
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

**The Deposit and Return Scheme for
Scotland Amendment Regulations 2023**

Transitional provision

22.—(1) This paragraph applies to a registration which the Scottish Environment Protection Agency⁽¹⁾ has granted, prior to the coming into force of these Regulations, under regulation 8 (producer registration) of the 2020 Regulations in relation to a producer within the meaning of regulation 6 (producer) of the 2020 Regulations.

(2) A registration to which paragraph (1) applies is to be treated as taking effect from 1 March 2024.

(3) A producer to whose registration paragraph (1) applies does not need to make a further application, accompanied by a registration fee, under regulation 7 of the 2020 Regulations, for the relevant year beginning 1 January 2024.

(4) This paragraph applies to a registration which the Scottish Environment Protection Agency has granted prior to the coming into force of these Regulations under regulation 8 (producer registration) of the 2020 Regulations in relation to a producer within the meaning of paragraphs 1 to 4 of schedule 5⁽²⁾ of the 2020 Regulations.

(5) A registration to which paragraph (4) applies is to be treated as a listing granted under paragraph 9 of schedule 5 of the 2020 Regulations as taking effect from 1 March 2024.

(6) A producer to whose registration paragraph (4) applies does not need to make a further application, accompanied by a listing fee, under paragraph 5 of schedule 5 of the 2020 Regulations, for the relevant year beginning 1 January 2024.

(7) This paragraph applies to an application which the Scottish Environment Protection Agency has received prior to the coming into force of these Regulations under regulation 7 (application for registration as a producer) of the 2020 Regulations and which it has not, by that date, granted or refused.

(8) An application from a producer within the meaning of regulation 6 (producer) of the 2020 Regulations to which paragraph (7) applies —

(a) may be treated for all purposes as having been received before 12 January 2024 in the relevant year beginning 1 January 2024 in accordance with regulation 7(2)(a) of the 2020 Regulations,

(b) does not need to be accompanied by the registration fee set out under regulation 7(3)(d) (application for registration as a producer) of the 2020 Regulations for the relevant year beginning 1 January 2024.

(9) An application from a producer within the meaning of paragraphs 1 to 4 of schedule 5 of the 2020 Regulations to which paragraph (7) applies—

(1) The Scottish Environment Protection Agency is established under section 20 of the Environment Act 1995 (c. 25).

(2) Schedule 5 is inserted by regulation 21 of these Regulations.

- (a) may be treated for all purposes as having been received before 12 January 2024 in the relevant year beginning 1 January 2024 in accordance with paragraph 6(a) of schedule 5 of the 2020 Regulations,
 - (b) does not need to be accompanied by the listing fee set out under paragraph 8 of schedule 5 of the 2020 Regulations for the relevant year beginning 1 January 2024.
- (10) In this regulation, “relevant year” has the same meaning as in regulation 2(1) (interpretation) of the 2020 Regulations.