifying the use of the terms "fair" and "equitable" in the labelling of agricultural products. Notably, it introduces a statutory definition of meat as "edible parts of animals" and reserves a list of specific terms, including beef, pork, chicken, steak, bacon and sirloin, exclusively for products containing meat, meaning they may not be applied to lab-grown or cell-based products.

Most substantive provisions will apply from 19 August 2028, with Article 1(13) (general function claims) applying from 19 August 2029; non-conforming products already in the market may continue to be sold until stocks are exhausted or 19 August 2032, whichever is the earlier.

Although the regulation only entered into force last month, the debate on restricting plant-based terms has been reignited. Members of the European Parliament have [tabled amendments](#) to extend the ban to include terms such as "rabbit" and "roast", currently exempted terms such as "burger" and "sausage" and products containing a combination of animal and plant-based proteins. Some industry groups have opposed the proposed amendments, arguing that further restrictions would have commercial implications across the food sector, including for manufacturers and farmers, and create uncertainty for the consumer.

The [EU clampdown on meat names](#) will require many plant-based and cultivated-alternatives producers to reconsider how they name their products and rebrand ahead of the August 2029 deadline. The UK is watching closely as regulatory alignment under the forthcoming sanitary and phytosanitary (SPS) agreement with the EU is expected to take effect by mid-2027. Elements of dynamic regulatory alignment are envisaged, which could extend to labelling. The FSA has warned that

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UK businesses may be required to follow the EU rules under the SPS agreement, as it could bring similar labelling obligations.

European Commission launches call for evidence on implementing measures for New Genomic Techniques Regulation

Following the European Parliament's [adoption of a new genomic techniques regulation](#), the European Commission has launched calls for evidence on measures needed to implement the EU's regulatory framework for plants developed using new genomic techniques (NGTs).

The proposed delegated and implementing acts would establish procedural and information requirements for verifying whether NGT plants [qualify as Category 1](#), which are treated similarly to conventionally bred plants. They would also set requirements for applications and notifications [relating to Category 2 plants](#) and their products, which remain subject to regulatory assessment.

The Commission says the initiatives aim to ensure consistent application of the regulation, supporting transparency, safety and legal certainty for placing NGT plants, food and feed products on the market. Businesses in the NGT space should consider responding by the 28 September 2026 deadline.

Delegated regulation under EUDR updating covered products published in the Official Journal

See [ESG section](#).



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Health and Safety

Health and Safety

Regulations determining 'principal use' of premises under Martyn's Law laid before Parliament

New [regulations](#) were laid before Parliament on 10 September 2026, with accompanying [Home Office guidance](#). Previously, the Act gave no mechanism for identifying the responsible person at premises with two or more Schedule 1 uses. The regulations close this gap with a two-stage test: first, which use relates most closely to the purpose and nature of the premises, having regard to the premises' construction or modification, continued use, physical characteristics and local authority treatment; and, only if that is inconclusive, a wider assessment of all relevant circumstances, including the proportion of the premises and time given to each use and whether one use supports another. The person controlling the premises for the resulting principal use becomes the responsible person for the whole premises.

Martyn's Law, formally the [Terrorism \(Protection of Premises\) Act 2025](#), places duties on those responsible for certain publicly accessible premises and events to [prepare for and mitigate the impact of a terrorist attack](#), with obligations scaled to a standard or enhanced tier depending on expected occupancy.

No commencement regulations have yet been made for these substantive duties, with commencement expected in spring 2027 (April 2027 at the earliest).

In a further update on 11 September 2026, the [Security Industry Authority \(SIA\) confirmed](#) that a scope-checking tool and optional compliance templates are in development, its second round of pilot inspections begins this autumn, and its GOV.UK notification portal remains in testing.

Government lays legislation to end discrepancy in asbestos and dust-disease compensation for dependants

The Department for Work and Pensions has laid [legislation in Parliament](#) to end the discrepancy between compensation paid to sufferers of asbestos-related and dust-related diseases, such as mesothelioma and pneumoconiosis, and the reduced rate currently paid to their dependants where the sufferer has died before payment. Dependants currently receive £10,700 on average, compared with £17,700 for sufferers, a shortfall of £7,000. Under the new rules, dependants will receive the same rate as sufferers in full.

The changes also simplify how awards are calculated under the Pneumoconiosis etc. (Workers' Compensation) Act 1979 scheme and the 2008 Diffuse Mesothelioma Scheme, removing outdated top-up payments tied to the now-defunct Pneumoconiosis Medical Boards and introducing a single, clear award structure with a defined "relevant date" for calculations. The changes follow an independent legal review of the schemes, and are expected to increase payments to dependants by between £2 million and £6 million annually. Subject to parliamentary approval, the changes will come into force on 31 October 2026.

BSI and ISO launch new global standard on menstruation and menopause at work

BSI and the International Organization for Standardization (ISO) have [published BS ISO 45010](#), a new global standard providing practical guidance for employers on supporting employees experiencing menstruation and menopause at work, building on the original British Standard published in May 2023. Analysis by the Centre for Economics and Business Research (Cebr) for BSI found that enabling employees to raise menstrual and menopausal health challenges with confidence carries a potential productivity premium worth almost £300 million a year.

Sitting within the ISO 45000 occupational health and safety standards series, the new standard adds a clause on disclosure and privacy, expanded definitions, a wider range of practical actions across areas including workplace culture, policies, manager training and job design, and two new annexes, including a template workplace charter and a cross-reference matrix showing alignment with ISO 45001.

