
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 154

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,

[^{F1}“non-Scottish article” means an article that meets the criteria in sub-paragraphs (a) and (b) of the definition of “scheme article” in this paragraph, but does not meet the criteria in sub-paragraph (c) 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 [^{F2}100] 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 [^{F3}1 October 2025], ^{F4} ...
- (c) made available to be marketed, offered for sale or sold by the producer for the purposes of its retail sale in Scotland [^{F5}, and
- (d) is not a low volume drink product],

“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.

Textual Amendments

- F1** Words in [reg. 3\(2\)](#) inserted (25.2.2022) by [The Deposit and Return Scheme for Scotland Amendment Regulations 2022 \(S.S.I. 2022/76\)](#), regs. 1(1), **5(a)** (with [reg. 15](#))
- F2** Word in [reg. 3\(2\)](#) substituted (30.6.2023) by [The Deposit and Return Scheme for Scotland Amendment Regulations 2023 \(S.S.I. 2023/201\)](#), regs. 1, **6(a)** (with [reg. 22](#))
- F3** Words in [reg. 3\(2\)\(b\)](#) substituted (3.11.2023) by [The Deposit and Return Scheme for Scotland \(Miscellaneous Amendment\) Regulations 2023 \(S.S.I. 2023/334\)](#), regs. 1, **4**
- F4** Word in [reg. 3\(2\)](#) omitted (30.6.2023) by virtue of [The Deposit and Return Scheme for Scotland Amendment Regulations 2023 \(S.S.I. 2023/201\)](#), regs. 1, **6(c)** (with [reg. 22](#))
- F5** Words in [reg. 3\(2\)](#) inserted (30.6.2023) by [The Deposit and Return Scheme for Scotland Amendment Regulations 2023 \(S.S.I. 2023/201\)](#), regs. 1, **6(d)** (with [reg. 22](#))
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Commencement Information

- I1** Reg. 3 in force at 20.5.2020, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Deposit and Return Scheme for Scotland Regulations 2020, Section 3.