

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT

The Natural Resources Conservation Authority (Plastic Packaging Materials Prohibition) Order, 2024

In exercise of the power conferred upon the Minister by section 32(1) of the Natural Resources Conservation Authority Act, and of every other power hereunto enabling, the following Order is hereby made:-

1. This Order may be cited as the Natural Resources Conservation Authority (Plastic Packaging Materials Prohibition) Order, 2024.

2. – (1) In this Order –

“approved person” means a person designated as such by the Minister under paragraph 5;

“microplastics” means pieces of plastic less than 5 mm in length;

“plastic food container” means a food container, manufactured for single use, made in whole or in part of polyethylene, polypropylene or polylactic acid and does not include any lid associated with that container;

“single use plastic” means –

- (a) single use plastic bags;
- (b) packaging made in whole or in part of expanded polystyrene foam;
- (c) drinking straws made in whole or in part of polyethylene or polypropylene, manufactured for single use;
- (d) plastic food containers; or
- (e) cosmetic care or personal care products to which plastic microbeads or microplastics have been intentionally added;

“single use plastic bag” means any bag –

- (a) made in whole or in part of polyethylene or polypropylene;
and
- (b) with dimensions not exceeding 610 mm x 610 mm and
0.06 mm thickness.

(2) For the purposes of this Order, a quantity shall be taken to be commercial if the quantity is such that it is reasonable to conclude that it is directed toward sale by wholesale or retail for the purpose of obtaining economic benefit, whether in cash or kind.

3. Subject to paragraph 4, no person shall manufacture or use any single use plastic in commercial quantities.

4. Paragraph 3 shall not apply –

- (a) to single use plastics used to maintain public health and for compliance with food safety standards, including packaging used by wholesalers and retailers to distribute raw meat, eggs, flour, sugar, rice or baked goods;
- (b) to single use plastic bags used to package personal effects, and contained in the luggage of a person travelling into or out of Jamaica;
- (c) to approved persons;
- (d) until the 11th day of July, 2024, to the manufacture of plastic food containers;
- (e) until the 9th day of January, 2025, to the use of plastic food containers;
- (f) to cosmetic care or personal care products –
 - (i) to which plastic microbeads or microplastics have been intentionally added; and
 - (ii) that were imported before the 1st day of July, 2025; or

(g) until the 1st day of July, 2025 to cosmetic care or personal care products to which plastic microbeads or microplastics have been intentionally added.

5. – (1) A person may apply to the Minister, in writing, to be designated as an approved person.

(2) The person shall furnish, to the Minister, any additional information the Minister may require in respect of the application.

(3) The Minister may designate the person as an approved person subject to such terms and conditions as the Minister may specify.

(4) Where the Minister designates the person as an approved person, the Minister shall certify the designation by issuing, to the person, a certificate (referred to as a designation certificate).

(5) The designation certificate shall –

- (a) state the date on which the designation is certified;
- (b) describe the specific types of single use plastics that the approved person is permitted to manufacture or use; and
- (c) state the terms and conditions to which the designation is subject.

(6) The Minister may, on receipt of a written application by the approved person, amend the designation certificate.

(7) Where an approved person fails to comply with a term or condition of the designation, the Minister may, by notice, in writing, cancel the designation with effect from a date specified in that notice, which shall not be a date earlier than six months after the date of that notice.

(8) Where the Minister cancels the designation of an approved person, the person shall return the designation certificate to the Minister.

6. For the avoidance of doubt, this Order applies to a single use plastic bag regardless of whether the bag is, or is labeled as, degradable, biodegradable, oxo-degradable, photo degradable or compostable.
7. The Natural Resources Conservation Authority (Plastic Packaging Materials Prohibition) Order, 2018, is revoked.

Dated this 11th day of July, 2024.

A handwritten signature in blue ink, appearing to read "Robert Foltz", is written over a faint circular stamp.

Minister of Economic Growth and Job Creation