Its publication comes ahead of UK employers being required by the government to publish Menopause Action Plans from spring 2027.

MEPs call for new EU law on work-related psychosocial risks

The European Parliament's Committee on Employment and Social Affairs has [adopted a report](#) calling on the European Commission to draft a new law setting minimum requirements to prevent, eliminate or reduce work-related psychosocial risks that can lead to stress, burnout, and mental and physical disorders. The request for a legislative initiative passed by 41 votes to 12, with four abstentions. The rapporteur noted that work-related depression alone costs the EU an estimated €100 billion annually, citing International Labour Organisation figures that more than 840,000 people die each year from health conditions linked to psychosocial risks.

Health and Safety

MEPs want binding obligations on employers to protect workers' mental and physical health, including adopting policies to define and prohibit violence, harassment, bullying and discriminatory behaviour; carrying out regular psychosocial risk assessments (including before significant restructuring, teleworking changes or the introduction of automated decision-making or monitoring systems); ensuring human oversight of algorithmic systems; and recognising the right to disconnect. They also propose that employers provide supported return-to-work plans for affected workers, and that where a worker establishes injury or health damage from exposure to psychosocial risk factors, it should be presumed work-related unless the employer proves otherwise.

The Parliament is expected to vote on the legislative initiative during its October plenary session, after which the Commission will have three months to respond.



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Modern slavery

Modern slavery

European Commission publishes notice setting out guidelines on the Forced Labour Regulation

The European Commission has [published a notice](#) setting out guidelines on the application of the Forced Labour Regulation (EU) 2024/3015, in the Official Journal of the European Union on 3 September 2026. This follows an [earlier publication](#) of the guidelines via the Commission's "have your say" portal.

The regulation prohibits the placing, making available or export of products made with forced labour on the EU market, applying to all products regardless of origin, sector or stage of production, and to all economic operators, including non-EU businesses. The notice confirms that due diligence remains a "useful tool" rather than a specific obligation, since the regulation instead imposes an obligation of result.

The Commission has also published a [list of competent authorities](#) for the regulation, though only ten member states have so far made a designation, and the promised forced labour risk database is not yet available.

Businesses should use the guidelines, now formally published, to map forced labour risk across their supply chains and test due diligence arrangements against the OECD-aligned framework they set out, ahead of the December 2027 application date.



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Products

Products

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UK

Tobacco and vapes: retail licensing, packaging and age of sale update

The Department of Health and Social Care has confirmed, in response to a written parliamentary question, that the government plans to consult on proposals for a [retail licensing scheme for tobacco, vapes and nicotine products](#) in 2027.

The scheme is intended to strengthen enforcement and support law-abiding retailers, while addressing those who break the law; a breach of a licence condition or other statutory requirement could lead to revocation. The grounds on which a licence may be granted, suspended, revoked or varied will themselves be subject to consultation.

Separately, in response to the [government's consultation on packaging, appearance and display requirements](#) under the Tobacco and Vapes Act 2026, the Chartered Trading Standards Institute (CTSI) has backed the proposals to tighten regulation of tobacco, vaping and nicotine products, including extended plain packaging, health warnings and restrictions on branding, flavours, product appearance and retail displays. The CTSI argues that robust, future-proof definitions are essential to close loopholes, particularly for heated tobacco devices, vaping products and flavour descriptors, and it calls for clear enforcement provisions, consistency across product categories, child-resistant packaging, limits on promotional branding, and implementation periods capped at 12 months.

Two further sets of regulations under the Tobacco and Vapes Act 2026 have also been laid. The [Tobacco and Vapes Act 2026 \(Display of Tobacco Products\) \(Consequential Amendments\) Regulations 2026](#) amend the Tobacco Advertising and Promotion Act 2002 to update the age-related exemption from display restrictions in shops in England, Wales and Northern Ireland, aligning it with the new age of sale offence for anyone born on or after 1 January 2009. The [Tobacco and Vapes Act 2026 \(Age of Sale Notices and Consequential Amendments\) \(England\) Regulations 2026](#) set minimum size requirements for the age of sale notices that retailers in England must display from 1 January 2027, amend the equivalent notice requirements for bulk tobacconists, and make consequential changes to the rules restricting the display of tobacco products and price lists to reflect the new age of sale.

OPSS publishes guidance on asbestos in sand-containing toys

The Office for Product Safety and Standards (OPSS) has [published an advisory note](#) clarifying its expectations of businesses placing sand-containing toys on the UK market. Responsibility for product safety rests with the business placing the product on the market, and nothing should be placed on the market unless its safety can be assured.

Testing alone is not enough. Given the nature of asbestos contamination and the limitations of sampling, the guidance treats testing as only one part of a wider assurance approach. This should include obtaining assurance from suppliers, understanding where raw materials come from, and maintaining quality controls during manufacture and processing. The advisory note also points businesses to the British Standards Institution's PAS 7050, a published specification setting out good practice for bringing safe products to market.

Businesses are expected to control this risk throughout their supply chain, keep appropriate records, and be ready to share technical documentation with regulators on request.

OPSS has confirmed it will continue its own market surveillance and compliance work to check that these expectations are being met. Where the absence of asbestos cannot be assured, the toys should not be supplied; where it is found, businesses must notify regulators, tell affected customers and carry out withdrawals and recalls.

