



# 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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**Status:** Point in time view as at 31/10/2009.

**Changes to legislation:** There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: Carrier bag charges. (See end of Document for details)

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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)

**Status:**

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**Changes to legislation:**

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Cross Heading: Carrier bag charges.