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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN
**MINISTRY OF CLIMATE CHANGE &
ENVIRONMENTAL COORDINATION**
[Pakistan Environmental Protection Agency]

NOTIFICATION

Islamabad, the 4th June, 2023

S. R. O. 935(I)/2023.—In exercise of the powers conferred by section 33 of the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997), the Pakistan Environmental Protection Agency, with the approval of the Federal Government, is pleased to make the following regulations, namely:—

1. **Short title, application and commencement.**—(1) These regulations shall be called the Single-use Plastics (Prohibition) Regulations, 2023.

(2) These regulations shall extend to the Islamabad Capital Territory (ICT).

(3) These regulations shall come into force at once, except sub-regulations (1) and (2) of regulation 3 which shall come into force as per timelines mentioned therein.

(2227)

Price: Rs. 40.00

[1418(2023)/Ex. Gaz.]

2. **Definitions.**—(1) In these regulations,—
- (a) **“Act”** means the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997);
 - (b) **“authorised officer”** means the person authorised by the Federal Agency for enforcement of these regulations;
 - (c) **“authorised purpose”** means the purpose of determining whether any violation or offence under these regulations has been or is being committed;
 - (d) **“beverage”** includes drinking water including carbonated and noncarbonated, fruit drinks including carbonated and noncarbonated, coffee and tea drinks, milk including flavoured and unflavoured, energy and sport drinks;
 - (e) **“beverage container”** means any container in which a beverage is sold, excluding items mentioned in **Schedule – I**;
 - (f) **“beverage manufacturer”** means any person or entity who bottles or otherwise fills beverage containers, or imports filled beverage containers for sale to distributors, suppliers or consumers;
 - (g) **“carrier bags”** means bags constructed with handles, with or without gussets;
 - (h) **“distributor”** means the person who comes in between a manufacturer or importer and seller or retailer;
 - (i) **“extended producers' responsibility”** means the responsibility of a producer for environmentally sound management of the product until the end of its life;
 - (j) **“flat bags”** means polythene bags constructed without handles, with or without gussets;
 - (k) **“Government”** means the Federal Government;
 - (l) **“ICT”** means the Islamabad Capital Territory;
 - (m) **“import”** means the import of single-use plastic in the territorial jurisdiction of ICT through any means including, but not limited to, air, roads and railways;

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- (n) **“importer”** means any person or entity engaged in import of any item or commodity under these regulations, in to the territorial jurisdiction of ICT through any means including, but not limited to, air, roads and railways;
- (o) **“medical purposes”** means for the purpose of medical care, patient care and treatment;
- (p) **“plastic”** means a material consisting of polymer such as polyethylene, polypropylene, polystyrene, polyethylene terephthalate and other polymers of petrochemicals, with the exception of natural polymers that have not been chemically modified;
- (q) **“producer”** means any person or entity engaged in manufacture or import of any item or commodity under these regulations;
- (r) **“polythene bag”** means polybag, polythene carrier or flat bag or pouch;
- (s) **“industrial packaging”** means packaging by a manufacturing unit of product or raw material, edible or otherwise, in which the product or raw material may or may not be in direct contact with the packaging material;
- (t) **“schedule”** means the schedules to these regulations;
- (u) **“scientific purpose”** includes diagnostic, educational, research purposes;
- (v) **“seller or retailer”** means the person who might or might not buy directly from the producer or importer but sells directly to the end consumer or any other person who sells to end consumers;
- (w) **“single-use plastic”** means a plastic item designed or intended to be used only once for the same purpose for which it was conceived before being disposed of or recycled;
- (x) **“supply”** means supply, whether by way of sale or not; and
- (y) **“virgin plastic”** means plastic material which has not been used before and has not been blended with scrap or waste.
- (2) All other words and expressions used in these regulations but not defined herein shall have the same meanings as are assigned thereto in the Act.

3. **Prohibition on single-use plastics.**—(1) The manufacture, import, distribution, sale, supply, stocking, purchase, trade or use of single-use plastic items listed in **Schedule - I** shall be prohibited in ICT as per time-lines mentioned therein.

