

No. 6422 - 5 rabii I 1437 (17-12-2015) OFFICIAL BULLETIN 4435

Dahir n ° 1-15-148 of 25 safar 1437 (December 7, 2015) bearing promulgation of Law No. 77-15 prohibiting manufacturing, import, export, marketing and use of plastic bags.

PRAISE GOD ALONE!

(Great Seal of His Majesty Mohammed VI)

That we know by the presents - may God raise and fortify the content! May our Cherifian Majesty, Having regard to the Constitution, especially Articles 42 and 50,

HAS DECIDED AS FOLLOWS:

Is promulgated and will be published in the Bulletin officie /, a. following the present dahir, the far ° 77-15 prohibiting manufacturing, importing, exporting, marketing and use of plastic bags as adopted by the House of Representatives and the House of Councilors.

Done at Rabat, the 25th Safar 1437 (December 7th, 2015).

For countersigning: The head of government, ABDEL-ILAH BENKIRAN.

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Far 77-15

prohibiting the manufacture, import, export, marketing and the use of plastic bags

First article

For the purposes of this Act, the following definitions apply:

1. Plastics: material based on the use of macromolecules (polymers) natural, artificial or synthetic;
2. Bags made of plastic: bags, with or without handles, plastic compounds, which are provided, expensive or free, to consumers in sale of goods, goods or services, for packaging their goods;
3. Bags made of plastic materials For industrial use: bags plastic used exclusively to pack or package manufactured products at the place of manufacture or conditioning ;
4. Bags made of plastic materials For agricultural use: bags used exclusively for agricultural production purposes, storage, packaging and transportation of products agricultural;
5. Plastic bags known as "wet bags" or isothermal bags¹: the bags for transporting frozen or frozen foods without the risk of breaking the cold chain. These bags work with thermal insulators which slow down the heat exchanges;
6. Bags of freezing or deep-freezing plastics: bags used exclusively for the packaging of food for preservation by freezing or deep-freezing;
7. Bags made of plastic materials for the collection of household waste: bags used exclusively to contain and transport household or similar wastes as defined by Law No 28-00 on the management of waste and their elimination and the texts taken for its application;

8. Bags of plastic materials for the collection of other waste: bags used exclusively to contain and transport waste other than household waste and assimilated, as defined by the aforementioned Act No. 28-00 and the texts taken for its application.

Article 2

As of July 2016, manufacturing is prohibited bags of plastics, as provided for in paragraph 2 of Article 1 above, as well as their import, export, their retention with a view to sale, their implementation sale, sale or distribution, even for free.

Article 3

Excluded from the prohibition provided for in Article 2 above, plastic bags for industrial or agricultural use, Isothermal plastic bags, bags made of plastic freezing or deep-freezing plastics and those used for the collection of waste as defined in paragraphs 3, 4, 5, 6, 7 and 8 of article 1 above.

Article 4

The plastic bags referred to in paragraphs 3, 4, 5, 6, 7 and 8 of Article 1 above, can only be used for the purposes for which they are intended. They must, according to their destination or their category, wear a mark or print according to the terms and conditions laid down by regulation.

Article 5

In addition to judicial police officers, design officers For this purpose by the competent administration or bodies, sworn and carrying a professional card, will investigate and detect offenses the provisions of this Law and the texts adopted to its application. They may, in the exercise of their mission, require the assistance of police agents of the public authority.

Article 6

Persons responsible for observing offenses the provisions of this Law and the texts adopted for its application, draw up minutes, which they transmit At the administration.

Article 7

The administration may, as the case may be, give notice in writing the offender to comply, within a time limit

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it lays down, in accordance with the provisions of this Law and the texts taken for its application.

If at the end of this period, the offender did not comply with the said formal notice, the administration shall notify the competent public ministry. If the findings of the minutes reveal offenses that may lead to the continuation of the offender, the administration shall, without delay, notify the public competent authority.

Article 8

Infringements of the provisions of this Law in import and export are established and sanctions and prosecutions are engaged as regards the duty.

Article 9

Anyone who makes the bags in materials plastics referred to in paragraph 2 of Article 1 of this law is punishable by a fine of 200,000 to 1,000,000 of dirhams.

Article 10

Anyone who holds plastic bags referred to in paragraph 2 of Article 1 of this Law sell them, and put them on sale, or sell them or sell them distributed, for a fee or free, is punished by a fine from 10,000 to 500,000 dirhams.

Article 11

Is punished with a fine of 20,000 to 100,000 dirhams anyone who uses plastic bags, vises in paragraphs 3, 4, 5, 6, 7 and 8 of Article 1 above, for purposes other than those for which it is intended.

Article 12

The cumulative infringement of the provisions of this law and the texts taken for its application entails the application the most serious punishment.

Article 13

In case of repeat for the same offense or for an offense of identical qualification within a period of six months following the date on which the first decision of conviction has become final, the penalties provided for by this law are doubled.

Article 14

Can be taken as needed, texts regulations necessary for the full implementation of the this law.

Article 15

From the date provided for in Article 2 above, this law repeals and replaces Law No. 22-10 concerning the use of degradable plastic bags or biodegradable promulgated by the Dahir No. 1-10-145 of 3 chaabane 1431 (July 16, 2010). The text in Arabic has been published in the general edition of the "Official Bulletin" No. 6420 of 28 Safar 1437 (December 10, 2015).