
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 154

The Deposit and Return Scheme for Scotland Regulations 2020

PART 3

Producers

CHAPTER 2

Registration of a producer

Producer registration

8.—^{F1}(A1) Within 42 days of receipt of an application made within the time limit specified in regulation 7(2)(a), SEPA must—

- (a) where the application complies with regulation 7(3) and SEPA is satisfied that the applicant will comply with the obligations in regulation 10(1) and 11(1), grant it, or
- (b) otherwise, refuse it.]

(1) Within 28 days of receipt of an application [^{F2}made during any relevant year beginning on or after [^{F3}1 January 2026]], SEPA must—

- (a) where the application complies with regulation 7(3) and SEPA is satisfied that the applicant will comply with the obligations in regulation 10(1) and 11(1), grant it, or
- (b) otherwise, refuse it.

(2) Where an application is granted, SEPA must, within 7 days of the date on which it is granted, give notice of that decision in writing—

- (a) in the case of an application made by a producer, to the producer,
- (b) in the case of an application made on behalf of a producer by a scheme administrator, to the producer and the scheme administrator.

(3) Where an application has been granted, the registration takes effect from the relevant date in paragraph (4) until the date on which the producer's registration is cancelled in accordance with regulation 9.

(4) The date for the purposes of paragraph (3) is—

- (a) [^{F4}1 October 2025], where the application was made within the time limit specified in regulation 7(2)(a),

[^{F5}(aa) 1 April in any subsequent relevant year, where the application was made within the time limit specified in regulation 7(2)(aa),]

- (b) the date the application was received by SEPA, where the application was made within the time limit specified in regulation 7(2)(b),
- (c) the date the producer received the notification, where the application was made within the time limit specified in regulation 7(2)(c)(i) or (ii),

- (d) the date the producer sent the notification, where the application was made within the time limit specified in regulation 7(2)(c)(iii), or
 - (e) the date specified by SEPA in the notice provided in accordance with paragraph (2) in any other case.
- (5) SEPA must publish and maintain a list of registered producers in such manner as it considers appropriate.
- (6) Where an application is refused, SEPA must, within 7 days of the date on which it is refused, give notice of that decision in writing together with—
- (a) the reasons for it,
 - (b) a statement as to the right of appeal under Part 6.
- (7) Notification under paragraph (6) must be given—
- (a) in the case of an application made by the producer, to the producer,
 - (b) in the case of an application made on behalf of the producer by a scheme administrator, to the producer and the scheme administrator.

Textual Amendments

- F1** Reg. 8(A1) inserted (30.6.2023) by The Deposit and Return Scheme for Scotland Amendment Regulations 2023 (S.S.I. 2023/201), regs. 1, **10(1)(a)** (with reg. 22)
- F2** Words in reg. 8(1) substituted (30.6.2023) by The Deposit and Return Scheme for Scotland Amendment Regulations 2023 (S.S.I. 2023/201), regs. 1, **10(1)(b)** (with reg. 22)
- F3** Words in reg. 8(1) substituted (3.11.2023) by The Deposit and Return Scheme for Scotland (Miscellaneous Amendment) Regulations 2023 (S.S.I. 2023/334), regs. 1, **7(a)**
- F4** Words in reg. 8(4)(a) substituted (3.11.2023) by The Deposit and Return Scheme for Scotland (Miscellaneous Amendment) Regulations 2023 (S.S.I. 2023/334), regs. 1, **7(b)**
- F5** Reg. 8(4)(aa) inserted (30.6.2023) by The Deposit and Return Scheme for Scotland Amendment Regulations 2023 (S.S.I. 2023/201), regs. 1, **10(1)(c)(ii)** (with reg. 22)

Commencement Information

- I1** Reg. 8 in force at 1.1.2022, see **reg. 1(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Deposit and Return Scheme for Scotland Regulations 2020, Section 8.