(2) The manufacture, import and use of single-use plastic beverage containers made entirely from virgin plastic shall be prohibited in ICT in accordance with **Schedule - II** by beverage manufacturers and producers of beverage containers.

(3) After the given timelines in Schedules - I and II, no person shall distribute, import, manufacture, purchase, sell, store, supply, trade or use single-use plastics mentioned in sub-regulations (1) and (2) and any authorisation or permission for distribution, import, manufacturing, purchase, sale, storage, supply, trade or use of single-use plastics mentioned in sub-regulations (1) and (2) issued before commencement of these regulations shall cease to be in force.

4. **Exemption.**—(1) Subject to an application for exemption under regulation 5, the prohibition under sub-regulation (1) of regulation 3 shall not apply to manufacture, import, use or supply of single-use plastic for the following purposes, namely:—

- (a) industrial packaging;
- (b) medical purposes;
- (c) scientific purposes;
- (d) polythene bags for hospital waste;
- (e) polythene bags for municipal waste; and
- (f) polythene bags for hazardous waste.

5. **Application for exemption.**—(1) An application for exemption referred to in regulation 4 shall be made before the Federal Agency in accordance with **Schedule - III**.

(2) The application under sub-regulation (1) shall be accompanied by fee prescribed under **Schedule - IV**.

(3) An application under sub-regulation (1) to manufacture or import shall include a recycling plan.

(4) The fee collected under this regulation shall be deposited in the Clean Environment Fund by the applicant.

(5) The Federal Agency shall make its decision on the application within sixty days and thereafter communicate it to the applicant in writing.

(6) The Federal Agency may, after being satisfied with the application, grant an exemption on such terms and conditions as may be appropriate and necessary to facilitate sustainable development and sound environmental management.

(7) The exemption issued under these regulations shall be valid for a period of three years.

(8) The Federal Agency may revoke any exemption granted under these regulations in case of any breach of its terms and conditions.

(9) The Federal Agency may revoke any exemption granted under these regulations upon becoming aware of detrimental effects of exempted single use plastic on the environment or human health.

(10) The Federal Agency may require an applicant, at its own expense, to submit any additional information for purpose of assessment of the application.

(11) The Federal Agency shall not revoke the exemption unless an opportunity of being heard is provided to the person likely to be affected thereby.

6. **Review of application.**—(1) The Federal Agency may on application by any applicant or on its own accord, review its decision under regulation 5.

(2) The Federal Agency while reviewing an application shall not pass an order without giving the applicant an opportunity of hearing.

(3) The Federal Agency shall decide the application for review within a period of thirty days.

7. **Recycling plan.**—(1) Every producer and importer shall with concurrence of the Federal Agency develop a recycling plan, individually or jointly with other producers or importers, in accordance with **Schedule - V** for supporting collection and recycling of single-use plastic.

(2) Upon approval of the recycling plan by the Federal Agency, the producer or importer shall, individually or jointly with other producers or importers, implement the approved recycling plan.

(3) The Federal Agency may require the producer or importer to submit a compliance report of the approved recycling plan.

8. **Record keeping and submission of report.**—(1) Every producer or importer of single-use plastics shall keep a record of quantities of materials manufactured, imported or exported and submit a report to the Federal Agency in accordance with **Schedule - VI**.

(2) Every producer of single-use plastic beverage container shall maintain record of amount of plastic raw material procured, amount of virgin and recycled plastic used in manufacturing process and, shall submit a report, along with all relevant documentation, to the Federal Agency every six months in accordance with **Schedule - VII**.

(3) Beverage manufacturers, for beverages sold in single-use plastic beverage containers, shall maintain record of total number of beverages sold in single-use plastic beverage containers, number of single-use plastic beverage containers made from virgin plastic and recycled plastic respectively and shall submit a report, along with all relevant documentation, to the Federal Agency every six months in accordance with **Schedule - VIII**.

9. **Responsibility of producer, importer and beverage manufacturer.**—(1) Producers, importers and beverage manufacturers shall formulate a plan for single-use plastic waste collection system based on extended producers responsibility which shall be submitted to the Federal Agency for approval not later than three months from the commencement of these regulations.

