

SCHEDULE 1

Regulation 7

**Exemptions**

1.—(1) The kinds of single use carrier bags to which regulation 6 does not apply are—

[<sup>F1</sup>(za) bags used solely to contain one or more items of the following kinds—

- (i) unpackaged food for human or animal consumption;
- (ii) unpackaged loose seeds, bulbs, corms or rhizomes;
- (iii) any unpackaged axe, knife, knife blade or razor blade;
- (iv) unpackaged goods contaminated by soil;
- (v) items from the categories specified in sub-paragraph (2);]

<sup>F2</sup>(a) .....

<sup>F2</sup>(b) .....

<sup>F2</sup>(c) .....

<sup>F2</sup>(d) .....

(e) bags used solely to contain packaged—

- (i) uncooked fish or fish products;
- (ii) uncooked meat or meat products;
- (iii) uncooked poultry or poultry products,

and in respect of which the maximum dimensions are 205 millimetres (“mm”) (width) x 125 mm (gusset width) x 458 mm (height inclusive of handles);

<sup>F2</sup>(f) .....

- (g) bags used to contain purchases made on board ships, trains, aircraft, coaches or buses;
- (h) bags used to contain purchases made in an area designated by the Secretary of State as a security restricted area under section 11A of the Aviation Security Act 1982 <sup>M1</sup>;

[<sup>F3</sup>(i) mail order dispatch and courier bags;]

(j) bags which—

- (i) are made wholly from paper;
- (ii) have maximum dimensions of 175 mm (width) x 260 mm (height);
- (iii) do not have a gusset; and
- (iv) do not have a handle;

(k) bags which—

- (i) are made wholly or mainly from plastic;
- (ii) have maximum dimensions of 125 mm (width) x 125 mm (height);
- (iii) do not have a gusset; and
- (iv) do not have a handle;

(l) bags which—

- (i) are made wholly from paper;
- (ii) have maximum dimensions of 80 mm (width) x 50 mm (gusset width) x 155 mm (height); and
- (iii) do not have a handle;

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- (m) gusseted liners used to line or cover boxes, crates or other containers of a similar nature;
- (n) bags used solely to contain live aquatic creatures in water;

<sup>F4</sup>(o) .....

<sup>F5</sup>(p) subject to sub-paragraph (1A), bags intended to be used solely for the purpose of carrying goods purchased—

- (i) for delivery as part of a grocery delivery service; or
- (ii) for collection as part of a service that provides for collection of groceries.]

<sup>F6</sup>(1A) Bags falling within paragraph (p) of sub-paragraph (1) are exempted from the charge under regulation 6 only until midnight on <sup>F7</sup>31 December 2020].]

(2) The specified categories are—

<sup>F8</sup>(a) medicinal products or listed appliances sold in accordance with a prescription issued by a registered medical practitioner, a dentist, a supplementary prescriber, a nurse independent prescriber, an independent nurse prescriber, an optometrist independent prescriber, a pharmacist independent prescriber, a physiotherapist independent prescriber, a podiatrist or a chiropodist independent prescriber <sup>F9</sup>, a therapeutic radiographer independent prescriber]<sup>F10</sup>, a paramedic independent prescriber] or an EEA health professional;]

(b) where sold <sup>F11</sup>...otherwise than in accordance with paragraph (a), pharmacy medicine.

(3) In this paragraph—

<sup>M2</sup>“dentist” (“*deintydd*”) means a person registered in the dentists register kept under section 14 of the Dentists Act 1984 ;

<sup>M3</sup>“EEA health professional” (“*proffesiynolyn iechyd yr AEE*”) has the meaning given in regulation <sup>F12</sup>213(1) of the Human Medicines Regulations 2012];

<sup>M4</sup>“independent nurse prescriber” (“*nyrs sy'n rhagnodi'n annibynnol*”) has the meaning given in regulation 2(1) of the <sup>F13</sup>National Health Service (Pharmaceutical Services) (Wales) Regulations 2020];

“listed appliances” (“*cyfarpar rhestredig*”) means listed appliances within the meaning of any of the following—

