

BEER AND SOFT DRINKS DISTRIBUTORS, PERMITS REGULATION (R.R.Q., chapter P-9.2, r. 1)

1. A permit issued under the *Act respecting beer and soft drink distributors, permits* (R.S.Q., c. P-9.2) shall be valid for a maximum duration of twelve months. A new permit may be issued at the end of such term.

2. A carrier delivering on behalf of the holder of a permit issued under the Act shall be exempted from holding such a permit.

3. In addition to what the Minister of the Environment and Wildlife may agree, the following principles and restrictions shall apply to an agreement covered by section 3 of the Act:

(1) non-returnable containers used for the sale or delivery of beer or soft drinks shall be suitable for recycling;

(2) a consignment system shall be set up in order to promote the recovery of non-returnable containers used for the sale or delivery of beer or soft drinks;

(3) a recovery system shall be set up for non-returnable containers used for the sale or delivery of beer or soft drinks, so that:

(a) each distributor of beer or soft drinks who is a party to an agreement entered into with the Minister of the Environment and Wildlife is identified as a recoverer or a non-recoverer, depending upon whether he is required by the terms of the agreement to recover empty beer or soft drink containers;

(b) the recovery zone of a recoverer shall correspond to the zone where he regularly delivers beer or soft drinks to retail stores in refillable containers;

(c) each recoverer shall be bound to recover as many empty non-refillable beer or soft drink containers within his recovery zone as he sells;

(d) no recoverer or non-recoverer may sell or deliver in Quebec or for resale in Quebec beer or soft drinks in non-refillable containers purchased from a person who he has reasonable grounds to believe does not hold a permit under the Act;

(e) no soft drink distributor who is a recoverer may sell or deliver in Quebec or for resale in Quebec soft drinks in non-refillable containers otherwise than:

i. directly to a distributor of soft drinks who is a recoverer;

ii. within his recovery zone, directly to any person, where he has no reasonable grounds for believing that such soft drinks are resold or delivered in Quebec or are liable to be resold or delivered in Quebec outside his recovery zone;

iii. directly to a retail store or an association of retail stores, where such sale or delivery involves soft drinks identified solely by mark belonging by that retail store or association of retail stores and that are resold to consumers exclusively by such retail store or chain of retail stores; or

iv. directly to a carrier for delivery, where such delivery, if he made it himself, would be permitted under this sub-paragraph (e);

(f) no non-recoverer may sell or deliver in Quebec or for resale in Quebec soft drinks in non-refillable containers purchased from a soft drink distributor who is a recoverer except:

i. in the manner covered by clause (i) or clause (iii) of sub-paragraph (e); or

ii. within the recovery zone of such distributor, directly to any person, where such non-recoverer has no reasonable grounds for believing that such soft drinks are resold or delivered in Quebec or are liable to be resold or delivered in Quebec outside the recovery zone of such distributor;

(g) a non-recoverer who used non-refillable containers to sell or deliver beer or soft drinks shall share the financial burden of recovering such containers;

(4) a procedure shall be laid down under which a contribution shall be payable above a certain volume of sales so as to check the number of non-returnable containers used for the sale or delivery of beer or soft drinks.

4. *(Omitted)*