



Circular Economy (Scotland) Act 2024

2024 asp 13

Household waste

PROSPECTIVE

16 Code of practice on household waste recycling

- (1) The Environmental Protection Act 1990 is modified as follows.
- (2) Before section 44ZA insert—

“44ZZA Code of practice on household waste recycling

- (1) The Scottish Ministers must prepare and publish a code of practice setting out the—
 - (a) standards expected of, and
 - (b) steps to be taken by,local authorities in carrying out their waste management functions in so far as they relate to the collection and recycling of household waste.
- (2) The code may make different provision for different purposes or different local authority areas.
- (3) The code may in particular make provision about—
 - (a) the receptacles to be used for household waste collection,
 - (b) the frequency of household waste collection,
 - (c) the items of household waste that are to be recycled or composted,
 - (d) managing the contamination of household waste that is capable of being recycled or composted,
 - (e) communicating with the public about the collection and recycling of household waste,
 - (f) access to and operation of any household bulk uplift service,
 - (g) access to and operation of any household garden waste service.
- (4) The Scottish Ministers may from time to time revise the code.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Circular Economy (Scotland) Act 2024, Section 16. (See end of Document for details)

- (5) In preparing the code (whether the first version or a revised version), the Scottish Ministers must consult publicly, and in particular solicit the views of—
- (a) local authorities, and
 - (b) the Scottish Environment Protection Agency.
- (6) The Scottish Ministers may not complete their preparation of a version of the code until after the end of the period of 40 days beginning with the day that a draft of that version of the code is laid before the Scottish Parliament.
- (7) In calculating the period of 40 days mentioned in [subsection \(6\)](#), no account is to be taken of any time during which the Parliament is—
- (a) dissolved, or
 - (b) in recess for more than 4 days.
- (8) In this section—
- “local authority” and “waste management functions” have the meanings given in [section 44ZA](#),
 - “recycling” includes composting and preparing for re-use.”.
- (3) In [section 44ZA\(2\)](#)—
- (a) in paragraph (a), after “contained in” insert “the”,
 - (b) the word “and” immediately following paragraph (a) is repealed,
 - (c) after paragraph (a) insert—
 - “(aa) sets out how the local authority intends to carry out those functions, in so far as they relate to the collection and recycling of household waste, consistently with the last published code of practice under [section 44ZZA](#), and”,
 - (d) in paragraph (b), for “those” substitute “the authority’s waste management”.

Commencement Information

II S. 16 not in force at Royal Assent, see [s. 27](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Circular Economy (Scotland) Act 2024, Section 16.