

REDUCING SINGLE-USE PLASTICS: LOCAL GOVERNMENT ACTIONS IN CANADA

January 2018¹

Victoria, British Columbia (2018) - Checkout Bag Regulation Bylaw.

Victoria is the first municipality in BC to ban the use of single-use plastic bags. On January 11, 2018, Victoria City Council approved the adoption of the Checkout Bag Regulation Bylaw, proposed to take effect July 1, 2018, with enforcement starting January 2019. The purpose of the bylaw is to regulate the business use of single use checkout bags to reduce the creation of waste and associated municipal costs, to better steward municipal property, including sewers, streets and parks, and to promote responsible and sustainable business practices that are consistent with the values of the community.² The bylaw applies to any bag that is intended to be used by a customer for the purpose of transporting items. It is clearly stated in the bylaw that “no business shall provide a checkout bag” to a customer except when:

- The customer is first asked whether he or she needs a bag
- The bag provided is a Paper Bag or Reusable Bag
- The customer is charged a fee not less than \$0.15/bag and \$1 per Reusable Bag

This bylaw complies with the Official Community Plan (OCP) of Victoria because it aims to reduce waste, litter and marine debris.

Regional Municipality of Wood Buffalo, Alberta (2010)

In 2008 after watching a documentary on shopping bags in school, a student Sean Graham organized a petition that received over 1800 signatures from residents and another 400 from his school peers. The petition was presented to Council in August 2008. On September 1st 2010 the *Single-Use Shopping Bag bylaw* came into force.³ This bylaw eliminates the use of single-use shopping bags in the municipality, as a means to reduce waste. The bylaw attempts to encourage the use of products that can be reused many times.

Leaf Rapids, Manitoba (2006)

Leaf Rapids, Manitoba was the first municipality in North America to ban single-use plastic bags through a municipal bylaw.⁴ In 2006, the Chief Administrative Officer, Bond Ryan, noticed that the community was

¹ This Appendix was prepared by Claire Mcleod, Law Student.

² City of Victoria, by-law No 18-008, *Checkout Bag Regulation Bylaw*, online: <http://www.victoria.ca/EN/main/residents/climate-change/single-use-plastic-bags.html>

³ Regional Municipality of Wood Buffalo, by-law No 12/007, To Regulate the use and distribution of bags by retail establishments operating within the boundaries of the regional municipality of Wood Buffalo, online: <https://www.rmwb.ca/Assets/Departments/Legislative+and+Legal+Services/Bylaws/ShoppingBag>

⁴ online: http://www.summitconnects.com/Summit_Magazine/LPP_Submissions/Leaf%20Rapids%20new%20municipal%20bylaw.PDF at 4.

spending almost \$5000 per year to clean up discarded single-use plastic shopping bags from the city.⁵ Leaf Rapids municipal bylaw 462 was unanimously approved by the Council on March 22, 2007. The bylaw states, “Retailers will no longer be permitted to give away or sell plastic shopping bags that are intended for single use.”⁶

Thompson, Manitoba

The City of Thompson, Manitoba introduced a single-use plastic bag ban in 2010. The bylaw bans people from selling or providing single-use plastic bags free of charge, or allowing single-use plastic bags to be sold or provided free of charge.⁷ However, the bylaw only bans plastic bags that are less than 2.25 mils thick. Therefore, the ban does not completely ban plastic bags as it allows thicker plastic bags. The city chairman suggested that thicker plastic bags can be used more than once.

QUEBEC LOCAL GOVERNMENT ACTIONS

Quebec has more single-use plastic bans than any other province.

Montreal, Quebec (2018)

Montreal adopted a bylaw in 2016 which prohibits the distribution of single-use plastic shopping bags in retail stores.⁸ The ban came into force January 1, 2018. The ban covers conventional plastic shopping bags (< 50µm), oxo-degradable, oxo-fragmentable, and biodegradable shopping bags regardless of their thickness.⁹ The City recognizes that plastic bags are a visual nuisance, and can significantly harm the marine ecosystem. Authority for Montreal to enact such a bylaw is outlined in the introduction of the bylaw.

