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Environment, Climate Change and Land Reform Committee

Comataidh Atharrachadh Clìomaid is Ath-leasachaidh Fearann

The Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2021 [draft]



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Contents

Introduction	1
Purpose of the Regulations	2
Consideration by the Delegated Powers and Law Reform Committee	3
Consideration by the Environment, Climate Change and Land Reform Committee	_4

Environment, Climate Change and Land Reform Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Environment, Climate Change and Land Reform.



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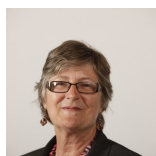
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Introduction

1. The [Single Use Carrier Bags Charge \(Scotland\) Amendment Regulations 2021 \[draft\]](#) were laid on 12 January 2021 and referred to the Environment, Climate Change and Land Reform Committee. The Committee must report by 20 February 2021.
2. The draft SSI was laid before the Scottish Parliament under section 96(4) of the [Climate Change \(Scotland\) Act 2009](#). The affirmative instrument is subject to approval by resolution; the parliamentary procedure is set out in Chapter 10 of the [Standing Orders of the Scottish Parliament](#).
3. If agreed to by Parliament, the regulations would come into force on 1 April 2021.

Purpose of the Regulations

4. The purpose of these regulations is to increase the charge for a single use carrier bag from not less than 5 pence per bag to not less than 10 pence per bag.
5. The regulations follow on from the [Single Use Carrier Bag Charge \(Scotland\) Regulations 2014](#), which introduced a minimum charge of 5 pence for each new single-use carrier bag sold by retailers in Scotland from October 2014.
6. Those regulations were proposed in respect of the negative impact that plastic carrier bags can have on the environment - they take longer than other bags to degrade in the environment, are extremely visible when littered in towns and the countryside and can damage wildlife, for example, in the marine environment where they can be mistaken for food and cause death after ingestion.
7. The intention of the proposed increase is to further reduce the number of single use carrier bags being sold in Scotland, while encouraging consumers to use sustainable alternatives.
8. The proposed increase delivers a Scottish Government commitment in the [Programme for Government](#) 2020-21. It is also in line with plans being considered in the rest of the UK.

Consideration by the Delegated Powers and Law Reform Committee

9. At its meeting on [19 January 2021](#), the Committee considered the draft instrument and determined that it did not need to draw the attention of the Parliament to the instrument on any grounds within its remit.

Consideration by the Environment, Climate Change and Land Reform Committee

10. The Committee considered the regulations at its meeting on 16 February 2021 and took evidence from-
 - Roseanna Cunningham MSP, the Cabinet Secretary for Environment, Climate Change and Land Reform
 - Catriona Graham, Circular Economy Bill Manager, The Scottish Government and;
 - Gareth Heavisides, Circular Economy Team Leader, The Scottish Government
11. The Committee's questioning focussed on the expected environmental impact as a result of the proposed carrier bag charge increase. The Cabinet Secretary confirmed that in the two years following 2016, the Marine Conservation Society reported a drop of 40% in carrier bags found on Scotland's beaches, with a further drop of 42% between 2018 and 2019 and that these draft regulations may help to further reduce the occurrences of carrier bags found in the natural environment in Scotland.
12. In relation to why 10 pence was chosen as the new charge, the Cabinet Secretary noted that in the Scottish Government's [consultation](#), the suggested new charge of 10 pence per carrier bag received 80% approval.
13. The Committee highlighted the Parliament's recent consideration of [The Single Use Carrier Bags Charge \(Coronavirus\) \(Scotland\) Amendment Regulations 2021](#) and questioned why the carrier bag charge exemption provided for in the previous set of the regulations had ceased in October 2020, only to be reinstated by the regulations made above in January 2021. The Committee was keen to ensure that this 'gap' in the legislation wouldn't be replicated later in the year when the current exemption ceases.

The Cabinet Secretary confirmed that the regulations exempting the charge were only intended to be a temporary measure due to the pandemic and that those regulations ceased in October 2020 as a result of the country appearing to be in a better position in relation to the pandemic. The Cabinet Secretary confirmed that the regulations had been re-introduced in response to the revised situation and hoped, but couldn't guarantee, that these regulations wouldn't require an extension beyond 31 May 2021.
14. Finally, the Committee asked the Cabinet Secretary about the impact on the environmental projects which benefit from the charge on carrier bags. The Cabinet Secretary indicated that while the money from the charge does go to environmental causes, the overall aim of the regulations is to reduce consumer demand for single-use carrier bags.

15. Following the evidence session, the Cabinet Secretary moved motion [S5M-23854](#)—That the Environment, Climate Change and Land Reform Committee recommends that the Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2021 [draft] be approved.
16. The motion was agreed to.
17. The Environment, Climate Change and Land Reform Committee recommends that the Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2021 [draft] be approved.

