

Environmental Management and Climate Change (Ban on Single Use Plastic Shopping Bags) Regulations 2021

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Environmental Management and Climate Change (Ban on Single Use Plastic Shopping Bags) Regulations 2021

TABLE OF AMENDMENTS

The Environmental Management and Climate Change (Ban on Single Use Plastic Shopping Bags) Regulations 2021 SL 7 was notified and commenced on 23 April 2021 (GN No 235/2021; Gaz 53/2021).

Amending Legislation	Notified	Date of Commencement
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The Cabinet makes the following Regulations under Section 62 of the *Environmental Management and Climate Change Act 2020*:

1 Citation

These Regulations may be cited as the *Environmental Management and Climate Change (Ban on Single Use Plastic Shopping Bags) Regulations 2021*.

2 Commencement

These Regulations come into effect on the day they are notified in the Gazette.

3 Interpretation

In these Regulations:

'bio-degradable plastic bag' means a bag made from natural materials such as corn-starch which breaks down into organic material in water and in the environment, and includes compostable bags;

'degradable plastic bag' means a petrochemical-based plastic bag designed to break up into fragments when triggered by light or water;

'reusable bag' means a bag with handles that is specifically designed and manufactured for multiple reuse and is either:

- (a) made of cloth or other machine washable fabric; or
- (b) other durable material suitable for reuse; and

'single use plastic shopping bag' means a bag that is made of high-density polyethylene or low-density polyethylene based plastic bag provided by a retail establishment at the point of sale for the purpose of transporting merchandise away from the retail establishment and that is not a bio-degradable plastic bag, degradable plastic bag or reusable bag.

4 Prohibition of single use plastic shopping bags

- (1) No person shall import, manufacture, sell or distribute single use plastic shopping bags.
- (2) A person who contravenes subregulation (1), commits an offence and upon conviction is liable to a fine not exceeding \$10,000 or a term of imprisonment not exceeding 6 months or to both.

5 Seizure of single use plastic shopping bags

- (1) An authorised officer may, on inspection of any place:
 - (a) seize any single use plastic shopping bags found at such place; and
 - (b) provide the seized single use plastic shopping bags to the Secretary.
- (2) The Secretary shall, on receipt of the seized single use plastic shopping bags in subregulation (1)(b), ensure that the seized single use plastic shopping bags are disposed of in an appropriate manner as may be determined by the Secretary.

6 Permissible bags

- (a) bio-degradable plastic bags;
- (b) degradable plastic bags; and
- (c) reusable bags.

7 Transition

- (1) These Regulations do not apply to single use plastic shopping bags which are already loaded into any craft for shipment into the Republic before or on the date when these Regulations come into effect.
- (2) This regulation ceases to have effect 3 months from the commencement date of these Regulations.

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