OPSS launches Product Regulation Sandbox programme

The Office for Product Safety and Standards (OPSS) has [launched a new Product Regulation Sandbox programme](#). It lets a company developing an innovative product work directly with OPSS at an early stage, rather than waiting until it is ready for market.

Through the programme, a business can explore how existing rules apply, test approaches to gathering the evidence it needs and identify problems before bringing the item to market. OPSS has said the initiative is also intended to help it understand new technologies and the regulatory challenges they raise, so that its own approach keeps pace with innovation.

Products

The first sandbox, the [Cosmetics Sandbox: Bioengineered Ingredients](#), is open to companies developing cosmetic ingredients using bioengineering methods such as precision fermentation, synthetic biology and cell culture technology. It is aimed at those that have run into regulatory uncertainty, safety assessment issues, or questions about how the UK's retained version of the EU Cosmetic Products Regulation (1223/2009/EC) applies to their products. Selected participants will work directly with OPSS teams to address these issues and support bringing their ingredients to market.

Expressions of interest close on 4 December 2026, and OPSS has said it plans to launch further sandboxes covering other products and sectors in future.

EU

Leaked European Product Act would give the Commission direct enforcement powers and expose marketplaces to authorised-representative liability

A draft of the European Product Act (EPA) has been leaked ahead of the Commission's expected formal proposal on 6 October 2026. The EPA will consolidate the New Legislative Framework and the Market Surveillance Regulation into a single directly applicable regulation covering conformity assessment, digital product passports and market surveillance. The draft is broad, but three changes stand out:

- Online marketplaces that fail to verify a product has a valid digital product passport or product responsibility record before listing it will, where no EU-established economic operator is responsible for the product, assume the obligations and liabilities of an authorised representative.
- The European Commission will gain direct investigation and enforcement powers over non-compliant products entering the EU from third countries, bypassing national authorities, including the ability to order recalls, restrict online content and impose financial penalties.
- National penalties for infringements will be set between 1% and 6% of annual worldwide turnover, with a separate Union-level penalty of up to 6% available to the Commission when it acts directly, applying in addition to national fines.

As with any leaked text, the draft may change before the formal proposal and during the legislative process. However, online marketplace operators, manufacturers of regulated products and importers should begin assessing their exposure now.

EU Right to Repair Directive becomes applicable, with extraterritorial relevance for UK businesses

The [EU Right to Repair Directive \(\(EU\) 2024/1799\)](#) became applicable across EU member states on 31 July 2026, having [entered into force on 31 July 2024](#).

The directive amends the Goods Directive ((EU) 2019/771) to incentivise consumers to choose repair over replacement when exercising rights against sellers, and separately obliges manufacturers of goods subject to EU legislative reparability requirements to repair those goods once the seller's liability under the Goods Directive expires, to provide consumers with repair information, and not to impede third-party repairs.

The rules extend to manufacturers established outside the EU where they sell in-scope goods into the EU, in which case their EU authorised representative (or, absent one, their importer or distributor) becomes responsible for repair and information obligations. A new online European repair platform, to help consumers find repairers, is expected to become operational in 2027.

European Commission publishes guidance on Digital Battery Passport data requirements

The European Commission has [published updated guidance](#) to help stakeholders prepare for the Digital Battery Passport, ahead of the requirement applying from 18 February 2027. It brings together 71 data points across battery identity, sustainability, performance, safety and circularity, showing their legal sources, and indicates for each battery category (electric vehicle (EV), light means of transport (LMT) and industrial batteries) whether a data point is mandatory, optional, applicable only in specific circumstances, or does not have to be completed or displayed as of February 2027.

The guidance is aimed primarily at manufacturers, importers and other businesses in the battery supply chain responsible for making information available through the passport, though conformity assessment bodies and market surveillance authorities may also find it useful.

Products

Life sciences and healthcare

UK

MHRA publishes National Commission recommendations on regulating AI in healthcare

The Medicines and Healthcare products Regulatory Agency (MHRA) has [published the recommendations](#) of the National Commission into the Regulation of AI in Healthcare, which was established to advise government on a future regulatory framework. The commission's final report, published on 10 September 2026, sets out 44 recommendations following 761 responses to a public call for evidence.

The commission looked beyond the regulation of safe and effective software and AI-enabled medical devices to wider issues, including accountability, transparency, clinical practice, organisational governance and system-wide assurance. Its recommendations are grounded in a research and engagement programme, including a call for evidence, public deliberation events, work with seldom-heard groups, and professional, industry and specialist working groups. That programme also involved further discussion across government and the health system.

Key proposals include requiring manufacturers to set out, in supply contracts, how safety-related responsibilities are shared with healthcare providers. The report also recommends a staged authorisation route, allowing AI products to reach the market within a defined scope before progressing to full authorisation as real-world evidence builds. A further proposal is an opt-in "Master File", letting developers of underlying AI models share technical information with the MHRA once, rather than each manufacturer resubmitting it separately.

A cross-government response will follow separately, setting out how government and system partners will consider and take forward the recommendations.

Health Bill outlines reforms to legislation governing medicines and medical devices

The government has [published a fact sheet](#) outlining reforms to the legislation governing medicines and medical devices in the Health Bill. The bill will give the MHRA and the government new tools to keep the regulatory framework up to date, covering regulatory reform, information sharing, and powers to establish a future medical device licensing regime.

