

EXTRACTS DATED 10TH DECEMBER, 2015

GUYANA

No. 8 of 2015

REGULATIONS MADE UNDER THE ENVIRONMENTAL PROTECTION ACT Cap 20:05

These regulations are made by me, in exercise of the powers conferred upon me, by section 68(1) of the Environmental Protection Act, Cap 20:05.

Section Arrangement of Sections

PART I – PRELIMINARY

1. Citation and Commencement
2. Interpretation

PART II – OBJECTIVES AND APPLICATION

3. Objectives
4. Application

PART III – PROHIBITION AND PENALTY

5. Prohibition
6. Prohibition of Sale by Food Service Establishments
7. Penalty

PART IV – INVESTIGATIONS AND PROSECUTIONS

8. Investigations
9. Prosecutions

PART V – ALTERNATIVES AND MINISTERIAL POWERS

10. Alternatives
11. Ministerial Powers

PART I – PRELIMINARY

- Citation** 1. These Regulations may be cited as the Environmental Protection (Expanded Polystyrene Ban) Regulations, 2015 and shall come into force on the date published in the *Gazette*.
- Interpretation** 2. In these Regulations unless the context otherwise requires -
- “Agency” means the Environmental Protection Agency established under section 3 of the Environmental Protection Act 1996;
- “Expanded polystyrene” means blown polystyrene and expanded and extruded foams which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene);
- “Expanded polystyrene food service products” means food containers, plates, hot and cold beverage cups, meat and vegetable trays, egg cartons, and other products, made of expanded polystyrene and used for selling or providing food for consumption on or off the premises;
- “Environmentally friendly” means any product or service that is not harmful to the atmosphere or surroundings;
- “Food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand or vehicle. Food service establishment shall include, but not be limited to, full-service restaurants, fast food restaurants, grocery stores, supermarkets, vending trucks or carts and cafeterias, owned either publicly or privately;

this Regulation to be in the public interest, authorise the importation, manufacture, sale, offer for sale or use thereof subject to such terms and upon such conditions as he may impose.

**Prohibition of 6.
sale by Food
Service
Establishments**

- (1) No Food Service Establishment shall sell or provide food for consumption, either on or off the said Establishment's premises, in expanded polystyrene food service products.
- (2) The provisions of Regulation 6(1) shall not apply to prepackaged food that a Food Service Establishment sells or otherwise provides for consumption in expanded polystyrene containers that have been filled and sealed prior to receipt by the Food Service Establishment.

Penalty

7. Any Food Service Establishment found to be in contravention of Regulation 6(1) shall –
 - (a) be issued a written warning prohibiting the said Establishment from selling or providing food for consumption, either on or off the said Establishment's premises, in expanded polystyrene food service products for consumption on or off premises by a prescribed date; or
 - (b) face summary jurisdiction proceedings and be liable upon summary conviction to a fine of no less than one hundred thousand dollars.

PART IV – INVESTIGATIONS AND PROSECUTIONS

Investigations

8. The Agency may authorise its officers or officers of any other body or institution it deems fit to conduct investigations and inspections to ensure compliance with these Regulations and investigate complaints relating to breaches of these Regulations.

