



NEW ORDERS UNDER THE

WWM

WASTE MANAGEMENT ACT

The Department of Environmental Protection and Conservation would like to inform the general public about three orders made by the Minister of Climate Change Adaptation, Meteorology & Geo-Hazards, Environment, Energy and Disaster Management, the Honourable Ham Lini Vanuaroroa.

The Waste Management Orders

On 1 February 2018, the Honourable Minister signed three orders made under the Waste Management Act No. 24 of 2014. The orders address three waste issues and implement the decision of the Council of Ministers to ban certain non-biodegradable plastics. The orders address:

1. The control of single use plastic bags, plastic straws and polystyrene takeaway boxes
2. Littering
3. The licensing of private waste operators.

Examples of banned plastics, takeaway box, and straws



Plastic bags provided by a retailer to a customer at the point of sale. For example, plastic bags given out at a supermarket checkout to carry the goods purchased at the supermarket.



Plastic bags in which loose produce or products are placed before delivering such items to the point of sale. For example plastic bags used inside a store to package fruit, vegetables, flour, sugar, nuts, grains, small hardware items, unwrapped prepared foods or bakery goods.



Disposable container or takeaway box made in whole or part of polystyrene and includes boxes, cases and similar articles in which any food is wholly or partly placed, packed, carried or stored.



A drinking straw made, in whole or in part, of plastic but does not include a straw that forms an integral part of the packaging of a food item.;

1. Control of single use plastic bags, plastic straws and polystyrene takeaway boxes

When the ban starts on 1 July 2018, it will be an offence to:

1. Manufacture, sell, give or otherwise provide single use plastic bags to other people other than to contain, wrap or carry meat or fish.
2. Manufacture, sell, give or otherwise provide disposable containers to other people.
3. Manufacture, sell, give or otherwise provide straws to other people (other than a straw that is an integral part of the packaging, for example, a straw attached to milk or juice 'popper' boxes).

For plastic bags, the ban covers **shopping bags** that are made of **polyethylene less than 35 microns** thick. Because it covers shopping bags, the ban does not include:

- ▶ Bin liners and garbage bags
- ▶ Heavier weight plastic bags such as those given out at clothing stores or sold as reusable plastic bags. These bags are usually made out of low density polyethylene (LDPE).
- ▶ Bags that are an integral part of the packaging in which products are sealed prior to sale. For example, bread bags and plastic bags used to pack vanilla, honey etc.

2. Littering

Since 1 February 2018 it has been an offence to deposit litter or waste in a public place. Persons caught littering may be issued a fine for:

- ▶ 5,000 vatu for a first offence
- ▶ 10,000 vatu for a subsequent offence.
- ▶ Please see table in page 14 for more details information on penalties

All fines are payable to the government cashier at the Department of Finance and Treasury within 21 days. Alternatively, you may choose to contest the fine in court.

Currently, fines may only be issued by the Director of the Department of Environmental Protection and Conservation. Officers from the Department will be working with other government agencies in the coming months to consider whether other agencies may also be authorised to issue fines.

Example of littering



3. The licensing of private waste operators

The Waste Management Act establishes two types of waste operators: designated waste management operators (Municipal and Provincial Councils and the Department); and private waste operators. Under the Act, private waste operators should have a licence.

From 1 July 2018, persons carrying out the following waste operations and services will require a licence:

- ▶ Operating a landfill
- ▶ Operating a controlled waste dump
- ▶ Operating a waste transfer station that has the capacity to store more than 5 litres of liquid waste or more than 1 tonne of solid waste
- ▶ Operating a recycling centre

- ▶ Operating a waste treatment plant
- ▶ Operating a composting plant that has the capacity to process 5 tonnes or more a day
- ▶ Operating a waste incinerator
- ▶ Providing a waste collection and transport service.

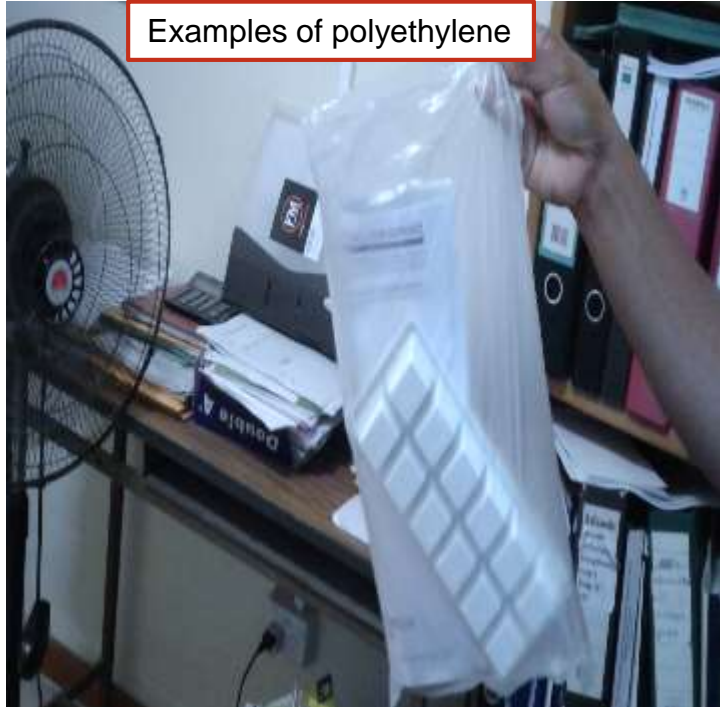
The Department is currently preparing implementation materials, including application forms, to give effect to this licensing regime and will be undertaking further consultation directly with private waste operators over the next four months.

Example of Private waste operators



Pictures of the banned plastics, take away container, and straws under the waste management regulations order No. 15 OF 2018

Examples of polyethylene



Examples of polyethylene



Plastic bags in which loose produce or products are placed before delivering such items to the point of sale. For example plastic bags used inside a store to package fruit, vegetables, flour, sugar, nuts, grains, small hardware items, unwrapped prepared foods or bakery goods.

Plastic bags provided by a retailer to a customer at the point of sale. For example, plastic bags given out at a supermarket checkout to carry the goods purchased at the supermarket.

Examples of polystyrene



Disposable container or takeaway box made in whole or part of polystyrene and includes boxes, cases and similar articles in which any food is wholly or partly placed, packed, carried or stored.

Examples of polypropylene.



A drinking straw made, in whole or in part, of plastic but does not include a straw that forms an integral part of the packaging of a food item.

Frequently asked about bans under the Waste Management Act

What type of plastic are takeaway boxes, straws and plastic bags made out of?

Plastic is all around us. It comes in many different types and sizes and has a lot of uses. The most widely used plastic is polyethylene. The second most widely used plastic is polyvinyl chloride (PVC). Plastic bags are usually made out of polyethylene or PVC. The original chemical that polyethylene and PVC are made from, come from crude oil.

Other common plastics include polyethylene terephthalate (PET), polystyrene and polypropylene. A lot of take-away food containers in Vanuatu are made from polystyrene. Plastic straws are generally made from polypropylene.

Does plastic break down in the environment?

- ▶ The material used to make a plastic affects how it will break down in the environment. Some polystyrene take-away boxes, straws and plastic bags do not break down and will stay intact in the environment for decades. That means a plastic bag you throw away today could still look exactly the same in 10 years.
- ▶ Other take-away boxes, straws and plastic bags are made with chemicals that help them break down when they are exposed to light or water. These chemicals are added when the plastic is made and mean that the item will break down into smaller and smaller pieces of plastic. You commonly see this with plastic bags such as the EPI brand plastic bags. These bags are called degradable plastic bags.

Under certain conditions, some plastic bags may be able to break down completely. These bags are called compostable or biodegradable plastic bags. However, these terms can be misleading for consumers as the plastic bags cannot be broken down in the environment – they can only be broken down under very specific conditions that are not available in Vanuatu. For example, under commercial composting conditions. Research shows that it is not possible to currently make plastic bags to a standard that ensures they would biodegrade in the open environment. This is why the government has chosen to implement a ban across all plastic bags, including degradable and biodegradable plastic bags.

There are some bags that look like plastic bags but aren't actually plastic bags at all. These bags are made from natural materials instead of plastic. For example, corn starch. As they are made from natural materials, they completely break down in the environment. These bags are a lot more expensive than plastic bags and are not usually found in Vanuatu.

Why these items being banned

Since 2015, the Department of Environmental Protection and Conservation has been partnering with the Vanuatu Environmental Science Society to run clean up campaigns in Port Vila. As part of these campaigns, the amount and type of rubbish collected was recorded. These records show that the most common types of rubbish found in the environment are plastic bags and plastic/foam packaging. As research shows that it is not possible to currently make plastics to a standard that ensures they can break down in the open environment, these items pose a threat to the environment and have been included in this initial ban.

Once they are discarded as waste or litter, plastic shopping bags, polystyrene takeaway boxes and straws find their way into the ocean. As the ocean is vital to the livelihoods of Ni-Vanuatu, the Government has developed a vision for the ocean – to conserve and sustain a healthy and wealthy ocean for the people and culture of Vanuatu, today and tomorrow. This vision and the pathway for achieving it are outlined in Vanuatu's National Ocean Policy. Implementing Vanuatu's National Ocean Policy is also an activity under the National Environment Policy and Implementation Plan 2016 – 2030 and Vanuatu 2030 | The People's Plan. Banning plastic shopping bags, polystyrene takeaway boxes and straws will help preserve and protect the marine environment.

