

South Australia

# Single-use and Other Plastic Products (Waste Avoidance) Regulations 2021

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

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## Legislative history

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### 1—Short title

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

### 3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

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

*AS 4736-2006* means Australian Standard AS 4736-2006 (*Biodegradable plastics—Biodegradable plastics suitable for composting and other microbial treatment*) as in force from time to time;

*AS 5810-2010* means Australian Standard AS 5810-2010 (*Biodegradable plastics—Biodegradable plastics suitable for home composting*) as in force from time to time;

*authorised certifier* means a person approved by the Minister as an authorised certifier for the purposes of these regulations;

*balloon stick* means a stick designed or intended to be attached to an inflated balloon and includes a stick with a cup, base or other attachment device that forms part of the stick;

**balloon tie** means—

- (a) a device that is designed or intended to be attached to a balloon to seal the balloon; or
- (b) a cup, base or other attachment device that is designed or intended to attach a balloon to a balloon stick or ribbon,

but does not include—

- (c) a ribbon; or
- (d) garland tape;

**beverage plug** means a plug, stopper or similar device designed or intended to be inserted into the lid of a beverage cup to prevent spillage or leakage from the lid;

**care facility** means a nursing home, aged care facility, supported residential facility or other facility at which disability support, palliative care, respite care or rehabilitation services are provided;

**catering platter** means a food container that is designed or intended to be used to contain multiple serves of food for the purposes of catering at a function or event, and includes any lid for the container (whether separate or attached to the container);

**certified as compostable**—see subregulation (2);

**charitable organisation** means an entity registered under the *Australian Charities and Not-for-profits Commission Act 2012* of the Commonwealth;

**designated person** means a person who requires a single-use plastic drinking straw due to a disability or for medical purposes or medical reasons;

**expanded polystyrene food or beverage container** means a container, and includes any lid for the container, made, in whole or in part, of expanded polystyrene that is designed or intended to be used for the retail sale of food or beverages, but does not include—

- (a) an expanded polystyrene cup, bowl, plate or clamshell container; or

**Note—**

See section 6(1) of the Act.

- (b) an expanded polystyrene food tray; or
- (c) a cooler box, or a lid for a cooler box, made, in whole or in part, of expanded polystyrene that is designed or intended to be used as packaging for perishable food products for the purposes of delivery to a customer by, or on behalf of, a retailer; or
- (d) a container, or a lid for a container, made, in whole or in part, of expanded polystyrene that is designed or intended to be used for the transport of perishable food products from 1 business (the **first business**) to a second business (where that business is not a retail customer of the first business); or
- (e) before 1 September 2025—an expanded polystyrene food or beverage container that forms part of the packaging of a relevant food or beverage product; or

- (f) before 1 September 2029—an expanded polystyrene food container that has an expanded polystyrene lid (whether separate or attached to the container) that is designed or intended to be used for the retail sale of ice cream, gelati, frozen yoghurt or other similar frozen dessert that is packaged on the retail premises at the request or order of a customer;

**expanded polystyrene food tray** means a tray made, in whole or in part, of expanded polystyrene that is designed or intended to be used for the packaging of meat, poultry, fish, vegetables, fruit or other food products for retail sale;

**fish** includes crustaceans and molluscs;

**food bag tag** means a rigid tag designed or intended to hold closed a bread bag or other food product bag, but does not include—

- (a) a twist tie or cable tie; or  
(b) before 1 September 2029—a plastic food bag tag used to hold closed a bag of potatoes or carrots weighing 2 kg or more;

**garland tape** means flexible tape with small holes designed or intended to allow multiple balloons to be placed together to create a decoration;

**home compostable**, in relation to a plastic product, means that the product complies with AS 5810-2010;

**industrially compostable**, in relation to a plastic product, means that the product complies with AS 4736-2006;

**local government council** means a council under the *Local Government Act 1999*;

**medical or dental facility** means a facility at which medical or dental services (including treatment, care, research or diagnostic services) are provided;

**pharmacy business** has the same meaning as in Part 4 of the *Health Practitioner Regulation National Law (South Australia) Act 2010*;

