

EC2014-348**AN ACT TO REPEAL THE AUTOMOBILE JUNK YARDS ACT
DECLARATION RE**

Under authority of section 2 of *An Act to Repeal the Automobile Junk Yards Act* Stats. P.E.I. 2013, c. 3 Council ordered that a Proclamation do issue proclaiming the said "An Act to Repeal the Automobile Junk Yards Act" to come into force effective June 21, 2014.

EC2014-349**ENVIRONMENTAL PROTECTION ACT
MATERIALS STEWARDSHIP AND RECYCLING
REGULATIONS**

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

INTERPRETATION

- 1.** (1) In these regulations
- | | Definitions |
|--|---------------------|
| (a) "Act" means the <i>Environmental Protection Act</i> R.S.P.E.I. 1988, Cap. E-9; | Act |
| (b) "designated material" means a material diverted from disposal and managed under a stewardship plan or a permit endorsement pursuant to a designation in these regulations; | designated material |
| (c) "endorsement" means an automotive salvage and scrap metal endorsement issued under subsection 17(5); | endorsement |
| (d) "operator" means, in respect of a facility, a person who has control or management of the facility; | operator |
| (e) "permit" means a valid and subsisting recycling facility permit issued under subsection 4(6); | permit |
| (f) "permit holder" means a person who holds a permit. | permit holder |
- (2) For the purposes of the definition of "recyclable material" in clause 1(n.11) of the Act, a material or product is a recyclable material if it meets the following criteria:
- | | |
|---|--|
| (a) it has been diverted from disposal; | |
| (b) it is managed as a marketable commodity with an established market, or is used or processed in the manufacture of a product that has an established market; | |
| (c) it is not | |
| (i) a designated material, or | |
| (ii) a beverage container as defined in the <i>Beverage Containers Act</i> R.S.P.E.I. 1988, Cap. B-2.1. | |

PART I

DIVISION 1

Recycling Facility Permit

2. No person shall Operation of recycling facility

- (a) carry on the business of the collection or sale of recyclable material or designated material;
- (b) operate a recycling facility; or
- (c) hold himself or herself out as the operator of a recycling facility, except under the authority of a permit.

3. Section 2 does not apply to a person who operates a beverage container depot under the authority of a permit issued under the *Beverage Containers Act* for the acceptance, collection and storage of Exception

- (a) empty beverage containers as defined in that Act;
- (b) scrap metal; or
- (c) lead-acid batteries,

where the beverage containers, scrap metal and lead-acid batteries are accepted, collected and stored indoors in accordance with that Act.

Application

4. (1) A person who wishes to apply for a recycling facility permit shall Application for permit

- (a) file with the Minister a completed application in the form approved by the Minister; and
- (b) pay the fee prescribed by subsection (8).

(2) An applicant shall submit with an application made under subsection (1) a detailed written proposal outlining Material to be submitted

- (a) the location of the proposed recycling facility;
- (b) the distance from the active recycling area to
 - (i) the nearest property boundary, and
 - (ii) the foundation of the nearest off-site structure used for commercial, industrial, residential or institutional purposes;
- (c) the types of recyclable material and designated material, if any, to be acquired;
- (d) the plans for the acceptance, collection, storage, sorting, handling, preparing for transport and transporting of recyclable material and designated material;
- (e) the quantity of recyclable material and designated material expected to be acquired annually; and
- (f) a contingency plan for the prevention, detection, handling and containment of leaks or spills of recyclable material and designated material or contamination resulting from the handling of recyclable material and designated material.

(3) The Minister may require an applicant to provide any additional information that the Minister requires to consider the application, including any agreements made with an administrator of a stewardship program for any designated material. Additional information

(4) If the proposed recycling facility will be located Additional measures

- (a) within sight of a highway; or
- (b) in close proximity, in the opinion of the Minister, to a nearby property,

the Minister may require the applicant to provide to the Minister plans for noise reduction measures or screening of the facility from view from nearby properties, or for both, as specified by the Minister.

