

CONSOLIDATED TO 30 JUNE 2012

SI. 39 of 2008

Section 13 and 40

Environment Protection (Restrictions on Plastic Bags) Regulations

[16th June 2008]

1. These Regulations may be cited as the Environment Protection (Restrictions on Plastic Bags) Regulations.

2. In these Regulations, unless the context otherwise requires:

“commercial distribution” means making plastic bags directly or indirectly available for packaging or carrying of goods;

“plastic bag” means a type of flexible packaging made of thin, flexible, plastic film used for containing and transporting foods, produce, powders, ice, chemicals, waste, etc.

“plastic film” means a continuous, thin, non-woven membranous skin or layer of flexible material made of thermoplastic materials;

“trade” means the sale of plastic bags and to any person, including, but not limited to, wholesalers and retailers of goods, for use within the Republic of Seychelles.

3. (1) The manufacture, trade and commercial distribution of domestically produced and imported plastic bags below 30 microns, for use within the Republic of Seychelles, are hereby restricted.

(2) A tolerance of 20 percent variation in the measurement of the minimum thickness of the plastic film, used in the manufacture of the plastic bag, shall not be considered as contravening sub-regulation (1), where such variation is subsequent to the normal variation occurring in the normal course of production.

4. Where, on the coming into operation of these Regulations, a manufacturer, a trader or a distributor has in its custody plastic bags to which these Regulations apply, that manufacturer, trader or distributor has six months from the date of coming into operation of these Regulations to use or distribute its plastic bags.

5. A person may apply to the Trades Tax Division for an import permit under these Regulations, which may be given only after consultation from and approval by the Ministry responsible for environment.

6. (1) Any person who contravenes these Regulations shall be guilty of an offence and is liable on conviction to a fine of SR5,000 or to imprisonment for a period not exceeding one year, or to both such fine and imprisonment.

(2) Any person convicted of an offence in terms of these Regulations and who, after such conviction, persists in the act or omission which constituted such offence, shall be guilty of a continuing offence and liable, to a further fine of SR2,000 for each day during which the offence is so continued.

(3) Where an offence in terms of these Regulations is continued beyond a period of one year after conviction by the person so convicted, the person shall be guilty of an offence and liable on conviction to imprisonment for not less than one year and not exceeding two years.