

**SUPPLIES AND SERVICES ACT  
(CAP. 117)**

**ENVIRONMENT PROTECTION ACT  
(CAP. 549)**

**Restrictions on Placing on the Market of Single-Use Plastic Products (Amendment No 2)  
Regulations, 2021**

IN EXERCISE of the powers conferred by Article 3 of the Supplies and Services Act and Articles 54 and 55 of the Environment Protection Act, the Minister for the Economy, Investment and Small Businesses and the Minister for the Environment, Climate Change and Planning, after consultation with the Customs Department and the Environment and Resources Authority, have made the following regulations:-

**Citation.**  
**S.L. 549.140.**

1. (1) The title of these regulations is the Restrictions on Placing on the Market of Single-Use Plastic Products (Amendment) Regulations, 2021, and these regulations shall be read and construed as one with the Restrictions on Placing on the Market of Single-Use Plastic Products Regulations, hereinafter referred to as “the principal regulations”;
- (2) These regulations shall come into force upon publication in the Gazette:

Provided that sub-regulation (2) of regulation 4 shall come into force within two months from their publication in the Gazette.

**Amends regulation 2 of the principal regulations.**

2. Regulation 2 of the principal regulations shall be amended as follows:

- (a) Sub-regulation (1) thereof shall be replaced by the following new sub-regulation:

“(1) These regulations bring into effect Article 5, Articles 6(1) and (2) and Article 7(1) of Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment.”

- (b) Immediately after sub-regulation (1) thereof there shall be added the following new sub-regulation:

**S.L. 549.XX**

“(2) These regulations shall be read and construed in conjunction with the Single-Use Plastic Framework Regulations.”

- (c) Sub-regulation (2) thereof shall be re-numbered as sub-regulation (3).

**Amends regulation 3 of the principal regulations.**

3. Regulation 3 of the principal regulations shall be replaced by the following new regulation:

**Interpretation.**

“3. In these regulations, unless the context otherwise requires:

“oxo-degradable plastic” means plastic materials that include additives which, through oxidation, lead to the fragmentation of the plastic material into micro-fragments or to chemical decomposition;

**S.L. 549.43.**

“packaging” means packaging as defined in regulation 3(1) of the Waste Management (Packaging and Packaging Waste) Regulations;

**S.L. 549.XX**

The definitions of “making available on the market”, “placing on the market”, “plastic” and “single-use plastic product” shall have the same meaning as that laid down in Regulation 3 of the Single-Use Plastics Framework Regulations.”

**Amends regulation 4 of the principal regulations.**

4. Regulation 4 of the principal regulations shall be amended as follows:

(a) sub-regulation (2) thereof shall be re-numbered as sub-regulation (3), and the words “Part B of the Schedule” shall be substituted by the words “Part C of the Schedule”;

(b) immediately after sub-regulation (1) thereof, there shall be added the following new sub-regulation:

“(2) The placing on the market of the single-use plastic products listed in Part B of the Schedule shall be prohibited.”

(c) Immediately after sub-regulation (3) as re-numbered, there shall be added the following new sub-regulation:

**S.L. 549.XX**

“(4) The placing on the market of the single-use plastic products referred to in Part C of Schedule 1 to the Single-Use Plastics Framework Regulations that do not comply with regulation 6 of those Regulations shall be prohibited.”

**Substitutes the Schedule to the principal regulations.**

5. The schedule to the principal regulations shall be substituted by the following new Schedule:

“SCHEDULE  
(regulation 4)

**Single-use Plastic Products Covered by the Prohibition on Placing on the Market**

## **Part A**

- (a) Cotton bud sticks, except if they fall within the scope of Council Directive 90/385/EEC or Council Directive 93/42/EEC;
- (b) Cutlery (forks, knives, spoons, chopsticks);
- (c) Plates;
- (d) Straws, except if they fall within the scope of Directive 90/385/EEC or Directive 93/42/EEC;
- (e) Beverage stirrers;
- (f) 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, including the mechanisms of such sticks;
- (g) Food containers made of expanded polystyrene, i.e. receptacles such as boxes, with or without a cover, used to contain food which:
  - is intended for immediate consumption, either on-the-spot or take-away,
  - is typically consumed from the receptacle, and
  - is ready to be consumed without any further preparation, such as cooking, boiling or heating,including food containers used for fast food or other meal ready for immediate consumption, except beverage containers, plates and packets and wrappers containing food;
- (h) Beverage containers made of expanded polystyrene, including their caps and lids;
- (i) Cups for beverages made of expanded polystyrene, including their covers and lids.



## **Part B**

- (a) Pizza lid supports;
- (b) Sticks to be attached to and to support lollipops that are placed on the market on their own;
- (c) Kebab sticks;
- (d) Toothpicks.

## **Part C**

Beverage containers with a capacity of up to three litres, i.e. receptacles used to contain liquid, such as beverage bottles including their caps and lids and composite beverage packaging including their caps and lids, but not:

- glass or metal beverage containers that have caps and lids made from plastic; and
- beverage containers intended and used for food for special medical purposes as defined in point (g) of Article 2 of Regulation (EU) No 609/2013 of the European Parliament and of the Council that is in liquid form.”

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