Western Australia

Environmental Protection (Plastic Bags) Regulations 2018

Compare between:

[01 Jul 2018, 00-b0-01] and [01 Jan 2019, 00-c0-00]

Environmental Protection Act 1986

Environmental Protection (Plastic Bags) Regulations 2018

## 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 |

Notes

1 This is a compilation of the *Environmental Protection (Plastic Bags) Regulations 2018*. The following table contains information about those regulations.

Compilation table

| **Citation** | **Gazettal** | **Commencement** |
| --- | --- | --- |
| *Environmental Protection (Plastic Bags) Regulations 2018* | 12 Jun 2018 p. 1890‑1 | r. 1 and 2: 12 Jun 2018 (see r. 2(a));Regulations (other than r. 1, 2, 4 and 7(2)): 1 Jul 2018 (see r. 2(c));r. 4 and 7(2): 1 Jan 2019 (see r. 2(b)) |