(5) Where, in the opinion of the Minister, the proposed recycling facility may constitute a risk to the environment, the Minister may require the applicant to provide to the Minister a certificate of insurance which Insurance

- (a) evidences insurance coverage for the applicant's liability for bodily injury and property damage arising out of a contaminant being introduced into the environment in a sudden, unintended or unexpected occurrence, during the period of insurance, with not less than \$1,000,000 coverage per occurrence; and

- (b) states that the insurance coverage may not be cancelled except upon thirty days' prior written notice to the Department.
- (6) The Minister shall issue a permit to an applicant if the Minister is satisfied that Requirements for issuance of permit
- (a) the application has been made in accordance with the requirements of these regulations;
 - (b) the proposal submitted under subsection (2)
 - (i) includes the information referred to in clauses (2)(a) to (f) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the recycling facility in compliance with the Act and these regulations;
 - (c) the applicant has complied with subsections (3), (4) and (5), if required to do so; and
 - (d) the issuance of the permit is in the public interest having regard to the matters referred to in clauses (2)(a) to (f).
- (7) Where the Minister refuses to issue a permit to an applicant, the Minister shall provide written reasons for the refusal to the applicant. Refusal of permit
- (8) The application fee for a permit is \$100, payable to the Minister of Finance, Energy and Municipal Affairs. Application fee

Expiry of Permit

- 5.** A permit expires on March 1 following the day on which the permit was issued. Expiry of permit

Reports

- 6.** (1) The Minister may require an operator of a recycling facility to ensure that a record is made of the received weight, the recycled weight and the shipped weight of any recyclable material and designated material specified by the Minister that is handled at the recycling facility. Records
- (2) An operator of a recycling facility who made or caused to be made a record under subsection (1) shall Report to Minister
- (a) prepare a written report in the form approved by the Minister with respect to the specified recyclable material and designated material handled at the recycling facility during the preceding calendar year; and
 - (b) submit the written report prepared under clause (a) to the Minister on or before March 1 of each year for the preceding calendar year.
- 7.** An operator of a recycling facility shall include in the report required under subsection 6(2) Weight of recyclable material
- (a) the weight in kilograms of each type of recyclable material or designated material handled at the facility for the year covered by the report; and
 - (b) the weight in kilograms of each type of recyclable material or designated material received by the facility and not recycled or otherwise disposed of for the year covered by the report.

Terms and Conditions

- 8.** A permit holder and an operator of a recycling facility shall ensure that the recycling facility is operated in compliance with the terms and conditions of the permit issued for the recycling facility. Compliance with terms and conditions on permit

Notice of Revocation or Terms and Conditions

- 9.** Where the Minister, under section 28 of the Act, Notice of revocation or terms and conditions
- (a) revokes;
 - (b) imposes terms or conditions on; or
 - (c) alters the terms or conditions of,
- a permit, the Minister shall serve on the permit holder and the operator, in writing, notice of and reasons for the revocation, imposition or alteration.

PART II

DIVISION 1

Endorsement for Designated Material

- 10.** (1) Where Endorsement for
designated material
- (a) no stewardship program has been established in respect of a designated material; or
- (b) the Minister has not concluded an agreement with an administrator of a stewardship program for a designated material,
- a permit holder who proposes to accept, collect or store the designated material shall apply to the Minister for an endorsement on the holder's permit with respect to the designated material.
- (2) Subject to any terms or conditions imposed on the endorsement Authorization under section 28 of the Act, an endorsement on a permit authorizes the permit holder to accept, collect or store the designated material identified on the endorsement at the recycling facility for which the permit is issued.

Terms and Conditions

- 11.** A permit holder and an operator of a recycling facility for which an endorsement is issued shall ensure that the recycling facility is operated in compliance with the terms and conditions of the endorsement. Terms and
conditions of
endorsement

Notice of Revocation or Terms and Conditions

- 12.** Where the Minister, under section 28 of the Act, Notice of revocation
or terms and
conditions
- (a) revokes;
- (b) imposes terms or conditions on; or
- (c) alters the terms or conditions of,
- an endorsement, the Minister shall serve on the permit holder and the operator, in writing, notice of and reasons for the revocation, imposition or alteration.

DIVISION 2

Automotive Salvage and Scrap Metal

- 13.** In this Division, Definitions
- (a) "automotive salvage" means automotive salvage
- (i) unserviceable, discarded or junked motor vehicles no longer used for transportation purposes, and
- (ii) metals, bodies, frames, engines or other components and parts of those things associated with a motor vehicle;
- (b) "automotive salvage and scrap metal collection facility" means a automotive salvage
and scrap metal
collection facility recycling facility where automotive salvage or scrap metal is
- (i) accepted, collected and stored, and
- (ii) handled, collected, sorted or crushed, compacted, shredded and prepared for transport, for the purpose of material recovery;
- (c) "scrap metal" means new or used items substantially made of scrap metal ferrous or non-ferrous metals and includes household or commercial appliances, but does not include beverage containers, paint containers, or domestic or household products normally recycled to avoid waste.
- 14.** For the purposes of the Act and these regulations, automotive Designation salvage and scrap metal is a designated material.

