# AFTER BREXIT: The UK Internal Market Act & Devolution case study

**The Circular Economy - resource efficiency and single-use plastic**

**The issue:** Single use plastic is harmful to the environment and wildlife. The Scottish Government has committed to action to reduce our reliance on single-use plastic. Our consultation on the introduction of market restrictions closed on 4 January 2021.

**What Scotland can do:** Climate change and the environment are devolved matters. Scotland is leading amongst UK nations in reducing the use of single-use plastics – by legislating to impose restrictions (bans) on the supply and manufacture of single-use plastic items. In 2019, Scotland became the first nation in the UK to ban plastic-stemmed cotton buds. Scotland intends to build on this and the voluntary steps already being taken by businesses and services across the country to switch to more sustainable products and phase out other single-use plastic items as per the requirements of the EU Single Use Plastics Directive. Currently we can impose market restrictions on products that have a known harm to the environment.

**What the Act means:** The Act may undermine these policy ambitions by limiting our ability to exercise devolved powers and impose bans on products we deem harmful to Scotland's environment. While we could ban or restrict supply or manufacture of locally produced single-use plastic items, if lesser standards apply elsewhere in the UK then the mutual recognition principle may impact on our ability to ban or restrict from the Scottish market the sale of such goods produced in other nations of the UK or from third countries imported under the terms of a future trade agreement. This would undermine our ability to act to protect our finite natural resources and to address the significant economic, social and environmental challenges associated with consumption and littering of single-use plastic items. Scotland's plans to prevent waste and develop a circular economy, which will benefit all nations of the UK, could be at risk.