

**House of Assembly—No 51**

As laid on the table and read a first time, 10 November 2004

South Australia

**Environment Protection (Plastic Shopping Bags)  
Amendment Bill 2004**

A BILL FOR

An Act to amend the *Environment Protection Act 1993*.

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**The Parliament of South Australia enacts as follows:**

### **Part 1—Preliminary**

#### **1—Short title**

This Act may be cited as the *Environment Protection (Plastic Shopping Bags) Amendment Act 2004*.

#### **5 2—Commencement**

This Act will come into operation 6 months after the date of assent or on an earlier date fixed by proclamation.

#### **3—Amendment provisions**

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### **Part 2—Amendment of *Environment Protection Act 1993***

#### **4—Insertion of Part 8 Division 2A**

After section 73 insert:

#### **Division 2A—Plastic shopping bags**

#### **15 73A—Retailers not to supply plastic shopping bags**

- (1) A retailer must not sell or otherwise supply a plastic shopping bag to a customer of the retailer.  
Penalty: Division 7 fine.  
Expiation fee: Division 7 fee.

(2) In this section—

***plastic shopping bag*** means a plastic bag used, or intended for use, as a means of carrying goods purchased, or to be purchased, by retail from a shop but does not include—

- 5                   (a) a plastic bag that—
- (i) is provided for the purpose of containing goods—
- (A) that are not otherwise contained in any packaging; or
- (B) that are priced according to the weight purchased (where the weight is measured at the shop); and
- 10                   (ii) complies with any other requirements prescribed by regulation; or
- 15                   (b) a bag that is made of paper or other cellulose-based material and that is coated with polyethylene plastic on only one side; or
- (c) a plastic bag of a class that the Authority is satisfied is designed to be suitable for repeated use and that has been exempted from this definition by regulation;

20                   ***retailer*** means a person whose business is, or includes, the sale of goods by retail;

***shop*** includes any place from which goods are sold by retail.