Dear Consultee

Consultation on the proposed Control of Mercury (Enforcement) Regulations 2017

1. The Department for Environment, Food and Rural Affairs, the Department of Health, the Department for Business, Energy and Industrial Strategy (BEIS), the Scottish Government, the Welsh Government, the Department of Agriculture, Environment and Rural Affairs (Northern Ireland) and the Department of Health (Northern Ireland) are writing to invite views on the proposed Control of Mercury (Enforcement) Regulations, which are intended to implement the requirements of European Union (EU) Regulation 2017/852 on Mercury.

2. The following documents may be found on Defra’s website:


- Proposed Control of Mercury (Enforcement) Regulations 2017 - Consultation Document
- List of Consultees

3. We welcome your views and comments on the proposals. If you wish to obtain a copy of this consultation, please contact chemicals.strategy@defra.gsi.gov.uk.

Responses

4. To submit your consultation response, please either

- Complete the consultation questionnaire provided through Citizen Space (Citizen Space is an on-line consultation tool),
- E-mail: chemicals.strategy@defra.gsi.gov.uk, or
- Post to:
  DEFRA EU and International Chemicals Team
  Area 2A, Nobel House
  17 Smith Square
  London SW1P 3JR

5. Responses should be received by 21 November 2017

6. This is a four-week consultation. Defra believe that this consultation period is proportionate as the proposed UK regulations on which we are consulting simply designate enforcement authorities and offences for EU Regulation 2017/852 on Mercury. This EU Regulation, adopted in May 2017, is directly applicable in the UK and has been widely publicised.
Defra also see this consultation as being of interest primarily to a small and easily-target group of stakeholders, who were consulted in-depth during the initial negotiation of the EU Regulation. To ensure we obtain as many views as possible, we will continue our on-going efforts to contact stakeholders to publicise this consultation.

Confidentiality and data protection

1. A summary of responses to this consultation will be published on the Government website at: www.gov.uk/defra. The summary will include a list of organisations that responded but not personal names, addresses or other contact details.

2. Information provided in response to this consultation, including personal information, may be made available to the public on request, in accordance with the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIRs). Defra may also publish the responses to the FOIA/EIR requests on www.gov.uk/defra.

3. If you want information, including personal information such as your name, that you provide to be treated as confidential, please explain clearly in writing when you provide your response to the consultation why you need to keep these details confidential. If we receive a request for the information under the FOIA or the EIRs we will take full account of your explanation, but we cannot guarantee that confidentiality can be maintained in all circumstances. However, Defra will not permit any unwarranted breach of confidentiality nor will we act in contravention of our obligations under the Data Protection Act 1998 (DPA). An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as a confidentiality request.

4. Defra will share the information you provide in response to the consultation, including any personal data, with a third party of contracted external analysts for the purposes of response analysis and provision of a report.

5. Defra is the data controller in respect of any personal data that you provide, and Defra’s Personal Information Charter, which gives details of your rights in respect of the handling of your personal data, can be found at: https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs/about/personal-information-charter.

6. This consultation is being conducted in line with the “Consultation Principles” as set out in the Better Regulation Executive guidance which can be found at: https://www.gov.uk/government/publications/consultation-principles-guidance.

7. If you have any comments or complaints about the consultation process, please address them to: Defra Consultation Co-ordinator, Area 8A, Nobel House 17 Smith Square, London, SW1P 3JR. Or email: consultation.coordinator@defra.gsi.gov.uk.

Thank you in advance for taking the time to consider and respond to this consultation. We welcome your views and comments. If you have any queries, please contact us as above.

Yours faithfully,

EU and International Chemicals Team

Department for Environment, Food and Rural Affairs.