



Climate Change (Scotland) Act 2009

2009 asp 12

PART 5

OTHER CLIMATE CHANGE PROVISIONS

CHAPTER 5

WASTE REDUCTION AND RECYCLING

Reduction of packaging

83 Targets for reduction of packaging etc.

- (1) The Scottish Ministers may, by regulations—
 - (a) set targets—
 - (i) for the reduction of packaging;
 - (ii) for the reduction of greenhouse gas emissions produced by the manufacture of or otherwise associated with packaging;
 - (b) require persons of the kinds specified to comply with those targets.
- (2) The regulations may in particular include provision about—
 - (a) the circumstances in which the requirement in subsection (1)(b) applies;
 - (b) the kinds of packaging in relation to which targets may be set;
 - (c) the targets in relation to such packaging (including how targets may be set);
 - (d) the methods of determining whether targets have been met;
 - (e) subject to section 89—
 - (i) the enforcement authority in relation to the regulations; and
 - (ii) the functions of that authority;
 - (f) the keeping of records and other information and their production to the enforcement authority (including the periods to which records or information must relate and within which it must be produced to the authority);
 - (g) the enforcement of the duties imposed by the regulations;
 - (h) offences in relation to failures to comply with requirements of the regulations.

Status: This is the original version (as it was originally enacted).

- (3) The enforcement authority must have regard to any guidance given by the Scottish Ministers to it in relation to the functions conferred on it by the regulations.
- (4) In this section and in section 84, “packaging” has the meaning given by Article 3 of Directive [94/62/EC](#) of the European Parliament and of the Council on packaging and packaging waste.