

*Draft Regulations laid before the Scottish Parliament under section 96(4) of the Climate Change (Scotland) Act 2009, for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**ENVIRONMENTAL PROTECTION**

**The Single Use Carrier Bags Charge  
(Scotland) Amendment Regulations 2020**

*Made - - - - 2020*

*Coming into force in accordance with regulation 1*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 88 and 96(2) of the Climate Change (Scotland) Act 2009<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 96(4) of that Act<sup>(2)</sup>, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2020 and come into force on the day after the day on which they are made.

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

2.—(1) The Single Use Carrier Bags Charge (Scotland) Regulations 2014<sup>(3)</sup> are amended as follows.

(2) In regulation 7—

- (a) the existing text becomes paragraph (1),
- (b) after paragraph (1) insert—

“(2) Until 0001 hours on 3 October 2020, the requirement to charge in regulation 6 does not apply in relation to the supply of a single use carrier bag if the bag is used for a purpose described in paragraph 1A of the schedule.”.

(3) In the schedule, after paragraph 1, insert—

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(1) 2009 asp 12.  
(2) Section 96(4) has been modified by paragraph 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).  
(3) S.S.I. 2014/161, amended by S.S.I. 2015/159.

“**1A.** A single use carrier bag is used for a purpose described in this paragraph if it is used solely to contain—

- (a) goods purchased for delivery as part of a grocery delivery service,
- (b) goods purchased for collection as part of a service that allows a person to collect groceries ordered in advance, or
- (c) pre-prepared food or drinks or, as the case may be, both, purchased for delivery or collection as part of a takeaway food service.”.

St Andrew’s House,  
Edinburgh  
Date

*Name*  
A member of the Scottish Government

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Single Use Carrier Bag Charge (Scotland) Regulations 2014 ([S.S.I. 2014/161](#)).

Regulation 2 inserts a new paragraph 1A into the schedule to make provision for circumstances in which the requirement to charge for carrier bags does not apply. The provision will have effect until 0001 hours on 3 October 2020.

The circumstances in which the requirement to charge does not apply are: where a carrier bag is used solely to contain goods purchased for delivery as part of a grocery delivery service; where a carrier bag is used solely to contain goods purchased for collection as part of a service that allows a person to collect groceries ordered in advance; and where a carrier bag is used solely to contain food and drinks purchased for delivery or collection as part of a takeaway food service.

The emergency nature of the instrument means it has not been possible to prepare a Business and Regulatory Impact Assessment. The needs of business and, in particular, the retail sector have, however, closely informed the preparation of these Regulations.