On regulatory reform, the bill will allow greater use of "ambulatory references", so that legislation can refer to external technical documents in a way that automatically reflects future updates without needing legislative amendment. It also introduces a more proportionate approach to consultation and the negative parliamentary procedure for minor and technical changes, while significant policy changes will still require full consultation and the draft affirmative procedure.

In relation to information sharing, updated powers will let the MHRA share select information with UK and international partners, including some commercially sensitive material, subject to existing data protection safeguards.

For medical devices, the bill creates powers for a future licensing regime allowing the MHRA to directly assess and licence devices and related businesses, with the detail to follow in subsequent regulations.

MHRA Regulatory Sandbox: call for expressions of interest

The MHRA has [launched a call for expressions of interest](#) for its London Region I Regulatory Sandbox, run with NHS England (London) and the London Health Innovation Networks. The sandbox will bring together up to 10 AI-enabled medical device manufacturers and NHS organisations to deploy technologies in live clinical settings under MHRA oversight. It will focus on devices supporting preventative care such as heart health, community-based support and digital access to health services.

Expressions of interest are welcome from AI-enabled medical device manufacturers, NHS provider organisations in Greater London and manufacturer-provider partnerships, with no application fee. The call stays open until 10 devices have been selected, assessed and deployed.

MHRA clarifies regulatory status of ambient voice technologies in healthcare settings

The MHRA has [published guidance](#), developed with NHS England, clarifying how existing medical device law applies to ambient voice technology (AVT) products used in health and care settings in Great Britain.

Products

AVT products used solely for transcription, summarising clinical conversations, drafting letters or suggesting clinical codes for clinician review are not regulated as medical devices; those intended to support diagnosis, treatment or prevention, or that take automated action without clinician review, are.

The guidance does not change the law, and clinicians remain responsible for reviewing and verifying AI-generated outputs before use in patient care.

EU

IMDRF publishes final guidance on predetermined change control plans for medical device software

The International Medical Device Regulators Forum (IMDRF) has [published final technical guidance](#) on predetermined change control plans (PCCPs) for medical device software, aimed at international convergence without replacing national laws or regulations.

A PCCP allows manufacturers to obtain advance authorisation for a series of predetermined changes as part of an initial or existing submission. Once mutually agreed with regulators, and provided the device's original intended use is unchanged, this removes the need for a separate regulatory submission for each change.

PCCPs are expected to be focused, risk-based, evidence-based and transparent, and comprise three elements: a description of planned changes and their rationale; a change plan setting out evaluation methods and deployment procedures; and an impact assessment of benefits, risks and mitigations.

The guidance is limited to software, leaving non-software PCCPs without equivalent international guidance for now, though IMDRF has acknowledged the concept could extend to other medical technologies.

Sustainable products

UK

HMRC publishes guidance on mass balance approach for chemically recycled plastic in Plastic Packaging Tax

HMRC has [published guidance](#) on using a mass balance approach to account for chemically recycled plastic in Plastic Packaging Tax (PPT) returns, alongside separate guidance on the minimum certification requirements for using that approach.

From 1 April 2027, businesses that manufacture packaging components in the UK using chemically recycled plastic, or import finished components made this way, must use a mass balance approach for that content to count for PPT purposes. Otherwise, it will be treated as virgin plastic.

The approach is only available where the recycling process changes the chemical structure of the plastic waste. Every business in the supply chain must hold certification from a scheme meeting HMRC's minimum requirements, supported by attribution declarations and records kept for six years. HMRC has said it will publish more detailed guidance, including on penalties, in early 2027.

PPT came into force on 1 April 2022. It applies to plastic packaging components manufactured in or imported into the UK that contain less than 30% recycled plastic by weight, at a rate of £200 per tonne. Manufacturers and importers that meet the relevant threshold must register with HMRC and pay the tax. Other businesses in the supply chain must carry out due diligence to avoid being held jointly and severally liable for unpaid PPT.

Windsor Framework inquiries: end-of-life vehicles and food supply chain

The Northern Ireland Assembly's Windsor Framework Democratic Scrutiny Committee published two reports in late August 2026.

The first concerns Regulation 2026/1738 on [circularity requirements for vehicle design and end-of-life vehicles](#). The committee, which was established under schedule 6B to the Northern Ireland Act 1998, found that the replacement EU act differs in part from the instruments it amends or replaces, but concluded that it would not have a significant negative effect on everyday life in Northern Ireland.

Products

The second report covers the replacement Regulation (EU) 2026/1739, which amends Regulations (EU) No 1308/2013, (EU) 2021/2115 and (EU) 2021/2116 on [strengthening the position of farmers in the food supply chain](#). Several provisions in the replacement regulation apply in Northern Ireland under the Windsor Framework. Having considered its commissioned legal advice, the committee concluded that the replacement EU act does not significantly differ from the relevant parts of the instruments it amends and would not have a significant lasting effect on everyday life in Northern Ireland. The scrutiny periods for both reports ran until 24 September.

Any changes to the committee's conclusions could affect businesses involved in vehicle manufacture, end-of-life vehicle management or the food supply chain that operate in or trade with Northern Ireland.

EU

Environment Agency consults on updated enforcement and sanctions policy

The Environment Agency (EA) has [published a consultation](#) on proposed updates to its enforcement and sanctions policy, closing on 4 October 2026. The EA says it needs to update the policy to ensure it is ready to enforce a number of new legal requirements.