What will be banned?

The ban includes three things.

1. Single use plastic bags: Shopping bags made out of polyethylene less than 35 microns thick. This includes degradable plastic bags. Examples include:
 - ▶ Plastic bags provided by a retailer to a customer at the point of sale – such as the semi-transparent white plastic bags with handles given out at a supermarket checkout or the small clear plastic bags given out at Chinese stores.
 - ▶ Plastic bags used to place loose produce or products in before taking them to the point of sale – such as the small clear plastic bags used to package fruit and vegetables, nuts, small hardware, baked goods, hot chips and other takeaway food.
2. Disposable containers: closed containers for placing, packing, carrying or storing food that are made out of polystyrene and are less than 30cm long. For example, clam-shell polystyrene takeaway boxes.
3. Straws: drinking straws made of plastic that are designed for one-time use.

Why are the plastics a threat to the environment?

If you drop laplap leaves in your garden after you have used them, they will rot down and the goodness inside them will be used again by nature. But if you drop a plastic shopping bag in your garden, you will still find it there in a year or more.

Some plastic shopping bags, polystyrene takeaway boxes and straws do not break down and will stay intact in the environment for decades. That means a plastic shopping bag you throw away today could still look exactly the same in 10 years.

Other plastic shopping bags, polystyrene takeaway boxes and straws are made with chemicals that help them break down when they are exposed to light or water. These chemicals are added when the plastic is made and mean that the item will break down into smaller and smaller pieces of plastic.

In both cases, nature cannot completely break the plastics down. If they stay in one piece or are broken into smaller and smaller pieces of plastic they will eventually end up in the ocean.

Plastics in the ocean can be mistaken for food. For example to a turtle a plastic shopping bag looks like a jellyfish and they try to eat them. But they can't digest them and the plastic can kill the turtle by blocking its intestines. Small pieces of plastic have been found in all different types of marine animals all over the world including in remote places. Ultimately, plastics can end up in the food we eat.

Plastics in the ocean can also smother and entangle marine life. For example, plastic shopping bags can get wrapped around corals and sea birds. Corals need light to create energy and they need to catch small food particles passing by in the current. Plastic shopping bags can stop light and the current getting to the coral and cause it to starve to death. Before plastics reach the ocean, they can cause problems on land. Plastics lying on the ground reduce the appeal of Vanuatu as a tourist destination. It is not a welcoming sight for tourist arriving in our country to see plastic shopping bags, polystyrene takeaway boxes and straws lining the roads from the airport and the wharf. Plastics can also block drains and waterway which can contribute to flooding.

What plastic bags are not banned?

The ban does not include:

- Bin liners and garbage bags, including Port Vila Municipal Council yellow plastic bags, Luganville Municipal Council red plastic bags and other plastic bags used by private waste operators as part of their waste collection services.
- Thick plastic bags such as the heavy duty plastic bags used to package duty free goods or sold as reusable plastic bags. Some clothing stores also use these thicker plastic bags.
- Plastic bags like the ones that chicken wings come in. When you buy a bag of chicken wings, it is already packaged in its own plastic bag. This type of bag is an integral part of the packaging of the product – the chicken wings are sealed in this plastic bag before they are sold. These types of plastic bags are not included in the ban. Other examples of these types of bags include bread bags, biscuits, twisties and plastic bags used to pack vanilla, honey etc.

There are also exemptions for plastic bags used to package meat or fish. However, as it will be an offence to sell or give out plastic shopping bags, businesses that use plastic shopping bags to sell meat or fish will need to import their own supplies or change the type of plastic bags they use. For example, to use thicker plastic bags.

I use plastic shopping bags as my kitchen bin. What can I use instead?

Lots of people use plastic shopping bags as their kitchen rubbish bins, filling up these smaller bags before putting them into a bigger plastic bag for collection. One of the key impacts of the plastic ban will be to change people's behaviour – to think about what plastics we use and whether they are necessary.

Why do you need to use a plastic bag in your kitchen? Is it because food scraps attract flies, because they are messy? Past waste characterisation studies in Vanuatu have shown that most of our rubbish is food scraps that can be composted and put back into the ground. If you compost your food items, you will automatically reduce the amount of rubbish you produce and the amount of rubbish bins you will need to use. Do you have a compost heap or compost bin? Could you have one at your house?

Once you remove the compostable material, most of your rubbish will be food packaging. You can use this packaging to hold your rubbish. For example, empty rice bags, empty bread bags, empty chip packets, empty milk cartons etc.

You could also consider lining a bucket or rubbish bin with newspaper or scrap paper to keep it clean. Buckets and bins with a lid will help keep the flies away and contain any smells.

Why does the ban start on 1 July 2018? Why doesn't it start now?

