Revised Regulations of Anguilla: P125-11

PUBLIC HEALTH ACT (R.S.A. c. P125)

SINGLE-USE PLASTICS (PROHIBITION) REGULATIONS

Note: These Regulations are enabled under section 8 of the Public Health Act, R.S.A. c. P125.

TABLE OF CONTENTS

SECTION

1. Interpretation
2. Prohibition on importation, distribution, sale and use of single-use plastics
3. Exemptions
4. Notice to comply
5. Offences for failing to comply with notice
6. Citation

SCHEDULE: Single-use Plastics exempted from ban

Interpretation

1. In these Regulations—

"biodegradable plastic" means plastic capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide, biomass and water;

"expanded polystyrene" means blown polystyrene and expanded and extruded foams which are thermoplastic petrochemical materials utilising a styrene monomer and processed by any number of technique including fusion of polymer spheres (expandable bead polystyrene), injection moulding, foam moulding and extrusion-blow moulding (extruded foam polystyrene);

"expanded polystyrene food service products" means containers, plates, hot and cold beverage cups, fish, seafood, meat and vegetable trays, and other products made of expanded polystyrene and used for serving, providing or selling food;

"packaging" means all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods, from raw materials to processed goods, from the producer to the user or the consumer. 'Non-returnable' items used for the same purposes shall also be considered to constitute packaging;

"single-use plastics", otherwise referred to as disposable plastics (polyethylene or petroleum based), includes commonly used plastic packaging, including items intended to be used only once before they are thrown away or recycled such as, but not limited to—

(a) t-shirt bags (35 microns and below);

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(b) food packaging;

(c) bottles;

(d) straws;

(e) containers (plates, bowls);

(f) cups;

(g) cutlery; and

(h) 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.

Prohibition on importation, distribution, sale and use of single-use plastics

2. Subject to section 3—

(a) the importation of single-use plastic is prohibited after 31 March, 2019; and

(b) the distribution and sale of single-use plastics is prohibited after 30 June, 2020.

(R.A. 1/2020, s. 2)

Exemptions

3. (1) The types of single-use plastics listed in the Schedule are exempted from the prohibition referred to in section 2.

(2) The Minister may allow for the importation, distribution and use of single-use plastics where he considers the importation, distribution or use of any class of goods prohibited by these Regulations to be a public health and safety requirement or medical necessity.

(R.A. 1/2020, s. 3)

Notice to comply

4. (1) Where the Principal Environmental Health Officer is satisfied that a person is contravening section 2, the Principal Environmental Health Officer may serve on the person a notice requiring the person to comply with section 2.

(2) A notice shall specify the time within which the person must comply with the notice.

Offences for failing to comply with notice

5. Where a person who is served with a notice referred to in section 4 fails, within the time specified in the notice to comply with the notice, the person commits an offence and is liable on summary conviction to a fine of $5,000.

Citation

6. These Regulations may be cited as the Single-use Plastics (Prohibition) Regulations, Revised Regulations of Anguilla, P125-11.

———————

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

SCHEDULE

(Section 3(1))

SINGLE-USE PLASTICS EXEMPTED FROM BAN

The following types of single-use plastics provided to consumers at the point of sale used for transporting, packaging, and carrying goods shall not be subjected to the ban specified in section 2—

(a) plastic bread wrapping;

(b) egg cartons (plastic and polystyrene);

(c) products made from expanded polystyrene which are wholly encapsulated or encased by a more durable material (e.g. surf boards, life preservers, craft supplies, coolers);

(d) plastic wraps and food storage bags such as zip lock bags used solely to contain and or preserve food;

(e) biodegradable plastic bags, plastic wrap and plastic sheets used solely to contain or wrap—

(i) fresh meat and fresh meat products,

(ii) fresh fish and fresh fish products, and

(iii) fresh poultry and fresh poultry products, whether repackaged or not;

(f) biodegradable plastic bags used as primary packaging solely used to package—

(i) fruits or nuts,

(ii) confectionary products,

(iii) dairy products,

(iv) liquid or frozen products,

(v) seeds,

(vi) small hardware items,

(vii) medicinal products, or

(viii) veterinary products;

(g) polyethylene pots for plants, cuttings and seedlings;

(h) laundry dry cleaning bags;

(i) garbage bags, disposable sanitary bags or bin liners;

(j) fishing and agricultural products;

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(k) plastic products used in water production and distilling;

(l) plastic and plastic products used in building and construction; and

(m) plastic and plastic products used in the production of cosmetics.
(R.A. 1/2020, s. 4)

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai