



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.

Status: This is the original version (as it was originally enacted).

- (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.