

# **Child Rights and Wellbeing Impact Assessment (CRWIA) For Circular Economy (Scotland) Bill**

**June 2023**

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## Disclaimer

This **draft** document is an **initial assessment** of the impact of Circular Economy (Scotland) Bill and Scottish Government will continue to review and update this document where required during the parliamentary. Any future iterations will reflect an increased understanding of these impacts as the amount of data and research available continues to grow.

This impact assessment should be read in conjunction with the Equality Impact Assessment and the Fairer Scotland Duty Assessment.

## CRWIA Stage 1 – Screening

### 1. Brief Summary

#### **Circular Economy (Scotland) Bill**

In the legislative programme of the 2022-2023 Programme for Government, the Scottish Government committed to bring forward a Circular Economy Bill in year 2, to help facilitate the development of an economy which reduces demand for raw materials, designs products to last as long as possible and encourages reuse, repair, and recycling.

This Bill builds on the Circular Economy Strategy ‘Making Things Last’, published in 2016, alongside other policy work to embed the principles of a circular economy in Scotland and take action to make effective use of our planet’s finite resources.

The Circular Economy Bill will build on progress made to date in tackling Scotland’s throwaway culture, through initiatives such as the increase in the single-use carrier bag minimum charge, ongoing work to revise the four nations’ extended producer responsibility scheme for packaging, and the recently laid regulations for market restrictions on a range of single-use plastic items. The provisions within the Bill will be enabling in nature, setting out a framework that builds on existing Scottish Government policy on preventing and managing waste and promoting a circular economy, including through materials reuse and recycling. It will set out broad enabling provisions to enable further detailed work to be completed in time, through secondary regulations, which would be subject to their own CRWIA requirements as well as other relevant impact assessments and a consultation.

### 2. Which aspects of the relevant proposal currently affects or will affect children and young people up to the age of 18?

The Articles of the UNCRC and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014 apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young People.

The Bill is primarily an enabling bill, giving Scottish Ministers powers to make more detailed secondary regulations at a later date. As such, it is our assessment that the Bill in itself will not affect children and young people up to the age of 18 either directly or indirectly. Secondary legislation using the powers in respect of littering from vehicles may affect young people up to the age of 18 if they are registered keepers of motor vehicles, as the definition of “vehicle” for the purposes of the Bill is a motor vehicle within the meaning of the Road Traffic Regulation Act 1984, a vehicle drawn by a motor vehicle, mobile plant.

Secondary legislation using the powers in respect of charges for single use items

may indirectly impact on children and young people if it impacts on household finances. Such impacts would be considered via a Fairer Scotland Assessment at the secondary legislation stage.

We anticipate that any direct positive or negative impact on this group would be taken into consideration as part of impact assessments during development of secondary regulations.

3. Which groups of children and young people are currently or will be affected by the relevant proposal?

Under the UNCRC, 'children' can refer to: individual children, groups of children, or children in general. Some groups of children will relate to the groups with protected characteristics under the Equality Act 2010: disability, race, religion or belief, sex, sexual orientation. 'Groups' can also refer to children by age band or setting, or those who are eligible for special protection or assistance: e.g., preschool children, children in hospital, children in rural areas, looked after children, young people who offend, victims of abuse or exploitation, child migrants, or children living in Poverty.

Young people aged 16 up to the age of 18 may be indirectly affected as a result of the primary legislation if they are registered keepers of motor vehicles. In the subsequent development of the secondary regulations, e.g., charges for single-use items, we are aware that we must consider equalities interests (such as disability) in order to prevent any unintended consequences. Although we have not identified particular issues for children at this stage, age is a protected characteristic and the EQIA process for secondary regulations will ensure that one age group is not disadvantaged compared to another. We do not anticipate that children will need to be considered separately from the general groups with protected characteristics under the Equality Act 2010.

Declaration

4. Is a Stage 2 Children's Rights and Wellbeing Impact Assessment required?

CRWIA not required

Explanation why CRWIA is not required:

The measures proposed in the Bill are primarily enabling in nature and therefore do not have a direct or indirect impact on children or services used by children. We would take into consideration any impact on children and the likely impact on young people aged 16 up to the age of 18 if they are registered keepers of motor vehicles as part of the impact assessments during development of the secondary regulations, as well as the indirect impact on children due to charges for single use items.



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