

# *South African Journal of Environmental Law and Policy* Style Sheet

## **Headings**

Examples of different level headings below:

- 1 INTRODUCTION** (note – no punctuation)
- 1.1 The National Environmental Management Act**
- 1.1.1 *Section 28*

## **Quotes**

Include short quotes in the text, using single quotation marks: eg. the Act requires that harm be ‘significant’.

Longer quotes (usually more than one sentence, but a long sentence would also qualify): new line, indent paragraph 0.5 left and right, and reduced font size. No quotation marks.

## **Footnotes**

Footnote numbers in text follow punctuation. Eg. Dworkin does not agree.<sup>1</sup> (Not: Dworkin does not agree<sup>2</sup>.)

## **References**

This applies to articles, notes and comments. Please include all references in footnotes and follow the following conventions:

### ***Cases:***

*Smith v Jones* 2003 (6) SA 45 (SCA) at 56

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<sup>1</sup> Footnote.

<sup>2</sup> Footnote.

**Journal Articles:**

John Smith 'The law relating to the conservation of Giant Toads in New Guinea' (1999) 7 *Australian Law Journal* 56 at 62.

FW Harris 'Air pollution law in Ireland – A critical analysis' (2000) 1 *SAJHR* 243 at 245.

*Note:*

1. No punctuation except full stop (period) at end and single quotation marks for title.
2. No capitalization of journal article title except first letter of title and sub-clause, and proper names.
3. Date in brackets followed by volume number. Do not provide issue number.
4. Provide starting page number and page number from which reference is taken.
5. Usually full name of journal required, but acronyms are acceptable for South African titles. Journal name is capitalized (except for of, and etc).
6. Initials or first name of authors required.

**Books:**

FW Harris *Air Pollution in Ireland* (2001) at 234.

*Note:*

1. Publisher and place of publication not required.
2. Book title in italics and capitalized.
3. Initials or first name of authors required.

**Other sources (reports, theses, foreign cases etc):**

Please refer to *South African Law Journal* style.

### ***Web references***

FAO ‘Statistics of pesticide usage in Africa’ at [www.fao.org/pesticides/stat.html](http://www.fao.org/pesticides/stat.html) (accessed 7 June 2004)

### ***Subsequent references***

When a reference is referred to again, please use the following conventions:

Smith (n6) at 56

*Smith v Jones* (n54) at para [34]

Department of Environmental Affairs and Tourism (n33)

Terms like *supra*, *op cit* etc are not used, except for *ibid*, when the immediately previous footnote is being referred to.

*Note*: Initials are used only in the first reference to the source.

### **Examples:**

- 11 JR Smith etc etc at 830.
- 12 FK Gumede etc etc at 56.
- 13 *Ibid* at 61.
- 14 *Ibid*.
- 15 Smith (n11) at 842

### **Foreign and Latin terms/words**

Foreign and Latin words and phrases that are in common English usage (eg *inter alia*, *per se*, *vis-à-vis*, *a quo*) are not italicized. Otherwise, italics are used (eg. *audi alteram partem*).

### **Abstract**

Authors of articles (as opposed to case notes, other notes or comments) are required to provide an abstract of about 250 words. This appears immediately below the heading (see end of document for an example).

### **Author's details, footnotes to heading etc**

Authors of contributions are required to provide their qualifications and position in a footnote, that should be designated by a \* symbol rather than a number (in order to prevent problems with cross-referencing).

Eg.

B Com LLB (Wits), Attorney, Johannesburg.

BA LLB (Rhodes) LLM (Cape Town) PhD (Oxon), Professor of Law, University of KwaZulu-Natal, Durban.

If there is a footnote to the title, please use a \* symbol rather than a number (in which case, use \*\* for the author's details footnote).

# PLASTIC BAG REGULATION IN SOUTH AFRICA: JUST A LOAD OF RUBBISH?\*

Emma Witbooi\*\*

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## Abstract

Pollution by plastic bags has reached alarming heights in South Africa, with plastic bags cynically dubbed as the second ‘national flower’ of the country. This article addresses attempts to regulate plastic bags domestically. It focuses in particular on recent national regulations which ban the manufacture and distribution of thin plastic bags. While the regulations aim to address the adverse effects of plastics on the environment, their imposition may negatively impact on the domestic plastics industry. This article examines the relationship between these two (potentially competing) goals of environmental protection and socio-economic development in the plastics sector against the backdrop of the constitutional endorsement of sustainable development. For comparative purposes, approaches favoured by selected foreign jurisdictions in this area are also briefly examined. The article concludes with some thoughts on how the sustainable development ideals of the Constitution might be promoted in the context of domestic plastic bag regulation in South Africa.

## 1 Introduction

On 9 May 2003 national regulations banning the manufacturing and distribution of thin plastic bags came into effect in South Africa.<sup>1</sup> When first promulgated in May 2002,<sup>2</sup> the regulations were met with mixed reactions from the environmental, labour and business sectors, catapulting the issue into the public limelight. The regulation of plastic bags is the focus of this article.

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\*\* BA LLB, LLM (Marine and Environmental Law) (UCT), Institute of Marine and Environmental Law, University of Cape Town.

<sup>1</sup> Gazette No. 7548 in Government Gazette No. 23393 dated 9 May 2002. There are three exceptions to this absolute ban, discussed below in greater detail.

<sup>2</sup> They were promulgated in terms of s 24 of the Environment Conservation Act (73 of 1989) (ECA).