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STATUTORY INSTRUMENTS

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**2017 No. 1312**

**The Environmental Protection  
(Microbeads) (England) Regulations 2017**

**PART 1**

**Introduction**

**Citation, commencement, extent and application**

**1.**—(1) These Regulations may be cited as the Environmental Protection (Microbeads) (England) Regulations 2017.

(2) Except as provided in paragraphs (3) and (4), these Regulations come into force 21 days after the day on which they are made.

(3) Paragraph (2) of regulation 3 and, so far as it relates to that paragraph, paragraph (3) of that regulation, and regulation 4, come into force 6 months after the day on which these Regulations are made.

(4) In relation to an offence under regulation 3(2), regulations 6 to 8 come into force 6 months after the day on which these Regulations are made.

(5) These Regulations extend to England and Wales, but apply in relation to England only.

**Interpretation**

**2.** In these Regulations—

“authorised purpose” means the purpose of determining whether an offence under regulation 3(1) or (2) has been or is being committed, or any requirement of a compliance notice, a stop notice or an enforcement undertaking under these Regulations has been or is being contravened;

“compliance notice” has the meaning given by paragraph 1(1)(b) of the Schedule;

“enforcement undertaking” has the meaning given by paragraph 17 of the Schedule;

“microbead” means any water-insoluble solid plastic particle of less than or equal to 5mm in any dimension;

“plastic” means a synthetic polymeric substance that can be moulded, extruded or physically manipulated into various solid forms and that retains its final manufactured shape during use in its intended applications;

“the regulator”, for the purposes of the enforcement of an offence under regulation 3(1) or (2), means, in relation to any place at which a rinse-off personal care product is manufactured or supplied, the local authority with responsibility for the area in which the place is situated;

and for this purpose “local authority” means—

(a) in relation to the City of London, the Common Council for the City of London;

(b) in relation to an area in the rest of London, the London borough council for that area;

- (c) in relation to the Isles of Scilly, the Council of the Isles of Scilly;
- (d) in relation to an area in the rest of England, the county council for that area or, where there is no county council for that area, the district council for that area;

“rinse-off personal care product” means any substance, or mixture of substances, manufactured for the purpose of being applied to any relevant human body part in the course of any personal care treatment, by an application which entails at its completion the prompt and specific removal of the product (or any residue of the product) by washing or rinsing with water, rather than leaving it to wear off or wash off, or be absorbed or shed, in the course of time;

and for this purpose—

- (a) a “personal care treatment” means any process of cleaning, protecting or perfuming a relevant human body part, maintaining or restoring its condition or changing its appearance; and
- (b) a “relevant human body part” is—
  - (i) any external part of the human body (including any part of the epidermis, hair system, nails or lips);
  - (ii) the teeth; or
  - (iii) mucous membranes of the oral cavity;

“stop notice” has the meaning given by paragraph 9(2) of the Schedule;

“supply”, in relation to a rinse-off personal care product, means supply by way of sale or its presentation as a promotional prize or gift in the course of a business;

“third party undertaking” has the meaning given by paragraph 3(1) of the Schedule.