Annex 4 will be updated to cover the EA's enforcement approach for the extended producer responsibility for packaging (pEPR) regime, under the Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024. The same annex will also cover the deposit return scheme (DRS) for drinks containers, under the Deposit Scheme for Drinks Containers (England and Northern Ireland) Regulations 2025. It will additionally set out the EA's proposed enforcement approach for the first phase of digital waste tracking, introduced under the Digital Waste Tracking (England) Regulations 2026.

The consultation also proposes a new enforcement penalty principle to protect victims' interests, and a new Annex 5 on civil sanctions under the Water (Special Measures) Act 2025. A further proposal clarifies the control of mercury regime under Annex 3.

Those affected by the pEPR and DRS should consider reviewing and responding to the consultations before the 4 October deadline.

European Commission consults on implementing the Packaging and Packaging Waste Regulation

The European Commission has opened four consultations on measures to implement the Packaging and Packaging Waste Regulation ((EU) 2025/40). Three ran from 14 August to 16 September 2026, with adoption planned in the fourth quarter. The measures are intended to support the shift to recycled and sustainably sourced plastic packaging across the EU market.

The first sets out [sustainability criteria for plastic recycling technologies](#) to deliver the greatest environmental benefit. The second establishes [methodological rules for assessing, verifying and certifying plastic materials collected or recycled outside the EU](#) as equivalent to the bloc's own system for use in packaging imports. The third [harmonises rules for calculating and verifying recycled content in plastic packaging](#), aiming to reduce administrative burden and give the recycling industry legal clarity for investment.

A fourth consultation ran from 6 August to 10 September, covering rules on [national registers of producers](#) with the aim of harmonising parts of extended producer responsibility schemes for packaging across EU member states by setting requirements for national registers and producers' reporting obligations.

EU's revised End-of-Life Vehicles Regulation enters into force

The End-of-Life Vehicles (ELV) Regulation entered into force on 13 August 2026, revising the rules governing vehicle design, production, collection and end-of-life treatment, and replacing Directive 2000/53/EC and Directive 2005/64/EC.

The regulation sets mandatory recycled plastic content targets of 15% from 2032 and 25% from 2036, with recycled content targets for steel and aluminium to be set by the Commission applying from 2033. It strengthens traceability and enforcement, clarifies the criteria distinguishing used vehicles from end-of-life vehicles, and introduces measures to improve recovery of critical raw materials, particularly aluminium, copper and rare earth elements.

Products

From mid-2031, only roadworthy vehicles may be exported outside the EU. The regulation also strengthens extended producer responsibility, requiring producers to contribute to end-of-life collection and treatment costs, and extends its scope to additional vehicle categories including lorries, buses and motorcycles.

European Commission invites feedback on Omnibus Regulation simplifying energy and tyre labelling rules

Following [its proposal to simplify the EU's energy and tyre labelling frameworks](#), the European Commission has [invited feedback on an Omnibus Regulation](#) amending the Energy Labelling Regulation ((EU) 2017/1369) and the Tyre Labelling Regulation ((EU) 2020/740), adopted in June 2026.

The proposal simplifies rules for suppliers and dealers, improves compliance and enforcement through greater use of digital options, aligns with digital product passports under the Ecodesign for Sustainable Products Regulation (ESPR), and repeals two obsolete regulations implementing the lapsed US-EU Energy Star agreement. Affected businesses should consider responding before the 15 October 2026 deadline.



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Regulated procurement

Regulated procurement

Cabinet Office publishes PPN 026 introducing new streamlined social value model

Following the change in government leadership over the summer, the Cabinet Office has published [Procurement Policy Note 026](#) (PPN 026), introducing a new, streamlined social value model for central government procurement, applying to in-scope procurements commenced on or after 1 January 2027.

In-scope public authorities are encouraged to transition to the new model immediately, but may apply the previous social value model during this transition period if using the new model would require disproportionate resources or invalidate previous market engagement activities. Associated guidance, including sub-criteria and a list of community programmes, is expected in the autumn.

PPN 026 applies to central government departments, their executive agencies and non-departmental public bodies, for procurements valued at £1 million or more (inclusive of VAT), excluding overseas delivery contracts and private utilities. It requires a minimum social value weighting of 10% of the total tender score for contracts of £1 million or above, rising to 20% for contracts of £5 million or above, and must set at least one social value KPI for contracts of £5 million or more.

In contrast to the previous model, the new model is reduced to two outcomes: good jobs and skills, with award criteria covering job creation and retention, and fair working conditions and pay, training, in-work progression and building a talent pipeline. The outcomes that have been removed as standalone themes are environmental and net zero outcomes, crime reduction and community safety, workforce health and wellbeing, modern slavery, and resilient and diverse supply chains, representing a significant narrowing of scope as compared to the previous model.

This means that, when it comes to bidding for and winning public sector contracts, there may be strategic value to suppliers in ensuring that their social value initiatives in relation to these two focused outcomes are robust and effective. Any social value initiatives that do not focus on these outcomes, while of wider merit, are unlikely to be taken into account in the evaluation of public procurements.

CMA sets out strategic recommendations and calls for urgent action on bid rigging in public procurement

The Competition and Markets Authority (CMA) has published two related policy papers on public procurement, noting that the UK government spends around £400 billion a year buying goods, services and infrastructure from the private sector, and that public procurement is increasingly recognised as one of government's most powerful levers to support a stronger, more dynamic and resilient economy.

