

S.I.OF 2018

ENVIRONMENT PROTECTION ACT, 2016

(Act 18 of 2016)

Environment Protection (Restriction on the manufacturing, importation, distribution and sale of Plastic Straws) Regulations 2018

In exercise of the powers conferred by Section 80 read in with Section 4(d) and Section 41(c) of the Environment Protection Act 2016, the Minister responsible for Environment, Energy and Climate Change hereby makes the following regulations -

1. These Regulations may be cited as the Environment Protection (Restriction on the manufacturing, importation, distribution and sale of Plastic Straws) Regulations 2018

2. In these Regulations, unless the context otherwise requires:

“AS” means Australian Standard;

“ASTM” means the American Society for Testing and Materials;

“biodegradable straw” means a straw that is made of non – plastic materials, including; paper, sugar cane, wood or bamboo, that can be biologically broken down naturally by bacteria and other living organisms into natural elements in a normal environment leaving no toxicity in the soil”

“certificate of conformity” means a document, tag, label, or nameplate, provided on delivery to the buyer that attests the product compliance with standards;

“EN” means the European Standard;

“exempted plastic straw” means a plastic straw specified in the First Schedule;

“Ministry” means the Ministry responsible for Environment;

“plastic” means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate;

“plastic straw” means a straw made of plastic;

“Seychelles Bureau of Standards” means the national standard body established under the Seychelles Bureau of Standard Act 2014;

“standards” means the applicable standards specified in the secondSchedule or its equivalent;

“validation” means confirmation through the provision of objective evidence, that the specified requirements for a specific intended use or application have been fulfilled.

3. The manufacturing, importation, distribution and sale of plastic straws for use within the Republic of Seychelles which does not fall into the category of exempted plastic straws as specified in the First Schedule are hereby prohibited.

4. (1) The Ministry responsible for Finance and Trade, subject to the approval of the Ministry responsible for environment may issue import permits for –

(a) biodegradable straws

(b) exempted plastic straws

2) Subject to subsection (1)(a), upon submitting an import permit application the importer shall submit a certificate of conformity which shall stipulate the standard to which it is compliant to.

3) The Seychelles Bureau of Standards shall be designated by the Ministry as the responsible body to undertake the validation of the certificate of conformity.

4) Subject to subsection (2) an application to import shall not be granted if the certificate of conformity is not validated by the Seychelles Bureau of Standards.

(c) Any person who contravenes these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding SR20,000 or to imprisonment for a period not exceeding one year, or to both such fine and imprisonment.

(d) Where a consignment of plastic straws has been imported in breach of these regulations, the consignment shall be handled in line with Section 246 (1)(b) or 247(1) of the Customs Management Act 2011.

FIRST SCHEDULE
(see Regulation 3)

EXEMPTION LIST

1. Any plastic straw which–
 - (a) Forms part of pre-packaged beverages.
 - (b) Forms part of any other pre-packaged product.

SECOND SCHEDULE

STANDARDS

ITEM	APPLICABLE STANDARDS
Biodegradable straw	AS 4736–2006
	ASTM D6400
	EN 13432
	ISO 14855