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## SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 154**

# ENVIRONMENTAL PROTECTION

## The Deposit and Return Scheme for Scotland Regulations 2020

<i>Made</i>	- - - -	<i>19th May 2020</i>
<i>Coming into force</i>		
<i>for the purpose of</i>		
<i>regulation 1(2)</i>		<i>20th May 2020</i>
<i>for the purpose of</i>		
<i>regulation 1(3)</i>		<i>1st January 2021</i>
<i>for the purpose of</i>		
<i>regulation 1(4)</i>		<i>1st January 2022</i>
<i>for the purpose of</i>		
<i>regulation 1(5)</i>		<i>1st July 2022</i>

## THE DEPOSIT AND RETURN SCHEME FOR SCOTLAND REGULATIONS 2020

### PART 1

#### General

1. Citation and commencement
2. Interpretation
3. Scheme articles and scheme packaging

### PART 2

#### The deposit and return scheme

4. Sale of articles
5. Obligations relating to charging deposits and marketing, offering for sale or selling articles

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://legislation.gov.uk) editorial team to The Deposit and Return Scheme for Scotland Regulations 2020. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## PART 3

### Producers

#### CHAPTER 1

##### Definition of a producer

#### 6. Producers

#### CHAPTER 2

##### Registration of a producer

- 7. Application for registration of a producer
- 8. Producer registration
- 9. Cancellation of registration of producers

#### CHAPTER 3

##### Producer Obligations

- 10. Producer obligations: general
- 11. Producer obligations: further provision
- 12. Producer obligations: producers registered through a scheme administrator

## PART 4

### Scheme administrator

- 13. Scheme administrator
- 14. Application for approval of a scheme administrator
- 15. Approval of scheme administrator
- 16. Obligations of a scheme administrator
- 17. Withdrawal of approval of a scheme administrator

## PART 5

### Retailers and return points

#### CHAPTER 1

##### Retailers

- 18. Retailers
- 19. Retailer obligations

#### CHAPTER 2

##### Return of scheme packaging

- 20. Return points
- 21. Takeback services

## CHAPTER 3

### Exemptions for return points

22. Exemptions for return points
23. Revocation of an exemption for a return point
24. Application for exemption of a return point

## CHAPTER 4

### Voluntary return point operators

25. Voluntary return point operators

## PART 6

### Appeals or reviews

26. Right of appeal or review
27. Procedure
28. Determination of appeals
29. Status pending appeal

## PART 7

### Enforcement and offences

30. Enforcement authority
31. Offences

## PART 8

### Review of these Regulations

32. Duty to review these Regulations  
Signature

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## SCHEDULES

### SCHEDULE 1      Producer Registration: Information to be contained in an application for producer registration

1. The name (including business name) of the producer.
2. The address and telephone number of the registered or principal...
3. The company registration number as kept by Companies House.
4. The name and telephone number of a contact person for...
5. Where the producer is a partnership, the names of all...
6. Where relevant, the code for an activity in the UK...
7. The number of scheme articles first made available by that...
8. Relevant information that supports the identification of scheme articles first...
9. The number of scheme articles that share characteristics listed in...
10. The number of scheme articles the producer anticipates it will...
11. An operational plan that demonstrates how the producer intends to...

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SCHEDULE 2      Scheme administrator approval: Information to be contained in an application for scheme administrator approval

1. The name (including business name) of the scheme administrator.
2. The address and telephone number of the registered or principal...
3. The address for service of notices if different from that...
4. Information which demonstrates— (a) that the scheme administrator is likely...
5. A copy of the constitution of the scheme administrator or...
6. A copy of the rules and procedures applicable to producers...