Stores that currently sell plastic shopping bags, polystyrene takeaway boxes or straws generally order their stock in advance. Starting the ban on 1 July gives these businesses time to use up their current stock before the ban commences. Raising awareness about the ban now also gives retailers time to find and order alternative products.

If I can't use polystyrene takeaway boxes, what can I use?

- Cardboard or bamboo boxes such as those used at the Pacific Mini Games
- Thick plastic takeaway boxes that are strong enough to be reused
- Reusable plastic boxes

If I can't use a plastic straw, what can I use?

- Metal straws – these straws are usually made out of stainless steel (just like forks and spoons) and come with their own cleaning brush
- Paper straws
- Pawpaw, bamboo etc. straws
- No straw – drink direct from the glass, bottle etc.

What happens if I manufacture, sell, give or otherwise provide a plastic shopping bag, polystyrene takeaway box or straw from 1 July 2018?

To help change our behaviour, the Government has introduced penalties for manufacturing, selling, giving or otherwise providing plastic shopping bags, polystyrene takeaway boxes and straws.

Please refer to table 1. page 14. for fines or penalties

To avoid these penalties, if your business uses plastic shopping bags, polystyrene takeaway boxes or straws you should try and use your stock before 1 July 2018. Any stock remaining on 1 July 2018 will not be able to be sold or given out and you will need to dispose of them properly through your garbage collection service. You must not burn any leftover stock. Burning plastic is dangerous to your health and the health of the environment as it releases toxic chemicals.

What else is being done to protect the environment from plastic pollution?

Banning the manufacture, sale and giving out of plastic shopping bags, polystyrene takeaway boxes and straws is just part of the solution. Part of the problem with plastics is how we dispose of them. If we don't dispose of our rubbish in the right place, it ends up in the environment. To help change our behaviour, the Government has introduced penalties for littering – depositing litter or waste in a public place. Persons caught littering may be issued a fine for 5,000 vatu for a first offence or 10,000 vatu for a subsequent offence. These fines are not the only enforcement avenues available to the Government. If warranted, the court could impose a penalty of up to 500,000 vatu for an individual or 1,000,000 vatu for a corporation.

The Government is also working with other partners to develop education materials to raise awareness about plastic pollution as well as waste and pollution more generally.

Take away boxes

Samples of Alternatives to plastics straws and takeaway box

Alternatives to takeaway box sample below



Another type of Cardboard take away box



Metal straw straws



Paper straws



Cardboard take away box

What alternatives are available?

For single use plastic bags:

- ▶ Paper or cardboard bags
- ▶ Cardboard boxes
- ▶ Calico bags
- ▶ Reusable plastic bags
- ▶ Local baskets
- ▶ Thick shopping plastic bags
- ▶ Cooler bags

For disposable containers:

- ▶ Cardboard or bamboo boxes such as those used at the Pacific Mini Games
- ▶ Reusable plastic boxes

For straws:

- ▶ Paper straws
- ▶ Pawpaw, bamboo, metal straws etc. straws
- ▶ No straw – drink direct from the glass, bottle etc.

Sample of alternative bags



The prescribed amount in respect of an offence committed under a provision of the Act is set out in columns 2,3,4 and 5

Table 1.

Provision of the Act	Prescribed amount for first offence by individual	Prescribed amount of any subsequent offence by individual	Prescribed amount for first offence by body corporate	Prescribed amount for any subsequent offence by body
Subsection 15(8) of the Act: operation of a land fill site without a licence	50,000	80,000	100,000	200,000
Subsection 15(8)(b) of the Act: Operation of a waste dump without a licence	50,000	80,000	100,000	200,000
Paragraph 15(2)(c): Operation of a waste transfer station without a licence	20,000	30,000	40,000	60,000
Paragraph 15(2)(c): Operation of a recycling centre without a licence	20,000	30,000	40,000	60,000
subsection 15(8) and Paragraph 6(a) of the waste management regulations: operation of a composting plant without a licence	20,000	30,000	40,000	60,000
Subsection 15(8) and Paragraph 6(b) of the waste management regulations: operation of a waste incinerator without a licence	50,000	80,000	100,000	200,000
Subsection 15(8) and Paragraph 6(c) of the waste management regulations: Collection and transport of waste without a licence	20,000	30,000	40,000	40,000
Subsection 13(2) of the waste management regulations: operating a waste dump or waste disposal facility or undertaking any waste management operation or service while a licence is suspended	60,000	100,000	120,000	200,000
Subclause 4(3) of the Waste Management Regulations: Deposit litter or waste in a public place	5,000	10,000	50,000	100,000
Subclause 2(2) of the waste management regulations: Manufacture of disposable containers, single use plastic bags or straws	50,000	80,000	100,000	200,000
Subclause 3(3) of the waste management regulations: Sell, give or otherwise provide disposable containers, single use plastic bags or straws	20,000	50,000	50,000	100,000

More information



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