



Western Australia

Environmental Protection Act 1986

**Environmental Protection (Plastic Bags)
Regulations 2018**

As at 01 Jul 2018

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Environmental Protection (Plastic Bags) Regulations 2018

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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

r. 3

- (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

[Regulation 4 has not come into operation².]

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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[Regulation 7(2) has not come into operation².]

Notes

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

Compilation table

Citation	Gazettal	Commencement
<i>Environmental Protection (Plastic Bags) Regulations 2018</i> (other than r. 4 and 7(2))	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))

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Citation	Gazettal	Commencement
<i>Environmental Protection (Plastic Bags) Regulations 2018</i> r. 4 and 7(2) ²	12 Jun 2018 p. 1890-1	1 Jan 2019 (see r. 2(b))

² On the date as at which this compilation was prepared, the *Environmental Protection (Plastic Bags) Regulations 2018* r. 4 and 7(2) had not come into operation. They read as follows:

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.

Part 3 — Environmental Protection Regulations 1987 amended

7. Schedule 6 amended

(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

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
barrier bag.....	3
medical care provider.....	3
prescribed plastic bag.....	3
retailer.....	3
supply.....	3