Deux Montagnes, Quebec (2009)

In 2009 Deux Montagnes introduced a regulation which bans stores from distributing single-use plastic bags.¹⁰

Huntingdon, Quebec (2008)

Passed a bylaw in 2008, that bars advertisers from distributing flyers in plastic bags.¹¹

Brossard, Quebec (2016)

Brossard, Quebec adopted a law in 2016 prohibiting the distribution of plastic shopping bags by businesses across the city.¹²

⁵ online:

http://www.summitconnects.com/Summit_Magazine/LPP_Submissions/Leaf%20Rapids%20new%20municipal%20bylaw.PDF

⁶ Town of Leaf Rapids, by-law No 462, s 2.

⁷ City of Thompson, by-law no 1839-2010, *Single-Use Plastic Bag Ban*

⁸ City of Montreal, by-law no 16-051, *By-law Prohibiting the Distribution of Certain Shopping Bags in Retail Stores* (1 January 2018), online:< <http://ville.montreal.qc.ca/sel/sypre-consultation/afficherpdf?idDoc=27530&typeDoc=1> >.

⁹ Online: http://ville.montreal.qc.ca/portal/page?_pageid=7418,142803238&_dad=portal&_schema=PORTAL

¹⁰ <http://www.ville.deux-montagnes.qc.ca/en/greening-the-way-we-live/>

¹¹ <http://www.cbc.ca/news/canada/montreal/anti-plastic-bag-movement-growing-as-residents-adapt-to-new-laws-1.773628>

¹² <http://www.ville.brossard.qc.ca/services-citoyens/Sacs-d-emplette/ouijaimonsac.aspx?lang=en-ca>

NATIONAL REGULATORY ACTIONS

COUNTRY	DATE OF BAN	POLICY FRAMEWORK
Denmark	1994	The Danish plastic bag tax was introduced in 1994. Legislation was passed that enforces plastic bag manufacturers to pay tax based on the weight of plastic bags. The tax covers bags that can carry at least 5 litres and can be reasonably replaced by an alternative bag (cloth, carrier etc.). ¹³
Bangladesh	2002	Bangladesh was the first country in the world to introduce a ban on thinner plastics. Legislation passed to ban the manufacture and use of plastic bags. Although the ban is in place, it has not been strictly enforced. Momentum to introduce the ban was initiated when it was found that plastic bags were choking the drainage systems during floods. The ban applies to all “polythene shopping bags”, however bags manufactured for export are exempt from the ban. ¹⁴
Ireland	2002	Ireland was one of the first countries to introduce a plastic bag levy. Legislation passed to create a levy for sale of plastic bags in retail stores. The levy was introduced at EUR 0.15 per bag, which later increased to 0.22 per bag in 2007. ¹⁵

¹³ www.ecocouncil.dk/documents/temasider/1776-150812-tax-on-plastic-bags

¹⁴ http://news.bbc.co.uk/2/hi/south_asia/1737593.stm

¹⁵ <https://ieep.eu/uploads/articles/attachments/7f91cb97-8cb7-49c3-9cfo-d34062a9192e/IE%20Plastic%20Bag%20Levy%20conference%20draft.pdf?v=63673818840>

Australia	2003-2005	In 2002, the Environment Protection and Heritage Council (EPHC) agreed on a national approach to reduce lightweight plastic bag use. In 2003, they introduced a National Code of Practice for the management of light-weight plastic bags. The EPHC set reduction and recycling targets in the Code for major supermarkets. Retailers were warned that if they failed to meet commitments they would likely face mandatory measures. The code operated from 2003-2005. ¹⁶
South Africa	2003	Legislation passed to place a ban on plastic bags < 30 µm thick, and imposed a levy on thicker bags. ¹⁷
India	2002 and 2005	Legislation passed in 2002 to ban bags < 20 µm. In 2016, the state of Karnataka introduced a complete ban on plastic bags. ¹⁸
Eritrea	2005	Legislation was passed to ban the use of plastic bags nationwide. ¹⁹
Tanzania	2006	In 2005, an initial ban was made in Zanzibar for bags < 100 µm. Legislation was then passed, banning bags < 30 µm in the remainder of the country. ²⁰

