EXPLANATORY MEMORANDUM TO

THE REACH (AMENDMENT) REGULATIONS 2026

2026 No. 195

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Emma Hardy MP, Parliamentary Under-Secretary of State at the Department for Environment, Food and Rural Affairs confirms that this Explanatory Memorandum meets the required standard.

2.2 Marc Casale, Deputy Director for Chemicals and International at the Department for Environment, Food and Rural Affairs confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Hector Anderson at the Department for Environment, Food and Rural Affairs can be contacted by email at the following address with any queries regarding the instrument: chemicalsengagement@defra.gov.uk. Alternatively, the department can be contacted by telephone: +44 (0)7468 365762.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This legislation amends assimilated regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals ("UK REACH") which regulates chemicals in Great Britain (GB). UK REACH is the assimilated version of Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (EUR 2006/1907) ("EU REACH"). EU REACH continues to apply in Northern Ireland under the Windsor Framework. The amendment to UK REACH made by this legislation adds further restrictions on the use and placing on the market of lead and its compounds to entry 63 of Annex 17. Transition periods apply for these changes.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is the United Kingdom.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England, Wales and Scotland.

5. Policy Context

What is being done and why?

5.1 On 21 April 2021, the Secretary of State for Environment, Food and Rural Affairs, with agreement from Welsh and Scottish Ministers, made a request under UK REACH to the Health and Safety Executive ("HSE") to prepare a dossier on the use of lead in ammunition. The request stated that the use of lead in ammunition raises concerns around both human health and the environment. It raised a particular concern regarding harm of lead ammunition to wildfowl. It also raised the potential adverse effect of consumption of meat killed with lead ammunition on human health, particularly children. Military and non-civilian uses were excluded from the scope of this request.

5.2 The HSE's dossier was published on 6 May 2022 (the "Restriction Dossier"). In the Restriction Dossier, the HSE provided justification that action is necessary beyond any measures already in place, and that a restriction is the most appropriate measure to address the risks identified.

5.3 The HSE formulated an opinion on the risk assessment and on the socio-economic analysis of the restrictions suggested, in accordance with the requirements of UK REACH. The HSE then submitted its Final Opinion to the Secretary of State for Environment, Food and Rural Affairs, Welsh Ministers and Scottish Ministers on 10 December 2024 (the "Final Opinion"). The Final Opinion concludes that a restriction under UK REACH is appropriate to reduce the risk to human health and the environment from lead in ammunition. The Final Opinion also set out the socio-economic impact of a restriction, including in relation to the availability of alternatives.

5.4 Taking into account the Restriction Dossier, the Final Opinion, the socio-economic impact of a restriction and the availability of alternatives to lead ammunition, Emma Hardy, Parliamentary Under-Secretary of State at the Department for Environment, Food and Rural Affairs, considers that there is an unacceptable risk to the environment and human health resulting from the use of lead shot and other projectiles, and that the risk needs to be addressed by a restriction. A decision was therefore made to introduce a restriction on the placing on the market and use of lead shot and other projectiles, and a draft amendment was proposed to Annex 17 of UK REACH. This legislation amending Annex 17 is a result of this decision. Emma Hardy made this decision on behalf of the Secretary of State for Environment, Food and Rural Affairs. As required by UK REACH, Welsh and Scottish Ministers have given their consent in respect of the decision, the proposed draft amendment and the making of legislation to include the restriction in Annex 17 of UK REACH. Minor changes have been made to the amendment since the date it was proposed in draft, but none affect its substantive provisions.

5.5 The restriction prohibits the placing on the market and use of shot containing lead in a concentration equal to or greater than 1% by weight, after a 3-year transition period. There is an exception allowing elite athletes to train with lead shot for the Olympic or Paralympic games.

5.6 The restriction also prohibits the placing on the market and use of projectiles other than shot with a concentration of lead equal to or greater than 3% by weight. This will include large calibre bullets (≥ 6.17mm / 0.243 calibre) for live quarry shooting and will apply after a transition period of 3 years. Small calibre bullets below that threshold are not included in the restriction. The restriction will also include the use of

lead bullets for outdoor target shooting, but with a derogation allowing that use to continue at outdoor shooting ranges with appropriate risk management measures in place. Outdoor shooting ranges will have a 2- year transition period to put in place such risk management measures. There are labelling requirements for projectiles other than shot which can continue to be placed on the market (described in section 5.7 below).

5.7 There are targeted general exceptions to the restriction including military, security and police applications, museum collections and testing of materials and products. Airgun ammunition is not included in the restriction.

What was the previous policy, how is this different?

5.8 Previous policy on lead ammunition focuses on restricting the use of lead shot in wetlands, outside of the UK REACH regime. The previous policy applies (in respect of England and Wales) to the use of lead shot in or over specified sites of special scientific interest (predominantly wetlands) and to shooting a short list of wild waterbirds in all habitats with lead shot. In Scotland, the previous policy applies to the use of lead shot in wetlands. This is different to the new policy to introduce a UK REACH restriction on lead shot and other projectiles, which applies to more types of lead ammunition and uses across all habitats in GB, subject to certain derogations and exemptions. Furthermore, the UK REACH restriction is also prohibiting lead ammunition from being placed on the market, which will address the issue at the source. As a result, this new policy will be more effective and wider reaching than the wetlands policy.

