

EV302

Environmental Protection Act 1986

Environmental Protection (Plastic Bags) Regulations 2018

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Environmental Protection (Plastic Bags) Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) regulations 4 and 7(2) — on 1 January 2019;
- (c) the rest of the regulations — on 1 July 2018.

3. Terms used

In these regulations —

barrier bag means a plastic bag without handles used to carry unpackaged perishable food;

medical care provider means an individual who practises a health profession within the meaning of the *Health Practitioner Regulation National Law (Western Australia)* section 5 but excludes a pharmacist or optometrist;

prescribed plastic bag —

- (a) means a bag that is —
 - (i) made in whole or in part of plastic; and
 - (ii) has handles; and
 - (iii) has a thickness of 35 microns or less;but
- (b) does not include a bag that is —
 - (i) a barrier bag; or
 - (ii) a plastic bag that is, or is an integral part of, the packaging in which goods are sealed for sale; or
 - (iii) a plastic bag provided by a medical care provider to a person receiving services from that medical care provider;

retailer means a person who sells goods in trade or commerce;

supply includes sell, provide and make available.

Part 2 — Offences relating to plastic bags

4. Offence to supply prescribed plastic bag

A retailer must not supply a prescribed plastic bag to a person for the person to carry goods sold by the retailer.

Penalty: a fine of \$5 000.

5. Offence to give false or misleading information about a prescribed plastic bag

A person who supplies or manufactures prescribed plastic bags must not give any information that the person knows is false or misleading to another person about —

- (a) the composition of a prescribed plastic bag; or
- (b) whether or not a plastic bag is a prescribed plastic bag.

Penalty: a fine of \$5 000.

Part 3 — *Environmental Protection Regulations 1987* amended

6. Regulations amended

This Part amends the *Environmental Protection Regulations 1987*.

7. Schedule 6 amended

- (1) At the end of Schedule 6 insert:

*Environmental Protection
(Plastic Bags)
Regulations 2018*

1.	regulation 5	250	500
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- (2) At the end of Schedule 6 delete the item relating to the *Environmental Protection (Plastic Bags) Regulations 2018* and insert:

*Environmental Protection
(Plastic Bags)
Regulations 2018*

1.	regulation 4	250	500
2.	regulation 5	250	500

R. KENNEDY, Clerk of the Executive Council.