**pizza saver** means a device designed or intended to be placed inside a pizza box to prevent the lid of the box from touching a pizza contained in the box;

**plastic barrier bag** means a plastic bag without handles that—

- (a) is designed or intended to be used to contain or protect unpackaged fresh fruit or vegetables, nuts or confectionery; or  
(ab) on or after 1 September 2027—is designed or intended to be used to contain or protect unpackaged dairy products, meat, poultry or fish; or  
(b) is used by a retail customer as additional protection from leakages for pre-packaged meat, poultry, fish, herbs or flowers,

but does not include a plastic bag that is certified as compostable provided that—

- (c) in the case of a bag that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or  
(d) in the case of a bag that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable;

***plastic confetti*** means a product comprised of pieces of plastic that are designed or intended to be thrown or projected into the air or otherwise scattered for decorative, festive or celebratory purposes and includes—

- (a) such a product that is enclosed in a balloon (whether for decoration or for release by popping the balloon); and
- (b) plastic streamers that are designed or intended to be thrown or projected into the air,

but does not include—

- (c) sequins, diamantes, beads or glitter; or
- (d) a product designed or intended to be used as a craft product; or
- (e) confetti that is designed or intended to be permanently contained within, or form a permanent part of, another product (other than a single-use product) for decorative purposes;

***plastic produce sticker*** means a plastic sticker designed or intended to be applied directly onto the surface of a fruit or vegetable, but does not include a sticker that is certified as compostable or a sticker that is, or is to be, applied to a fruit or vegetable that is to be sold, supplied or distributed to a person outside this State;

***plastic shopping bag*** means a plastic bag that—

- (a) has handles; and
- (b) is used as a means of carrying goods purchased from a retailer,

but does not include—

- (c) a plastic bag that constitutes, or forms an integral part of, the packaging in which goods are sealed prior to sale; or
- (d) an unsealed plastic bag that is the packaging in which perishable food is offered for sale; or
- (e) a shopping bag that is made, in whole or in part, of 1 or more of the following fabrics:
  - (i) nylon;
  - (ii) polyester;
  - (iii) woven polypropylene;
  - (iv) non-woven polypropylene if—
    - (A) the bag has sewn, rather than heat-welded, seams; and
    - (B) the fabric has a minimum weight of 90 g/m<sup>2</sup> measured as a single layer of fabric; or
- (f) a plastic bag that is certified as compostable provided that—
  - (i) in the case of a bag that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or

- (ii) in the case of a bag that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable;

***plastic-stemmed cotton bud*** means a product that—

- (a) has a stem that is comprised, in whole or in part, of plastic; and
- (b) has a tip comprised of cotton wool, synthetic fibre or some other similar substance at 1 or both ends,

but does not include such a product that has a tip or tips that are designed or intended to be detached from the stem and replaced;

***pre-filled soy sauce container*** means a container of soy sauce—

- (a) with a capacity of 30 ml or less; and
- (b) that has a lid, cap or stopper; and
- (c) that is filled prior to its sale, supply or distribution to a retailer for retail sale or supply;

**Example—**

Fish-shaped plastic soy sauce containers.

***premises*** means any land, building or structure including a moveable building or structure or any vehicle (within the meaning of the *Road Traffic Act 1961*);

***prescribed business*** means—

- (a) a pharmacy business; or
- (b) a local government council; or
- (c) a charitable organisation; or
- (d) a care facility; or
- (e) a medical or dental facility;

***prescribed food container*** means a single-use plastic food container, including a cup (other than a single-use plastic beverage cup), bowl, tray or other food container, whether or not it has, or is designed or intended to have, a lid (whether separate or attached) that is used—

- (a) for the retail sale of ready-to-eat food; or
- (b) to hold a condiment that is—
  - (i) provided to be used with ready-to-eat food; and
  - (ii) packaged in the container on the retail premises at which the ready-to-eat food is sold,

but does not include—

- (c) an expanded polystyrene cup, bowl, plate or clamshell container; or

**Note—**

See section 6(1) of the Act.