(2) Not later than six months from the commencement of these regulations, primary responsibility for collection of single-use plastic waste shall be of the producer, importer and beverage manufacturer who introduced single-use plastic items in the market in accordance with the plan approved by the Federal Agency.

10. **Enforcement.**—(1) Subject to provisions of the Act, any authorised officer for enforcement of these regulations may exercise the following powers, namely:—

- (a) to enter at any reasonable time any premises which the authorised officer has reason to believe it is necessary to enter for an authorised purpose;
- (b) to make such examination, investigation and inspection as may be necessary;
- (c) to search any land, building, premises, vehicle, vessel or other place where or in which, there are reasonable grounds to believe that an offence under the Act and these regulations has been or is being committed;

- (d) to require the production of, or where the information is recorded in computerised form, the furnishing of extracts from, any document which it is necessary for the authorised officer to see for the purpose of any such examination or investigation and to inspect and to take copies of the document;
- (e) to take any samples, or cause samples to be taken, of any articles or substances found in or on any premises which an authorised officer has power to enter under clause (a), and cause any such articles or substances to be analysed or tested; and
- (f) confiscate any article or item, possession of which constitutes a violation or an offence under the Act and these regulations.

(2) The Federal Agency may request any person or entity to furnish any information or documents it deems necessary for enforcement of these regulations.

(3) Subject to section 16 of the Act, the Federal Agency may, where satisfied that an act or omission is likely to occur or is occurring or has occurred in violation of these regulations and is likely to cause or is causing or has caused an adverse environmental affect, pass an order for immediate stoppage or any other action which it deems necessary to prevent continuing violation of these regulations.

11. **Penalty.**—(1) Subject to Section 17 of the Act the minimum penalty shall be as prescribed in **Schedule IX**.

(2) The procedure for penalty under these Regulations will be in the manner as prescribed in Compounding of Offences and Payment of Administrative Penalty Rules, 2015.

12. **Awareness raising measures.**—(1) The Federal Agency may direct producers, importers, distributors, supplier or beverage manufacturers to take measures to incentivise responsible consumer behaviour in order to reduce litter from products/items covered by these regulations and inform consumers of the following:—

- (a) the availability of re-usable alternatives and waste management options for single-use plastics; and
- (b) the impact of littering and other inappropriate waste disposal of single-use plastics.

13. **Repeal.**—The Pakistan Environmental Protection Agency Ban on (Manufacturing, Import, Sale, Purchase, Storage and Use) Polythene Bags Regulations, 2019 are hereby repealed.

SCHEDULE-I

[See regulation 3(1)]

Prohibited Single-Use Plastic Items as per Timelines Mentioned Herein

- (a) Single-use polythene bags including but not limited to carrier bags and flat bags upon commencement of these regulations;
- (b) Single-use plastic drinking straw within two years of commencement of these regulations;
- (c) Single-use plastic crockery including plates, bowls, cups, glasses from 1st August 2023;
- (d) Single-use plastic cutlery designed for eating or serving food including forks, knives, spoons, chopsticks from 1st August 2023;
- (e) Single-use plastic foodservice ware designed or used for serving or transporting food or beverage ready to be consumed including lidded container, box, cup, plate, bowl from 1st August 2023;
- (f) Single-use plastic stirrers including any plastic item designed to stir or mix beverages or to prevent a beverage from spilling from the lid of its containers from 1st August 2023.

SCHEDULE-II

[See regulation 3(2)]

Phasing out of Single-Use Plastic Beverage Containers made from virgin plastic as per the following time-lines

From 1st July 2028 single-use plastic beverage containers shall contain at least 50% recycled plastic in a manner which shall have no adverse effects on the environment and human health.

Schedule - III

[See regulation 5]

Form I

Application for Exemption for Manufacturing Single-use Plastic Items

From:

.....

.....(Name and full address of the occupier)

To

The Director General,
Pakistan Environmental Protection Agency

.....

.....

