

**PLASTIC AND OTHER SINGLE USE PRODUCTS(USE
AND WASTE MANAGEMENT)
(EXPANDED POLYSTYRENE FOAM) REGULATIONS
2019**

(Legal Notice 49 of 2019)

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AND WASTE MANAGEMENT)
(EXPANDED POLYSTYRENE FOAM) REGULATIONS
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(Legal Notice 49 of 2019)

Made by the Minister under section 10 of the Plastic and Other Single Use Products (Use and Waste Management) Ordinance.

Citation and commencement

1. These Regulations may be cited as the Plastic and Other Single Use Products (Use and Waste Management) (Expanded Polystyrene Foam) Regulations 2019 and shall come into operation on the effective date.

Interpretation

2. In these Regulations—

“effective date” means the 1st day of April 2020;

“other similar single use product” means the products referred to in regulation 3;

“single use food service containers” includes bowls, cups, plates, trays and clamshell cartons;

“vendor” means—

- (a) a food street vendor;
- (b) a restaurant;
- (c) a mobile food vendor;
- (d) a snackette;
- (e) a caterer;
- (f) a supermarket;
- (g) an organiser of a special event; or
- (h) any other type of establishment that package or serves prepared food or beverages for public consumption.

Prohibition of other similar single use product

3. (1) A person shall not stock, distribute or sell the following other similar single use products in the Islands—

- (a) expanded polystyrene foam single use food service containers; and
- (b) plastic straws.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine of \$5 000 or to imprisonment for six months or to both.

Vendor prohibition

4. (1) A vendor, who packages or serves prepared food or beverages, shall from the effective date not serve or provide food or beverages in other similar single use product for consumption on or off his premises.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine of \$20 000 or to imprisonment for one year or to both.

(3) Where a person is convicted three times under subregulation (2), the Supreme Court may on the third conviction, and on an application by or on behalf of the Chief Environmental Health Officer, order that the business licence of the person be revoked.

Exemptions

5. Notwithstanding regulation 3 and 4 the following list of other similar single use products are not prohibited in the Islands—

- (a) foam trays for uncooked meats;
- (b) food prepared or packaged outside of the Islands; and
- (c) packing materials which have been collected for reuse.

Alternatives

6 (1) Nothing in this Regulation prevents a vendor from charging for an alternative other similar single use product.

(2) For the purposes of this regulation, an alternative other similar single use product includes the following—

- (a) uncoated paper;

- (b)* coated paper;
- (c)* cardboard;
- (d)* aluminium foil;
- (e)* compostable products;
- (f)* biodegradable products;
- (g)* recyclable products;

MADE this 11th day of December 2019.

EDWIN ASTWOOD
MINISTER OF HEALTH, AGRICULTURE AND HUMAN
SERVICES AND SPORTS

EXPLANATORY NOTE

(This note is not part of the Regulation)

This Regulation is to provide for the prohibition on expanded polystyrene foam single use food service containers and plastic straws in the Islands.