- (d) an expanded polystyrene food or beverage container or an expanded polystyrene food tray; or

- (e) a single-use plastic catering platter; or
- (f) a single-use plastic food container that is certified as compostable provided that—
  - (i) in the case of a container with a capacity of 60 ml or more that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or
  - (ii) in the case of a container with a capacity of 60 ml or more that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable; or
- (fa) before 1 March 2026—a single-use plastic food container—
  - (i) with a capacity of 500 ml or less; and
  - (ii) that has a lid (whether separate or attached to the container); and
  - (iii) that is used for the retail sale of potatoes, gravy or peas (whether separately or in combination with one another) intended to be provided to a customer at a temperature of above 60°C; or
- (g) before 1 September 2029—a single-use plastic food container comprised of a transparent square or rectangular food container with a detachable transparent lid, both of which are made wholly from polypropylene or polyethylene terephthalate; or
- (h) before 1 September 2029—a single-use plastic bowl—
  - (i) made wholly from polypropylene; and
  - (ii) that has a lid (whether separate or attached to the container) made wholly from polypropylene; and
  - (iii) that is used for the retail sale of soup or other foods comprised of a substantial amount of liquid intended to be provided to a customer at a temperature of above 60°C;

***prescribed food container lid*** means a single-use plastic lid or cover designed or intended to be fitted onto a prescribed food container (whether separate or attached to the container) and includes plastic film intended to seal the top of a prescribed food container, but does not include—

- (a) a paper or cardboard lid lined or coated with plastic that is designed or intended to be used with an aluminium foil food container used for ready-to-eat food; or
- (b) a single-use plastic lid that is certified as compostable provided that—
  - (i) in the case of a lid with a diameter of 70 mm or more that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or

- (ii) in the case of a lid with a diameter of 70 mm or more that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable;

***ready-to-eat food*** means food that is—

- (a) prepared or packaged on retail premises at the request or order of a customer; or
- (b) prepared fresh and pre-packaged on the day, or shortly before the day, on which it is intended to be offered for retail sale,

and is ready to be eaten without further cooking, heating, defrosting, washing or other preparation and is ordinarily intended to be eaten at the site of sale or shortly after at another place;

***relevant food or beverage product*** means a food or beverage product that is pre-packaged as a single-serve prior to its sale, supply or distribution to a retailer for retail sale or supply and is ready for—

- (a) immediate consumption; or
- (b) consumption after cooling or heating the food or beverage;

***single-use plastic beverage cup*** means a single-use plastic cup designed or intended to hold a beverage, but does not include—

- (a) an expanded polystyrene cup; or

**Note—**

See section 6(1)(d) of the Act.

- (b) a single-use plastic beverage cup that is certified as compostable provided that—
  - (i) in the case of a beverage cup with a capacity of 60 ml or more that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or
  - (ii) in the case of a beverage cup with a capacity of 60 ml or more that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable;

***single-use plastic beverage cup lid*** means a single-use plastic lid designed or intended to be fitted onto a beverage cup and includes plastic film intended to seal the entire top of a beverage cup, but does not include a single-use plastic lid for a beverage cup if the lid is certified as compostable provided that—

- (i) in the case of a beverage cup lid with a diameter of 70 mm or more that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or

- (ii) in the case of a beverage cup lid with a diameter of 70 mm or more that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable;

**single-use plastic bowl** does not include—

- (a) an expanded polystyrene bowl; or

**Note—**

See section 6(1)(e) of the Act.

- (b) a single-use plastic bowl designed or intended to have a spill-proof lid, whether separate or attached; or
- (ba) a prescribed food container that is a bowl; or
- (bb) before 1 September 2029—a single-use plastic bowl of a kind referred to in paragraph (h) of the definition of **prescribed food container**; or
- (c) a single-use plastic bowl that forms part of the packaging of a relevant food or beverage product; or
- (d) before 1 November 2024—a paper or cardboard bowl lined or coated with plastic that is not certified as compostable; or
- (e) a single-use plastic bowl that is certified as compostable provided that—
  - (i) in the case of a bowl that is home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, home compostable, or both home compostable and industrially compostable; or
  - (ii) in the case of a bowl that is industrially compostable, but not home compostable—it is clearly labelled as, or otherwise marked in a manner that indicates that it is, industrially compostable;

**single-use plastic plate** does not include—

- (a) an expanded polystyrene plate; or

**Note—**

See section 6(1)(f) of the Act.

