

Circular Economy (Scotland) Bill — Stage 3

Before section 1

Maurice Golden

38 Before section 1, insert—

<Purpose of circular economy

Purpose of circular economy

For the purposes of this Act, a circular economy is an economic system where—

- (a) goods, products and materials are circulated in as high a value state for as long as possible in order to extract the maximum economic, social and environmental value from them,
- (b) processes for the production and distribution of goods, products and materials are designed so as to reduce the consumption of materials,
- (c) the delivery of services is designed so as to reduce the consumption of materials,
- (d) goods, products and materials are managed as locally as possible,
- (e) the prevention of harmful goods, products and materials is taken into account,
- (f) global just transition principles are embedded,
- (g) due diligence in supply chains is developed,
- (h) domestic just transition principles within the meaning of section 35 of the Climate Change (Scotland) Act 2009 are aligned with.>

Section 1

Mark Ruskell

32 *Withdrawn*

Maurice Golden

39 In section 1, page 1, line 14, at end insert—

<() The circular economy strategy must include a refillables promotion plan.

() The refillables promotion plan must include—

- (a) which package categories will be subject to the plan, and by when, including—
 - (i) any quotas in relation to refillable packaging,
 - (ii) any requirements under the Environment Act 2021,
- (b) delivery timelines,
- (c) a list of prioritised packaging based on—
 - (i) carbon footprint,
 - (ii) use of virgin materials,
 - (iii) value when reused, refurbished or recycled,
 - (iv) potential contribution to a just transition,
 - (v) associated cost of recovery or disposal for local authorities,

(d) progress made since the previous plan.>

Mark Ruskell

- 40 In section 1, page 1, line 18, leave out <the consumption of materials> and insert <their consumption and their whole life-cycle carbon emissions>

Mark Ruskell

- 41 In section 1, page 1, line 19, leave out <of materials> and insert <and whole life-cycle carbon emissions of goods, products and materials>

Mark Ruskell

- 42 In section 1, page 1, line 21, leave out <the consumption of materials and> and insert <their consumption, their whole life-cycle carbon emissions and their>

Mark Ruskell

- 43 In section 1, page 2, line 8, after <changes> insert <, and public education and skills,>

Mark Ruskell

- 44 In section 1, page 2, line 11, at end insert—
<() In preparing the circular economy strategy, the Scottish Ministers must have regard to the role that reuse, refill and take-back schemes have in contributing to the development of a circular economy.>

Clare Adamson

- 45 In section 1, page 2, line 11, at end insert—
<() In preparing the circular economy strategy, the Scottish Ministers must have regard to the importance of consumer and workplace safety.>

Section 6

Mark Ruskell

- 46 In section 6, page 3, line 35, leave out <the consumption of materials> and insert <their consumption and their whole life-cycle carbon emissions>

Mark Ruskell

- 47 In section 6, page 3, line 36, leave out <of materials> and insert <and whole life-cycle carbon emissions of goods, products and materials>

Mark Ruskell

- 48 In section 6, page 3, line 38, leave out <the consumption of materials and> and insert <their consumption, their whole life-cycle carbon emissions and their>

Maurice Golden

49 In section 6, page 4, line 4, at end insert—

- <() Regulations under subsection (1) must include an overall target in relation to developing a circular economy. >

After section 7

Maurice Golden

50 After section 7, insert—

<Recycling targets

Recycling target

- (1) This section makes provision for the 2026 recycling target.
- (2) The target is that by the year 2026, the recycling rate in Scotland will be at least 70%.>

Maurice Golden

51 After section 7, insert—

<Household recycling targets

Household recycling target: 2028

- (1) This section makes provision for the 2028 household recycling target.
- (2) The target is that by the year 2028, the household recycling rate in Scotland will be at least 60%.>

Maurice Golden

52 After section 7, insert—

<Household recycling targets

Household recycling target: 2026

- (1) This section makes provision for the 2026 household recycling target.
- (2) The target is that by the year 2026, the household recycling rate in Scotland will be at least 50%.>

Maurice Golden

53 After section 7, insert—

<Public body duties in relation to circular economy

Public body duties in relation to circular economy

- (1) Each public body must take reasonable steps to prevent human rights harm and ensure environmental due diligence with regard to the body's operations, products, services (in particular procurement) throughout their value chain and those of their subsidiaries.
- (2) The Scottish Ministers must, by regulations and before 1 April 2025, make further provision for the purposes of subsection (1).

