

SINGLE USE CARRIER BAGS ACT (NORTHERN IRELAND) 2011

EXPLANATORY NOTES

INTRODUCTION

1. These Notes relate to the Single Use Carrier Bags Act (Northern Ireland) 2011 which received Royal Assent on 4 May 2011. They have been prepared by the Assembly Bill Office in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.
2. The notes need to be read in conjunction with the Act. They do not, and are not meant to be, a comprehensive description of the Act. So where a section or part of a section or Schedule does not seem to require any explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Act will introduce modifications to section 77(4) of, and Schedule 6 to, the Climate Change Act 2008. These will allow regulations (which may be made by the Department of the Environment) to require that charges collected by retail outlets for single use carrier bags should be paid to the Department. The charges for single use carrier bags, when introduced, are expected to encourage people not to use such bags, thereby reducing the amount of damage they cause to the environment. For example, the number of plastic bags in circulation in Northern Ireland is estimated to range between 338 million to 390 million.

CONSULTATION

4. Mr McKay announced his intention to bring forward legislation in a consultation exercise in April 2010, having raised the matter with the Minister of the Environment on a number of occasions.
5. The consultation exercise sought a wide range of views from organisations and stakeholders including the Councils, the Northern Ireland Departments, the General Consumer Council of Northern Ireland and environmental organisations. Around 25 written responses were received, most of which were very supportive of the proposal, although there were differing views on a number of issues including what the proceeds of the levy should go towards and the cost to retailers.

OVERVIEW

6. The Act has 2 sections.

COMMENTARY ON SECTIONS

7. Comments are not given where the wording is self-explanatory.

Section 1: Section 1 inserts a new paragraph 4A into Part 1 of Schedule 6 to the Climate Change Act 2008 (powers to make regulations about charges for single use carrier bags). The new paragraph provides that the regulations may require the seller of single use carrier bags to pay the gross proceeds or the net proceeds of the charge to the Department of the Environment.

Section 1 also amends section 77(4) of the Climate Change Act 2008 to require that any regulations made under the new paragraph 4A will be subject to approval in the Assembly through the affirmative resolution procedure.

Section 2: Short Title

The Single Use Carrier Bags Act (Northern Ireland) 2011.

HANSARD REPORTS

8. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly.

STAGE	DATE
Introduction to the Assembly	6th December 2010
Motion on Accelerated Passage	28th January 2011
Second Stage debate	28th January 2011
Committee Stage	N/A
Consideration Stage in the Assembly	8th March 2011
Further Consideration Stage	14th March 2011
Final Stage	23rd March 2011
Royal Assent	4th May 2011

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