

---

STATUTORY INSTRUMENTS

---

**2023 No. 982**

**ENVIRONMENTAL PROTECTION, ENGLAND**

The Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023

*Made - - - - 7th September 2023*

*Coming into force 1st October 2023*

THE ENVIRONMENTAL PROTECTION (PLASTIC PLATES ETC. AND POLYSTYRENE CONTAINERS ETC.) (ENGLAND) REGULATIONS 2023

PART 1

Introduction

1. Citation, commencement, extent and application
2. Interpretation

PART 2

Offences

3. Offence: supply of single-use plastic plates, trays or bowls to an end user
4. Offence: supply of single-use plastic balloon sticks and cutlery
5. Offence: supply of single-use polystyrene containers and cups

PART 3

Offences: general

6. Defence of due diligence for suppliers
7. Time limit for the prosecution of offences

PART 4

Enforcement and civil sanctions

8. Enforcement
9. Civil sanctions
10. Powers of entry and examination etc.
11. Publication of information about enforcement action

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## PART 5

### Supplementary

12. Guidance
13. Review

## PART 6

### Amendments

14. Amendment of the Environmental Protection (Microbeads) (England) Regulations 2017
15. Amendment of the Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020
16. Amendments: transitional provision  
Signature

---

## SCHEDULE 1 — Civil Sanctions

### PART 1 — Fixed Monetary Penalties and Compliance Notices

1. Imposition of a fixed monetary penalty or compliance notice
2. Notice of intent
3. Third party undertakings
4. Final notice
5. Contents of final notice: fixed monetary penalty
6. Contents of final notice: compliance notice
7. Appeals against final notice
8. Criminal proceedings

### PART 2 — Stop Notices

9. Stop notices
10. Contents of a stop notice
11. Appeals against stop notices
12. Completion certificates
13. Appeals against decision not to issue a completion certificate
14. Compensation
15. Appeal against compensation decision
16. Offence

### PART 3 — Enforcement Undertakings

17. Enforcement undertakings
18. Contents of an enforcement undertaking
19. Acceptance of an enforcement undertaking
20. Discharge of an enforcement undertaking
21. Appeals against decision not to issue a certificate
22. Inaccurate, misleading or incomplete information
23. Non-compliance with an enforcement undertaking

### PART 4 — Non-compliance penalties

24. Non-compliance penalties
25. Appeals against non-compliance penalties

### PART 5 — Administration and Appeals

26. Withdrawing or amending a notice
27. Enforcement cost recovery notices
28. Appeals against enforcement cost recovery notices

29. Power to recover payments
30. Appeals: general provisions

SCHEDULE 2 — Amendment of the Environmental Protection (Microbeads) (England) Regulations 2017

1. The Environmental Protection (Microbeads) (England) Regulations 2017 are amended in...
2. In regulation 2 (interpretation), after the definition of “enforcement undertaking”...
3. In regulation 9 (publication of enforcement action), in paragraph (1)(b),...
4. In regulation 10 (guidance)— (a) in paragraph (2), for “variable”...
5. Omit regulation 11 (additional guidance).
6. In the Schedule (Civil Sanctions)— (a) in the heading of...

SCHEDULE 3 — Amendment of the Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020

1. The Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England)...
2. In regulation 2 (interpretation)— (a) after the definition of “enforcement...”
3. Omit regulation 3 (relevant devices: transitional provision).
4. In regulation 21 (publication of information about enforcement action), in...
5. In regulation 22 (guidance)— (a) in paragraph (2), for “variable”...
6. Omit regulation 23 (additional guidance).
7. In the Schedule (civil sanctions)— (a) in the heading of...

Explanatory Note