¹⁶ http://www.cleanup.org.au/PDF/au/cua_plastic_bag_usage_around_world_august-2015.pdf at 6.

¹⁷ UNEP, “Marine Litter Legislation: A Toolkit for Policymakers” (2016) at 24.

¹⁸ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20.

¹⁹ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20.

²⁰ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20.

Uganda	2007 and 2013	In 2007, a ban to plastic bags <30 µm, and a levy was imposed on bags > 30 µm. In 2013 a ban on the manufacturing and use of most plastic bags was introduced. ²¹
Rwanda	2008	Rwanda has by far the strictest anti-plastic bag legislation. The country has gone very far to eliminate plastic bags. Legislation was passed to introduce a complete ban the sale, manufacturing, and even importing of plastic bags (with some exceptions in specific industries like hospitals and pharmaceuticals). Anyone caught carrying illegal plastics are liable to be fined, jailed or forced to make public confessions. Anyone wanting to “manufacture, import, use or sell” polythene bags must ask the Rwanda Environment Management Authority for permission. ²²
China	2008	Legislation was passed to ban shops, supermarkets, and sales outlets from providing free plastic bags that are <25 µm thick. For bags > 25 µm, a levy was put in place. Plastic bag use in supermarkets in Guangzhou City in the south of China has dropped by 50 percent and 90 percent in Beijing. ²³

²¹ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20. <http://news.bbc.co.uk/2/hi/7268960.stm>

²² UNEP, “Marine Litter Legislation: A Toolkit for Policymakers” (2016) at 24. https://www.nytimes.com/2017/10/28/world/africa/rwanda-plastic-bags-banned.html?rref=collection%2Ftimestopic%2FPlastic%20Bags&action=click&contentCollection=timestopics®ion=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=collection

²³ UNEP, “Marine Litter Legislation: A Toolkit for Policymakers” (2016) at 24.

U.S. (Washington D.C.)	2009 - 2010	Legislation was passed to help protect the Anacostia River, and money raised from the plastic bag levy is helping to clean up the river. ²⁴
Australia	2009, 2011, 2013	The states and territories of South Australia (2009), Tasmania (2013), Australia Capital Territory (2011), and Northern Territory (2011) all introduced bans on plastic bags. (The remaining states and territories are considering similar bans). However, without a national ban, many Australian towns have taken their own initiatives to ban plastic bags, including a number of remote Indigenous communities in the Northern Territory. ²⁵
Hong Kong	2009 and 2015	Legislation was passed to impose a levy on plastic bags. In 2009, the levy was imposed at major supermarkets and retail outlets. In 2015, the levy was widened to all retailers. ²⁶
Malaysia	2011	The state of Selangor charges a levy on plastic bags on Saturdays. The state of Penang charges a levy every day. ²⁷

²⁴ <https://ich.dc.gov/sites/default/files/dc/sites/ddoe/publication/attachments/BagLaw.pdf>

²⁵ http://www.cleanup.org.au/PDF/au/cua_plastic_bag_usage_around_world_august-2015.pdf

²⁶ http://www.epd.gov.hk/epd/english/environmentinhk/waste/pro_responsibility/env_levy.html

²⁷ Dirik Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20. <http://www.sciencedirect.com/science/article/pii/S1877042814056961?via%3Dihub>

