

Shopping Containers Bill 1998

Explanatory Memorandum

Circulated by the authority of Kerrie Tucker MLA

Summary

This Bill requires retail businesses to charge their customers directly for any plastic shopping bags it provides for the purpose of carrying items from the store once sold, at a price that is not less than the cost paid by the business to buy the bag.

Details of the Bill

Clause 1

- provides for the short title of the Act

Clause 2

- provides for the Act to come into effect not later than 6 months after gazettal.

Clause 3

- sets out the defined terms used in the Bill. Of note is that the definition of shopping container is broad to encompass bags or boxes made wholly or partly from plastic and also any other shopping container declared by the Minister. The definition excludes plastic bags in which goods may be packaged prior to sale as the cost of these bags would already be directly factored into the cost of the good.

Clause 4

- provides that a retailer shall not give away a shopping bag for free to a customer.

Clause 5

- provides that the price of the shopping bag must be displayed at each point of sale within the retail premises. The price of the bag must be at least the price at which the retailer bought the bag, rounded up to the next higher cent.

Clause 6

- provides that where shopping bags are sold to a customer the purchase is shown on the receipt given to the customer for the purchase of the goods.

Clause 7

- allows the Minister to declare other bags or boxes to be covered by this Act. Such a declaration is a disallowable instrument. This is to allow for future inclusion of other types of shopping containers in the event that retailers begin giving away other types of shopping bags which the Government may wish to regulate.

Clause 8

- allows an inspector authorised under the *Trade Measurement (Administration) Act 1991* to enter retail premises during business hours to check the operation of cash registers and the records of the retailer relating to the purchase and sale of shopping bags.

Clause 9

- makes it an offence to hinder or obstruct an inspector in the exercise of their duties.

Clause 10

- provides that a body corporate may be held liable for the actions of a director, servant or agent of the body corporate where the person has acted with the authority of the body corporate.