- (3) Regulations under this section may make provision for—
- (a) a definition of human rights and environmental due diligence so long as it is consistent with any definition or principles within—
 - (i) the Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948,
 - (ii) the International Covenant on Civil and Political Rights adopted by the United Nations General Assembly in 1966,
 - (iii) the International Covenant on Economic, Social and Cultural Rights adopted by the United Nations General Assembly in 1966,
 - (iv) the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work adopted by the International Labour Conference in 1998,
 - (b) a public body to exclude, disbar or terminate a contract with any business that does not conduct adequate human rights and environmental due diligence,
 - (c) any reporting requirements,
 - (d) any funding requirements,
 - (e) the Scottish Ministers to prepare and publish guidance on best practice for human rights and environmental due diligence,
 - (f) the role of an advisory body.
- (4) Regulations under this section are subject to the affirmative procedure.>

Section 9A

Edward Mountain

- 54** In section 9A, page 8, line 22, leave out <level 3> and insert <level 5>

Edward Mountain

- 55** In section 9A, page 8, line 24, leave out <level 3> and insert <level 5>

Section 11

Edward Mountain

- 56** In section 11, page 16, line 39, at end insert—

<46ZF Household waste recycling plan

- (1) The Scottish Ministers must in conjunction with COSLA, prepare a household waste recycling plan.
- (2) A plan under subsection (1) must provide for the colour of different recycling receptacles across waste collection authorities in Scotland to be standardised, where possible.
- (3) A plan under subsection (1) must be published within one year of the day of Royal Assent.
- (4) The colour of recycling receptacles must be standardised, where possible, within ten years of a plan being published.

- (5) If any waste collection authorities have been unable to standardise the colour of waste recycling receptacles after ten years, the Scottish Ministers must make a statement to the Scottish Parliament outlining the reasons why that is the case.”>

Maurice Golden

57 In section 11, page 16, line 39, at end insert—

<() In section 46—

(a) after subsection (2), insert—

“(2A) The type of the receptacles, or as the case may be, for each separate receptacle or compartments of receptacles must be the same for all waste collection authorities in Scotland, unless an exceptional case is made under subsection (4A).”,

(b) after subsection (4), insert—

“(4A) In making requirements as respects the type of receptacles under subsection (2A) above, the authority may, by notice to the Scottish Ministers make an exception to the type of a receptacle for exceptional cases.”.>

Section 12

Maurice Golden

58 In section 12, page 17, line 12, after <collection> insert <, reuse, repair>

Maurice Golden

59 In section 12, page 17, line 18, at end insert—

<() the items of household waste that are to be reused or repaired,>

Maurice Golden

60 In section 12, page 17, line 22, at end insert—

<() The Scottish Ministers must ensure local authorities have sufficient funds and resources in carrying out their waste management functions under this section.>

Maurice Golden

61 In section 12, page 17, line 22, at end insert—

<() The code of practice must be prepared and published by March 2026.>

Section 13

Maurice Golden

62 In section 13, page 18, line 19, at end insert—

<() The Scottish Ministers must report annually on the progress of the circular economy, and their progress on reaching targets.>

Section 14

Edward Mountain

63 In section 14, page 19, line 21, at end insert—

<() The civil penalty charge under subsection (1) is a minimum of £250.>

After section 17

Maurice Golden

64 After section 17, insert—

<Waste reprocessing infrastructure report

Waste reprocessing infrastructure report

- (1) The Scottish Ministers must prepare and publish a waste reprocessing infrastructure report.
- (2) A waste reprocessing infrastructure report is to set out the Scottish Ministers policies and proposals for the use and development of waste reprocessing infrastructure.
- (3) A waste reprocessing infrastructure report must—
 - (a) map out—
 - (i) current waste infrastructure,
 - (ii) planned waste infrastructure,
 - (iii) any proposed infrastructure by the Scottish Ministers or other relevant bodies,
 - (b) contain a strategy to—
 - (i) develop waste management data, for each waste management option used in Scotland,
 - (ii) reduce the proportion of recyclable materials in the residual waste stream,
 - (iii) strengthen local and community engagement and trust,
 - (iv) strengthen existing requirements for pre-treatment, in particular to remove as much recyclable material as feasible, with a particular focus on plastics,
 - (v) work in partnership with industry to deploy combined heat and power for as many existing incineration facilities,
 - (c) contain targets for resource and waste management,
 - (d) report on greenhouse gas emissions for each waste management option.
- (4) In preparing the waste reprocessing infrastructure report, the Scottish Ministers must have regard to any National Planning Framework published by them under the Town and Country Planning (Scotland) Act 1997.
- (5) The Scottish Ministers must lay a waste reprocessing infrastructure report before the Scottish Parliament.
- (6) The Scottish Ministers must prepare and publish the waste reprocessing infrastructure report before the expiry of one year beginning with the day after Royal Assent.>