

NATIONAL ASSEMBLY

FIRST SESSION

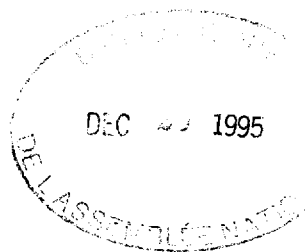
THIRTY-FIFTH LEGISLATURE

Bill 132

**An Act to amend the Act
respecting beer and soft drink
distributors' permits**

Introduction

**Introduced by
Mr Jacques Brassard
Minister of the Environment and Wildlife**



**Québec Official Publisher
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EXPLANATORY NOTES

The purpose of this bill is to provide that retailers who sell beer or soft drinks in non-returnable containers will have to accept the return of empty containers and refund the refundable portion of the deposit paid. The bill also specifies that such sales are only permitted if the containers are marked as required by an agreement or regulation.

The bill also makes consequential and technical amendments to the Act respecting beer and soft drink distributors' permits.

Bill 132

An Act to amend the Act respecting beer and soft drink distributors' permits

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The title of the Act respecting beer and soft drink distributors' permits (R.S.Q., chapter P-9.2) is replaced by the following title:

“Act respecting the sale and distribution of beer and soft drinks in non-returnable containers”.

2. Section 2 of the said Act is amended by replacing the words “Industry, Trade, Science and Technology” in the third and fourth lines by the words “the Environment and Wildlife”.

3. Section 3 of the said Act, amended by section 30 of chapter 41 of the statutes of 1994, is again amended by striking out the words “of the Environment and Wildlife” in the third line.

4. Section 4 of the said Act, amended by section 30 of chapter 41 of the statutes of 1994, is again amended

(1) by striking out the words “of Industry, Trade, Science and Technology” in the first line;

(2) by replacing the words “refuses or neglects to respect the terms of the agreement he has entered into with the Minister of the Environment and Wildlife and the Société québécoise de récupération et de recyclage” in the third and fourth lines by the words “fails to comply with the provisions of an agreement entered into under section 3”.

5. The said Act is amended by inserting, after section 4, the following sections:

“4.1 No person may, as part of a retail sales operation, offer for sale or sell beer or soft drinks in non-returnable containers, or distribute beer or soft drinks free of charge in non-returnable containers, unless the containers are marked as required under an agreement or the regulations referred to in section 3.

“4.2 Every person who, as part of a retail sales operation, offers for sale or sells beer or soft drinks in non-returnable containers, or distributes beer or soft drinks free of charge in non-returnable containers, must accept the return of empty containers that are marked as required under an agreement or the regulations referred to in section 3, and refund the refundable portion of the deposit.

The first paragraph does not apply where the beer or soft drinks are sold, offered for sale or distributed free of charge for consumption on the premises, or by means of an automatic vending machine.”

6. Section 6 of the said Act is amended

(1) by replacing that part of the first paragraph preceding subparagraph 1 by the following:

“6. Every person who contravenes any of sections 2, 4.1 or 4.2 is liable to a fine”;

(2) by replacing the second paragraph by the following paragraph:

“Every person who contravenes the provisions of an agreement entered into under section 3 is liable to the same penalties.”

7. Section 10 of the said Act is amended by replacing the words “Industry, Trade, Science and Technology” in the first line by the words “the Environment and Wildlife”.

8. This Act comes into force on (*insert here the date of assent to this Act*).