



# Climate Change (Scotland) Act 2009

## 2009 asp 12

### PART 5

#### OTHER CLIMATE CHANGE PROVISIONS

### CHAPTER 5

#### WASTE REDUCTION AND RECYCLING

##### *Carrier bag charges*

#### **88 Charges for supply of carrier bags**

- (1) The Scottish Ministers may, by regulations, require suppliers of goods—
  - (a) to charge for carrier bags supplied at the place where the goods are supplied for the purpose of enabling the goods to be taken away or delivered;
  - (b) to apply the net proceeds raised by such charges to the advancement of environmental protection or improvement or to any other purposes that may be reasonably regarded as analogous.
- (2) The regulations may in particular include provision about—
  - (a) the circumstances in which the requirement applies;
  - (b) the suppliers to whom the requirement applies;
  - (c) the carrier bags to which the requirement applies;
  - (d) the minimum amount to be charged for each carrier bag;
  - (e) how the net proceeds raised by the charge are to be ascertained;
  - (f) the purposes to which those net proceeds are to be applied;
  - (g) subject to section 89—
    - (i) the enforcement authority in relation to the regulations; and
    - (ii) the functions of that authority;
  - (h) the keeping of records and their production to the enforcement authority;
  - (i) the enforcement of the duties imposed by the regulations;
  - (j) offences in relation to failures to comply with requirements of the regulations.

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**Changes to legislation:** Climate Change (Scotland) Act 2009, Section 88 is up to date with all changes known to be in force on or before 07 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (3) The enforcement authority must have regard to any guidance given by the Scottish Ministers to it in relation to the functions conferred on it by the regulations.

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**Commencement Information**

**I1** S. 88 in force at 31.10.2009 by [S.S.I. 2009/341](#), [art. 2\(2\)\(a\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 78A and cross-heading inserted by [2024 asp 13 s. 9\(2\)](#)
- s. 84(8) inserted by [2024 asp 13 s. 10\(3\)](#)
- s. 87A and cross-heading inserted by [2024 asp 13 s. 10\(4\)](#)
- s. 97(1)(c) inserted by [2024 asp 13 s. 10\(8\)\(b\)](#)