SCHEDULE 3      Collection targets

1. The minimum collection targets which a producer must meet in...

SCHEDULE 4      Registration of a voluntary return point operator: Information to be contained in an application for registration

1. The name (including business name), of the person who will...
  2. The address and telephone number of the registered or principal...
  3. The address and telephone number of the proposed return point...
  4. Information about the accessibility of the proposed return point including —...
  5. Information which demonstrates— (a) that the applicant has sufficient resources...
  6. Confirmation in writing that— (a) all registered producers have agreed...
- Explanatory Note

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**Changes and effects yet to be applied to :**

- Sch. 1 para. 10 words substituted by [S.S.I. 2023/201 reg. 19\(a\)](#)
- Sch. 3 para. 1(b) words substituted by [S.S.I. 2023/201 reg. 20\(a\)](#)
- Sch. 3 para. 1(c) words substituted by [S.S.I. 2023/201 reg. 20\(b\)](#)
- reg. 1(5) words substituted by [S.S.I. 2023/201 reg. 4](#)
- reg. 2(1) word substituted by [S.S.I. 2023/201 reg. 5\(b\)](#)
- reg. 2(1) words inserted by [S.S.I. 2023/201 reg. 5\(a\)](#)
- reg. 2(1) words substituted by [S.S.I. 2023/201 reg. 5\(c\)](#)
- reg. 4 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 5 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 5(3) words substituted by [S.S.I. 2023/201 reg. 8\(a\)](#)
- reg. 5(3A) words substituted by [S.S.I. 2023/201 reg. 8\(b\)](#)
- reg. 7(2)(a) words substituted by [S.S.I. 2023/201 reg. 9\(a\)](#)
- reg. 8(1) words substituted by [S.S.I. 2023/201 reg. 10\(1\)\(b\)](#)
- reg. 8(4)(a) words substituted by [S.S.I. 2023/201 reg. 10\(1\)\(c\)\(i\)](#)
- reg. 9(1)(c) words substituted by [S.S.I. 2023/201 reg. 11](#)
- reg. 18 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 19 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 19(2)(e) substituted by [S.S.I. 2023/201 reg. 12\(a\)](#)
- reg. 20 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 20(2) words substituted by [S.S.I. 2023/201 reg. 13\(a\)](#)
- reg. 21 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 21 substituted by [S.S.I. 2023/201 reg. 15](#)
- reg. 30 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 31 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 31(8)(a)(ii) word substituted by [S.S.I. 2023/201 reg. 17\(d\)\(i\)](#)
- reg. 31(8)(c) word substituted by [S.S.I. 2023/201 reg. 17\(d\)\(iii\)](#)
- reg. 32 coming into force by [S.S.I. 2020/154 reg. 1\(5\)](#)
- reg. 32(1) words substituted by [S.S.I. 2023/201 reg. 18](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 12 inserted by [S.S.I. 2023/201 reg. 19\(b\)](#)
- Sch. 5 inserted by [S.S.I. 2023/201 Sch.](#)
- reg. 3(2)(a)(ii)(aa) word substituted by [S.S.I. 2023/201 reg. 6\(a\)](#)
- reg. 3(2)(b) word omitted by [S.S.I. 2023/201 reg. 6\(c\)](#)
- reg. 3(2)(b) words substituted by [S.S.I. 2023/201 reg. 6\(b\)](#)
- reg. 3(2)(d) and word inserted by [S.S.I. 2023/201 reg. 6\(d\)](#)
- reg. 3A inserted by [S.S.I. 2023/201 reg. 7](#)
- reg. 7(2)(aa) inserted by [S.S.I. 2023/201 reg. 9\(b\)](#)
- reg. 8(A1) inserted by [S.S.I. 2023/201 reg. 10\(1\)\(a\)](#)
- reg. 8(4)(aa) inserted by [S.S.I. 2023/201 reg. 10\(1\)\(c\)\(ii\)](#)
- reg. 19(3)(4) inserted by [S.S.I. 2023/201 reg. 12\(b\)](#)
- reg. 20(4)(g)(5) inserted by [S.S.I. 2023/201 reg. 13\(b\)](#)
- reg. 20A inserted by [S.S.I. 2023/201 reg. 14](#)
- reg. 26(1)(c) inserted by [S.S.I. 2023/201 reg. 16](#)
- reg. 31(1)(za)(zb) inserted by [S.S.I. 2023/201 reg. 17\(a\)](#)

- reg. 31(2)(f)-(h) inserted by [S.S.I. 2023/201](#) reg. 17(b)
- reg. 31(5A) inserted by [S.S.I. 2023/201](#) reg. 17(c)
- reg. 31(8)(ba)-(be) inserted by [S.S.I. 2023/201](#) reg. 17(d)(ii)
- reg. 31(8)(ca) inserted by [S.S.I. 2023/201](#) reg. 17(d)(iv)