Australian Capital Territory

**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)   * ACT Corrective Services * ACT Courts and Tribunal   Australian Federal Police – ACT Policing | * At the Alexander Maconochie Centre (AMC), and in detainee-facing settings at ACT Police stations, ACT Courts and Tribunal facilities, or other like settings (e.g. when transporting detainees) |
| **2** | Community Services Directorate (CSD)   * Child and Youth Protection Services | * In young detainee-facing settings at the Bimberi Youth Justice Centre (Bimberi), or other like settings |
| **3** | Canberra Health Services (CHS) | * 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 | * 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