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Environmental 360 Solutions Ltd v Resource Productivity and Recovery Authority

Counsel to the Resource Productivity and Recovery Authority in a successful motion to quash an application for judicial review brought by E360S. E360S sought an order of mandamus compelling RPRA to enforce certain requirements under the Resource Recovery and Circular Economy Act, 2016. RPRA successfully argued that its inspection and enforcement powers are inherently discretionary and that no specific statutory duty was owed to E360S. The Court dismissed the application as “plain and obvious” that it could not succeed, underscoring the high bar for courts to interfere with regulatory enforcement discretion.