

Plastic Reduction (Single-use Plastic Cutlery—Special Circumstances) Exemption 2021 (No 1)

Disallowable instrument DI2021-159

made under the

Plastic Reduction Act 2021, section 17 (Minister may exempt person or plastic product)

1 Name of instrument

This instrument is the *Plastic Reduction (Single-use Plastic Cutlery—Special Circumstances) Exemption 2021 (No 1)*.

2 Commencement

This instrument commences on 1 July 2021.

3 Exemption

- (1) The Act, part 3 (Supplying prohibited plastic products) does not apply to a person—
 - (a) employed or engaged (for reward or otherwise) by an organisation mentioned in table 3.1, column 2 in relation to the supply of single-use plastic cutlery in a circumstance mentioned in column 3; or
 - (b) who supplies single-use plastic cutlery to an organisation mentioned in table 3.1, column 2 for a circumstance mentioned in column 3.
- (2) In accordance with the Act, section 17 (3), I am satisfied that—
 - (a) it is not practicable or in the public interest for a person mentioned in subsection (1) to comply with the Act, part 3; and
 - (b) noncompliance with the Act, part 3 will not have any significant adverse effect on public health, property or the environment.

Table 3.1

Column 1 Item	Column 2 Organisation	Column 3 Circumstance
1	Justice and Community Safety Directorate (JACS) <ul style="list-style-type: none">• ACT Corrective Services• ACT Courts and Tribunal	<ul style="list-style-type: none">• At the Alexander Maconochie Centre (AMC), and in detainee-facing settings at ACT Police stations, ACT Courts and Tribunal facilities,

	Australian Federal Police – ACT Policing	or other like settings (e.g. when transporting detainees)
2	Community Services Directorate (CSD) <ul style="list-style-type: none"> • Child and Youth Protection Services 	<ul style="list-style-type: none"> • In young detainee-facing settings at the Bimberi Youth Justice Centre (Bimberi), or other like settings
3	Canberra Health Services (CHS)	<ul style="list-style-type: none"> • In patient-facing settings in the Dhulwa Mental Health Unit, or emergency mental health facilities • Where detainees or young detainees of facilities, or other like facilities, mentioned in items 1 or 2 are receiving health services at CHS facilities
4	ACT Government directorates, Australian Government departments, non-government organisations, businesses, or other private providers	<ul style="list-style-type: none"> • In detainee or mental-health service settings in the same class as those mentioned in items 1, 2 and 3 where the safety of staff, clients, visitors, patients, detainees or the community may be compromised if single-use plastic cutlery cannot be used

4 Expiry

This instrument expires on 30 June 2022.

Chris Steel MLA
Minister for Transport and City Services

25 June 2021