Sir/Madam,

1. I/We hereby apply for exemption under Regulation 5 of Single-use Plastics Prohibition Regulations, 2023

| Part - A General | | |
|----------------------------|---|--|
| 1.(a) | Name and location of the unit | |
| (b) | Address of the unit | |
| (c) | Exemption required for manufacturing of which single-use plastic item | |
| (d) | Purpose for which exemption sought | |
| (e) | Manufacturing capacity | |
| (f) | In case of renewal, previous exemption number and date of grant of exemption, if any. | |
| 2.(a) | Registration status of manufacturing plant | |
| (b) | Total capital cost invested on the project | |
| (b) | Year of commencement of production | |
| (c) | List and quantum of raw materials used | |

Name and Signature:

Designation:

Form II

Application for Exemption for Importing Single-use Plastic Items

From:

.....

.....(Name and full address of the occupier)

To

The Director General,

..... Pakistan Environmental Protection Agency

.....

.....

Sir/Madam,

1. I/We hereby apply for exemption under Regulation 5 of Single-use Plastics Prohibition Regulations, 2023

| Part - A General | | |
|----------------------------|---|--|
| 1.(a) | Name of business | |
| (b) | Address of the registered office | |
| (c) | Exemption required for import of which single-use plastic item | |
| (d) | Purpose for which exemption sought | |
| (e) | Import quantity | |
| (f) | In case of renewal, previous exemption number and date of grant of exemption, if any. | |
| 2.(a) | Registration status of import business | |
| (b) | Total capital cost invested on the project | |
| (c) | Year of commencement of import business | |

Name and Signature:

Designation:

Form III

Application for Exemption for Use/Supply of Single-use Plastic Items

From:

.....

.....(Name and full address of the occupier)

To

The Director General,

..... Pakistan Environmental Protection Agency

.....

Sir/Madam,

1. I/We hereby apply for exemption under Regulation 5 of Single-Use Plastics Prohibition Regulations, 2023

| Part - A General | | |
|----------------------------|----------------------------------|--|
| 1.(a) | Name of business | |
| (b) | Principal line of business | |
| (b) | Address of the registered office | |

| | | |
|-------|---|--|
| (c) | Exemption required for usage of which single-use plastic item | |
| (d) | Purpose for which exemption sought | |
| (e) | Quantity of exempted single-use items | |
| (f) | In case of renewal, previous exemption number and date of grant of exemption, if any. | |
| 2.(a) | Registration status of business | |
| (b) | Total capital cost invested on the business | |
| (b) | Year of commencement of business | |

Name and Signature:
Designation

Schedule - IV

[See regulation 5 (2)]

Exemption Fee

| Serial No. | Person applying for registration | Fee in Rupees |
|-------------------|---|----------------------|
| 1 | Producer | 50,000 |
| 2 | Importer | 25,000 |
| 3 | User or supplier | 10,000 |

Schedule - V

[See regulation 7]

Recycling Plan

1. Each producer or importer shall develop a plan and thereafter maintain a plan for supporting the collection and recycling of Single Use Plastics and submit the copy of this plan to Federal Agency for posting on the Federal Agency's website.
2. Producer or importers may develop and implement the plan under sub-regulation (1) individually or jointly with other producers or importers.

3. The plan under this regulation shall describe the recycling program to be implemented throughout ICT, including collection locations events, or both, and shall. –
- (a) include a detailed description as to how the plan will be implemented;
 - (b) describe the performance measures that will be used to document collection efforts for single-use plastic items;
 - (c) include the public education plan on the reuse and recycling of single-use plastic items;
 - (d) include the mailing address email address and contact details of the producers, exporter, importer for the submission of comments regarding the plan; and
 - (e) describe such other matters as the Federal Agency may require.

