STATUTORY RULES OF NORTHERN IRELAND

2025 No. 178

ENVIRONMENTAL PROTECTION

The Environmental Protection (Wet Wipes Containing Plastic) Regulations (Northern Ireland) 2025

Made - - - - *18th November 2025*

Coming into operation *18th May 2027*

The Department of Agriculture, Environment and Rural Affairs in exercise of the powers conferred by Articles 32(1)(b), (2)(b) and (c) and (6) of the Waste and Contaminated Land (Northern Ireland) Order 1997(**a**), makes the following Regulations.

In accordance with Article 32(3) of that Order, the Department has published a notice indicating the effect of these Regulations and has taken into consideration the representations made to it in accordance with the notice.

Citation and commencement

1. These Regulations may be cited as the Environmental Protection (Wet Wipes Containing Plastic) Regulations (Northern Ireland) 2025 and come into operation on 18th May 2027.

Interpretation

2. In these Regulations—

"authorised person" means a person authorised by the Department in accordance with Article 72 of the Waste and Contaminated Land (Northern Ireland) Order 1997;

"business" includes—

(a) any trade or profession;

(b) any activity carried on by a charity;

(c) any activity carried on by a body of persons whether corporate or unincorporated; and

(d) the provision of services by or on behalf of the Department of Health under the Health and Personal Social Services (Northern Ireland) Order 1972(**b**);

"charity" means—

(a) anything which is a charity—

(i) within the meaning of section 1(1) of the Charities Act (Northern Ireland) 2008(**c**);

(ii) within the meaning of section 1(1) of the Charities Act 2011(**d**);

(**a**) S.I. 1997/2778 (N.I.19)
(**b**) S.I. 1972/1265 (N.I.14)
(**c**) 2008 c. 12
(**d**) 2011 c .25

(iii) within the meaning of the Charities and Trustee Investment (Scotland) Act 2005(**a**); or

(iv) within the meaning of section 202 of the Corporation Tax Act 2010(**b**);

"the Department" means the Department of Agriculture, Environment and Rural Affairs;

"end user" means any person to whom wet wipes containing plastic are offered or supplied, other than a person to whom they are offered or supplied for the purposes of—

(a) supplying it, in the course of a business, to another person; or

(b) a manufacturing process;

"the Order" means the Waste and Contaminated Land (Northern Ireland) Order 1997;

"plastic" means a material consisting of polymer as defined in Article 3(5) of Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restrictions of Chemicals (REACH)(**c**), to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;

"supply" means supply, whether by way of sale or otherwise;

"wet wipe" means a non-woven piece of fabric which has been pre-wetted and which is not designed or intended to be re-used.

Offences and Penalties

3.—(1) A person who, in the course of a business, supplies or offers to supply to an end user wet wipes containing plastic is guilty of an offence.

(2) Paragraph (1) is subject to the exemptions in regulations 4 to 6.

(3) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Exemption: retail pharmacy business

4.—(1) Regulation 3(1) does not apply to a person who in the course of a retail pharmacy business supplies wet wipes containing plastic in the cases in paragraph (2), provided that the conditions in paragraph (3) are complied with.

(2) The cases referred to are where the wet wipes containing plastic are supplied to an end user—

(a) at a registered pharmacy; or

(b) by means of online or other distance selling arrangements.

(3) The conditions referred to are that wet wipes containing plastic—

(a) must not be advertised to customers in Northern Ireland by the retail pharmacy business; and

(b) if supplied at a registered pharmacy—

(i) must not be kept in a place where they are visible to customers, or where customers can access them; and

(ii) must not be offered or provided to a customer unless the customer has requested them.

(**a**) 2005 asp 10

(**b**) 2010 c. 4. Section 202 has been amended by paragraph 27(2) of Schedule 6 to the Finance Act 2010 (c. 13), section 35(5) of the Finance Act 2014 (c.26) and S.I. 2012/964

(**c**) OJ L 396, 30/12/2006, p. 1-849, as last amended by Regulation EC No. 2020/1149 (OJ L 252, 4.8.2020, p. 24-27)

(4) The condition in paragraph (3)(a) does not prohibit the display of wet wipes containing plastic for sale on a website or application through which the retail pharmacy business sells products online.

(5) In this regulation, "registered pharmacy" and "retail pharmacy business" have the meanings given in regulation 8(1) (General interpretation) of the Human Medicines Regulations 2012(**a**).

Exemption: medical purposes

5.—(1) Regulation 3(1) does not apply to—

(a) a person that supplies wet wipes containing plastic for use for medical purposes by or under the direction of a healthcare professional;

(b) a healthcare professional that supplies wet wipes containing plastic for medical purposes; or

(c) a chemist that supplies wet wipes containing plastic for medical purposes.

(2) In this regulation—

(a) "chemist" has the meaning given by regulation 2(1) of the Pharmaceutical Services Regulations (Northern Ireland) 1997(**b**);

(b) "healthcare professional" means a person who is a registered member of a profession that is regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(**c**);

(c) "medical purposes" means the purposes of preventative medicine, medical diagnosis, medical research and the provision of medical care and treatment;

(d) "registered" in relation to a regulatory body, means registered in a register that the body maintains by virtue of any enactment.

Exemption: business supply

6. Regulation 3(1) does not apply to a person that supplies wet wipes containing plastic to a person who carries on a business where the supply is for the purposes of that business.

Defence of due diligence for suppliers

7.—(1) Where a person is charged with an offence under these Regulations, it is a defence for that person to show that the person took all reasonable precautions and exercised all due diligence to prevent the offence being committed.

(2) Where the defence provided by paragraph (1) involves an allegation that the commission of the offence was due to the act or omission of another person, the person charged must not, without leave of the court, be entitled to rely on the defence unless, within the period of 7 days before the hearing the person charged has provided for the court a notice giving such information identifying or assisting in the identification of the other person as was then in the possession of the person charged.

Enforcement

8.—(1) The enforcing authority for the purpose of compliance with these Regulations is the Department.

(2) An authorised person may exercise any of their functions to determine or ensure compliance with these Regulations.

(**a**) S.I. 2012/1916, to which there are amendments not relevant to these Regulations

(**b**) S.I. 1997/381

(**c**) 2002 c. 17. Section 25(3) has been amended by S.I. 2010/231, S.I. 2008/3244, S.I. 2012/1319, S.I. 2019/1436, S.I. 2008/3244

(3) A district council is an authorised person for the purposes of these Regulations.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 18th November 2025.

L.S.

Shane Doris
A senior officer of the Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prohibit persons from supplying or offering to supply wet wipes containing plastic (see definitions in regulation 2). The Regulations apply only in Northern Ireland.

Regulation 3 prohibits the supply of wet wipes containing plastic subject to certain exemptions (regulations 4 to 6). The exemptions include the supply of wet wipes containing plastic by retail pharmacy business, supply for medical purposes, or supply to businesses. Breach of the prohibition is an offence (regulation 3), subject to the mutual recognition principle in section 2 of the United Kingdom Internal Market Act 2020 (c. 27) where applicable.

It is a defence for a person to show that they took all reasonable steps and exercised all due diligence to avoid committing the offence (regulation 7).

An impact assessment of the effect that these Regulations would have upon the costs of business is available on request, from the Department of Agriculture, Environment and Rural Affairs (DAERA), Clare House, 303 Airport Road West, Belfast BT3 9ED.

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