

COMMUNIQUÉ

Net bags used for packaging and for carrying goods

Pursuant to the coming into operation of the Environment Protection (Banning of Plastic Bags) Regulations 2020 as from **01 March 2021**, the Ministry of the Environment, Solid Waste Management and Climate Change (Environment and Climate Change Division) wishes to remind the public that under these Regulations, a “plastic bag”

- a) means a bag of any size or type made of plastic, with or without handles or gussets, designed for carrying goods, materials or products and which is not biodegradable or compostable; and
- b) includes –
 - (i) a non-woven polypropylene bag;
 - (ii) an oxidatively degradable plastic bag; and
 - (iii) a photodegradable plastic bag; but
- c) does not include an exempt plastic bag.

Accordingly, the following types of **exempt plastic bags** may still be imported, exported and/or manufactured:

- (i) those designed to be used for the disposal of waste, including quarantine and clinical waste;
- (ii) those designed to be used for the purpose of agriculture;
- (iii) those designed to be used for medical purposes;
- (iv) those designed to be used for the purpose of sampling or analysis;
- (v) those constituting or forming an integral part of the packaging in which goods, materials or products are sealed prior to sale on the local market or for export; and
- (vi) transparent re-sealable bags with security tamper used by a passenger or carried by a passenger on transfer to carry liquids, aerosols or gels at an airport or on board of an aircraft.

However, it has been observed that **net bags** which are made of plastic (polypropylene) are being used to carry fruits and vegetables as well as for packaging purposes. The public is hereby informed that net bags are considered as plastic bags under these Regulations. Hence, no person shall possess, use, distribute, sell, export, import, manufacture or supply such plastic bags.

Notwithstanding the above, net bags used for the packaging of products are considered as **exempt plastic bags** inasmuch as they are designed to be used for the purpose of agriculture, and they constitute, or form an integral part of, the packaging in which goods, materials or products are sealed prior to sale on the local market or for export.

Pursuant to the Environment Protection (Banning of Plastic Bags) Regulations 2020, which stipulate that no person shall import or manufacture an exempt plastic bag unless he is registered with the Director of Environment, importers and manufacturers of net bags made of plastic are, therefore, requested to: -

- (i) register themselves with this Ministry for the manufacture and/or importation of net bags as exempt plastic bags, within **three months** as from date of this communiqué; and
- (ii) ensure that the following information is conspicuously displayed on an exempt plastic bag –
 - (a) the name and contact address of the manufacturer or importer; and
 - (b) the type of exempt plastic bag as set out in Part II of the First Schedule.

Failure by importers and manufacturers of net bags of any size, to register themselves with this Ministry under Part 1 of the First Schedule of the Regulations **within the above timeframe**, would constitute an offence under these Regulations.

The attention of the public is being drawn to the fact that any person who contravenes the Environment Protection (Banning of Plastic Bags) Regulations 2020 shall commit an offence and shall be liable to the payment of fines as follows:

- (i) possession or use of plastic bags - fine not exceeding Rs2,000;
- (ii) sale or distribution of plastic bags - fine not exceeding Rs20,000;
- (iii) manufacture, importation or exportation of plastic bags - fine not exceeding Rs100,000; and
- (iv) importation or manufacture of biodegradable or compostable plastic bags not compliant with the authorisation conferred by this Ministry under regulation 6 - fine not exceeding Rs100,000.

Any person who otherwise contravenes the Environment Protection (Banning of Plastic Bags) Regulations 2020, shall commit an offence and shall, on conviction, be liable to a fine not exceeding Rs25,000.

More details on the Environment Protection (Banning of Plastic Bags) Regulations 2020 can be accessed from the website of the Ministry at <https://environment.govmu.org>.

**Ministry of the Environment, Solid Waste Management and Climate Change
(Environment and Climate Change Division)**

31 December 2021