Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

STYROFOAM AND PLASTIC PRODUCTS PROHIBITION ACT 2016

Sponsored by:

HON. MINISTER MATTLAN ZACKHRAS

Approved:

HON. SPEAKER KENNETH A. KEDI /s/
STYROFOAM AND PLASTIC PRODUCTS PROHIBITION ACT 2016

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

Republic of the Marshall Islands
Jepilpin Ke Ejukaan

STYROFOAM AND PLASTIC PRODUCTS PROHIBITION ACT 2016

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

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

§1. Short title
This act may be cited as the Styrofoam and Plastic Products Prohibition Act 2016.

§2. Interpretation.
In this Act, unless the context otherwise requires:
(a) “Distribution” means to supply, give or deliver to another person;
(b) “Importation” means to bring into the Republic from a foreign source.
(c) “Manufacture” means the making of goods or wares by manual labor or machinery, especially on a large scale;
(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.
§3. Prohibition on the importation, manufacturing, sale or distribution of Styrofoam cups and plates, disposable plastic cups and plates, and plastic shopping bags.

(1) It shall be unlawful for a person to import, manufacture, sell or distribute Styrofoam cups and plates, disposable plastic cups and plates, and plastic shopping bags.
Nothing in this Section shall prevent a person from importing, manufacturing, selling or distributing use recycled paper bags or reusable shopping bags.

§4. Offense and Penalties.

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

§5. Power to Seize, forfeiture and Destruction.

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

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

§6. Regulations.

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

§7. Effective Date

This Act shall take effect on the date of certification and shall be enforced on February 01, 2017.
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.
NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
37TH CONSTITUTIONAL REGULAR SESSION, 2016

STYROFOAM AND PLASTIC PRODUCTS PROHIBITION ACT 2016

SIGNATURES

DATE: _AUG.12, 2016_ INTRODUCED BY _MIN. MATTLAN ZACKHRAS_ /S/
Print Name Signature