- (b) a single-use plastic plate that forms part of the packaging of a relevant food or beverage product; or
- (c) before 1 November 2024—a paper or cardboard plate lined or coated with plastic;

**supported residential facility** means premises licensed as a supported residential facility under the *Supported Residential Facilities Act 1992*.

- (2) For the purposes of these regulations, a plastic product is **certified as compostable** if—
  - (a) —
    - (i) the plastic product has been assessed and tested by an authorised certifier and the authorised certifier has issued a certificate verifying that the product complies with AS 4736-2006 or AS 5810-2010; and

- (ii) the certificate's period of validity has not expired; or
- (b) until the determination date—the plastic product is the subject of an application for its certification in accordance with AS 4736-2006 or AS 5810-2010 that is made to an authorised certifier before 1 March 2026, but has not been determined before that date (and, in the case of a plastic shopping bag or a plastic barrier bag, the labelling requirements in paragraph (f) of the definition of *plastic shopping bag* or paragraphs (c) and (d) of the definition of *plastic barrier bag* (as the case requires) do not apply until the determination date); or
- (c) until 1 March 2026 (other than in the case of a plastic shopping bag or a plastic barrier bag)—the plastic product has, before that date—
  - (i) a current and valid certification in accordance with—
    - (A) ASTM D6400-23 (*Standard Specification for Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities*); or
    - (B) EN 13432 (*Packaging—Requirements for packaging recoverable through composting and biodegradation—Test scheme and evaluation criteria for the final acceptance of packaging*); or
  - (ii) a current and valid TUV OK compost INDUSTRIAL or TUV OK compost HOME certification.
- (3) For the purposes of subregulation (2), the *determination date*, in respect of a plastic product, is the date on which the application for the product's certification in accordance with AS 4736-2006 or AS 5810-2010 is determined, withdrawn or otherwise finalised.
- (4) For the purposes of the definition of *authorised certifier*, the Minister may, by notice in the Gazette—
  - (a) approve a person as an authorised certifier for the purposes of these regulations; or
  - (b) revoke an approval under paragraph (a).

### **3A—Definition of prohibited plastic product (section 6(1)(h) of Act)—inclusions**

Pursuant to section 6(1)(h) of the Act, the following plastic products, or plastic products of a class, are included within the ambit of the definition of *prohibited plastic product*:

- (a) a plastic pizza saver;
- (b) a plastic-stemmed cotton bud;
- (c) a single-use plastic bowl;
- (d) a single-use plastic plate;
- (e) a plastic shopping bag;
- (f) a plastic barrier bag;

- (g) a single-use plastic beverage cup;
- (h) a single-use plastic beverage cup lid;
- (i) a single-use plastic beverage plug;
- (j) an expanded polystyrene food tray;
- (k) an expanded polystyrene food or beverage container;
- (l) a prescribed food container;
- (m) a prescribed food container lid;
- (n) plastic confetti;
- (o) a plastic balloon stick;
- (p) a plastic balloon tie;
- (q) a single-use plastic food bag tag;
- (r) on or after the date fixed by the Minister for the purposes of this paragraph by notice in the Gazette—a plastic produce sticker;
- (s) a pre-filled soy sauce container.

