
STATES OF JERSEY



MINISTERIAL GUIDANCE TO SUPPORT THE IMPLEMENTATION OF THE SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) LAW 2021

**Presented to the States on 17th January 2023
by the Minister for Infrastructure**

STATES GREFFE

REPORT

1.0 Purpose of the Report

The purpose of this report is to outline the requirement for two additional points of guidance that support the implementation of the [Single Use Plastics etc. \(Restrictions\) \(Jersey\) Law 2021](#).

2.0 Background

On 21st July 2021, the States Assembly approved the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021.

The Law prohibits the importation and supply of specified single use bags and applies a minimum price to the supply of reusable paper and plastic bags.

This Law came into effect on the 21st July 2022 and applies to all traders.

The Law includes the provision for the Minister for Infrastructure to ‘issue guidance as to the application of this Law, and in particular as to the type or technical specification of carrier bags or other items to which this Law does not apply’ (Article 14).

On 21st April 2022, the Minister for Infrastructure approved a set of guidance points that supported the implementation of the Law. On 24th June 2022, the Minister for Infrastructure approved an additional point of guidance.

As the Law requires traders to make some operational changes to the bags provided to customers, communications between traders and the Department are ongoing and questions regarding the use of industry and product specific bags continue to be raised. In order to continue to support traders, the Department has identified two additional guidance points for approval by the Minister for Infrastructure.

This report sets out the additional guidance points to be approved via a Ministerial Decision.

3.0 Discussion

The Environmental and Consumer Protection Team are continuing to work with local traders to support the implementation of the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 and ongoing compliance. This section explains the two additional guidance points that are required.

3.1 Bags for foods that require a protective layer to prevent leakage i.e. foil lined paper bags for cooked meats and toasted sandwiches

Engagement with traders has identified a need to expand the list of industry specific exemptions to the Law as shown below with the additional exemption shown in bold:

Existing guidance	Recommended guidance
Bags used to contain the following items are exempt from the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021:	Bags used to contain the following items are exempt from the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021:
<ul style="list-style-type: none"> uncooked meat 	<ul style="list-style-type: none"> uncooked meat

<ul style="list-style-type: none"> • uncooked fish and fish products • prescription medicine or appliance • live fish or other aquatic creatures <p>goods in transport, such as at an airport, plane or ship</p>	<ul style="list-style-type: none"> • uncooked fish and fish products • prescription medicine or appliance • live fish or other aquatic creatures <p>goods in transport, such as at an airport, plane or ship</p> <ul style="list-style-type: none"> • foods that require a protective layer to prevent leakage i.e. grease and moisture
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Traders have communicated the need to continue to use foil lined paper bags that are used to package food products that omit grease or moisture (for example, cooked meats, toasted sandwiches). The purpose of foil lined bags is to provide a protective layer to prevent the leakage of grease and moisture.

The addition of this item of guidance would allow for foil lined bags (or bags with the equivalent purpose) to be used to package takeaway food items as an alternative to single use plastic food boxes should the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 be extended in the future to include such containers.

3.2 Use of prohibited bags by Jersey charities after the ‘use up’ period (21st January 2023)

A six month ‘use up’ period is in place for traders to exhaust their existing stock of single use bags.

Some traders have informed the Department that they will still have stock after this time. This is due to the traders having large stocks prior to the implementation of the law and consumers are bringing their own bags, so the rate at which the trader would have previously sold their bags has slowed.

The Department recommends that traders are permitted to give any remaining stock of single use bags (that were purchased before the Law came into force) to Jersey charities for their use.

This will avoid stocks of bags being disposed of as waste in order to comply with the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 which aims to reduce waste and encourage reuse.

It also provides an opportunity to benefit local charities but does not encourage the ongoing use of single use bags as it only applies to existing stocks of bags that have been purchased prior to the Law coming into effect on 21 July 2022. An end date has not been suggested for this guidance as stocks of single use bags will be limited and their importation and supply are now prohibited under the Law.

Definitions linked to this item of guidance are:

- Single use bags: as defined under Schedule 1 of the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 that were purchased before the Law came into effect.

- Charity: a Jersey entity registered with the Jersey Charity Commissioner and entered on the Public Register and/or an entity established under the law of the United Kingdom and entitled under the law of that jurisdiction to refer to itself as a Charity. This definition is provided in accordance with the [Charities \(Jersey\) Law 2014](#).

4.0 Communication

The Law requires the Minister to ‘publish any guidance issued under this Article, by such means as the Minister reasonably considers will draw the guidance to the attention of those who may be affected by this Law.’

The Environmental and Consumer Protection Team are continuing to work with traders and professional bodies including Jersey Business and Chamber of Commerce to raise awareness of the Law and the provide advice. This includes:

- Dedicated website page: gov.je/singleuseplastics
- FAQ resource
- Factsheets for traders
- Video explaining the changes business may need implement
- Meetings with individual businesses and professional bodies
- Point of sale/in store promotional material

Once approved, the additional guidance points will be included in the relevant communications.

5.0 Conclusion

The Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 came into effect on 21 July 2022. The guidance outlined in this report is required to support traders with the ongoing implementation of the Law.