

SCHEDULE

Regulation 7

Circumstances in which the requirement to charge in regulation 6 does not apply

1. A single use carrier bag is used for a purpose described in this paragraph if it is—
- (a) used solely to contain—
 - (i) unpackaged food or feed for human or animal consumption;
 - (ii) unpackaged loose seeds, bulbs, corms or rhizomes;
 - (iii) unpackaged goods contaminated by soil; or
 - (iv) an unpackaged axe, knife or blade;
 - (b) used solely to contain—
 - (i) a medicinal product, a listed appliance, or any other appliance sold or supplied in accordance with a prescription; or
 - (ii) pharmacy medicine;
 - (c) used solely to contain packaged uncooked fish or fish products, uncooked meat or meat products or uncooked poultry or poultry products, that has a gusset not more than 125 millimetres wide, and is not more than—
 - (i) 205 millimetres wide; or
 - (ii) 458 millimetres high (including any handle);
 - (d) used solely to contain live aquatic creatures in water;
 - (e) used to contain a purchase made on board a ship, train, aircraft, coach or bus;
 - (f) used to contain a purchase made in an aerodrome security restricted area;
 - (g) a mail order dispatch or courier bag; ^{F1}...
 - (h) a gusseted liner used to line or cover a box ^{F2}; or
 - (i) used to contain a purchase made in—
 - (i) a prison;
 - (ii) a hospital in which a person is detained, or otherwise in custody, under the Mental Health (Care and Treatment) (Scotland) Act 2003 or Part 6 or section 200 of the Criminal Procedure (Scotland) Act 1995; or
 - (iii) secure accommodation,where the bag is necessary for reasons of security, good order, discipline or safety]

Textual Amendments

- F1** Word in sch. para. 1(g) omitted (1.4.2015) by virtue of [The Single Use Carrier Bags Charge \(Fixed Penalty Notices and Amendment\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/159\)](#), regs. 1(1), **5(2)(a)**
- F2** Sch. para. 1(i) and word inserted (1.4.2015) by [The Single Use Carrier Bags Charge \(Fixed Penalty Notices and Amendment\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/159\)](#), regs. 1(1), **5(2)(b)**

^{F3}**1A.** A single use carrier bag is used for a purpose described in this paragraph if it is used solely to contain—

- (a) goods purchased for delivery as part of a grocery delivery service,
- (b) goods purchased for collection as part of a service that allows a person to collect groceries ordered in advance, or

- (c) pre-prepared food or drinks or, as the case may be, both, purchased for delivery or collection as part of a takeaway food service.]

Textual Amendments

F3 Sch. para. 1A inserted (2.4.2020) by The Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2020 (S.S.I. 2020/118), regs. 1, 2(3)

2. In this Schedule—

“2012 Regulations” means the Human Medicines Regulations 2012 ^{M1};

“aerodrome security restricted area” means a security restricted area designated by the Secretary of State for the purposes of section 11A of the Aviation Security Act 1982 ^{M2};

“box” includes a crate or other containers of a similar nature;

“listed appliance” means a listed appliance within the meaning of section 27 of the National Health Service (Scotland) Act 1978 ^{M3};

“medicinal product” has the same meaning as in section 130 of the Medicines Act 1968 ^{M4};

“pharmacy medicine” means a medicinal product, other than a prescription only medicine, that—

- (a) in accordance with regulation 220 of the 2012 Regulations, can only be sold or supplied under the conditions specified in paragraph (2)(a) to (c) of that regulation; or
- (b) but for the fact that it is sold or supplied in accordance with regulation 223 of those Regulations ^{M5}, could only be lawfully sold or supplied under those conditions;

“prescription” means a prescription issued by—

- (a) a registered medical practitioner;
- (b) a person registered in the dentists register kept under section 14 of the Dentists Act 1984 ^{M6};
- (c) an EEA health professional, as defined in regulation 213(1) of the 2012 Regulations ^{M7};
- (d) a nurse independent prescriber, as defined in regulation 8(1) of the 2012 Regulations;
- (e) an optometrist independent prescriber, as defined in regulation 8(1) of the 2012 Regulations;
- (f) a pharmacist independent prescriber, as defined in regulation 8(1) of the 2012 Regulations; or
- (g) a supplementary prescriber, as defined in regulation 8(1) of the 2012 Regulations;

“prescription only medicine” has the same meaning as in regulation 5(3) of the 2012 Regulations; ^{F4}...

^{F5}“prison” means any prison, young offenders institution or remand centre which is under the general superintendence of the Scottish Ministers under the Prisons (Scotland) Act 1989, and includes any contracted out prison within the meaning of section 106(4) of the Criminal Justice and Public Order Act 1994;

“secure accommodation” has the same meaning as in regulation 2 of the Secure Accommodation (Scotland) Regulations 2013; and]

“unpackaged” means wholly or partly unwrapped.

Changes to legislation: There are currently no known outstanding effects for the *The Single Use Carrier Bags Charge (Scotland) Regulations 2014, SCHEDULE*. (See end of Document for details)

Textual Amendments

- F4** Word in sch. para. 2 omitted (1.4.2015) by virtue of [The Single Use Carrier Bags Charge \(Fixed Penalty Notices and Amendment\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/159\)](#), regs. 1(1), **5(3)(a)**
- F5** Words in sch. para. 2 inserted (1.4.2015) by [The Single Use Carrier Bags Charge \(Fixed Penalty Notices and Amendment\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/159\)](#), regs. 1(1), **5(3)(b)**
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Marginal Citations

- M1** [S.I. 2012/1916](#), relevantly amended by [S.I. 2013/1855](#) and [S.I. 2014/490](#).
- M2** [1982 c.36](#). Section 11A was inserted by paragraph 3 of Schedule 1 to the [Aviation and Maritime Security Act 1990 \(c.31\)](#), and amended by [S.I. 2010/902](#).
- M3** [1978 c.29](#). There are amendments to section 27 which are not relevant to these Regulations.
- M4** [1968 c.67](#). Section 130 was relevantly amended by [S.I. 2006/2407](#) and [S.I. 2012/1916](#).
- M5** Regulation 223 has been amended by [S.I. 2013/1855](#).
- M6** [1984 c.24](#). Section 14 was substituted by [S.I. 2005/2011](#), and amended by [S.I. 2007/3101](#).
- M7** Regulation 213 has been amended by [S.I. 2014/490](#).

Changes to legislation:

There are currently no known outstanding effects for the The Single Use Carrier Bags Charge (Scotland) Regulations 2014, SCHEDULE.