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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**ENVIRONMENTAL PROTECTION**

**The Deposit and Return Scheme for Scotland Regulations 2020**

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

**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

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...

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 all registered producers have agreed that...

Explanatory Note