#### **5—Exemption for single-use plastic drinking straws—sale, supply and distribution to designated person**

- (1) Pursuant to section 16(2) of the Act, a person is exempt from section 7(1) of the Act in respect of single-use plastic drinking straws if—
  - (a) the sale, supply or distribution of the straws (as the case requires) is of an individual straw—
    - (i) to a designated person or person who purports to be a designated person; or
    - (ii) to a person acting on behalf of a designated person or a person who purports to be acting on behalf of a designated person; and
  - (b) any such straws kept or stored in a part of premises, or other place, at which the person carries on a business and to which members of the public have or are permitted access, are not on public display or freely accessible without the assistance of the person or an agent or employee of the person.
- (2) A person may sell, supply or distribute an individual single-use plastic drinking straw pursuant to an exemption under subregulation (1)—
  - (a) on the basis of a statement, or other indication, by the person to whom it is being sold, supplied or distributed (as the case requires), or to the effect, that the straw is required because they are a designated person, or acting on behalf of a designated person; or
  - (b) on the basis that it is otherwise apparent to the person that the straw is required because the person to whom it is being sold, supplied or distributed (as the case requires) is a designated person, or acting on behalf of a designated person.

- (3) For the purposes of subregulation (2), no evidence or other verification of the basis on which the straw is provided under that subregulation is required—
  - (a) to be sought by the person selling, supplying or distributing the straw; or
  - (b) to be produced by the person to whom the straw is being sold, supplied or distributed.
- (4) For the avoidance of doubt, subregulation (1) does not prevent the sale, supply or distribution of an additional individual single-use plastic drinking straw (or straws) to a designated person (or person who purports to be a designated person) or to a person acting (or who purports to be acting) on behalf of a designated person, if the straw is required by the designated person in the circumstances.

#### **6—Exemption for single-use plastic drinking straws—sale, supply and distribution by prescribed business**

- (1) Pursuant to section 16(2) of the Act, a person is exempt from section 7(1) of the Act in respect of single-use plastic drinking straws if the person is a prescribed business and the business sells, supplies or distributes the straws (as the case requires) for the purpose of—
  - (a) use by designated persons; or
  - (b) enabling the sale, supply or distribution by another person who, in the course of carrying on a business, requires the straws for the purpose of sale, supply or distribution to a designated person, or to a person acting on behalf of a designated person (as the case requires).
- (2) For the purposes of subregulation (1)—
  - (a) the person to whom the single-use plastic drinking straws are being sold, supplied or distributed is not required to produce evidence of, or otherwise verify, the purpose for which the straws are being obtained; and
  - (b) the prescribed business is not required to seek evidence of, or otherwise verify, the purpose for which the straws are being obtained by the person to whom they are being sold, supplied or distributed; and
  - (c) to avoid doubt—
    - (i) the number of single-use plastic drinking straws need not be limited to individual straws; and
    - (ii) the straws may be on public display and may be freely accessible without assistance provided by the prescribed business or an employee or agent of the business.

#### **7—Exemption for single-use plastic drinking straws—sale, supply and distribution by wholesalers and distributors**

- (1) Pursuant to section 16(2) of the Act, a person is exempt from section 7(1) of the Act in respect of single-use plastic drinking straws if the person sells, supplies or distributes the straws in the course of carrying on a business as a wholesaler or distributor and—
  - (a) the person is satisfied, on reasonable grounds, that the sale, supply or distribution of the straws (as the case requires) is—
    - (i) to a prescribed business; or

- (ii) to another person who, in the course of carrying on a business, requires the straws for the purpose of sale, supply or distribution to a designated person, or to a person acting on behalf of a designated person (as the case requires); or
  - (b) the sale, supply or distribution of the straws (as the case requires) is—
    - (i) to a designated person or person who purports to be a designated person; or
    - (ii) to a person acting on behalf of a designated person or a person who purports to be acting on behalf of a designated person,and the sale, supply or distribution occurs in accordance with subregulation (2).
- (2) A person may sell, supply or distribute single-use plastic drinking straws pursuant to an exemption under subregulation (1)(b)—
- (a) on the basis of a statement, or other indication, by the person to whom they are being sold, supplied or distributed (as the case requires), or to the effect, that the straws are required because they are a designated person, or acting on behalf of a designated person; or
  - (b) on the basis that it is otherwise apparent to the person that the straws are required because the person to whom they are being sold, supplied or distributed (as the case requires) is a designated person, or acting on behalf of a designated person.
- (3) For the purposes of subregulation (2), no evidence or other verification of the basis on which the straws are provided under that subregulation is required—
- (a) to be sought by the person selling, supplying or distributing the straws; or
  - (b) to be produced by the person to whom the straws are being sold, supplied or distributed.

