



Circular Economy (Scotland) Act 2024

2024 asp 13

Circular economy strategy

1 Circular economy strategy

- (1) The Scottish Ministers must prepare a circular economy strategy.
- (2) The circular economy strategy—
 - (a) must set out the Scottish Ministers' objectives relating to developing a circular economy,
 - (b) must set out the Scottish Ministers' plans for meeting those objectives (including priorities for action),
 - (c) must set out arrangements for monitoring progress towards meeting the objectives,
 - (d) may set out any other matters relating to developing a circular economy that the Scottish Ministers consider should be included.
- (3) In preparing the circular economy strategy, the Scottish Ministers must have regard to the desirability of the economy being one in which—
 - (a) processes for the production and distribution of goods, products and materials are designed so as to reduce their consumption and their whole life-cycle carbon emissions,
 - (b) the delivery of services is designed so as to reduce the consumption and whole life-cycle carbon emissions of goods, products and materials,
 - (c) goods, products and materials are kept in use for as long as possible to reduce their consumption, their whole life-cycle carbon emissions and their impacts on the environment,
 - (d) the maximum value is extracted from goods, products and materials by the persons using them,
 - (e) goods, products and materials are recovered or, where appropriate, regenerated at the end of their useful life,
 - (f) waste is managed in Scotland if it is appropriate to do so,
 - (g) due diligence in relation to environmental protection and human rights is exercised in supply chains.

- (4) In preparing the circular economy strategy, the Scottish Ministers must have regard to the following waste hierarchy—
 - (a) waste prevention,
 - (b) preparing for re-use,
 - (c) recycling,
 - (d) other recovery, including energy recovery,
 - (e) disposal.
- (5) In preparing the circular economy strategy, the Scottish Ministers must have regard to the just transition principles set out in section 35C of the Climate Change (Scotland) Act 2009.
- (6) In preparing the circular economy strategy, the Scottish Ministers must have regard to the desirability of encouraging the kinds of behavioural changes, and public education and skills, which would be required to meet the objectives set out in the strategy.
- (7) In preparing the circular economy strategy, the Scottish Ministers must have regard to the circular economy targets imposed by regulations made under section 6.
- (8) In preparing the circular economy strategy, the Scottish Ministers must have regard to the role that re-use, refill and take-back schemes have in contributing to the development of a circular economy.
- (9) In preparing the circular economy strategy, the Scottish Ministers must have regard to the importance of consumer and workplace safety.
- (10) In preparing the circular economy strategy, the Scottish Ministers must have regard to the potential international impacts of their circular economy policies.
- (11) In preparing the circular economy strategy, the Scottish Ministers must have regard to—
 - (a) encouraging equal opportunities (within the meaning of Section L2 of Part 2 of schedule 5 of the Scotland Act 1998), and
 - (b) furthering the reduction of inequalities of outcome which result from socio-economic disadvantage.
- (12) In considering priorities for action under subsection (2)(b), the Scottish Ministers must have particular regard to sectors and systems most likely to contribute to developing a circular economy, with reference to the following criteria for identifying those sectors and systems—
 - (a) achieving the net-zero emissions target set out in section A1 of the Climate Change (Scotland) Act 2009,
 - (b) reducing the consumption and whole life-cycle carbon emissions of goods, products and materials,
 - (c) maximising the value of the circular economy in Scotland,
 - (d) considering the wider environmental impact of particular sectors and systems.
- (13) The circular economy strategy must be prepared with a view to achieving consistency, so far as practicable, between the objectives and plans set out in the strategy and—
 - (a) the climate change plan prepared under section 35 of the Climate Change (Scotland) Act 2009,
 - (b) the environmental policy strategy prepared under section 47 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, and

- (c) any other strategy or plan which the Scottish Ministers consider to be relevant.
- (14) The Scottish Ministers must have regard to the circular economy strategy in making policies (including proposals for legislation).
- (15) In [subsection \(14\)](#), making policies includes developing, adopting and revising policies.

2 Consultation on strategy

In preparing the circular economy strategy, the Scottish Ministers must publish a draft strategy and consult—

- (a) such persons as they consider may have an interest in the strategy, including public sector, private sector, charitable and international organisations,
- (b) such other persons as they consider appropriate, and
- (c) the general public.

3 Publication and laying of strategy

- (1) The Scottish Ministers must—
 - (a) publish the circular economy strategy in such manner as they consider appropriate, and
 - (b) lay a copy of the strategy before the Scottish Parliament.
- (2) Subsection (1) must be complied with before the end of the period of 2 years beginning with the day on which this section comes into force.
- (3) As soon as practicable after complying with subsection (1), the Scottish Ministers must—
 - (a) publish a report setting out—
 - (i) the consultation process undertaken in order to comply with [section 2](#), and
 - (ii) the ways in which, in preparing the circular economy strategy, the Scottish Ministers have taken account of views expressed in the course of that process, and
 - (b) lay a copy of the report before the Scottish Parliament.

4 Review of strategy

- (1) The Scottish Ministers—
 - (a) must keep the circular economy strategy under review, and
 - (b) may revise it as they consider appropriate.
- (2) If the Scottish Ministers have not revised and republished the circular economy strategy within the period of 5 years beginning with the day on which the circular economy strategy was last published, they must revise the strategy.
- (3) Sections 1(2) to (13), 2 and 3(1) and (3) apply in relation to revising the circular economy strategy as they apply in relation to preparing the first circular economy strategy.

5 Reporting on strategy

- (1) The Scottish Ministers must, as soon as practicable after the end of each reporting period, prepare a report setting out—
 - (a) progress made in the reporting period in respect of the objectives and plans included in the circular economy strategy,
 - (b) where any objectives have not been met, the measures the Scottish Ministers propose to meet those objectives,
 - (c) steps taken in the reporting period to keep the circular economy strategy under review.
- (2) The Scottish Ministers must—
 - (a) publish the report in such manner as they consider appropriate, and
 - (b) lay a copy of the report before the Scottish Parliament.
- (3) In this section, “reporting period” means the period of 30 months beginning with the day on which the circular economy strategy was last published.