

ENVIRONMENT PROTECTION AMENDMENT
(BANNING PLASTIC BAGS AND OTHER THINGS) BILL 2018
EXPLANATORY MEMORANDUM

OVERVIEW OF THE BILL

The purpose of the Bill is to provide an Act to amend the *Environmental Protection Act 1986* to restrict the supply of plastic bags, balloons, plastic drinking straws and polyethylene and polystyrene packaging; and prohibit the supply of products containing plastic microbeads, and for incidental and related purposes.

The Bill inserts Part V Division 2A after section 51T

CLAUSE NOTES

Clause 1. Short Title

Environmental Protection Amendment (Banning Plastic Bags and Other Things) Act 2018.

Clause 2. Commencement

Provides for sections 1 and 2 of the Act to come into operation on the day on which this Act receives Royal Assent, with the rest of the Act coming into operation on the 60th day after that day.

Clause 3. Act amended

This Act amends the *Environmental Protection Act 1986*.

Clause 4. Part V Division 2A inserted

After section 51 T inserts:

Division 2A – Restricted plastics and other things

Subdivision 1 – Preliminary – outlines the terms used, including exempt balloon, exempt plastic bag, exempt plastic drinking straw, plastic bag, prohibited balloon, prohibited plastic bag, prohibited plastic drinking straw, prohibited plastic microbeads, prohibition day, and restricted packaging.

Subdivision 2 – Offences – outlines the obligations of retailers to display a notice, and obligations of retailers with regard to the sale or supply of: prohibited plastic bags; restricted packaging; goods containing prohibited plastic microbeads; prohibited balloons; prohibited plastic drinking straws; and a person must not misrepresent the composition of bags and packaging.

Subdivision 3 – Reporting and review – outlines reporting requirements of The Authority and requirements for Ministerial review. The Authority is to include in the annual report: exemptions granted in relation to plastic bags, balloons and plastic drinking straws; amount of plastic reported in public places and waters and impact of the plastic on fauna; any information relating to the use of plastic bags, plastic packaging, balloons, plastic drinking straws and plastic microbeads that the Authority considers necessary. The Minister must carry out a review of the operation and effectiveness of this Division after 3 years and table a report of the review in Parliament.

Schedule 1 Schedule amended

Table of Penalties - in Schedule 1 Part 3 in the Table before item 1 to be inserted.