- (a) <sup>M5</sup>section 80 of the National Health Service (Wales) Act 2006 ;
- (b) <sup>M6</sup>article 63 of the Health and Personal Social Services (Northern Ireland) Order 1972 ;
- (c) <sup>M7</sup>section 27 of the National Health Service (Scotland) Act 1978 ;
- (d) <sup>M8</sup>section 126 of the National Health Service Act 2006 ;

<sup>M9</sup>“medicinal product” (“*cynnyrch meddyginiaethol*”) has the meaning given in section 130 of the Medicines Act 1968;

<sup>F14</sup>“paramedic independent prescriber” (“*parafeddyg-ragnodydd annibynnol*”) has the meaning given in regulation 2(1) of the <sup>F13</sup>National Health Service (Pharmaceutical Services) (Wales) Regulations 2020];]

“pharmacy medicine” (“*meddyginiaeth fferyllol*”) <sup>F15</sup>has the meaning given in regulation 5(5) of the Human Medicines Regulations 2012;]

<sup>F16</sup>“physiotherapist independent prescriber” (“*ffisiotherapydd-ragnodydd annibynnol*”) has the meaning given in regulation 2(1) of the <sup>F13</sup>National Health Service (Pharmaceutical Services) (Wales) Regulations 2020];]

[<sup>F16</sup>“podiatrist or chiropodist independent prescriber” (“*podiatrydd-ragnodydd neu giropodydd-ragnodydd annibynnol*”) has the meaning given in regulation 2(1) of the [<sup>F13</sup>National Health Service (Pharmaceutical Services) (Wales) Regulations 2020];]

“prescription only medicine” (“*meddyginiaeth drwy bresgripsiwn yn unig*”) [<sup>F17</sup>has the meaning given in regulation 5(3) of the Human Medicines Regulations 2012];]

<sup>M10</sup>“supplementary prescriber” (“*rhagnodydd atodol*”), “nurse independent prescriber” (“*nyrs-ragnodydd annibynnol*”), “optometrist independent prescriber” (“*optometrydd-ragnodydd annibynnol*”) and “pharmacist independent prescriber” (“*fferyllydd-ragnodydd annibynnol*”) each have the meanings respectively ascribed to them in [<sup>F18</sup>regulation 8(1) of the Human Medicines Regulations 2012];]

[<sup>F19</sup>“therapeutic radiographer independent prescriber” (“*radiograffydd therapiwtig-ragnodydd annibynnol*”) has the meaning given in regulation 2(1) of the [<sup>F13</sup>National Health Service (Pharmaceutical Services) (Wales) Regulations 2020];]

“unpacked” (“*heb ei becynnu*”) means wholly or partly unwrapped.