Wales	2011	Legislation was passed to place a levy on plastic bags. ²⁸
Argentina (Buenos Aires)	2012, 2017	Buenos Aires Province implemented a plastic bag ban in supermarkets in 2012 and full ban of plastic bags in supermarkets and hypermarkets, commencing 1 January 2017. ²⁹
Mauritania	2013	A ban on manufacturing, using, and importing plastic bags. Anyone using, manufacturing or importing plastic bags could be fined or sentenced to a year in prison. More than 70% of cattle and sheep that die in the capital, are killed by eating plastic bags. ³⁰
Scotland	2014	Legislation passed to place a levy of five pence per bag. ³¹
California	2014	In California became the first American state to introduce a statewide ban on single-use plastics. As of July 1, 2015 some large stores in California are prohibited from providing single-use plastics bags to customers, unless a retailer charges \$0.10 and other conditions are met. ³²

²⁸ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20.

²⁹ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20.

³⁰ Dirk Xanthos & Tony Walker, “International policies to reduce plastic marine pollution from single-use plastics (plastic bags and microbeads): A review” (2017) 118:1-2 Marine Pollution Bulletin at 20.

³¹ <http://www.zerowastescotland.org.uk/litter-flytipping/carrier-bags>

³² <http://www.ncsl.org/research/environment-and-natural-resources/plastic-bag-legislation.aspx>,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB270

England	2015	Legislation was passed by parliament to place a levy of 5 pence per plastic bag. The levy applies at large retail businesses (over 250 or more employees). Smaller business can also charge the levy on a voluntary basis.
U.S. (Hawaii)	2015	Legislation passed to ban non-biodegradable plastic bags. A levy is to be charged for reusable and compostable bags. ³³
EU	2015	In April 2015, the European Parliament agreed on the plastic bag directive. Legislation passed that is binding for EU state members. Each nation within in the EU is required to take measures to introduce a charge on plastic bags by the end of 2018 or to reduce annual average consumption of plastic bags to 90 lightweight bags per citizen by the end of 2019, and 40 per capita by the end of 2025. Alternatively, a nation needs to ensure that by the end of 2018, no more light plastic bags are handed over free of charge to shoppers. (The EU considers plastic bags to be lightweight if < 50 µm). ³⁴
Netherlands	2016	A ban on the distribution of free bags. A levy is required. ³⁵
Puerto Rico	2016	A ban on the use of plastic bags introduced in December 2016. ³⁶

³³ http://www.opala.org/solid_waste/archive/plastic_bag_ban.html

³⁴ www.ecocouncil.dk/documents/temasider/1776-150812-tax-on-plastic-bags

³⁵ <https://www.plasticsoupfoundation.org/en/2016/01/ban-on-free-plastic-bags/>

³⁶ <http://www.swalter.com/skin/frontend/rd/default/assets/baglaws/puertorico.pdf>

Morocco	2016	A ban on the production, import, sale and distribution of plastic bags commenced on 1 July 2016. ³⁷
Papua New Guinea	2016	A nationwide ban of plastic bags commenced on 1 January 2016. The government has promoted the use of traditional and locally manufactured bilum bags to replace plastic bags. ³⁸
Kenya	2017	Kenya tried to put in place a ban on plastic bags in 2007 and 2011, but the limits were not put into place. In March 2017, the government introduced new ban on the use, manufacture and import of all plastic bags. When speaking about the Kenya's effort to discourage plastic bag use, Erik Solheim (Head of UN Environment) said, "Kenya should be commended for its environmental leadership. It's a great example that I hope will inspire others, and help to drive further commitments to the Clean Seas campaign." ³⁹

³⁷ <https://www.ecowatch.com/morocco-bans-plastic-bags-1946455924.html>

³⁸ <https://www.thenational.com.pg/plastic-bags-banned/>

³⁹ <http://www.unric.org/en/latest-un-buzz/30578-africa-leads-the-way-on-plastic>, <http://web.unep.org/newscentre/kenya-announces-breakthrough-ban-plastic-bags>