
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

The Deposit and Return Scheme for Scotland Regulations 2020

PART 1

General

Scheme articles and scheme packaging

- 3.—(1) The deposit and return scheme established by these Regulations applies to—
- (a) a scheme article, and
 - (b) scheme packaging in which a scheme article is contained or sold.

- (2) For the purposes of these Regulations—

“non-scheme article” means an article that meets the criteria in sub-paragraphs (a) and (c) of the definition of “scheme article” in this paragraph, but does not meet the criteria in sub-paragraph (b) of that definition,

“scheme article” means a drink (regardless of whether it is sold alone or as a unit in a multipack) that is—

- (a) contained and sold in packaging that—
 - (i) is made wholly or mainly from PET plastic, glass, steel or aluminium,
 - (ii) is conceived or designed to—
 - (aa) contain at least 50 millilitres and no more than 3 litres of liquid, and
 - (bb) be sealed in an airtight and watertight state at the point of sale,
 - (iii) cannot be returned to its state at the point of sale by the consumer, and
 - (iv) is single-use packaging,
- (b) first made available to be marketed, offered for sale or sold by the producer on or after 1 July 2022, and
- (c) made available to be marketed, offered for sale or sold by the producer for the purposes of its retail sale in Scotland.

“scheme packaging” means the packaging for a scheme article that is conceived or designed to come in direct contact with the drink, and does not include packaging conceived or designed to group together multiple components in a multipack.

“single-use packaging” means packaging for a drink that is not conceived, designed or placed on the market to accomplish, within its life span—

- (a) multiple refills by a consumer,
- (b) multiple trips or rotations by being returned to a producer to be refilled by that producer for the same purpose for which it was conceived.