SCHEDULE 1

Exemptions

1.—(1) The kinds of single use carrier bags to which regulation 6 does not apply are—

(a) bags used solely to contain one or more items of the following kinds—

(i) unpackaged food for human or animal consumption;

(ii) unpackaged loose seeds, bulbs, corms or rhizomes;

(iii) any unpackaged axe, knife, knife blade or razor blade;

(iv) unpackaged goods contaminated by soil;

(v) items from the categories specified in sub-paragraph (2);

(b) bags used solely to contain packaged—

(i) uncooked fish or fish products;

(ii) uncooked meat or meat products;

(iii) uncooked poultry or poultry products,

and in respect of which the maximum dimensions are 205 millimetres ("mm") (width) x 125 mm (gusset width) x 458 mm (height inclusive of handles);

(c) bags used to contain hot foods or hot drinks intended for consumption away from the premises on which they are sold;

(d) bags used to contain purchases made on board ships, trains, aircraft, coaches or buses;

(e) bags used to contain purchases made in an area designated by the Secretary of State as a security restricted area under section 11A of the Aviation Security Act 1982(**1**);

(f) mail order dispatch and courier bags;

(g) bags which—

(i) are made wholly from paper;

(ii) have maximum dimensions of 175 mm (width) x 260 mm (height);

(iii) do not have a gusset; and do

(iv) not have a handle;

(h) bags which—

(i) are made wholly or mainly from plastic;

(ii) have maximum dimensions of 125 mm (width) x 125 mm (height);

(iii) do not have a gusset; and

(iv) do not have a handle;

(i) bags which—

(i) are made wholly from paper;

(ii) have maximum dimensions of 80 mm (width) x 50 mm (gusset width) x 155 mm (height); and

(iii) do not have a handle;

(j) gusseted liners used to line or cover boxes, crates or other containers of a similar nature;

(k) bags used solely to contain live aquatic creatures in water;

(**1**) 1982 c. 36; section 11A was inserted by the Aviation and Maritime Security Act 1990 (c. 31), Schedule 1, paragraph 3; and amended by S.I. 2010/902, regulations 3 and 9(b).

(2) The specified categories are—

(a) medicinal products or listed appliances sold in accordance with a prescription issued by a registered medical practitioner, a dentist, a supplementary prescriber, a nurse independent prescriber, an independent nurse prescriber, an optometrist independent prescriber, a pharmacist independent prescriber or an EEA health professional;

(b) where sold otherwise than in accordance with paragraph (a), pharmacy medicine.

(3) In this paragraph—

"dentist" means a person registered in the dentists register kept under section 14 of the Dentists Act 1984(**2**);

"EEA health professional" has the meaning given in regulation 1(2) of the Medicines for Human Use (Prescribing by EEA Practitioners) Regulations 2008(**3**);

"independent nurse prescriber" has the meaning given in the Pharmaceutical Services Regulations (Northern Ireland) 1997(**4**);

"listed appliances" means listed appliances within the meaning of article 63 of the Health and Personal Social Services (Northern Ireland) Order 1972(**5**);

"medicinal product" has the meaning given in section 130 of the Medicines Act 1968(**6**);

"pharmacy medicine" means a medicinal product which is not a prescription only medicine and which—

(a) in accordance with section 52(**7**) of the Medicines Act 1968, can only be sold or supplied under the conditions specified in sub-section (1)(a) to (c) of that section; or

(b) but for the fact that it is sold or supplied in accordance with section 55(**8**) of that Act, could only lawfully be sold or supplied under those conditions;

"prescription only medicine" means a medicinal product—

(a) of a description or falling within a class specified in an order made under section 58(**9**) of the Medicines Act 1968;

(b) to which section 58 of that Act applies by virtue of an order made under section 104(**10**) of that Act;

"supplementary prescriber", "nurse independent prescriber", "optometrist independent prescriber" and "pharmacist independent prescriber" each have the meanings respectively ascribed to them in article 1(2) of the Prescription Only Medicines (Human Use) Order 1997(**11**);

"unpackaged" means wholly or partly unwrapped.

(**2**) 1984 c. 24; section 14 was substituted by S.I. 2005/2011, articles 2(1) and 6; and amended by S.I. 2007/3101, regulations 109 and 111.
(**3**) S.I. 2008/1692, to which there are amendments not relevant to these Regulations.
(**4**) S.I. 1997/381 as amended by 2003/447
(**5**) S.I. 1972/1265 (N.I. 14), amended by 1978/1907 (N.I. 26); there are other amendments but none is relevant.
(**6**) 1968 c. 67; section 130 was amended by S.I. 1994/3119, regulation 2(b); and S.I. 2005/50, regulation 25(1)(c) and (d); there are other amendments but none is relevant.
(**7**) Section 52 was amended by the Health Act 2006 (c. 28) ; there are other amendments but none is relevant.
(**8**) Section 55 was amended by S.I. 2004/1771, article 3 and paragraph 10(b) of the Schedule; by S.I. 2006/2407, paragraphs 1 and 26 of Schedule 8.
(**9**) There are amendments to section 58 which are not relevant to these Regulations.
(**10**) Section 104 was amended by S.I. 2004/1031, regulation 54 and paragraph 17 of Schedule 10; and by S.I. 2006/2407, paragraphs 1 and 54 of Schedule 8.
(**11**) S.I. 1997/1830; relevant amending instruments are S.I. 2003/696, S.I. 2004/1771, S.I. 2005/765, S.I. 2006/915, S.I. 2010/1621.