

Government Notice No. 153 of 2015

THE ENVIRONMENT PROTECTION ACT

Regulations made by the Minister under section 96 of the Environment Protection Act

1. These regulations may be cited as the Environment Protection (Banning of Plastic Bags) Regulations 2015.
2. In these regulations –
 - “exempted plastic bag” means a plastic bag specified in the First Schedule;
 - “plastic” –
 - (a) means petroleum-based plastic material; and
 - (b) includes a blend of materials with plant derived products;
 - “plastic bag” –
 - (a) means a bag of any size or type made of plastic, with or without handles or gussets, designed for carrying; but
 - (b) does not include an exempted plastic bag.
3. These regulations shall not apply to Rodrigues.
4. (1) Subject to paragraph (2), no person shall import, manufacture, sell or supply a plastic bag.
 - (2) The Minister may, in the case of a disaster, allow the import, manufacture, sale, supply of a plastic bag.
5. (1) Subject to regulation 8, no person shall carry on the business of manufacturing or importing exempted plastic bags unless he is registered as a manufacturer or an importer of exempted plastic bags.

(2) An application to be registered under paragraph (1) shall be made to the Director in the form set out in the Second Schedule.

(3) The Director may, on such terms and conditions as he may determine, register a person as a manufacturer or an importer of exempted plastic bags.

6. Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees.

7. The Environment Protection (Plastic Carry Bag) Regulations 2004 are revoked.

8. Every person who is carrying on the business of manufacturing or importing exempted plastic bags at the commencement of these regulations shall, not later than 31 October 2015, be registered as a manufacturer or an importer of exempted plastic bags.

9. Regulations 4 and 7 shall come into operation on 1 January 2016.

Made by the Minister on 3 August 2015.

FIRST SCHEDULE

[Regulation 2]

EXEMPTED PLASTIC BAG

Any plastic bag which is –

- (a) a transparent roll-on bag solely used to contain fresh, chilled or frozen seafood, meat, poultry, or offal other than canned food or eggs;
 - (b) a bag designed to be used for the disposal of waste;
 - (c) a bag designed for agricultural purposes;
 - (d) a bag used for the purpose of sampling or analysis;
 - (e) a bag that constitutes, or forms an integral part of, the packaging in which goods are sealed prior to sale on the local market or for export;
 - (f) a transparent pocket type bag not exceeding 300 square centimetres in size;
 - (g) a transparent resealable bag with security tamper used by a passenger to contain liquids, aerosols or gels at an airport or on board of an aircraft or carried by a transfer passenger;
 - (h) a bag carried by a passenger disembarking from an aircraft or a ship for the purpose of carrying personal belongings; and
 - (i) a bag manufactured for export.
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SECOND SCHEDULE

[Regulation 5(2)]

APPLICATION FORM FOR REGISTRATION AS MANUFACTURER OR IMPORTER OF EXEMPTED PLASTIC BAGS

Name of applicant

Address

Office Phone No.

Mobile No.

Fax No.

Email

Business Registration Number/ Code Number of Registered Importer

Type of bag to be manufactured /imported

I apply to be registered as Manufacturer/Importer of Exempted Plastic Bags

I hereby confirm that I have taken cognisance of the Environment Protection (Banning of Plastic Bags) Regulations 2015. I undertake to comply with any condition imposed.

.....
Signature of applicant

.....
Date

FOR OFFICE USE ONLY

Registration No.

Issued on

Reference

Date