Schedule - VI

[See Regulation 8 (1)]

Record Keeping by Federal Agency

| <u>S. No.</u> | <u>Description</u> | <u>Relevant information</u> |
|---------------|--|-----------------------------|
| 1. | Category type (as per Schedules IV) | _____ |
| 2. | Name of owner / Unit | _____ |
| 3. | Name and designation to be contacted | _____ |
| 4. | Description of project | _____ |
| 5. | Location of project | _____ |
| 6. | Project capital cost | _____ |
| 7. | Date of receipt of application for registration | _____ |
| 8. | Date of receipt of application for exemption | _____ |
| 9. | Approval granted (Yes/No) | _____ |
| 10. | Date of approval granted or rejected | _____ |
| 11. | Conditions of approval (if any) | _____ |
| 12. | Reasons for rejection (if any) | _____ |
| 13. | Date of commencement of operations / production | _____ |
| 14. | Quantities of materials/items manufactured/imported/exported | _____ |
| 15. | Date of approval of others civic authorities like CDA,etc | _____ |

Signature of authorised officer

SCHEDULE- VII
[See regulation 8(2)]

**Report by Producer of Single-use plastic beverage container to be submitted
before the Federal Agency**

A. DETAILS OF THE INFORMATION OR DATA PROVIDER

Name (individual/Firm/Company Etc.)
.....
.....

Tick the Relevant

(a) Producer (b) Importer (c) Supplier/User

Nature of product (specify the
details).....
.....

Business Registration No. (if any)

Sale Tax No. /NTN.....

Address.....
.....
.....

Location of the Recycling Facility.....

Telephone No.Cell No.
.....

E-mail.

B. RECYCLING INFORMATION OR DATA DETAILS

1. Information or Data: (tick the relevant)

(a) First Quarter (b) Second Quarter (C) Third Quarter (d) Fourth
Quarter

2. Weight in KGs or Tons of Recycled Beverage Containers

(In figures).....

(In words).....

- 3. Weight in KGs or Tons Recycled plastic used in manufacturing Beverage Containers
 (In figures)
 (In words)

- 4. Type and weight in KGs or Tons of procured plastic raw material

I, hereby certify that the particulars given above are correct and true to the best of my knowledge and belief.

Name.....
.....

Designation/Position.....
.....

CNIC.....Signature.....
.....

Date.....
.....

Company or Entity Name and Seal and Stamp.....

C. FOR OFFICIAL USE

View/Comments.....
.....
.....
.....

Officer Name.....Signature.....

Date.....Stamp

SCHEDULE- VIII
[See Regulation 8(3)]

Report by Beverage Manufacturer of Single-use plastic beverage container to be submitted before the Federal Agency

A. DETAILS OF THE INFORMATION OR DATA PROVIDER

Name (individual/Firm/Company Etc.)

.....
.....

Tick the Relevant

(b) Producer (b) Importer (c) Supplier/User

Nature of product (specify the details)

Business Registration No. (if any)

Sale Tax No./NTN.....

Address.....

.....
.....

Location of the Recycling

Facility.....

.....

Telephone No.Cell No.

.....

E-mail.

.....

.....

B. RECYCLING INFORMATION OR DATA DETAILS

5. Information or Data: (tick the relevant)

(b) First Quarter (b) Second Quarter (C) Third Quarter (d) Fourth Quarter

6. Total number of beverages sold in single-use plastic beverage containers

- 7. Weight in KGs or Tons of Recycled Beverage Containers
 (In figures)
 (In words)
- 8. Weight in KGs or Tons Recycled plastic used in manufacturing Beverage Containers
 (In figures)
 (In words)

I, hereby certify that the particulars given above are correct and true to the best of my knowledge and belief.

Name.....

Designation/Position.....

CNIC.....Signature.....

Date.....

Company or Entity Name and Seal and Stamp.....

C. FOR OFFICIAL USE

View/Comments.....

.....

.....

Officer Name.....Signature.....

Date.....

Stamp.....

Schedule - IX
[See Regulation 10]

Penalty

| S. No | Person violating the Regulation | Penalty amount |
|--------------|---|-----------------------|
| 1 | Producer & Importer | PKR Up to 1,000,000/- |
| 2 | Shop keeper/ hawker/ stall-holder/supplier | PKR Up to 10,000/- |
| 3 | Individual consumer of Single-Use plastics | PKR Up to 1000/- |

[No. F. 7(3)/2023/SUPR/DD(Chem).]

FARZANA ALTAF SHAH,
Director General.