## **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.

## **9—Exemptions for plastic-stemmed cotton buds and single-use plastic bowls**

- (1) Pursuant to section 16(1) of the Act, a person is exempt from section 7(1) of the Act in respect of plastic-stemmed cotton buds or single-use plastic bowls if the person sells, supplies or distributes the plastic-stemmed cotton buds or single-use plastic bowls (as the case requires) and the person is satisfied on reasonable grounds—
  - (a) that the sale, supply or distribution of the plastic-stemmed cotton buds or single-use plastic bowls is not to a member of the public; and
  - (b) that the sale, supply or distribution is to a person who uses the plastic-stemmed cotton buds or single-use plastic bowls (as the case requires) for medical, scientific, law enforcement or forensic purposes, or to enable the sale, supply or distribution to a person who uses the plastic-stemmed cotton buds or single-use plastic bowls for medical, scientific, law enforcement or forensic purposes.
- (2) For the purposes of subregulation (1), a medical purpose includes—
  - (a) a purpose relating to the clinical care, management or treatment of patients at a medical or dental facility or residents at a care facility; and
  - (b) a purpose relating to veterinary medicine or treatment,but—
  - (c) in the case of plastic-stemmed cotton buds—does not include a cosmetic purpose; and
  - (d) in the case of single-use plastic bowls—does not include bowls used to serve food or beverages to people.
- (3) Pursuant to section 16(1) of the Act, a person is exempt from section 7(1) of the Act in respect of plastic-stemmed cotton buds if the person sells, supplies or distributes the plastic-stemmed cotton buds (as the case requires) as part of a first aid kit, a COVID-19 testing kit or another kit used for medical, scientific, law enforcement or forensic testing.
- (4) For the purposes of subregulation (3), medical testing includes testing relating to veterinary medicine or treatment.

## **10—Exemption for plastic shopping bags—charitable organisations**

- (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 plastic shopping bags if—
  - (a) the person is, or is acting on behalf of, a charitable organisation; and
  - (b) the bags were donated to the organisation; and
  - (c) the person supplies or distributes the bags (as the case may be) to another person for the purposes of carrying goods purchased from, or otherwise supplied by, the organisation at a thrift shop or other charitable retail outlet run by the organisation.
- (2) This regulation expires on 31 August 2027.

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2021	19	<i>Gazette 25.2.2021 p648</i>	1.3.2021: r 2
2021	43	<i>Gazette 29.4.2021 p1255</i>	29.4.2021: r 2
2023	68	<i>Gazette 13.7.2023 p2193</i>	1.9.2023: r 2
<b>2024</b>	<b>27</b>	<b><i>Gazette 16.5.2024 p857</i></b>	<b>1.9.2024 except Pt 3—1.9.2025 and except Pt 4—1.3.2026: r 2</b>
2024	90	<i>Gazette 5.9.2024 p3132</i>	5.9.2024: r 2
2024	126	<i>Gazette 12.12.2024 p4667</i>	12.12.2024: r 2
2025	97	<i>Gazette 21.8.2025 p3490</i>	1.9.2025 immediately after Pt 3 of 27/2024: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>29.4.2021</i>
r 3		
r 3(1)	r 3 redesignated as r 3(1) by 27/2024 r 3(12)	1.9.2024
AS 4736-2006	inserted by 27/2024 r 3(1)	1.9.2024
AS 5810-2010	inserted by 27/2024 r 3(1)	1.9.2024
authorised certifier	inserted by 27/2024 r 3(1)	1.9.2024
balloon stick	inserted by 27/2024 r 3(1)	1.9.2024
balloon tie	inserted by 27/2024 r 3(1)	1.9.2024
beverage plug	inserted by 27/2024 r 3(1)	1.9.2024
catering platter	inserted by 27/2024 r 3(2)	1.9.2024
certified as compostable	inserted by 27/2024 r 3(2)	1.9.2024

