

**L.N. 236 of 2022**

**SUPPLIES AND SERVICES ACT  
(CAP. 117)**

**ENVIRONMENT PROTECTION ACT  
(CAP. 549)**

**Restrictions on Placing on the Market of Single-Use Plastic  
Products (Amendment) Regulations, 2022**

IN EXERCISE of the powers conferred by article 3 of the Supplies and Services Act and articles 54 and 55 of the Environment Protection Act, the Minister responsible for trade and the Minister responsible for the environment, after consultation with the Environment and Resources Authority, have made the following regulations:-

1. (1) The title of these regulations is the Restrictions on Placing on the Market of Single-Use Plastic Products (Amendment) Regulations, 2022 and these regulations shall be read and construed as one with the Restrictions on Placing on the Market of Single-Use Plastic Products Regulations, hereinafter referred to as "the principal regulations".

Citation and commencement.

S.L. 117.41.  
S.L. 549.140.

(2) Paragraph (a) of regulation 4 shall come into force within two (2) months from such a date as the Minister responsible for the environment may by notice in the Gazette establish.

2. Regulation 2 of the principal regulations shall be amended as follows:

Amends regulation 2 of the principal regulations.

(a) sub-regulation (1) thereof shall be substituted by the following new sub-regulation:

"(1) These regulations transpose Article 5, Articles 6(1) and (2) and Article 7(1) of Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment."; and

(b) immediately after sub-regulation (1) thereof there

shall be added the following new sub-regulation:

L.N. 237 of 2022. "(1a) These regulations shall be read and construed in conjunction with the Single-Use Plastic Framework Regulations."

Substitutes regulation 3 of the principal regulations.

**3.** Regulation 3 of the principal regulations shall be substituted by the following new regulation:

"Inter-pretation. 3. In these regulations, unless the context otherwise requires:

"oxo-degradable plastic" means plastic materials that include additives which through oxidation, lead to the fragmentation of the plastic material into micro-fragments or to chemical decomposition;

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"making available on the market", "placing on the market", "plastic" and "single-use plastic product" shall have the same meaning as assigned to them in regulation 3 of the Single-Use Plastic Framework Regulations;

S.L. 549.43.

"packaging" shall have the same meaning as assigned to it in regulation 3(1) of the Waste Management (Packaging and Packaging Waste) Regulations."

Amends regulation 4 of the principal regulations.

**4.** Regulation 4 of the principal regulations shall be amended as follows:

(a) immediately after sub-regulation (1) thereof there shall be added the following new sub-regulation:

"(1a) The placing on the market of the single-use plastic products listed in Part B of the Schedule shall be prohibited.";

(b) in sub-regulation (2) thereof, the words "Part B of the Schedule" wherever they occur shall be substituted by the words "Part C of the Schedule"; and

(c) immediately after sub-regulation (2) thereof there shall be added the following new sub-regulation:

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"(3) The placing on the market of the single-use plastic products referred to in Part B of Schedule 1 to the Single-Use Plastic Framework Regulations that do not comply with regulation 6 of the said regulations shall be prohibited."

5. The Schedule to the principal regulations shall be substituted by the following new Schedule:

Substitutes the Schedule to the principal regulations.

"SCHEDULE  
(regulation 4)

Single-use Plastic Products Covered by the Prohibition on  
Placing on the Market

**Part A**

- (a) cotton bud sticks, except if they fall within the scope of Council Directive 90/385/EEC or Council Directive 93/42/EEC;
- (b) cutlery (forks, knives, spoons, chopsticks);
- (c) plates;
- (d) straws, except if they fall within the scope of Council Directive 90/385/EEC or Council Directive 93/42/EEC;
- (e) beverage stirrers;
- (f) sticks to be attached to and to support balloons, except balloons for industrial or other professional uses and applications that are not distributed to consumers, including the mechanisms of such sticks;
- (g) food containers made of expanded polystyrene, that is receptacles such as boxes, with or without a cover, used to contain food which:
  - (i) is intended for immediate consumption, either on-the-spot or take-away;
  - (ii) is typically consumed from the receptacle; and
  - (iii) is ready to be consumed without any further preparation, such as cooking, boiling or heating, including food containers used for fast food or other meal ready for immediate consumption, except beverage containers, plates and packets and wrappers containing food;
- (h) beverage containers made of expanded polystyrene, including their caps and lids;
- (i) cups for beverages made of expanded polystyrene, including their covers and lids.

**Part B**

(a) pizza lid supports;

(b) sticks to be attached to and to support lollipops that are placed on the market on their own;

(c) kebab sticks;

(d) toothpicks.

**Part C**

Beverage containers with a capacity of up to three (3) litres, that is receptacles used to contain liquid, such as beverage bottles including their caps and lids, and composite beverage packaging including their caps and lids, but not:

(a) glass or metal beverage containers that have caps and lids made from plastic; and

(b) beverage containers intended and used for food for special medical purposes as defined in point (g) of Article 2(2) of Regulation (EU) No 609/2013 of the European Parliament and of the Council that is in liquid form."

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