



The Scottish Parliament
Pàrlamaid na h-Alba

Màiri McAllan MSP
Cabinet Secretary for Transport, Net
Zero and Just Transition
Scottish Government

**Net Zero, Energy and Transport
Committee**

c/o Clerk to the Committee
Room T3.40

The Scottish Parliament
Edinburgh
EH99 1SP

By email only

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18 September 2023

Dear Màiri

Circular Economy (Scotland) Bill

As you know, the Net Zero, Energy and Transport Committee will lead Stage one scrutiny on the Circular Economy (Scotland) Bill. At our meeting on 12 September, we agreed to write seeking clarification on a number of points arising from our early consideration of the Bill.

The Committee notes that the Bill as drafted sets out high-level principles on the face of the Bill, leaving much of the details around proposed measures to be set out in secondary legislation. Whilst I recognise that some explanation behind the policy objectives can be found in the Policy Memorandum for the Bill, such framework legislation poses challenges for parliamentary scrutiny.

To ensure the Committee can fully understand the Scottish Government's thinking in terms of the future use of these powers, we request a comprehensive list of proposed SSIs the Scottish Government is considering under each regulation-making provision conferred in this Bill and detail of the content of each.

The Committee is also conscious of the potential interaction between the Bill and the UK Internal Market Act (UKIMA). This is particularly evident for provisions in the Bill that may impact on product sales, such as the proposed additional charges for single-use items. **We therefore request further information on—**

- **what the Scottish Government's assessment is on the potential UKIMA implications for the Bill (having regard to any specific plans the Scottish Government may have to use particular order-making powers under the Bill for specific purposes) and;**

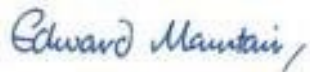
- **what discussions the Scottish Government has had with the UK Government regarding the operation of the Bill, including in relation to those specific purposes.**

Finally, we have noted that new policy proposals around circular economy have been announced by the Scottish Government in its Programme for Government 2023-24 (PfG). In particular, the Scottish Government's new commitment to introduce new measures around disposable vapes has direct relevance to the Bill.

The Committee is keen to ascertain what, if any, impact the Scottish Government anticipates there will be on the Bill as a result of new policies set out in the PfG. It would be particularly helpful to know if the Scottish Government intends to include single use vapes in the items which will now be included in the initial uses of powers on charging for single use items.

On behalf of the Committee, I request a response to these points by 16 October.

Yours sincerely,



Edward Mountain MSP
Convener

Net Zero, Energy and Transport Committee