

Changes to legislation: Climate Change Act 2008, Paragraph 4A is up to date with all changes known to be in force on or before 30 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 6

CHARGES FOR [F1SINGLE USE CARRIER BAGS][F1CARRIER BAGS]

Textual Amendments

- F1** Words in Sch. 6 para. 2 substituted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014 \(c. 7\), s. 1\(b\)](#)

PART 1

POWERS TO MAKE REGULATIONS ABOUT CHARGES

Destination of proceeds – Wales

- [F14A (1) This paragraph applies to regulations made by the Welsh Ministers in relation to Wales.
- (2) The regulations may provide for the application of the net proceeds of the charge to specified purposes.
- [The regulations may—
- ^{F2}(2A) (a) provide for the time when and manner in which the gross or net proceeds of the charge are to be paid to the Department;
- (b) provide for the payment of interest for late payment of the gross or net proceeds of the charge to the Department.]
- (3) Regulations under sub-paragraph (2) may (among other things)–
- (a) require sellers to apply the net proceeds of the charge to any one or more specified purposes;
- (b) provide for any duty imposed under paragraph (a) to be discharged (subject to any provision made under paragraph (c)) by the net proceeds of the charge being accepted by any one or more of the following persons–
- (i) specified persons;
- (ii) persons who fall within a specified category of person;
- (c) make provision about the arrangements under which the net proceeds of the charge are to be given by sellers to the persons mentioned in paragraph (b) or any other person;
- (d) require persons who accept any net proceeds of the charge under paragraph (b) to apply the proceeds to any one or more specified purposes;
- (e) provide for recovery by the Welsh Ministers of sums equal to the proceeds of the charge that have been accepted or applied otherwise than in accordance with provision made under sub-paragraph (2);

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- (f) provide for the application of sums recovered under paragraph (e) to specified purposes (this includes making provision to the effect that such sums are not to be paid into the Welsh Consolidated Fund);
 - (g) require the Welsh Ministers to give guidance about compliance with the regulations.
- (4) The purposes that may be specified under sub-paragraph (2) are limited to purposes relating to any of the following–
- (a) preventing or reducing waste;
 - (b) the collection, management, treatment or disposal of waste;
 - (c) protecting or improving the environment in relation to pollution or nuisances;
 - (d) educational or recreational activities for children or young people which relate to any of the matters specified in paragraphs (a) to (c).
- (5) But purposes concerning the production of renewable energy for consumption in transport or the use of that energy in transport may not be specified under sub-paragraph (2).
- (6) The regulations may make provision for regulations under this Schedule to apply to persons other than sellers, if the Welsh Ministers consider that such provision is appropriate for the enforcement of provision made under sub-paragraph (2) or for otherwise making such provision effective.
- (7) The specified factors under paragraph 3(2)(c) may also include–
- (a) a seller's arrangements for applying the net proceeds of the charge, or
 - (b) any other factor that the Welsh Ministers consider appropriate, whether or not that factor is of the same kind as the factors listed in that paragraph.
- (8) The regulations may provide for exceptions and exemptions.]

Textual Amendments

- F1** Sch. 6 paras. 4A, 4B inserted (E.W.) (15.2.2011) by [Waste \(Wales\) Measure 2010 \(nawm 8\)](#), **ss. 1(2), 21(2)**
- F2** Sch. 6 para. 4A(2A) inserted (N.I.) (28.4.2014) by [Carrier Bags Act \(Northern Ireland\) 2014 \(c. 7\)](#), **s. 5**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 86(1)(a) words renumbered as s. 86(1)(a) by [2016 c. 22 s. 211\(2\)\(a\)](#)
- s. 86(1)(b) and word inserted by [2016 c. 22 s. 211\(2\)\(b\)](#)
- s. 86(7A)(7B) inserted by [2016 c. 22 s. 211\(5\)](#)