
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2022 No.

**The Deposit and Return Scheme for
Scotland Amendment Regulations 2022**

Enforcement

11. In regulation 30 (enforcement authority)—

(a) in paragraph (2)—

(i) the words from “whether these Regulations” to the end become sub-paragraph (a),
and

(ii) at the end, insert—

“

(b) whether, and if so to what extent, any financial benefit has accrued or is likely to accrue to a person in connection with a failure to comply with these Regulations”,

(b) in paragraph (4)—

(i) in sub-paragraph (g), the words from “to answer” to the end become head (i), and

(ii) at the end, insert—

“, and

(ii) without prejudice to the generality of sub-paragraph (c), to attend at such place and at such reasonable time as the authorised person may specify to answer those questions and sign such a declaration.”,

(c) after sub-paragraph (g), insert—

“

(ga) without prejudice to the generality of sub-paragraphs (c) and (g), to require any person whom the authorised person has reasonable cause to believe to be able to give any information relevant to an investigation under sub-paragraph (c), to provide that person’s name, address and date of birth,”,

(d) after paragraph (10), insert—

“(11) Information obtained as a result of the exercise of an enforcement power under paragraph (4), with or without the consent of any person, is admissible in evidence against that or any person in any proceedings.

(12) Information provided to SEPA or the Scottish Ministers in accordance with regulations 10, 11, 12 and 16 is admissible in evidence in any proceedings against the person who provided the information or any other person.”.