

SCOTTISH STATUTORY INSTRUMENTS

2023 No. 201

**The Deposit and Return Scheme for
Scotland Amendment Regulations 2023**

Offences

17. In regulation 31 (offences)—

(a) before paragraph (1)(a), insert—

“(za) regulation 3A(1),

(zb) regulation 3A(3),”

(b) after paragraph (2)(e), insert—

“,

(f) an application for listing as a producer of a low volume product submitted in accordance with paragraphs 5 to 8 of schedule 5,

(g) a notification of any material change in accordance with paragraph 14(c) of schedule 5,

(h) a notification that a product is no longer a low volume drink product in accordance with paragraph 14(d) of schedule 5”

(c) after paragraph (5), insert—

“(5A) It is an offence for a listed producer to fail, without reasonable excuse, to comply with the obligations set out in paragraph 14(c), (d), (f) and (g) of schedule 5.”

(d) in paragraph (8),—

(i) in sub-paragraph (a)(ii), for “21(2)” substitute “21(3)”,

(ii) after sub-paragraph (b), insert—

“(ba) to fail to comply with regulation 19(3),

(bb) to fail to comply with regulation 19(4),

(bc) to fail to comply with regulation 20(5)(d),

(bd) to fail to comply with regulation 20A,

(be) to fail to comply with regulation 21(5)(a) and (b),”

(iii) in sub-paragraph (c), for “21(4)” substitute “21(8)”,

(iv) after sub-paragraph (c) insert—

“(ca) to fail to comply with regulation 21(10),”

Commencement Information

II Reg. 17 in force at 30.6.2023, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Deposit and Return Scheme for Scotland Amendment Regulations 2023, Section 17.