



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

# **STYROFOAM AND PLASTIC PRODUCTS PROHIBITION ACT 2016**

**Sponsored by:**

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**HON. MINISTER MATTLAN ZACKHRAS**

**Approved:**

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**HON. SPEAKER KENNETH A. KEDI /s/**



**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

**STYROFOAM AND PLASTIC PRODUCTS PROHIBITION  
ACT 2016**

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1 NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
2 37TH CONSTITUTIONAL REGULAR SESSION, 2016



3 Republic of the Marshall Islands  
4 *Jepilpilin Ke Ejukaan*

5 **STYROFOAM AND PLASTIC PRODUCTS PROHIBITION**  
6 **ACT 2016**

7 **A BILL FOR AN ACT** to ban the importation, manufacturing, sale or distribution of  
8 Styrofoam cups and plates, disposable plastic cups and plates and plastic shopping  
9 bags.

10 **BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS**

11 **§1. Short title**

12 This act may be cited as the Styrofoam and Plastic Products Prohibition Act  
13 2016.

14 **§2. Interpretation.**

15 In this Act, unless the context otherwise requires:

- 16 (a) **“Distribution”** means to supply, give or deliver to another person;
- 17 (b) **“Importation”** means to bring into the Republic from a foreign  
18 source.
- 19 (c) **“Manufacture”** means the making of goods or wares by manual labor  
20 or machinery, especially on a large scale;
- 21 (d) **“Person”** includes individual, retail company or corporation, and  
association or body of persons corporate or unincorporated.
- (e) **“Republic”** means the Republic of the Marshall Islands.

- 1 (f) **“Recycled paper bag”** means a paper bag that is manufactured from  
2 recycled content and displays the words made from recycled material  
3 and/or is recyclable.
- 4 (g) **“Reusable shopping bag”** means shopping bags which are not  
5 plastic that can be reused many times, including local baskets; this is  
6 an alternative to plastic shopping bags.
- 7 (h) **“Shopping Plastic shopping bags”** mean a carryout bag composed  
8 primarily of thermoplastic synthetic polymeric material, which is  
9 provided by a store to a customer at the point of sale and incidental  
10 to the purchased of other goods.
- 11 (i) **“Sells”** means to give or hand over something in exchange plastic  
12 bags for money cash or other items. **“Sale”** shall have a  
13 corresponding definition.
- 14 (j) **“Styrofoam”** means any goods that contain plastic foam which are  
15 formed with the use of any gas or volatile liquid introduced into  
16 liquid plastic to make polystyrene bubbles.
- 17 (k) **“Plastic”** means a synthetic material made from a wide range of  
18 organic polymers such as polyethylene, PVC, nylon, etc., that can be  
19 molded into shape while soft and then set into a rigid or slightly  
20 elastic form
- 21 (l) **“Disposable”** means an article designed to be thrown away after use  
22 once;
- 23 (m) **“Reusable”** means an article designed to be reused again repeatedly  
24 recyclable means an article designed to be recycled Prescribed date  
25 for prohibition’ means the five (5) months after promulgation of  
26 regulations;
- 27 (n) **“Recyclable”** means an article designed to be recycled; and
- 28 (o) **“Prescribed date for prohibition”** means the five (5) months after  
29 promulgation of regulations.

30 **§3. Prohibition on the importation, manufacturing, sale or distribution**  
31 **of Styrofoam cups and plates, disposable plastic cups and plates,**  
32 **and plastic shopping bags.**

- 33 (1) It shall be unlawful for a person to import, manufacture, sell or  
34 distribute Styrofoam cups and plates, disposable plastic cups and  
35 plates, and plastic shopping bags.

1 (2) Nothing in this Section shall prevent a person from importing,  
2 manufacturing, selling or distributing use recycled paper bags or  
3 reusable shopping bags.

4 **§4. Offense and Penalties.**

5 Any person, who violates Section 3 of the Act, shall be guilty of an offense  
6 and upon conviction liable for up to six (6) months imprisonment or ten  
7 thousand five hundred dollars (\$10,000) fine, or both.

8 **§5. Power to Seize, forfeiture and Destruction.**

9 For the purpose of this Act, an immigration officer, customs officer or EPA  
10 officer may at all reasonable times and based on reasonable suspicion, seize,  
11 forfeit or destroy any imported or manufactured plastic shopping bags,  
12 Styrofoam cups and plates, or disposable plastic cups and plates, or plastic  
13 shopping bags water bottle in violation of Section 3 of this Act.

14 Before exercising powers to seize, forfeiture and destruction under this  
15 Section, the officers named under section 1 of this Act, shall, with the  
16 assistance of the Attorney General's Office or the Police Commissioner,  
17 obtain a warrant in accordance with a Article II, Section 3, of the  
18 Constitution.

19 **§6. Regulations.**

20 The Environment Protection Authority shall promulgate the necessary  
21 regulations to ensure the proper administration and enforcement of the  
22 provisions of this Act.

23 **§7. Effective Date**

24 This Act shall take effect on the date of certification and shall be enforced on  
25 February 01, 2017.

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**BILL SUMMARY**

This Bill proposes to prohibit the importation, manufacturing, sale or distribute of Styrofoam cups and plates, disposable plastic cups and plates, plastic shopping bags. These restrictions are based on the following reasons:

- Detrimental effect on the environmental.
- Contribute to the threatened marine life, degrading the beaches and other natural landscapes.
- Plastic debris is harmful to sea turtles and other land and marine life.

The Bill aims to:

- a) Regulate the environment impacts of development activities such as the use Styrofoam cups and plates, disposable plastic cups and plates and plastic shopping bags in order to promote sustainable development of the environment.
- b) Safeguarding the sea-life for present and future generations and avoiding, remedying and mitigating any adverse effects of activities on the environment.
- c) Protecting the environment from environmental harm and pollution of non-biodegradable materials.
- d) Encouraging retailers to issue and people to use recycled paper bags or reusable shopping bags.
- e) To control the risks to water consumption and avoid adulteration of water with other substances or unpurified water sources.

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**STYROFOAM AND PLASTIC PRODUCTS PROHIBITION  
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**SIGNATURES**

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**DATE:** *\_AUG.12, 2016\_*

**INTRODUCED BY** *\_MIN. MATTLAN ZACKHRAS\_* /S/

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*Print Name*

*Signature*

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