- F1** Sch. 1 para. 1(1)(za) inserted (1.10.2011) by The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2011 (S.I. 2011/2184), regs. 1(2), **8(1)(a)**
- F2** Sch. 1 para. 1(1)(a)-(d) (f) omitted (1.10.2011) by virtue of The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2011 (S.I. 2011/2184), regs. 1(2), **8(1)(b)**
- F3** Sch. 1 para. 1(1)(i) substituted (1.10.2011) by The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2011 (S.I. 2011/2184), regs. 1(2), **8(1)(c)**
- F4** Sch. 1 para. 1(1)(o) omitted (1.10.2011) by virtue of The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2011 (S.I. 2011/2184), regs. 1(2), **8(1)(d)**
- F5** Sch. 1 para. 1(1)(p) inserted (9.4.2020) by The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2020 (S.I. 2020/414), regs. 1(2), **3(a)**
- F6** Sch. 1 para. 1(1A) inserted (9.4.2020) by The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2020 (S.I. 2020/414), regs. 1(2), **3(b)**
- F7** Words in Sch. 1 para. 1(1A) substituted (9.7.2020) by The Single Use Carrier Bags Charge (Wales) (Amendment) (No. 2) Regulations 2020 (S.I. 2020/593), regs. 1(2), **2(2)**
- F8** Sch. 1 para. 1(2)(a) substituted (24.9.2014) by The National Health Service (Physiotherapist, Podiatrist or Chiropodist Independent Prescribers) (Miscellaneous Amendments) (Wales) Regulations 2014 (S.I. 2014/2291), regs. 1(1), **5(2)**
- F9** Words in Sch. 1 para. 1(2)(a) inserted (9.1.2017) by The National Health Service (Therapeutic Radiographer Independent Prescriber and Dietitian Supplementary Prescriber) (Miscellaneous Amendments) (Wales) Regulations 2016 (S.I. 2016/1221), regs. 1, **5(2)**
- F10** Words in Sch. 1 para. 1(2)(a) inserted (22.2.2019) by The National Health Service (Paramedic Independent Prescriber and Paramedic Supplementary Prescriber) (Wales) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/149), regs. 1(1), **4(2)(a)**
- F11** Words in Sch. 1 para. 1(2)(b) omitted (1.10.2011) by virtue of The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2011 (S.I. 2011/2184), regs. 1(2), **8(2)**
- F12** Words in Sch. 1(3) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 101(a)** (with Sch. 32)
- F13** Words in Sch. 1 para. 1(3) substituted (1.10.2020) by The National Health Service (Pharmaceutical Services) (Wales) Regulations 2020 (S.I. 2020/1073), reg. 1(2), **Sch. 8 para. 6**
- F14** Words in Sch. 1 para. 1(3) inserted (22.2.2019) by The National Health Service (Paramedic Independent Prescriber and Paramedic Supplementary Prescriber) (Wales) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/149), regs. 1(1), **4(2)(b)**
- F15** Words in Sch. 1(3) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 101(b)** (with Sch. 32)

**Changes to legislation:** There are currently no known outstanding effects for the The Single Use Carrier Bags Charge (Wales) Regulations 2010, SCHEDULE 1. (See end of Document for details)

- F16** Words in Sch. 1 para. 1(3) inserted (24.9.2014) by The National Health Service (Physiotherapist, Podiatrist or Chiropodist Independent Prescribers) (Miscellaneous Amendments) (Wales) Regulations 2014 (S.I. 2014/2291), regs. 1(1), **5(3)**
- F17** Words in Sch. 1(3) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 101(c)** (with Sch. 32)
- F18** Words in Sch. 1(3) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 101(d)** (with Sch. 32)
- F19** Words in Sch. 1 para. 1(3) inserted (9.1.2017) by The National Health Service (Therapeutic Radiographer Independent Prescriber and Dietitian Supplementary Prescriber) (Miscellaneous Amendments) (Wales) Regulations 2016 (S.I. 2016/1221), regs. 1, **5(3)**

### Marginal Citations

- M1** 1982 c. 36; section 11A was inserted by the Aviation and Maritime Security Act 1990 (c. 31), **Schedule 1**, paragraph 3; and amended by S.I. 2010/902, **regulations 3** and 9(b).
- M2** 1984 c. 24; section 14 was substituted by S.I. 2005/2011, **articles 2(1)** and 6; and amended by S.I. 2007/3101, **regulations 109** and 111.
- M3** S.I. 2008/1692, to which there are amendments not relevant to these Regulations.
- M4** S.I. 1992/662; relevant amending instruments are S.I. 2003/2624 (W. 252), S.I. 2007/205 (W. 19) and S.I. 2010/1647 (W.155).
- M5** 2006 c. 42.
- M6** S.I. 1972/1265 (N.I. 14), amended by 1978/1907 (N.I. 26); there are other amendments but none is relevant.
- M7** 1978 c. 29; there are amendments to section 27 which are not relevant to these Regulations.
- M8** 2006 c. 41.
- M9** 1968 c. 67; section 130 was amended by S.I. 1994/3119, **regulation 2(b)**; and S.I. 2005/50, **regulation 25(1)(c)** and (d); there are other amendments but none is relevant.
- M10** S.I. 1997/1830; relevant amending instruments are S.I. 2003/696, S.I. 2004/1771, S.I. 2005/765, S.I. 2006/915, S.I. 2010/1621.

**Changes to legislation:**

There are currently no known outstanding effects for the The Single Use Carrier Bags Charge (Wales) Regulations 2010, SCHEDULE 1.