

# **Review of the *Single-use and Other Plastic Products (Waste Avoidance) Act 2020***

## **Terms of Reference**

### **1. Background**

The *Single-use and Other Plastic Products (Waste Avoidance) Act 2020* (the SUP Act) seeks to provide for the restriction or prohibition of certain single-use and other plastic products and promote and support better waste management practices including the reduction of marine litter, the principles of the waste management hierarchy and the circular economy.

The SUP Act came into operation progressively from 1 March 2021 and is committed to the Minister for Climate, Environment and Water.

Section 19 (1) of the SUP Act states:

*The Minister must, as soon as practicable after the third anniversary of the commencement of this Act, appoint a person to prepare a report on –*

- (a) the effect on the community of Part 2 and Part 3 of the Act; and*
- (b) any public information campaigns conducted by or on behalf of the Government on reducing the use of plastic products and increasing the recycling of plastics; and*
- (c) any other matters determined by the Minister to be relevant to the review of this Act.*

The third anniversary of the commencement of the SUP Act is 1 March 2024.

### **2. Scope**

The review will focus on the requirements as outlined in section 19 of the SUP Act.

- (a) The effect on the community of Part 2 – Prohibited plastic products including the prohibited plastic products listed in the Act, those that have been added by regulation and public consultation undertaken to add prohibited plastic products by regulation.
- (b) The effect on the community of Part 3 – Oxo-degradable plastic products including manufacture, sale, supply or distribution of oxo-degradable products.
- (c) Public information campaigns conducted by or on behalf of the South Australian government on reducing the use of plastic products and increasing the recycling of plastics.
- (d) Opportunities to update the definitions of 'plastic', 'oxo-degradable' and 'single use' to better reflect improved technology and to seek harmonisation across Australian jurisdictions.
- (e) Opportunities to address the use of harmful chemicals in single-use and other plastic items and their alternatives
- (f) Review other jurisdictions' SUP legislation and consider opportunities to harmonise the list of plastic prohibited products in South Australia with those already implemented or planning to be implemented in other Australian jurisdictions and New Zealand.
- (g) Opportunities to mandate reusable food and beverage containers in specific settings and/or large public events.

### **3. Consultation arrangements**

The reviewer will gain a thorough understanding of the scope through reviewing documentation and engaging with Green Industries SA (GISA), the South Australian Environment Protection Authority (EPA) and stakeholder representatives including the South Australian Single-use Plastic Stakeholder Taskforce (SUP Taskforce).

The review will be informed by annual reports, previous consultation activities and public information campaigns. GISA and EPA will make these documents available to the reviewer.

GISA will be the recipient of public submissions and responsible for records management. If required, GISA will assist to coordinate a meeting venue for any face-to-face stakeholder consultations.

### **4. Final report**

The reviewer must provide a final report to the Minister within 6 months of the commencement of the review.

The report will summarise the outcomes from consultation and make recommendations on the operation and effectiveness of the SUP Act since commencement for the Minister's consideration. The Minister is not committed to act on the review's recommendations within any statutory timeframes.

The Minister must table a copy of the final report in both Houses of Parliament within 12 sitting days of receiving the report.