Public procurement as a policy tool

The [first paper](#), "Public procurement in the national interest: reflections from the CMA" draws on the CMA's work over the past two years on scale-ups, civil engineering, defence and cloud computing services. It identifies five cross-cutting issues limiting the effectiveness of public procurement as a policy tool: a lack of clear objectives and trade-offs; fragmentation weakening public sector purchasing power; misaligned incentives; barriers to entry facing innovative and growing firms; and procurement processes poorly suited to frontier technologies.

The CMA makes five recommendations: stronger system leadership and clearer prioritisation of a narrower set of objectives; "informed devolution" of purchasing decisions, with stronger coordination where different parts of the public sector buy from the same markets; building data infrastructure to support more strategic, market-shaping purchasing decisions; systematically reviewing procurement requirements for their impact on entry, scale-up growth and competition; and creating an innovation procurement framework to ensure frontier and strategically important technologies can be procured with confidence, while preserving competition safeguards.

Rigged bids

The [second paper](#), "Rigged bids, real costs: a case for urgent action on bid rigging in UK public procurement", sets out the CMA's case for urgent, coordinated action against bid rigging. The CMA states that since 2014 it has completed seven bid-rigging cases, imposing more than £129 million in fines on 31 companies, with more than half of these cases involving public procurement. Citing OECD-referenced research, it notes that bid rigging can increase procurement prices by 20% or more, and that studies have also associated procurement collusion with wider harms, including poorer infrastructure safety outcomes and, in some settings, higher hospital mortality rates. Using a conservative assumption that 2% of UK public procurement is affected, the CMA estimates that taxpayers could be overpaying suppliers by between £1 billion and £3.5 billion every year.

Regulated procurement

The CMA has developed a Bid Rigging Intelligence Tool (BRIT), currently being piloted with government departments, but says it cannot reach its full potential without access to bid-level data at scale, which is not routinely collected or held in machine-readable format in the UK.

It recommends three actions: making tackling bid rigging an explicit public procurement priority, with a clear commitment in the National Procurement Policy Statement and related guidance; scaling cross-public sector bid-rigging screening capability, including mandating collection and retention of bid-level information in machine-readable format; and evaluating implementation transparently by monitoring coverage, leads, referrals, investigations and demonstrable savings, while avoiding disclosure of methods that could help firms evade screening.



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Sanctions and Export Control

Sanctions and Export Control

UK chancellor announces doubling of maximum OFSI fine for sanctions breaches

The chancellor of the exchequer, John Healey, has [announced](#) that the maximum monetary penalty available to the Office of Financial Sanctions Implementation (OFSI) will double, from 50% to 100% of the value of a sanctions breach.

The announcement was made at the G20 meeting of finance ministers and central Bank governors and is intended to strengthen the deterrent effect of the UK sanctions regime.

[Under section 146 of the Policing and Crime Act 2017](#), OFSI can currently impose a penalty of up to the greater of £1,000,000 or 50% of the estimated value of the funds or economic resources involved. The change would raise the percentage limb to 100%.

NCA and NECC issue flash alert on A7 sanctions evasion network

The National Crime Agency (NCA) and the National Economic Crime Centre (NECC) have issued a [flash alert](#) on the A7 sanctions evasion network, produced with OFSI, the Foreign, Commonwealth and Development Office and financial sector partners through the Joint Money Laundering Intelligence Taskforce. It was [announced](#) on 31 August 2026 by HM Treasury, which described it as the first industry-wide alert of its kind.

The A7 network was established in 2024 by Russian-Moldovan oligarch Ilan Shor, backed by sanctioned Russian state bank PSB and state corporation VEB.RF. It claims to have settled more than \$86 billion in its first year. The UK, US and EU have sanctioned A7 and its affiliates.

The alert describes how A7 moves value across borders. OFSI has identified transactions between A7 shell companies and UK-incorporated beneficiaries. The alert lists seven red flag indicators for firms to consider against existing anti-money laundering (AML) controls.

OTSI issues guidance on banknote trade sanctions

The Office of Trade Sanctions Implementation (OTSI) has issued [guidance](#) on complying with sanctions that prohibit exporting banknotes to, or for use in, Russia and Belarus under the Russia and Belarus regulations.

The prohibition covers supplying, delivering or making banknotes available to a [person connected with](#) Russia or Belarus, including sending banknotes by post, carrying them in luggage, cash withdrawals and currency exchanges.

A personal use exception applies for essential needs (accommodation, food, medical services and transport) of a traveller and immediate family, capped at £10,000 per single journey. It does not apply for commercial, investment or professional purposes.

OTSI states that it does not prescribe the level or type of due diligence companies should undertake to ensure compliance with trade sanctions. However, it reminds businesses that they should ensure their actions are compliant, particularly those in the regulated sector, such as financial institutions and money service businesses, who are subject to additional regulatory and professional standards.

Agricultural company forfeits £3.8m following NCA investigation

The National Crime Agency (NCA) [announced](#) that agricultural trading company, Enex, has agreed to forfeit £3.84 million following a civil recovery investigation by the NCA into suspected money laundering and sanctions evasion.

Enex's funds were frozen in November 2024 after it received funds from Enex Premium Trading Limited, whose owner's companies were investigated for involvement in the shipment of stolen Ukrainian grain. The NCA traced the frozen funds to Chinese bank accounts suspected of being funded by US-sanctioned companies designated for sending funds to Iran's QODS Force. Enex denies engaging in criminal activity but has agreed to forfeit the funds.