Automotive Salvage and Scrap Metal Endorsement

- 15.** No person shall Prohibition
- (a) carry on the business of the collection, purchasing, trading, bartering or sale of automotive salvage and scrap metal;
- (b) operate an automotive salvage and scrap metal collection facility; or

(c) hold himself or herself out as the operator of an automotive salvage and scrap metal collection facility, except under the authority of a recycling facility permit and an automotive salvage and scrap metal endorsement.

16. No person shall sell, offer for sale, transfer, discard or otherwise dispose of automotive salvage and scrap metal except by disposal at an automotive salvage and scrap metal collection facility. *Idem*

Application

17. (1) A person who holds or has applied for a permit may apply for an automotive salvage and scrap metal endorsement on the permit by *Application for endorsement*

- (a) filing with the Minister a completed application on a form approved by the Minister; and
- (b) paying the fee prescribed by subsection (8).

(2) An applicant, other than an applicant who has concurrently submitted an application for a permit under subsection 4(2), shall submit with an application made under subsection (1) a detailed written proposal outlining *Requirements*

- (a) the distance from the active automotive salvage and scrap metal collection facility to
 - (i) the nearest property boundary, and
 - (ii) the foundation of the nearest off-site structure used for commercial, industrial, residential or institutional purposes;
- (b) whether the applicant proposes to collect, purchase, store, sell or otherwise handle automotive salvage as defined in subclause 13(a)(i) or (ii), or both;
- (c) the plans for the acceptance, collection, storage, sorting, crushing, compacting, shredding, handling and preparing for transport of automotive salvage and scrap metal;
- (d) the estimated quantity of automotive salvage and scrap metal collected;
- (e) the frequency of any crushing, compacting or shredding at the proposed facility;
- (f) a contingency plan for the prevention, detection, handling and containment of leaks or spills from automotive salvage and scrap metal or contamination resulting from the handling of automotive salvage and scrap metal;
- (g) if crushing activities are to occur at the facility, the location of the area designed for crushing activities;
- (h) a description of the method of operating the facility, including the methods of collection and disposal of contaminants, including, but not limited to,
 - (i) oils,
 - (ii) oil filters,
 - (iii) motive fuels,
 - (iv) brake fluids,
 - (v) glycol products,
 - (vi) refrigerants,
 - (vii) lead-acid batteries,
 - (viii) mercury-containing switches.

(3) An applicant who has submitted an application for a permit under subsection 4(2) shall submit a detailed written proposal containing the information referred to in clauses (2)(d), (f), (g) and (h). *Idem*

(4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the application. *Additional information*

(5) The Minister shall issue an automotive salvage and scrap metal endorsement on the applicant's permit if the Minister is satisfied that *Issuance of endorsement*

- (a) the application has been made in accordance with the requirements of these regulations;
- (b) the proposal adequately provides for the operation of the automotive salvage and scrap metal collection facility in compliance with the Act and these regulations and
 - (i) if submitted under subsection (2), includes the information referred to in clauses (2)(a) to (g) and is otherwise acceptable to the Minister, or

- (ii) if submitted under subsection (3), includes the information referred to in clauses (2)(d), (f), (g) and (h); and
- (c) the proposed automotive salvage and scrap metal collection facility
 - (i) meets the setback criteria of subsection 18(1), and
 - (ii) shall meet the operational requirements set out in the Schedule to these regulations.

(6) The Minister shall specify in the automotive salvage and scrap metal endorsement issued under subsection (5) the type or types of automotive salvage to which it applies. Specify types of automotive salvage

(7) Where the Minister refuses to issue an automotive salvage and scrap metal endorsement to an applicant, the Minister shall provide written reasons for the refusal to the applicant. Reasons for refusal

(8) The application fee for an automotive salvage and scrap metal endorsement is \$50, payable to the Minister of Finance, Energy and Municipal Affairs. Fee

Setbacks

18. (1) No person is eligible for an automotive salvage and scrap metal endorsement on a permit where the proposed site is located Restrictions respecting site

- (a) within a radius of 150 metres of any public park, public playground, public bathing beach, school, church, hospital, cemetery or public hall;
- (b) within 30 metres of any highway;
- (c) subject to subsection (2), within 300 metres of any residential premises other than those of the applicant for the permit; or
- (d) within 60 metres of a watercourse boundary or wetland boundary.