5.9 The new policy also introduces a labelling requirement for bullets which are permitted to remain on the market for target shooting. While bullets for target shooting are not suitable for live quarry, to further ensure compliance, there will be a labelling requirement for large calibre (≥ 6.17 millimetre) lead bullets to state: “Must not be used for live quarry shooting”. This label is required to be visible, indelible and visibly distinct from the rest of the information included on the packaging. The prescription of this new labelling requirement is in-keeping with The Explosives Regulations 2014 which also regulates the labelling of projectiles placed on the market and labelling requirements under assimilated Regulation (EU) No. 1272/2008 on classification, labelling and packaging of substances and mixtures.

6. Legislative and Legal Context

How has the law changed?

6.1 UK REACH applies to the majority of chemical substances that are manufactured in or imported into GB. Restriction is a specific measure under UK REACH, to protect human health and/or the environment from risks posed by chemicals on their own, in mixtures or in articles. UK REACH restrictions limit, ban or set conditions on the manufacture, placing on the market or use of a substance or group of substances. UK REACH restrictions are listed in Annex 17 of UK REACH.

6.2 This instrument amends Annex 17 of UK REACH. The Secretary of State makes these Regulations in exercise of the power conferred by Articles 68(1), 73(2) and 132A of UK REACH. The amendment adds further conditions of restriction to entry 63 (“lead and its compounds”) of the restrictions table in Annex 17, describing the specific restriction on lead in ammunition. This addition to entry 63 will include a description of certain derogations and exemptions described at section 5 above.

Why was this approach taken to change the law?

6.3 As technical Agency for UK REACH, the HSE considered this approach the most appropriate measure to control the risks from lead in ammunition. In the Restriction Dossier, the HSE provided justification that action is necessary beyond any measures already in place, and that a UK REACH restriction is the most appropriate measure to address the risks identified. "Appropriateness" was specifically considered when assessing the effectiveness, practicality, monitorability and enforceability of the approach.

7. Consultation

Summary of consultation outcome and methodology

7.1 In forming its Final Opinion[1] on the restriction, the HSE completed two consultations on the restriction proposal. Public consultations were completed in respect of their Restriction Dossier (a 6-month consultation) and draft opinion on the socio-economic analysis (a 60-day consultation). Both received a significant number of consultation responses. Once these consultation responses were processed by the HSE, resultant changes to the HSE's opinion were scrutinised by the REACH Independent Scientific Expert Pool (RISEP) before the Final Opinion was published.

7.2 The decision from Emma Hardy, Parliamentary Under-Secretary of State at the Department for Environment, Food and Rural Affairs to restrict lead in ammunition took into account the HSE's Final Opinion, which was informed by these public consultations.

8. Applicable Guidance

8.1 The HSE, the Environment Agency (EA), Natural Resources Wales (NRW) and Scottish Environment Protection Agency (SEPA) are preparing guidance which will be published ahead of expiry of the transition periods for the restriction. EA, NRW and SEPA guidance on outdoor shooting ranges will be published in Spring 2026 on gov.uk. HSE guidance on the derogation for elite athletes to use and procure lead shot will be available no later than 12 months before the end of the transition period, to allow sufficient time for familiarisation and preparation by those impacted. The guidance will focus on the administrative procedure and help clarify the information requirements for those who can benefit from this derogation.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 In line with the approach of the UK REACH legislation, a full Impact Assessment has not been produced for this instrument. An assessment of the socioeconomic impact was published by the HSE in its Final Opinion on its restriction proposal. The HSE identified that the costs of the restriction would fall primarily on shooters, and moreover the HSE considered the costs of the proposed restriction to be proportionate to the uncontrolled environmental and human risks from lead in ammunition. A De Minimis Impact assessment and an equality impact assessment have been completed for this restriction and also concludes this restriction to be proportionate to the risks posed.

[1] https://www.hse.gov.uk/reach/assets/docs/rr-aavi-0821.pdf

Impact on businesses, charities and voluntary bodies

9.2 The impact on business, charities or voluntary bodies is de minimis. This is primarily due to the costs incurred mainly being transferred to the users of ammunition (the shooters themselves). There is a legislative requirement under UK REACH to take into account the socio-economic impacts of a restriction in making the associated decision.

9.3 The legislation does impact small or micro businesses.

9.4 The legislation must apply to small and micro businesses (which may include shooting ranges) to effectively mitigate the risks posed by lead in ammunition.

9.5 There is no, or no significant, impact on the public sector because this is a restriction on lead in ammunition for civilian uses (non-civilian uses were excluded from the scope of the initial restriction request).

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 This legislation does not contain a statutory review clause.

10.2 The approach to monitoring this legislation is covered by the requirements in Article 117 of UK REACH, which sets reporting requirements which would include this new restriction. Article 117(1) requires the HSE, every five years, to submit to the appropriate authorities (the Secretary of State for Environment, Food and Rural Affairs, Welsh Ministers and Scottish Ministers) a report evaluating the operation of UK REACH. There is a requirement on the Secretary of State in Article 117(4) of UK REACH to publish a report every five years based on the experience acquired of operating UK REACH.

10.3 The HSE have assessed that the restriction is monitorable. The HSE and Environment Agency will be responsible for monitoring the restriction.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 The Parliamentary Under-Secretary of State Emma Hardy has made the following statement regarding Human Rights:

"In my view the provisions of the REACH (Amendment) Regulations 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").