

South Australia

Single-use and Other Plastic Products (Waste Avoidance) (Plastic Spoon Exemption) Variation Regulations 2021

under the *Single-use and Other Plastic Products (Waste Avoidance) Act 2020*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Single-use and Other Plastic Products (Waste Avoidance) (Plastic Spoon Exemption) Variation Regulations 2021*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Single-use and Other Plastic Products (Waste Avoidance) Regulations 2021*

4—Insertion of regulation 8

After regulation 7 insert:

8—Exemption for single-use plastic spoons—medical, dental and care facilities

- (1) Pursuant to section 16(1) of the Act, a person is exempt from section 7(1) of the Act in respect of the supply or distribution of single-use plastic spoons if the person is, or is acting on behalf of, a medical or dental facility or a care facility and the person supplies or distributes the spoons (as the case requires) to another person for the purposes of, or in the course of, the clinical care, management or treatment of a person's injury, disease, illness or other medical condition.
- (2) Pursuant to section 16(1) of the Act, a person is exempt from section 7(1) of the Act in respect of single-use plastic spoons if the person sells, supplies or distributes the spoons (as the case requires) in the course of carrying on a business as a wholesaler or distributor and the person is satisfied, on reasonable grounds, that the sale, supply or distribution of the spoons is to a medical or dental facility or a care facility.
- (3) For the purposes of this regulation, the clinical care, management or treatment of a person's injury, disease, illness or other medical condition includes the clinical diagnosis, prognosis, assessment, prevention, management, treatment or palliation of the injury, disease, illness or other medical condition.
- (4) This regulation will expire on 1 March 2022.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 29 April 2021

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