expanded polystyrene food or beverage container	inserted by 27/2024 r 3(3)	1.9.2024
	amended by 126/2024 r 3(1)	12.12.2024
expanded polystyrene food tray	inserted by 27/2024 r 3(3)	1.9.2024
fish	inserted by 27/2024 r 3(3)	1.9.2024
food bag tag	inserted by 27/2024 r 3(3)	1.9.2024
garland tape	inserted by 27/2024 r 3(3)	1.9.2024
home compostable	inserted by 27/2024 r 3(3)	1.9.2024
industrially compostable	inserted by 27/2024 r 3(3)	1.9.2024
pizza saver	inserted by 68/2023 r 3(1)	1.9.2023
plastic barrier bag	inserted by 27/2024 r 3(4)	1.9.2024
	amended by 27/2024 r 6(1)	1.9.2025
	amended by 97/2025 r 3(1)	1.9.2025
plastic confetti	inserted by 27/2024 r 3(4)	1.9.2024
plastic produce sticker	inserted by 27/2024 r 6(2)	1.9.2025
plastic shopping bag	inserted by 27/2024 r 3(4)	1.9.2024
plastic-stemmed cotton bud	inserted by 68/2023 r 3(1)	1.9.2023
pre-filled soy sauce container	inserted by 27/2024 r 6(3)	1.9.2025
premises	inserted by 27/2024 r 3(5)	1.9.2024
prescribed food container	inserted by 27/2024 r 3(6)	1.9.2024
	amended by 90/2024 r 3	5.9.2024
	<b>amended by 27/2024 r 9(1)</b>	<b>1.3.2026</b>
	amended by 126/2024 r 3(2)	12.12.2024
prescribed food container lid	inserted by 27/2024 r 3(6)	1.9.2024
	<b>amended by 27/2024 r 9(2)</b>	<b>1.3.2026</b>
ready-to-eat food	inserted by 27/2024 r 3(6)	1.9.2024
relevant food or beverage product	amended by 27/2024 r 3(7)	1.9.2024
single-use plastic beverage cup	inserted by 27/2024 r 3(8)	1.9.2024
<b>single-use plastic beverage cup</b>	<b>amended by 27/2024 r 9(3)</b>	<b>1.3.2026</b>
single-use plastic beverage cup lid	inserted by 27/2024 r 3(8)	1.9.2024
	<b>amended by 27/2024 r 9(4)</b>	<b>1.3.2026</b>

## Single-use and Other Plastic Products (Waste Avoidance) Regulations 2021—1.3.2026

### Legislative history

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single-use plastic bowl	inserted by 68/2023 r 3(2)	1.9.2023
	amended by 27/2024 r 3(9)—(11)	1.9.2024
	<b>amended by 27/2024 r 9(5)</b>	<b>1.3.2026</b>
	amended by 126/2024 r 3(3)	12.12.2024
single-use plastic plate	inserted by 68/2023 r 3(2)	1.9.2023
r 3(2)	inserted by 27/2024 r 3(12)	1.9.2024
	amended by 27/2024 r 6(4)—(6)	1.9.2025
	amended by 97/2025 r 3(2), (3)	1.9.2025
	(d), (e) deleted by 97/2025 r 3(4)	1.9.2025
r 3(3) and (4)	inserted by 27/2024 r 3(12)	1.9.2024
r 3A	inserted by 68/2023 r 4	1.9.2023
	amended by 27/2024 r 4	1.9.2024
	amended by 27/2024 r 7	1.9.2025
	amended by 97/2025 r 4	1.9.2025
r 4	<i>deleted by 27/2024 r 8</i>	<i>1.9.2025</i>
r 8	inserted by 43/2021 r 4	29.4.2021
	expired: r 8(4)	(1.3.2022)
	substituted by 68/2023 r 5	1.9.2023
r 9	inserted by 68/2023 r 5	1.9.2023
r 10	inserted by 27/2024 r 5	1.9.2024
r 10	will expire: r 10(2)	(31.8.2027)

### Historical versions

29.4.2021

1.9.2023

1.9.2024 (electronic only)

5.9.2024

12.12.2024

1.9.2025