(2) The Minister may waive the requirements of clause (1)(c) where Exception

- (a) either
 - (i) the owners of all residential premises located in the area between 150 and 300 metres from the nearest boundary line of the proposed facility state in writing, in the form required by the Minister, that they have no objection to the proposed facility,
 - (ii) no residential premises are located less than 150 metres from the proposed facility, and
 - (iii) no domestic potable wells are located less than 60 metres from the proposed facility; or
- (b) the proposed facility is located within a municipal land use zone where the operation of an automotive salvage and scrap metal collection facility is permitted.

Additional Requirements

19. In addition to the requirements of clause 15(b), a permit holder and an operator of an automotive salvage or scrap metal collection facility shall ensure that the facility is operated in compliance with the requirements of these regulations, including the storage and material handling criteria specified in the environmental standards set out in the Schedule to these regulations. Additional requirements

PART III

STEWARDSHIP PROGRAMS

DIVISION 1

Electronic Products

20. In this Division, Definitions

- (a) “administrator” means an administrator appointed under section 26; administrator
- (b) “agent” means an agent of a brand owner designated under section 23; agent

- (c) “brand owner” means, in respect of an electronic product sold, offered for sale or otherwise distributed in or into the province, brand owner
- (i) a manufacturer of the electronic product,
 - (ii) a distributor of the electronic product in or into the province,
 - (iii) an owner or licensee of the intellectual property rights to the electronic product, or
 - (iv) where the electronic product is imported into the province, the first person to sell the electronic product in or into the province;
- (d) “electronic material stewardship program” means a program approved by the Minister under subsection 24(5) that electronic material
stewardship
program
- (i) establishes a process for the recycling of electronic products and, if no further options exist, the disposal of any residual electronic product components, and
 - (ii) incorporates the principles of a pollution prevention hierarchy by replacing disposal with reuse and recycling of electronic products;
- (e) “electronic product” means an electronic product whether intended for consumer, industrial or commercial use, and includes electronic product
- (i) televisions,
 - (ii) desktop, laptop and notebook computers, including central processing units, keyboards, mice and cables,
 - (iii) computer monitors,
 - (iv) computer desktop printers, including desktop printers that have scanning or fax capabilities, or both,
 - (v) desktop scanners,
 - (vi) audio and video playback and recording systems,
 - (vii) telephones and fax machines, and
 - (viii) cell phones and other wireless communication devices,
- but does not include factory-installed devices developed for embedded use in motor vehicles;
- (f) “electronic product return facility” means a recycling facility where electronic products are electronic product
return facility
- (i) accepted and stored, and
 - (ii) handled, collected, sorted or prepared for transport,
- for the purpose of the reuse of the products or material recovery;
- (g) “retailer” means a person who sells or offers for sale electronic products directly to consumers. retailer
- 21.** (1) For the purposes of the Act and these regulations, an electronic product is a designated material. Designation
- (2) No person shall discard an electronic product except Discarding
electronic product
- (a) at a recycling facility approved to accept the electronic product pursuant to these regulations; or
 - (b) in accordance with an approved electronic material stewardship program.

Electronic Material Stewardship Program

- 22.** (1) No brand owner of an electronic product shall sell, offer for sale or otherwise distribute an electronic product in or into the province unless the brand owner, or an agent of the brand owner of the electronic product, operates an electronic material stewardship program in respect of the electronic product. Prohibition
- (2) No retailer shall sell, offer for sale or otherwise distribute an electronic product in or into the province unless the brand owner of the electronic product, or an agent of the brand owner of the electronic product, operates an electronic material stewardship program in respect of the electronic product. *Idem*
- 23.** A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate an electronic material stewardship program on the brand owner’s behalf. Designation of
agent

