

# ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

## FEE BYLAW

Made by the BEVERAGE CONTAINER MANAGEMENT BOARD.

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### **Definitions**

- 1(1) In this Bylaw,
- (a) "manufacturer" has the meaning as set out in the Regulation;
  - (b) "Regulation" means the *Beverage Container Recycling Regulation*, Alta. Reg. 101/97, as amended; and
  - (c) "Reporting Period" means the period established pursuant to section 4(3) of this Bylaw.
- (2) Terms that are defined in the Regulation have the same meaning when they are used in this Bylaw.
- (3) The fees set out in this Bylaw takes effect from and after September 1, 2006.

### **Registration Fee**

- 2(1) A manufacturer shall pay a fee of Twenty (\$20.00) Dollars to the Board for the registration of the first beverage container it registers with the Board as required by the Regulation.
- (2) A manufacturer shall pay a fee of Five (\$5.00) Dollars to the Board for each container that is electronically registered with the Board after the first container is registered.
- (3) A manufacturer shall pay a fee of Ten (\$10.00) Dollars to the Board for each container that is registered after the first container is registered with the Board, but is not registered electronically.

## **Depot Fees**

### **3(1) New Depot Application and Permit Fees**

- (a) An applicant for a permit to operate a depot shall, in addition to any other requirements of the Board, pay to the Board a Depot Application Fee in the amount of Six Hundred (\$600.00) Dollars for each application received by the Board.
- (b) An applicant who receives a permit from the Board shall, in addition to any other requirements of the Board, pay to the Board a Depot Permit Fee in the amount of Five Hundred (\$500.00) Dollars as a condition of the release of the permit.

### **3(2) Depot Permit Renewal Fee**

- (a) A holder of a permit to operate a bottle depot shall renew the permit with the Board every five (5) years.
- (b) Upon application for renewal, a holder of a permit to operate a bottle depot shall, in addition to any other requirements of the Board, pay to the Board a Depot Permit Renewal Fee in the amount of Five Hundred (\$500.00) Dollars as a condition of Board approval of renewal.

### **3(3) Depot Permit Transfer or Amendment Fees**

- (a) A holder of a permit to operate a bottle depot applying to transfer the permit to a new operator shall, in addition to any other requirements of the Board, pay a Depot Permit Transfer Fee to the Board in the amount of Five Hundred (\$500.00) Dollars as a condition of Board approval of the transfer.
- (b) A holder of a permit to operate a bottle depot applying to amend the permit for a change in location shall, in addition to any other requirements of the Board, pay a Depot Permit Amendment Fee to the Board in the amount of Five Hundred (\$500.00) Dollars as a condition of Board approval of amendment.

## **Operation Fees**

- 4(1) A manufacturer shall pay to the Board the sum of \$0.0006 for each of its containers collected or recovered.
- 4(2) A depot operator, and a retailer of refillable containers, shall pay to the Board the sum of \$0.0006 for each container which it collects.
- 4(3) The operation fees in s.4(1) and s.4(2) of the within Bylaw shall be the same.

### **Amendment of Fees**

- 5(1) The fees payable pursuant to this Bylaw may be changed by Resolution of the Directors of the Board and the amended fee will be effective as of the date specified in the Resolution.

### **Payment and Collection of Fees**

- 6(1) The fees payable under this Bylaw in respect to non-refillable containers shall be collected and remitted to the Board by the collection system agent on behalf of manufacturers and depot operators.
- 6(2) The fees payable under this Bylaw for refillable containers shall be collected and paid to the Board by manufacturers on behalf of manufacturers, depot operators and retailers.
- 6(3) A Manufacturer, a depot operator or the collection system agent on behalf of a manufacturer or a depot operator shall at the time and manner prescribed by the Board pay any fees required to be paid under this Bylaw.
- 6(4) Interest is payable by a manufacturer or a depot operator on fees that are required to be paid by the Bylaw, and is payable at the rate per annum established by the Board from time to time, from the date the unpaid amount is due until it is paid.
- 6(5) A manufacturer, a depot operator, the collection system agent, or any other person holds all fees to be remitted to the Board in trust for the Board.
- 6(6) In addition to any other remedies available to the Board at law, fees payable by a manufacturer or depot operator in accordance with this Bylaw and any interest owing in respect to those fees are recoverable by the Board in an action in debt.
- 6(7) The time and manner for payment of any fees and interest rate per annum payable pursuant to this Bylaw may be changed by Resolution of the Directors of the Board and will be effective as of the date specified in the Resolution.

### **Records and Information**

- 7(1) A manufacturer, a depot operator and the collection system agent shall, in a manner satisfactory to the Board, keep or cause to be kept books, documents, records and accounts for the purpose of this Bylaw and the Regulation.
- 7(2) A manufacturer, a depot operator and the collection system agent shall compile and submit, or cause to be submitted, to the Board in a form acceptable to the Board and at times required by the Board, information the Board considers necessary for the administration of this Bylaw.
- 7(3) The books, documents, records and accounts to be kept and the information to be

compiled and submitted to the Board pursuant to this Bylaw may be changed by Resolution of the Directors of the Board which will be effective as of the date specified in the Resolution.