
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2014 No.

**The Single Use Carrier Bags
Charge (Scotland) Regulations 2014**

PART 4

Offences and enforcement

Enforcement authority: enforcement powers

13.—(1) The enforcement authority has the powers described in paragraph (4) (the “enforcement powers”).

(2) The enforcement powers are exercisable by any officer of the enforcement authority authorised by the authority for that purpose.

(3) The enforcement powers are exercisable for the purpose of establishing whether these Regulations are being, or have been, complied with.

(4) The powers are—

- (a) to make test purchases of goods;
- (b) to inspect any goods;
- (c) to enter onto premises at any reasonable time;
- (d) to question a supplier or an officer, employee or agent of the supplier;
- (e) to require the production of documents; or
- (f) to require the provision of information.

(5) The power in paragraph (4)(c) is not exercisable in respect of domestic premises.

(6) The powers in paragraph (4)(e) and (f) are exercisable only where the enforcement authority reasonably believes that there has been a failure to comply with these Regulations.

(7) Documents must be produced and information must be given in such form, and in such manner, as the enforcement authority may reasonably require.

(8) A person seeking to exercise an enforcement power must produce evidence of the identity of the person, and of the authority of the person to exercise the power, to any person reasonably requiring evidence of such identity or authorisation.

(9) Nothing in this regulation compels the production of a document by a person who would be entitled to withhold production on the ground of confidentiality of communications on an order being made for the production of documents in an action in the Court of Session.