Application

- 24.** (1) A brand owner may apply for approval of an electronic material stewardship program by filing with the Minister a completed proposal in the format approved by the Minister. Application for approval of electronic material stewardship program
- (2) An agent of a brand owner who wishes to operate an electronic material stewardship program on the brand owner's behalf may apply for approval of the program by filing with the Minister a completed proposal in a format approved by the Minister. *Idem*
- (3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting Material to be submitted
- (a) the management structure of the program;
 - (b) how waste electronic products will be collected;
 - (c) the plans for the receipt of electronic products at the electronic product return facilities that participate in the program and the policies and procedures to be followed by the electronic product return facilities;
 - (d) the recycling options for waste electronic products;
 - (e) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
 - (f) an education and awareness program for consumers of electronic products that includes information about
 - (i) the electronic material stewardship program, specifying products accepted by the program,
 - (ii) how and when consumers can access electronic product return facilities,
 - (iii) the environmental benefits of participating in the electronic material stewardship program, and
 - (iv) a description of the proposed methods for reusing and recycling electronic products.
- (4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the proposal. Additional information
- (5) The Minister shall approve an electronic material stewardship program if the Minister is satisfied that Requirements for approval of electronic material stewardship program
- (a) the proposal has been made in accordance with the requirements of these regulations;
 - (b) the proposal
 - (i) includes the information referred to in clauses (3)(a) to (f) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the electronic material stewardship program in compliance with the Act and these regulations; and
 - (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (f).
- (6) Where the Minister refuses to approve an electronic material stewardship program, the Minister shall provide written reasons for the refusal to the applicant. Reasons for refusal
- (7) Where the Minister approves an electronic material stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8). Approval of electronic material stewardship program
- (8) The fee for an approval of an electronic material stewardship program is \$25,000, payable to the Minister of Finance, Energy and Municipal Affairs. Approval fee
- 25.** (1) A brand owner or an agent who operates an electronic material stewardship program shall, on or before July 31 of each year, pay the annual fee prescribed by subsection (2). Payment of annual fee
- (2) The annual fee for an electronic material stewardship program is \$20,000, payable to the Minister of Finance, Energy and Municipal Affairs. Annual fee
- 26.** The Minister may Appointment of administrator
- (a) appoint any person as the administrator of an electronic material stewardship program; and

(b) specify the duties and responsibilities of an administrator appointed under clause (a).

Information

- 27.** A brand owner or an agent who operates an electronic material stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the electronic material stewardship program, including any of the following:
- Request for information by Minister
- (a) the types of processes used to reuse and recycle the electronic products and their components;
 - (b) the location of the electronic product return facilities for the electronic products;
 - (c) the location of any long-term containment or final treatment and processing facilities for electronic products;
 - (d) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the electronic products collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.
- 28.** A brand owner shall ensure that a brand name, image or logo is clearly affixed in plain view on an electronic product sold, offered for sale or otherwise distributed in or into the province by the brand owner.
- Brand name, image or logo on electronic product
- 29.** A retailer shall prominently display, at the point of display or the point of sale of an electronic product, the education and awareness program information referred to in clause 24(3)(f) that is supplied to it by the brand owner or the brand owner's agent.
- Display of education and awareness program information
- 30.** A brand owner or an agent who operates an electronic material stewardship program shall review the electronic material stewardship program and
- Review of electronic material stewardship program
- (a) submit to the Minister all proposed amendments to the electronic material stewardship program; or
 - (b) advise the Minister in writing that in its opinion no amendments to the electronic material stewardship program are necessary,
- not later than the date that is 5 years after the date the electronic material stewardship program was first approved under subsection 24(5) and every 5 years thereafter.
- 31.** A brand owner or an agent who operates an electronic material stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of electronic products collected during the previous calendar year.
- Reporting quantity of electronic materials collected
- 32.** (1) No brand owner who operates an electronic material stewardship program shall fail to operate the electronic material stewardship program in accordance with the program as approved under subsection 24(5).
- Operation of electronic material stewardship program
- (2) No agent who has been designated to operate an electronic material stewardship program on a brand owner's behalf shall fail to operate the electronic material stewardship program in accordance with the program as approved under subsection 24(5).
- Idem*

DIVISION 2

Paint Products

- 33.** In this Division,
- Definitions
- (a) "administrator" means an administrator appointed under section 39;

administrator

 - (b) "agent" means an agent of a brand owner designated under section 36;

agent

 - (c) "brand owner" means, in respect of a consumer paint product sold, offered for sale or otherwise distributed in or into the province,

brand owner

 - (i) a manufacturer of the consumer paint product,

- (ii) a distributor of the consumer paint product in or into the province, or
- (iii) where the consumer paint product is imported into the province, the first person to sell the consumer paint product in or into the province;

