
WELSH STATUTORY INSTRUMENTS

2023 No. 1149 (W. 198) (C. 76)

ENVIRONMENTAL PROTECTION, WALES

**The Environmental Protection (Single-use Plastic Products)
(Wales) Act 2023 (Commencement No. 1) Order 2023**

Made - - - - 26 October 2023
Coming into force - - 30 October 2023

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 22(2) of the Environmental Protection (Single-use Plastic Products) (Wales) Act 2023⁽¹⁾.

In accordance with section 21(3) of that Act, a draft of this Order has been laid before, and approved by a resolution of, Senedd Cymru.

Title and coming into force

1. The title of this Order is the Environmental Protection (Single-use Plastic Products) (Wales) Act 2023 (Commencement No. 1) Order 2023 and it comes into force on 30 October 2023.

Provisions coming into force on 30 October 2023

2. The following provisions of the Environmental Protection (Single-use Plastic Products) (Wales) Act 2023 come into force on 30 October 2023—

- (a) section 1 (key concepts: “plastic product”, “single-use” and “plastic”);
- (b) section 2 (prohibited single-use plastic products);
- (c) section 5 (offence of supplying prohibited single-use plastic product);
- (d) section 6 (offence: mode of trial and penalty);
- (e) section 7 (enforcement action by local authorities);
- (f) section 8 (power to make test purchases);
- (g) section 9 (power of entry);
- (h) section 10 (power of entry: residential premises);
- (i) section 11 (power of entry: other circumstances requiring warrant);
- (j) section 12 (powers of entry: supplementary);
- (k) section 13 (power of inspection);

- (l) section 14 (offence of obstruction etc. of officers);
- (m) section 15 (retained property: appeals);
- (n) section 16 (appropriated property: compensation);
- (o) section 18 (offences committed by partnerships and other unincorporated associations);
- (p) section 19 (criminal liability of senior officers etc.);
- (q) section 20 (interpretation);
- (r) paragraph 1 of the Schedule (prohibited single-use plastic products) save for the entries in column 1 and column 2 of the Table for “lids for cups or takeaway food containers”, “carrier bags” and “any product made of oxo-degradable plastic, whether or not— (a) that product appears elsewhere in this table, and (b) the particular type of the product, or the purpose for which that product (or particular type of product) is supplied, would otherwise be exempted by way of an entry in column 2.”;
- (s) paragraph 2 of the Schedule.

26 October 2023

Julie James
Minister for Climate Change, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023 (asc 2) (“the Act”) received Royal Assent on 6 June 2023.

This Order is made by the Welsh Ministers and brings the following provisions of the Act into force on 30 October 2023—

- (a) section 1 (key concepts: “plastic product”, “single-use” and “plastic”);
- (b) section 2 (prohibited single-use plastic products);
- (c) section 5 (offence of supplying prohibited single-use plastic product);
- (d) section 6 (offence: mode of trial and penalty);
- (e) section 7 (enforcement action by local authorities);
- (f) section 8 (power to make test purchases);
- (g) section 9 (power of entry);
- (h) section 10 (power of entry: residential premises);
- (i) section 11 (power of entry: other circumstances requiring warrant);
- (j) section 12 (powers of entry: supplementary);
- (k) section 13 (power of inspection);
- (l) section 14 (offence of obstruction etc. of officers);
- (m) section 15 (retained property: appeals);
- (n) section 16 (appropriated property: compensation);
- (o) section 18 (offences committed by partnerships and other unincorporated associations);
- (p) section 19 (criminal liability of senior officers etc.);
- (q) section 20 (interpretation);
- (r) paragraph 1 of the Schedule (prohibited single-use plastic products), save for the entries in column 1 and column 2 of the Table for “lids for cups or takeaway food containers”, “carrier bags” and “any product made of oxo-degradable plastic, whether or not— (a) that product appears elsewhere in this table, and (b) the particular type of the product, or the purpose for which that product (or particular type of product) is supplied, would otherwise be exempted by way of an entry in column 2.”;
- (s) paragraph 2 of the Schedule.