

## SCHEDULE

Regulation 7

Circumstances in which the requirement to charge in regulation 6 does not apply

1. A single use carrier bag is used for a purpose described in this paragraph if it is—
  - (a) used solely to contain—
    - (i) unpackaged food or feed for human or animal consumption;
    - (ii) unpackaged loose seeds, bulbs, corms or rhizomes;
    - (iii) unpackaged goods contaminated by soil; or
    - (iv) an unpackaged axe, knife or blade;
  - (b) used solely to contain—
    - (i) a medicinal product, a listed appliance, or any other appliance sold or supplied in accordance with a prescription; or
    - (ii) pharmacy medicine;
  - (c) used solely to contain packaged uncooked fish or fish products, uncooked meat or meat products or uncooked poultry or poultry products, that has a gusset not more than 125 millimetres wide, and is not more than—
    - (i) 205 millimetres wide; or
    - (ii) 458 millimetres high (including any handle);
  - (d) used solely to contain live aquatic creatures in water;
  - (e) used to contain a purchase made on board a ship, train, aircraft, coach or bus;
  - (f) used to contain a purchase made in an aerodrome security restricted area;
  - (g) a mail order dispatch or courier bag; or
  - (h) a gusseted liner used to line or cover a box.
2. In this Schedule—

“2012 Regulations” means the Human Medicines Regulations 2012(1);

“aerodrome security restricted area” means a security restricted area designated by the Secretary of State for the purposes of section 11A of the Aviation Security Act 1982(2);

“box” includes a crate or other containers of a similar nature;

“listed appliance” means a listed appliance within the meaning of section 27 of the National Health Service (Scotland) Act 1978(3);

“medicinal product” has the same meaning as in section 130 of the Medicines Act 1968 Act(4);

“pharmacy medicine” means a medicinal product, other than a prescription only medicine, that—

  - (a) in accordance with regulation 220 of the 2012 Regulations, can only be sold or supplied under the conditions specified in paragraph (2)(a) to (c) of that regulation; or
  - (b) but for the fact that it is sold or supplied in accordance with regulation 223 of those Regulations(5), could only be lawfully sold or supplied under those conditions;

“prescription” means a prescription issued by—

(1) [S.I. 2012/1916](#), relevantly amended by [S.I. 2013/1855](#) and [S.I. 2014/490](#).

(2) [1982 c.36](#). Section 11A was inserted by paragraph 3 of Schedule 1 to the Aviation and Maritime Security Act 1990 ([c.31](#)), and amended by [S.I. 2010/902](#).

(3) [1978 c.29](#). There are amendments to section 27 which are not relevant to these Regulations.

(4) [1968 c.67](#). Section 130 was relevantly amended by [S.I. 2006/2407](#) and [S.I. 2012/1916](#).

(5) Regulation 223 has been amended by [S.I. 2013/1855](#).

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Single Use Carrier Bags Charge (Scotland) Regulations 2014 No. 161

- (a) a registered medical practitioner;
  - (b) a person registered in the dentists register kept under section 14 of the Dentists Act 1984<sup>(6)</sup>;
  - (c) an EEA health professional, as defined in regulation 213(1) of the 2012 Regulations<sup>(7)</sup>;
  - (d) a nurse independent prescriber, as defined in regulation 8(1) of the 2012 Regulations;
  - (e) an optometrist independent prescriber, as defined in regulation 8(1) of the 2012 Regulations;
  - (f) a pharmacist independent prescriber, as defined in regulation 8(1) of the 2012 Regulations; or
  - (g) a supplementary prescriber, as defined in regulation 8(1) of the 2012 Regulations;
- “prescription only medicine” has the same meaning as in regulation 5(3) of the 2012 Regulations; and
- “unpackaged” means wholly or partly unwrapped.

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<sup>(6)</sup> 1984 c.24. Section 14 was substituted by S.I. 2005/2011, and amended by S.I. 2007/3101.

<sup>(7)</sup> Regulation 213 has been amended by S.I. 2014/490.