

COMMUNIQUÉ

Environment Protection (Banning of Plastic Bags) Regulations 2020

The public is being hereby informed that further to the Environment Protection (Banning of Plastic Bags) Regulations 2015 effective as from 01 January 2016, additional plastic bags will be banned under the Environment Protection (Banning of Plastic Bags) Regulations 2020. Accordingly, as from **01 March 2021**, no individual shall possess, use, sell, distribute, import, export or manufacture the following non-biodegradable plastic bags: -

- (i) roll-on plastic bags;
- (ii) pocket type small plastic bags commonly used for “dholl-puris” and “fruits confits” among others;
- (iii) plastic bags containing items purchased in duty free shops, carried by passengers disembarking from an aircraft or a ship; and
- (iv) all such types of non-biodegradable plastic bags manufactured for the purpose of exportation.

The following types of exempt plastic bags may still be imported, exported and manufactured:

- (i) those designed to be used for the disposal of waste, including quarantine and clinical waste;
- (ii) those designed to be used for the purpose of agriculture;
- (iii) those designed to be used for medical purposes;
- (iv) those designed to be used for the purpose of sampling or analysis;
- (v) those constituting or forming an integral part of the packaging in which goods, materials or products are sealed prior to sale on the local market or for export; and
- (vi) transparent re-sealable bags with security tamper used by a passenger or carried by a passenger on transfer to carry liquids, aerosols or gels at an airport or on board of an aircraft.

Furthermore, as from **01 March 2021**, all plastic bags **exceeding 50cm²** should conspicuously display the following information:

- (i) ***exempt non-biodegradable plastic bags***: (a) the name and contact address of the manufacturer or importer and (b) the type of exempt plastic bag set out in Part II of the First Schedule of the Regulations; and
- (ii) ***biodegradable and compostable plastic bags***: (a) the name and contact address of the importer; (b) the country of origin; (c) the batch number and production date; (d) the standards complied with and the materials used; and (e) the expiry date of the bag.

The above labelling requirements shall not apply to the following types of plastic bags: -

- (i) all exempt non-biodegradable plastic bags and biodegradable or compostable plastic bags of size 50 cm² or smaller;
- (ii) exempt non-biodegradable plastic bags and biodegradable or compostable plastic bags used by manufacturers for the inner and outer packaging of products such as biscuits, cereals, clothes, electronic and medical devices;
- (iii) exempt non-biodegradable plastic bags and biodegradable or compostable plastic bags imported as an integral part of the packaging of another product; and
- (iv) exempt non-biodegradable plastic bags and biodegradable or compostable plastic bags meant for exportation either as stand-alone items or when constituting an integral part of the packaging of another product.

A moratorium up to 31 August 2022 is being provided with regard to the application of part of regulation 2, which, *inter alia*, provides that biodegradable or compostable plastic bags should not contain petroleum-based materials or their derivatives. The attention of importers and manufacturers is being, hereby, drawn to the requirement for them to still comply with the Third Schedule of the Regulations with regard to applicable standards for biodegradable or compostable plastic bags.

Importers and manufacturers of the above non-biodegradable exempt plastic bags and biodegradable or compostable plastic bags are required to register themselves with the Ministry as per prescribed application forms. Exporters of exempt non-biodegradable plastic bags used as packaging materials, who are not already registered as manufacturers or importers, should also register with the Ministry with immediate effect.

Following registration, importers should apply for a clearance in respect of each consignment of biodegradable or compostable bags **at least 30 days** prior to placing an order while manufacturers of biodegradable or compostable plastic bags should apply for a clearance on an annual basis.

Any person who contravenes the Environment Protection (Banning of Plastic Bags) Regulations 2020 shall commit an offence and shall be liable to the payment of fines as follows:

- (i) possession or use of banned plastic bags- fine not exceeding Rs2,000;
- (ii) sale or distribution of banned plastic bags - fine not exceeding Rs20,000;
- (iii) manufacture, importation or exportation of banned plastic bags - fine not exceeding Rs100,000; and
- (iv) importation or manufacture of biodegradable or compostable plastic bags not compliant with the authorisation conferred by this Ministry under Part 6 of the

Environment Protection (Banning of Plastic Bags) Regulations- fine not exceeding Rs100,000.

Temporary facilities have been put in place by local authorities for the collection of all non-biodegradable plastic bags that will be banned.

Application forms in respect of the above Regulations can be collected at the Registration Desk of the Ministry, Ground Floor, Ken Lee Tower, Cnr Barracks and St Georges Streets, Port Louis or downloaded from the Ministry's website at the following address: <https://environment.govmu.org>

**Ministry of Environment, Solid Waste Management and Climate Change
(Environment and Climate Change Division)
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