OTSI publishes 2025-2026 annual review

OTSI has [published](#) its 2025-2026 annual review. Key statistics include:

- It received 178 reports or referrals relating to potential sanctions breaches.

Sanctions and Export Control

- 62% of reports were made by sectors to which mandatory reporting obligations apply and 6% of cases were initiated by its own investigations.
- 104 enforcement cases were closed. In 40 of these cases no breach was identified, and another 40 were referred to HM Revenue & Customs (HMRC).
- It received 50 applications related to the Russia sanctions regime and one application related to the Iran sanctions regime. Of these, 17 were granted.

Although OTSI has yet to impose any civil monetary penalties, it states that it ended 2025-26 with a "substantial number" of investigations into potential breaches at an advanced stage. OTSI will also hold sanctions workshops across the UK, which will allow businesses which may be less confident in navigating trade sanctions to learn more about sanctions compliance and receive practical support.

See the [press release](#).

OFSI general licences and FAQs

OFSI has issued the following:

- [FAQ 203](#), clarifying whether a relevant institution may credit interest or other earnings accruing on one frozen account into a separate frozen account held for the same designated person.

OFSI has amended the following:

- General Licences [INT/2025/7895596](#) and [INT/2025/8031092](#). The updated licences broaden the definition of "subsidiary" to include any non-individual person owned or controlled by Lukoil International, include a definition of entity and introduce a new reporting requirement for entities. General Licence INT/2025/7895596 now expires on 29 October 2026. General Licence INT/2025/8031092 now expires on 26 February 2027.

HMRC compound settlements for export control breaches

HM Revenue and Customs has issued a [notice](#) confirming that two UK exporters have paid compound settlement offers of £216,530.30 and £20,889.15 for breaches of export control legislation.

The settlements related to unlicensed exports of military-listed goods and related activity prohibited by The Export Control Order 2008 and contrary to The Customs and Excise Management Act 1979.

HMRC may offer a compound settlement where a breach was inadvertent or resulted from weaknesses in internal controls and was voluntarily disclosed. HMRC will not normally offer a settlement where the breach was intentional.

ECJU F680 applications move from SPIRE to LITE

From 31 July 2026, the Export Control Joint Unit requires F680 applications involving material graded "OFFICIAL-SENSITIVE" or above to be submitted through LITE rather than SPIRE.

An F680 is a form used by UK exporters to seek approval before releasing controlled military goods, technology or information to overseas recipients. Applications submitted on SPIRE after this date will be returned for resubmission through LITE. Standalone unclassified ITAR-only applications continue on SPIRE until further notice.

Read the [full notice](#).

New OGEL for de minimis defence exports to France, Germany and Spain

The UK has issued a new [open general export licence](#) authorising the export and transfer of military goods, software and technology to France, Germany and Spain under the de minimis provisions of the [Agreement on Defence Export Controls](#). The de minimis principle applies where the value of UK-origin items is not more than 20% of the total value of the final system into which they are incorporated.

The licence came into force on 9 September 2026. See the [guidance note](#) for registering to use this licence.

Sanctions and Export Control



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Telecoms

Ofcom publishes call for input on UK preparations for the World Radiocommunication Conference 2027

On 1 September 2026, Ofcom published a call for input on UK provisional views and positions for the World Radiocommunication Conference 2027 (WRC-27), with a closing date for responses of 24 November 2026. The WRC-27 will take place in Shanghai, China from 18 October to 12 November 2027; Ofcom is leading the UK delegation at the WRC and in all preparatory work.

Ofcom is gathering industry views before it confirms the UK's negotiating positions. The WRC-27 agenda covers approximately 30 agenda items, grouped by Ofcom into broad subject areas:

- Satellites and earth station connectivity
- Mobile connectivity
- Environmental monitoring
- Space exploration and science
- Other subjects and standing agenda items

Issues include satellite matters (such as a regulatory framework for direct-to-direct satellite services to mobile phones) and future mobile broadband spectrum for increased network capacity.

The following agenda items are rated high UK priorities:

Agenda item 1.13 (direct-to-direct (D2D) services): This addresses direct connectivity between satellites and standard smartphones (so-called D2D services) in mobile spectrum bands between 694 MHz and 2.7 GHz. While the UK has already enabled D2D services domestically following Ofcom's 2025 decision, WRC-27 aims to develop a global regulatory framework to provide a proper international legal basis (removing reliance on the interim RR No. 4.4 mechanism) and harmonised technical conditions. Ofcom's preliminary position is to support new international allocations to the mobile-satellite service in IMT-identified bands, while ensuring terrestrial mobile networks are protected.

Agenda item 1.7 (potential identification of additional frequency ranges for International Mobile Telecommunications (IMT)): The frequency ranges being considered are:

- 4400-4800 MHz (Region 1 and Region 3)
- 7125-7250 MHz
- 7250-8400 MHz (excluding the portion from 7250 to 7750 MHz in Region 1)
- 14.8-15.35 GHz

Ofcom did not support this agenda item being included for WRC-27 but is currently minded to support the identification in the 7125-7250 MHz frequency range. With regard to the other frequency ranges, Ofcom has concerns regarding protection of military systems as well as coexistence challenges with satellite earth station receivers and high-resolution data downlinks.

