

NOTICE

TO: Alberta Bottle Depot Network

FROM: Beverage Container Management Board (BCMB)

DATE: December 5, 2025

RE: **Amendments to the Depot By-law**

Dear Depot Network,

On November 26, 2025, the BCMB Board of Directors approved amendments to the [Depot By-law](#).

Changes to the By-law include:

- Clarification of section 3.6, related to siting requirements.
- A new section to outline and define Changes in Control and Permit Holder responsibilities related to these changes.
- Adjusted timelines in the Operational Compliance Standard for addressing deficiencies found during Depot Inspections.

The By-law changes will come into effect **immediately**.

All relevant By-laws, Acts, Policies and Agreements can be found [here](#).

What You Need to Know

Definitions

Change of Control

Where a Permit Holder that is an incorporated entity transfers shares, voting rights, or interest in that entity or where a Permit Holder that is an individual transfer interest in the business operating a Depot.



Depot By-law Section 3.6 Amendment: Rural Depot Siting Requirements

An amendment to section 3.6 of the Depot By-law was initially approved February 19, 2025, to implement a population and drive-time requirement for the siting of rural depots that would replace the 24km proximity requirement that was previously used. This was part of a larger change to general siting requirements that came out of work being done by the Depot Siting Committee.

When these changes were announced, there was concern that this requirement could impact existing rural depots who do not meet it. The section has now been amended to clarify that this requirement applies to new depots and the RFA process only. Any rural depots that currently hold operating permits, but do not meet the population drive-time requirement, will not be affected and will continue to operate as normal without any impact to permit renewals.

Depot By-law Section 11.53.2

Section 11.53.2 falls under the 'Operational Compliance Standard' outlined in the Depot By-law. An amendment has been made to this section to reduce the minimum initial timeline from 90 days to 14 days for correction of deficiencies and reporting back to BCMB after a depot inspection has taken place.

It was found that 90 days was excessive, resulting in instances of prolonged non-compliance and creating opportunity for delays when more immediate action may be required for health or safety reasons.

Going forward, Depots will be provided an initial correction and reporting timeline of 14 or 28 days, depending on the nature of the deficiency. It is important to note that this is a minimum timeline. If a depot requests an extension and presents a case for requiring more time and a reasonable, alternative deadline, then the BCMB may extend that timeline at its discretion. Compliance Officers may also use their discretion to increase the initial timeline based on communication with a depot at the time of inspection. This timeline is part of the follow up phase of the inspection process and the depot does not enter the Operational Compliance Framework unless they fail to meet this timeline.

New Depot By-law Section 6: Change of Control

Section 11.32

The addition of a new section 6 is intended to outline and define Changes of Control, formerly known as Changes of Ownership. Prior to this update there were some general references to changes in control for incorporated entities, but not other types of Permit Holders. This section takes those references found in sections 10.4-10.7 and expands them to apply to all Permit Holders.

What does this mean for depots in practice?

- If you are considering any changes to your ownership structure or selling your depot, you will need to advise the BCMB in writing prior to those changes taking effect. To contact the BCMB, email compliance@bcmb.ab.ca.

- The BCMB will determine what information, or documentation may be required to process the change and amend the permit accordingly. This may require completion of a Change of Ownership Application, Minority Shareholder Application, or other disclosure.
 - o These applications and process are currently under review as requirements may differ based on the circumstances of a change (death, sale of depot, adding/removing single shareholders).
- **Important:** If a change occurs without notification or consent of the BCMB, the Permit is invalidated, and the depot must cease operations. In other words, a permit becomes void if a change in effective control occurs without approval and a depot can not operate without a valid permit as that would be a breach of the Beverage Container Recycling Regulation.

About Changes to By-laws

All the BCMB's committees actively review processes, policies, and procedures to ensure alignment with the BCMB's regulatory mandate and industry best practices, with the purpose of supporting small businesses, reducing environmental impacts, ensuring strong governance, managing risks, improving services for Albertans and stakeholders, and fostering innovation across the beverage container recycling system.

