

# Plastics (Recycling, Sustainability and Pollution Reduction) Bill

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[AS INTRODUCED]

## CONTENTS

- 1 Strategy: circular economy in respect of plastics
- 2 Taskforce: reuse and refill models of packaging
- 3 Targets: elimination and recycling of plastic packaging
- 4 Requirement to pay for the cost of recycling plastic
- 5 Targets: incineration of plastic waste
- 6 Export of plastic waste
- 7 Reducing the cost of recycling plastic
- 8 Office for Environmental Protection
- 9 Sustainable alternatives to plastic packaging
- 10 Fiscal policy
- 11 Global treaty on plastic pollution reduction
- 12 Financial provisions
- 13 Extent, commencement and short title



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# B I L L

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Require the Secretary of State to publish a strategy for promoting a circular economy in respect of plastics, including setting targets and measures for the elimination and recycling of single-use plastics; to require the Secretary of State to establish a taskforce to develop proposals to encourage the use of reuse and refill models of packaging; to require the Secretary of State to report annually to Parliament on the implementation of the strategy; to place a duty on the Secretary of State to ensure that UK targets for the elimination and recycling of plastic packaging are more demanding than equivalent targets set by the European Union; to require manufacturers and retailers to pay for the cost of recycling plastic; to require the Government to set annual targets for reducing the quantity of plastic waste that is incinerated; to require the Secretary of State to publish a plan for banning the export of plastic waste by 2027; to make provision for the purpose of reducing the cost of recycling plastic, including measures to encourage the standardisation of plastic packaging; to give powers to the Office for Environmental Protection to enforce legislation relating to plastic pollution; to make provision for the purpose of encouraging the development of sustainable alternatives to plastic packaging; to require the Government to publish a plan for the use of fiscal policy to incentivise investment in recycling infrastructure and sustainable behaviour by consumers and retailers in relation to plastic; to require the Government to publish a plan for agreeing a global treaty on plastic pollution reduction; and for connected purposes.

**B**E IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## **1 Strategy: circular economy in respect of plastics**

- (1) Within six months of the passing of this Act, the Secretary of State must publish a strategy for promoting a circular economy in respect of plastics.
- (2) A strategy published under subsection (1) must include—
  - (a) targets for the elimination of the use of single-use plastics;
  - (b) targets for increasing the rate of recycling of single-use plastics;
  - (c) measures for assessing progress in achieving the targets in paragraphs (a) and (b).

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- (3) The Secretary of State must lay an annual report before Parliament on the implementation of the strategy.

## 2 Taskforce: reuse and refill models of packaging

- (1) Within three months of the passing of this Act, the Secretary of State must establish a taskforce to develop proposals to encourage the use of reuse and refill models of packaging. 5
- (2) The membership of the taskforce established under subsection (1) must include representatives of –
- (a) industry, and
  - (b) consumer groups. 10
- (3) In developing its proposals, the taskforce must consider the merits of –
- (a) charges on single-use products, and
  - (b) mandatory reporting on companies' plastic footprints.
- (4) The proposals developed by the taskforce must include recommendations for – 15
- (a) methods of increasing public awareness of reuse schemes, and
  - (b) guidance and incentives for businesses.
- (5) The taskforce must publish its proposals within twelve months of being established.

## 3 Targets: elimination and recycling of plastic packaging 20

The Secretary of State must take all practicable steps to ensure that any target set in the UK for the elimination and recycling of plastic packaging is more demanding than any equivalent target set by the European Union.

## 4 Requirement to pay for the cost of recycling plastic

- (1) *The Secretary of State must by regulations require manufacturers and retailers of plastic packaging to pay for the cost of recycling plastic.* 25
- (2) *Regulations under subsection (1) must –*
- (a) *provide for a tariff of fees to be paid by manufacturers and retailers of plastic packaging,*
  - (b) *specify the circumstances in which fees must be paid.* 30
- (3) *A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.*

## 5 Targets: incineration of plastic waste

Within six months of the passing of this Act, the Secretary of State must publish annual targets for reducing the quantity of plastic waste that is incinerated. 35

**6 Export of plastic waste**

Within six months of the passing of this Act, the Secretary of State must publish a plan for banning the export of plastic waste by 2027.

**7 Reducing the cost of recycling plastic**

- (1) Within six months of the passing of this Act, the Secretary of State must publish proposals for reducing the cost of recycling plastic. 5
- (2) Proposals published under subsection (1) must include measures to encourage the standardisation of plastic packaging.

**8 Office for Environmental Protection**

- (1) The Environment Act 2021 is amended as follows. 10
- (2) After section 43 (confidentiality of proceedings), insert—

**“43A Failure to comply with law on plastic pollution**

- (1) The Secretary of State must by regulations make provision about functions of the OEP in relation to failures to comply with the law in respect of plastic pollution. 15
- (2) Regulations under subsection (1) may—
  - (a) make provision about the making of complaints to the OEP about failures to comply with the law,
  - (b) make provision about the OEP’s powers to investigate failures to comply with the law, 20
  - (c) enable the OEP to impose penalties for failures to comply with the law,
  - (d) modify legislation including primary legislation.
- (3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.” 25

**9 Sustainable alternatives to plastic packaging**

- (1) Within six months of the passing of this Act, the Secretary of State must publish proposals for encouraging the development of sustainable alternatives to plastic packaging. 30
- (2) Proposals published under subsection (1) may include measures to eliminate the use of—
  - (a) specific products,
  - (b) certain types of plastic.

**10 Fiscal policy** 35

Within six months of the passing of this Act, the Secretary of State must publish a plan for the use of fiscal policy to incentivise investment in recycling

infrastructure and sustainable behaviour by consumers and retailers in relation to plastic.

## **11 Global treaty on plastic pollution reduction**

Within six months of the passing of this Act, the Secretary of State must publish a plan for agreeing a global treaty on plastic pollution reduction.

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## **12 *Financial provisions***

(1) *There is to be paid out of money provided by Parliament –*

*(a) any expenditure incurred under or by virtue of this Act; and*

*(b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

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(2) *There is to be paid into the Consolidated Fund any increase attributable to this Act in the sums payable into that Fund under any other Act.*

## **13 Extent, commencement and short title**

(1) This Act extends to England and Wales.

(2) This Act comes into force on the day on which it is passed.

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(3) This Act may be cited as the Plastics (Recycling, Sustainability and Pollution Reduction) Act 2023.



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