

Amended plastic bag regulations published for implementation

Amendments to South Africa's Plastic Carrier Bags and Plastic Flat Bags Regulations have been published in the Government Gazette for implementation.



Photo by Elina Krina from [Pexels](#)

“The amendments emanate from the review of all policies affecting plastic bags in the country. This included inputs from stakeholders directly and indirectly affected by policies relating to plastic bags and their management at post-consumer stage,” said the Department of Forestry, Fisheries and the Environment in a statement on Sunday.

The amendments focus on promoting a circular economy and ensuring circularity by prescribing the design through setting minimum recycled content in a phased manner starting 2023 until 2027.

“The recycled content or ‘post-consumer recycle’ material is used in the manufacturing process informed by input material arising from waste generated by households or by commercial, industrial and institutional facilities. These amendments are enhancing the demand-side of waste management and would secure the necessary demand to drive the diversion of plastic waste from landfill,” it said.

The amended regulations were gazetted by Minister Barbara Creecy on 7 April 2021 in terms of the National Environmental Management Act and the National Environmental Management: Waste Act.

The definition of “post-consumer recyclate” refers to material generated by households or commercial, industrial or institutional facilities, in their role as end-users of the product, which can no longer be used for its intended purpose.

It also includes returns of material from the distribution chain, as well as in-house scrap that already contains post-consumer recyclate content.

In terms of the prohibition of certain plastic bags, the amendment prohibits the manufacture, trade or commercial distribution of domestically produced or imported plastic carrier bags and plastic flat bags, for use in South Africa, other than those which comply with the Compulsory Specification for Plastic Carrier Bags and Flat Bags.

“This means that, as of the date of publication of the gazette, plastic carrier bags and plastic flat bags must be made from a minimum of 50% post-consumer recyclate from 1 January 2023, 75% of recycled materials from the start of 2025 and must comprise 100% post-consumer recyclate from 1 January 2027,” said the department.

In terms of the amendment, any person who contravenes the regulations could face a fine not exceeding R5 million or five year’s imprisonment. In the case of a second or subsequent conviction the person could be imprisoned for up to 10 years or face a R10 million fine.

The gazette can be accessed on [here](#)

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