



7 February 2017

(17-0713)

Page: 1/3

Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member: SEYCHELLES</b> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Environment Department Ministry of Environment, Energy and Climate Change Botanical Gardens P.O. Box 445 Mont Fleuri Mahe Republic of Seychelles Tel: +2484670500 Fax: +2484610648  <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b> Trade Division Ministry of Finance, Trade and Economic Planning P.O. Box 313, Liberty House Victoria Tel: +248 4382056 Email: <a href="mailto:enquirywto@finance.gov.sc">enquirywto@finance.gov.sc</a> Website: <a href="http://www.seychellestradeportal.gov.sc">http://www.seychellestradeportal.gov.sc</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
<b>4. Products covered (HS: or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> <ul style="list-style-type: none"><li>• 392321:- Of polymers of ethylene</li><li>• 392329:- Of other plastics: – Plastic carrier bags</li><li>• 392410:<ul style="list-style-type: none"><li>• Tableware and kitchenware</li><li>• Plastic cups</li><li>• Plastic plates</li><li>• Plastic spoons</li><li>• Plastic forks</li><li>• Plastic knives</li><li>• Plastic bowls</li><li>• Plastic trays</li></ul></li><li>• 392310:- Boxes, cases, crates and similar articles:<ul style="list-style-type: none"><li>• Polystyrene takeaway boxes</li><li>• Boxes, cases, crates and similar articles (HS: 392310), – Of polymers of ethylene (HS: 392321), – Of other plastics (HS: 392329), – Tableware and kitchenware (HS: 392410)</li></ul></li></ul>

**5. Title, number of pages and language(s) of the notified document:**

- S.I.... of 2017 – Environment Protection Act, 2016 (Act 18 of 2016) – Environment Protection (Restriction on manufacturing, importation and distribution of Plastic Bags) regulations 2017 (5 pages, in English)
- S.I.... of 2017 – Environment protection Act, 2016 (Act 18 of 2016) – Environment Protection (Restriction on Importation, distribution and sale of Plastic utensils and Polystyrene Boxes) Regulations 2017 (4 pages, in English)

**6. Description of content:** The Environment Protection (Restriction of Plastic Bags) Regulations: This set of regulations will restrict the importation of certain types of plastic bags into the Seychelles. The only plastic bags that will be allowed entry are the plastic bags featured on the exemption list, found in the First Schedule of the above mentioned regulations. The content of the exemption list will be reviewed periodically. Import permits will be approved for the importation of biodegradable bags and exempted plastic bags only. These biodegradable bags will have to be accompanied by a certificate of conformity to the applicable standards provided for in the Second Schedule of the regulations. Validation of the certificate of conformity will be undertaken by the Seychelles Bureau of Standards. Any person who contravenes these regulations will be liable to a fine not exceeding SR 20,000 upon conviction. This set of regulation will repeal the Environment Protection (Restrictions on Plastic Bags) Regulations 2008.

The Environment Protection (Restriction of Plastic Utensils and Polystyrene Boxes) Regulations: This set of regulations will restrict the importation of plastic utensils (*namely plastic spoon, knives, plates, bowls, cups and trays*) and polystyrene takeaway boxes. As alternatives to these plastic utensils and polystyrene takeaway boxes importers can import biodegradable utensils and biodegradable takeaway boxes for distribution and use within the Seychelles. These biodegradable utensils and take away boxes will have to be accompanied by a certificate of conformity to the applicable standards provided for in the First Schedule of the regulations. Validation of the certificate of conformity will be undertaken by the Seychelles Bureau of Standards. Any person who contravenes these regulations will be liable to a fine not exceeding SR 20,000 upon conviction.

**7. Objective and rationale, including the nature of urgent problems where applicable:**

The objective of the two technical regulations is to restrict the importation and use of plastic carrier bags, utensils and polystyrene takeaway boxes in the Seychelles. After having accepted the fact that Seychelles faces a major solid waste and management problem. The Ministry responsible for environment felt the need to take some important decisions in order to limit the types of waste that is being deposited on its landfills. Waste being generated in the Seychelles has increased significantly and most of these wastes are plastic based. In addition, the preliminary findings of a research undertaken in the Seychelles in June 2016, indicated that approximately 33% of all waste that enters the Providence Landfill, located on the main island of Mahe, consists of plastic carrier bags. These plastic carrier bags have been proven to affect wildlife and pollute the environment. Moreover, plastics take over 1000 years to disintegrate. It is to note that the Ministry responsible for environment has taken various steps to tackle the issue of plastic bags in the environment. In 2008, the said Ministry drafted the Environment Protection (Restrictions on Plastic Bags) Regulations 2008, with the aim of restricting plastic bags below 30 microns from entering the Seychelles. This set of regulations was designed to discourage the use of flimsy plastic bags and promote the recycling and reuse of thicker plastic bags. This initiative was proven to be unsuccessful and led the Ministry to increase the micron limit for plastic bag importation from 30 to 50 in 2015. This again was not successful as more and more plastic bags were seen in the environment. Therefore the Ministry designed a plan to restrict the importation of certain plastic based items namely; plastic carrier bag, plastic utensils (*spoon, forks, knives, plates, bowls, cups and trays*) and polystyrene takeaway boxes. This plan comprises of;

- The introduction of a policy to restrict the importation of the above mentioned plastic based items
- The coming into force of 2 sets of regulations to restrict the importation of these plastic based items and introduce penalties for individuals who fails to comply with these regulations

<p>The periodical review of these regulations in order to restrict the importation of more plastic based items.</p> <p>Protection of the environment.</p>
<p><b>8. Relevant documents:</b></p> <ul style="list-style-type: none"> <li>• S.I... of 2017 – Environment Protection Act, 2016 (Act 18 of 2016) – Environment Protection (Restriction on manufacturing, importation and distribution of Plastic Bags) regulations 2017.</li> <li>• S.I... of 2017 – Environment protection Act, 2016 (Act 18 of 2016) – Environment Protection (Restriction on Importation, distribution and sale of Plastic utensils and Polystyrene Boxes) Regulations 2017.</li> </ul>
<p><b>9. Proposed date of adoption:</b> August 2017</p> <p><b>Proposed date of entry into force:</b> August 2017</p>
<p><b>10. Final date for comments:</b> 60 days from notification</p>
<p><b>11. Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b></p> <p>National Notification Authority  Trade Division  Ministry of Finance, Trade and Economic Planning  P.O. Box 313, Liberty House  Victoria  Tel: +248 4382056  Email: <a href="mailto:enquirywto@finance.gov.sc">enquirywto@finance.gov.sc</a></p> <p><a href="https://members.wto.org/cnattachments/2017/TBT/SYC/17_0650_00_e.pdf">https://members.wto.org/cnattachments/2017/TBT/SYC/17_0650_00_e.pdf</a></p> <p><a href="https://members.wto.org/cnattachments/2017/TBT/SYC/17_0650_01_e.pdf">https://members.wto.org/cnattachments/2017/TBT/SYC/17_0650_01_e.pdf</a></p>