Deadline for responses to Ofcom's call for input: 24 November 2026 at 5pm

Ofcom publishes guidance on combatting scam mobile messages

On 15 July 2026, Ofcom published its guidance on protecting people and businesses from scam mobile messages. The guidance applies in two stages: from 18 January 2027 in respect of person-to-person (P2P) messages, and from 15 July 2027 in respect of application-to-person (A2P) messages.

Under the Communications Act 2003, Ofcom has powers to prevent misuse of telecoms services (including mobile messaging) for fraud and scams.

To reduce the risk of people and businesses receiving scam P2P and A2P messages, Ofcom has introduced rules set out in General Condition (GC) C9 and Non-Provider Condition 3. The guidance applies to a range of providers, including: mobile network operators (MNOs); thick MVNOs (which use their own short message service centres); thin MVNOs (which rely on their host MNO); tier 1 aggregators (which have a direct contractual relationship with a mobile operator); and lower-tier aggregators (which do not contract directly with a mobile operator for termination). The rules each provider must comply with are specific to its role in the delivery of mobile messages, the channels over which messages are sent, and whether the provider assigns mobile numbers to customers.

Telecoms

Although the guidance is not legally binding, Ofcom has indicated that it will take it into account both when deciding whether to open a compliance investigation and when determining the appropriate enforcement response.

The guidance addresses three main areas of requirements:

P2P messaging

Providers must:

- receive and act on scam reports from customers and third parties (including via the 7726 database and the Cyber Defence Alliance);
- block numbers and messages, including where there are reasonable grounds to believe they have been used to scam recipients; and
- apply volume limits to Pay As You Go customers, with automated blocking where limits are exceeded.

A2P messaging

Providers must:

- receive and act on scam reports from end-users and appropriate third parties;
- block A2P messages that contain URLs or Telephone Numbers which they reasonably believe were used as part of a scam
- conduct robust Know Your Customer (KYC) checks on business senders at onboarding;
- verify and control the use of alphanumeric Sender IDs, including by restricting access to "Protected" IDs associated with high-risk brands;
- carry out ongoing Know Your Traffic (KYT) monitoring;
- impose equivalent obligations on third parties by contract; and manage incidents (including Significant Scams Incidents) within defined timeframes (one to five working days depending on the complexity of the supply chain involved).

Obligations applying to both P2P and A2P

All providers must:

- maintain a publicised right to challenge process for blocked numbers or messages;
- regularly review the effectiveness of their policies;
- train all relevant staff; keep records for defined retention periods (ranging from 12 months to five years depending on the category);
- monitor and address false positives; and ensure compliance with UK GDPR, the Data Protection Act 2018 and Privacy and Electronic Communications Regulations (PECR) in implementing any blocking or intelligence-sharing measures.

Non-compliance can result in financial penalties of up to 10% of annual turnover, directions to remediate, suspension of the right to provide networks or services, and withdrawal of number allocations.

GC C9 and Non-Provider Condition 3 obligations take effect for P2P mobile messages: 18 January 2027

GC C9 and Non-Provider Condition 3 obligations take effect for A2P mobile messages: 15 July 2027

Government publishes Call for Evidence on the Telecommunications (Security) Act 2021

On 17 August 2026, the Department for Digital, Culture, Media and Sport and the Department for Science, Innovation and Technology published a call for evidence on the impact and effectiveness of sections 1 to 13 of the Telecommunications (Security) Act 2021. This forms part of the secretary of state's statutory duty under section 14 of the 2021 Act to review the framework and lay a report before Parliament.

The 2021 Act framework, which emerged from the 2019 Telecoms Supply Chain Review, comprises three elements:

Telecoms

- Telecoms Security Act 2021: Overarching security duties on public telecoms providers to identify and reduce the risk of security compromises, prepare for their occurrence, prevent adverse effects, and remedy or mitigate such effects where they arise.
- The Electronic Communications (Security Measures) Regulations 2022: secondary legislation setting out specific security measures and the application to different tiers of provider.
- Telecommunications Code of Practice: guidance on the measures tier 1 and tier 2 providers should take to meet their legal obligations.
- Provisions to ensure Ofcom can effectively monitor and enforce providers' compliance with their legal obligations.

The call for evidence seeks views from all stakeholders who have engaged with the framework, with a particular focus on public telecoms providers. Respondents are asked to address the framework's effectiveness against its policy objectives, which include achieving higher security standards, protecting network availability, confidentiality, integrity and authenticity, and enabling effective enforcement — but should not comment on pre-existing obligations or business-as-usual security improvements.

Responses must be submitted via an online survey, with supplementary material sent by email in Word format.

The secretary of state is under a statutory duty under section 14 of the 2021 Act to carry out this review and lay a report before Parliament. Responses to the questions will support the government's assessment of "how effectively the 2021 Act is operating in line with its intended policy objectives".

Information provided in response to the call for evidence, including personal information, may be disclosed in accordance with UK legislation including the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004. Confidentiality cannot be guaranteed in all circumstances; providers wishing to protect commercially sensitive information should consider carefully what they submit.

Public telecoms providers should consider responding to the call for evidence to provide support to the framework or constructive comments if there have been challenges in implementing the framework in their business. In particular, managed service providers who may also be caught by the Cyber Security Resilience Bill might want to comment on how the government expects these two pieces of security legislation to operate together.

Deadline for responses: 12 October 2026 at 11:59pm



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