
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 410

The Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021

PART 1

Introduction

Interpretation

2. In these Regulations—

“authorised purpose” means the purpose of determining whether an offence under regulation 3(1), (2) or (3), 4(1), or 5(1) has been or is being committed,

“catering establishment” has the meaning given in regulation 8(3),

“end-user” means any person to whom a product is supplied, other than—

- (a) for the purpose of supplying it, in the course of a business, to another person, or
- (b) for the purposes of a catering establishment or an establishment or a premises of a kind referred to in regulation 9(1),

“enforcement officer” means a person authorised under regulation 14,

“food containers” means receptacles such as boxes, with or without a cover, used to contain food which is—

- (a) intended for immediate consumption, either on-the-spot or as takeaway,
- (b) typically consumed from the receptacle, and
- (c) ready to be consumed without any further preparation, such as cooking, boiling or heating,

including food containers used for fast food or other meals ready for immediate consumption, except beverage containers, plates, and packets and wrappers containing food,

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(1),

“medical device” has the meaning given in regulation 6(2)(a),

“medical purposes” has the meaning given in regulation 6(2)(b),

“plastic” means a material consisting of a polymer as defined in Article 3(5) of Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)(2), to which additives or other substances may have been added, and which can function as main structural component of final products, with the exception of natural polymers that have not been chemically modified,

“retail pharmacy business” has the meaning given in regulation 7(6),

(1) 1994 c. 43. Section 2 was amended by paragraph 232(1) of schedule 22 of the Environment Act 1995 c. 25.
(2) EUR 206/1907, to which there are amendments not relevant to these Regulations.

“single-use”, in relation to a product, means that it is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived,

“single-use expanded polystyrene beverage container” means a beverage container, including any cap or lid, that is—

- (a) made wholly or partly from expanded polystyrene, and
- (b) single-use,

“single-use expanded polystyrene beverage cup” means a cup for beverages, including any cover or lid, that is—

- (a) made wholly or partly from expanded polystyrene, and
- (b) single-use,

“single-use expanded polystyrene food container” means a food container that is—

- (a) made wholly or partly from expanded polystyrene, and
- (b) single-use,

“single-use plastic balloon stick” means a stick, including its mechanisms, that is—

- (a) designed and intended to be attached to and to support balloons,
- (b) made wholly or partly from plastic, and
- (c) single-use,

“single-use plastic beverage stirrer” means an implement that is—

- (a) designed and intended for stirring beverages,
- (b) made wholly or partly from plastic, and
- (c) single-use,

“single-use plastic cutlery” means cutlery that is—

- (a) designed and intended for eating or serving food, including forks, knives, spoons, chopsticks and other similar utensils,
- (b) made wholly or partly from plastic, and
- (c) single-use,

“single-use plastic plate” means a plate that is—

- (a) made wholly or partly from plastic, and
- (b) single-use,

“single-use plastic straw” means a straw that is—

- (a) made wholly or partly from plastic, and
- (b) single-use, and

“supply” means supply, whether by way of sale or not.