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## Part 2

# LAWS AND REGULATIONS

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13 February 2025 / Volume 157

### Summary

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Regulations and other Acts

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## Part 2 – LAWS AND REGULATIONS

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Regulation respecting the *Gazette officielle du Québec*, section 4

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Gouvernement du Québec

## O.C. 129-2025, 12 February 2025

Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers

WHEREAS, under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, regulate the recovery and reclamation of residual materials in all or part of the territory of Québec, and the regulations may, in particular, require any person, in particular any person operating an industrial or commercial establishment, who manufactures, markets or otherwise distributes containers, packaging or packaging materials, printed matter or other products, who markets products in containers or packaging acquired for that purpose or, more generally, whose activities generate residual materials, to develop, implement and contribute financially to, on the terms and conditions fixed, programs or measures to reduce, recover or reclaim residual materials generated by the containers, packaging, packaging materials, printed matter or other products, or generated by their activities, with the goal of extended responsibility of these persons, all while taking into account basic principles of the circular economy and taking into account the social economy within the meaning of the Social Economy Act (chapter E-1.1.1);

WHEREAS, under paragraphs 3 and 5 to 7 of the first paragraph of section 53.30.2 of the Environment Quality Act, a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Act that requires, as a measure, certain persons to develop, implement and contribute financially to a deposit system may, in particular,

— determine the terms and conditions applicable to the return, transportation, sorting and conditioning of returnable products, including their storage, to recover and reclaim such products;

— determine the obligations, rights and responsibilities of the persons, municipalities, groups of municipalities and Aboriginal communities, represented by their band councils, that are concerned by the system;

— determine, in particular with respect to the obligations referred to in paragraph 5, the obligations that certain persons concerned by the system must meet as regards their participation in the organization of the return of returnable products;

— fix a deposit payable on the purchase of any of the products referred to in paragraph 1 that, upon return, is refundable in whole or, as determined under paragraph 8, in part only, or prescribe the parameters to be used by a body designated under a regulation made under section 53.30.3 of the Act to fix such a deposit, which is not payable until it has been approved by the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks;

WHEREAS, under subparagraph 5 of section 53.30.3 of the Environment Quality Act, the Government may, by a regulation made under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 and section 53.30.2 of the Act, in particular, prescribe the obligations, rights and responsibilities of the designated body and its method of financing;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made under that Act or the Acts concerned, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty. The regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them. The amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the Government may determine in particular the provisions of a regulation the Government has made under that Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers was published in Part 2 of the *Gazette officielle du Québec* of 19 December 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, attached to this Order in Council, be made.

DAVID BAHAN  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers

Environment Quality Act  
(chapter Q-2, s. 53.30, 1st par., subpar. 6, s. 53.30.2, pars. 3 and 5 to 7, and s. 53.30.3, par. 5).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

**1.** The Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) is amended in section 17 by replacing subparagraph 2 of the second paragraph by the following:

“(2) 1 March 2025 for all containers referred to in subparagraphs 1, 2, 5 and 7 of the first paragraph of section 3 on which no deposit was payable before that date;

(3) 1 March 2027 for all containers referred to in section 3 on which no deposit was payable before that date.”.

**2.** Section 29 is amended by inserting “, 41.1” after “sections 41”.

**3.** The following is inserted after section 41:

“**41.1.** Every producer must also ensure that, of the minimum number of return sites provided for in the first paragraph of section 41, the producer installs and manages a minimum of

- (1) 100 as of 1 September 2025;
- (2) 200 as of 1 March 2026;
- (3) 300 as of 1 September 2026; and
- (4) 400 as of 1 March 2027.”.

**4.** Section 42 is amended by replacing “of section 41” in the first paragraph by “of sections 41 and 41.1”.

**5.** Section 99 is amended

(1) in the first paragraph

(a) by striking out the fourth line of the table in subparagraph 2;

(b) by adding the following at the end:

“(3) for the years 2030 and 2031:

“

Type of container	Annual recovery rate
Single-use metal containers	85%
Single-use plastic containers	80%
Single-use containers made of glass or any other breakable material	80%
Single-use fibre containers, including multi-layer containers	65%
Single-use biobased containers	80%
Reusable containers made of glass or any other breakable material	90%
Reusable containers made of any material other than glass or any other breakable material	80%
All redeemable containers	85%

”.

(2) by replacing “2030” and “subparagraph 2” in the second paragraph by “2032” and “subparagraph 3” respectively.

**6.** Section 103 is amended

(1) in the first paragraph;

(a) by striking out the fourth line of the table in subparagraph 2;

(b) by adding the following at the end:

“(3) for the years 2030 and 2031:

“

Type of container	Annual recovery rate
Single-use metal containers	85%
Single-use plastic containers	78%
Single-use containers made of glass or any other breakable material	78%
Single-use fibre containers, including multi-layer containers	60%
Single-use biobased containers	78%
Reusable containers made of glass or any other breakable material	90%
Reusable containers made of any material other than glass or any other breakable material	90%
All redeemable containers	80%

”.

(2) by replacing “2030” and “subparagraph 2” in the second paragraph by “2032” and “subparagraph 3” respectively.

**7.** Section 108 is amended by replacing “2027” in the first paragraph by “2030”.

**8.** Section 111 is amended by replacing “2028” in paragraph 4 by “2030”.

**9.** Section 177, amended by section 16 of the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, made by Order in Council 109-2025 dated 5 February 2025, is further amended by inserting the following after paragraph 3.1:

“(3.2) fails to ensure that the specified minimum number of return sites are installed and managed, in contravention of section 41.1”.

**10.** Section 184, amended by section 18 of the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, made by Order in Council 109-2025 dated 5 February 2025, is further amended by inserting the following after paragraph 3.1:

“(3.2) fails to ensure that the specified minimum number of return sites are installed and managed, in contravention of section 41.1”.

**11.** Section 189.2 is amended by replacing “2025” wherever it appears by “2027”.

**12.** Section 189.3 is amended by replacing “2025” by “2027”.

**13.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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