
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2015 No.

**The Single Use Carrier Bags Charge (Fixed Penalty
Notices and Amendment) (Scotland) Regulations 2015**

Amendment to the Single Use Carrier Bags Charge (Scotland) Regulations 2014

5.—(1) The Single Use Carrier Bags Charge (Scotland) Regulations 2014⁽¹⁾ are amended as follows.

(2) In paragraph 1 of the Schedule—

- (a) after sub-paragraph (g), omit “or”; and
- (b) at the end of sub-paragraph (h) insert—

“; or

(i) used to contain a purchase made in—

(i) a prison;

(ii) a hospital in which a person is detained, or otherwise in custody, under the Mental Health (Care and Treatment) (Scotland) Act 2003⁽²⁾ or Part 6 or section 200 of the Criminal Procedure (Scotland) Act 1995⁽³⁾; or

(iii) secure accommodation,

where the bag is necessary for reasons of security, good order, discipline or safety”.

(3) In paragraph 2 of the Schedule, after the definition of “prescription only medicine”—

- (a) omit “and”; and
- (b) insert—

““prison” means any prison, young offenders institution or remand centre which is under the general superintendence of the Scottish Ministers under the Prisons (Scotland) Act 1989⁽⁴⁾, and includes any contracted out prison within the meaning of section 106(4) of the Criminal Justice and Public Order Act 1994⁽⁵⁾;

“secure accommodation” has the same meaning as in regulation 2 of the Secure Accommodation (Scotland) Regulations 2013⁽⁶⁾; and”.

(1) S.S.I. 2014/161.

(2) 2003 asp 13.

(3) 1995 c.46.

(4) 1989 c.45.

(5) 1994 c.33. Section 106(4) was relevantly amended by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order (S.I. 1999/1820), Schedule 2, paragraph 115(3).

(6) S.S.I. 2013/205.