

PLASTIC SHOPPING BAGS BAN BILL 2013

Fact Sheet

This Bill provides for a ban on the supply of lightweight, polyethylene, non-biodegradable plastic shopping bags, for the purpose of carrying purchased goods from retailer premises.

The Bill was developed as a result of an announcement in the May 2012 Budget, which followed a Tasmanian House of Assembly motion in November 2010 where all three parties supported a ban on lightweight plastic shopping bags.

The Bill has been developed in consultation with local government, the general public and a Plastic Bags Reference Group, with membership covering plastic bag wholesalers, major retailers, retailer organisations and the wider community.

The Bill has been assessed under the Legislation Review Program and has been found not to restrict competition or have a significant negative impact on business.

The EPA Division of the Department of Primary Industries, Parks, Water and Environment will be responsible for enforcing the Bill, once enacted.

The main provisions of the Bill are:

- A 'plastic shopping bag' is defined as a polyethylene bag with handles and a thickness of less than 35 microns, as measured anywhere on the bag. The definition is designed to capture the lightweight, 'checkout-style' plastic bags that are typically not brought back to stores by customers for reuse.
- Thicker, 'boutique-style' plastic bags, biodegradable bags that are compostable according to the relevant Australian standard, thin 'barrier bags' used for perishable foodstuffs, and plastic bags that are an integral part of product packaging (e.g. bread bags) will not be included in the ban.
- There will be a 'transition period' until 1 November 2013, when the ban and enforcement provisions take effect.
- From 1 November 2013 it will become an offence for a retailer (typically a shopkeeper) to provide a plastic shopping bag for the purposes of carrying purchased goods from retail premises.
- It will also be an offence for any retailer to give false or misleading information about the composition of a plastic shopping bag. It is expected that this provision will generally apply to claims of biodegradability, but it will also be used for information concerning bag thickness. The EPA Director may require a retailer to provide written evidence of whether a bag in question is biodegradable.
- Officers authorized under the *Environmental Management and Pollution Control Act 1994* will be empowered to take enforcement action under the relevant provisions of the plastic bags legislation.
- The offence provisions allow for penalties to be applied to both individuals and corporations.