- (d) “consumer paint product” means consumer paint product
- (i) a tinted or untinted latex, oil or solvent-based architectural coating used for commercial or household purposes, including stain, and includes the coating’s container, or
 - (ii) a coloured or clear paint or stain sold in an aerosol container and includes the paint’s or stain’s container,
- but does not include coatings intended for marine antifouling, industrial or automotive applications, non-latex concrete sealant, or bottled paint for hobby, craft, cosmetic or artistic use;
- (e) “consumer paint stewardship program” means a program consumer paint stewardship program approved by the Minister under section 37 that
- (i) establishes a process for the collection, transportation and recycling of paint, and
 - (ii) incorporates the principles of a pollution prevention hierarchy by replacing disposal with reuse and recycling of paint;
- (f) “retailer” means a person who sells or offers for sale consumer paint products directly to consumers. retailer

34. (1) For the purposes of the Act and these regulations, a consumer paint product is a designated material. Designation

- (2) No person shall discard a consumer paint product except Discarding consumer paint product
- (a) at a recycling facility approved to accept the consumer paint product pursuant to these regulations; or
 - (b) in accordance with an approved consumer paint product stewardship program.

Consumer Paint Material Stewardship Program

35. (1) No brand owner of a consumer paint product shall sell, offer for sale or otherwise distribute a consumer paint product in or into the province unless the brand owner, or an agent of the brand owner of the consumer paint product, operates a consumer paint material stewardship program in respect of the consumer paint product. Prohibition

(2) No retailer shall sell, offer for sale or otherwise distribute a consumer paint product in or into the province unless the brand owner of the consumer paint product, or an agent of the brand owner of the consumer paint product, operates a consumer paint material stewardship program in respect of the consumer paint product. Idem

36. A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate a consumer paint material stewardship program on the brand owner’s behalf. Designation of agent

Proposal

37. (1) A brand owner who wishes to apply for approval of a consumer paint material stewardship program shall file with the Minister a completed proposal in a format approved by the Minister. Proposal for approval of consumer paint material stewardship program

(2) An agent of a brand owner who wishes to operate a consumer paint material stewardship program on the brand owner’s behalf and who wishes to apply for approval of the program shall file with the Minister a completed proposal in a format approved by the Minister. Idem

(3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting Material to be submitted

- (a) the management structure of the program;
- (b) how waste consumer paint products will be collected;
- (c) the plans for the receipt of consumer paint products at the consumer paint product return facilities that participate in the

- program and the policies and procedures to be followed by the consumer paint product return facilities;
- (d) the recycling options for waste consumer paint products;
- (e) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
- (f) an education and awareness program for consumers of consumer paint products that includes information about
- (i) the consumer paint material stewardship program, specifying products accepted by the program,
 - (ii) how and when consumers can access consumer paint product return facilities,
 - (iii) the environmental benefits of participating in the consumer paint material stewardship program, and
 - (iv) a description of the proposed methods for reusing and recycling consumer paint products.
- (4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the proposal. Additional information
- (5) The Minister shall approve a consumer paint material stewardship program if the Minister is satisfied that Requirements for approval of consumer paint material stewardship program
- (a) the proposal has been made in accordance with the requirements of these regulations;
 - (b) the proposal
 - (i) includes the information referred to in clauses (3)(a) to (f) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the consumer paint material stewardship program in compliance with the Act and these regulations; and
 - (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (f).
- (6) Where the Minister refuses to approve a consumer paint material stewardship program, the Minister shall provide written reasons for the refusal to the applicant. Reasons for refusal
- (7) Where the Minister approves a consumer paint material stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8). Approval of consumer paint material stewardship program
- (8) The fee for an approval of a consumer paint material stewardship program is \$10,000, payable to the Minister of Finance, Energy and Municipal Affairs. Approval fee
- 38.** (1) A brand owner or an agent who operates a consumer paint material stewardship program shall, on or before July 31 of each year, pay the annual fee prescribed by subsection (2). Payment of annual fee
- (2) The annual fee for a consumer paint material stewardship program is \$10,000, payable to the Minister of Finance, Energy and Municipal Affairs. Annual fee
- 39.** The Minister may Appointment of administrator
- (a) appoint any person as the administrator of a consumer paint material stewardship program; and
 - (b) specify the duties and responsibilities of an administrator appointed under clause (a).
- Information
- 40.** A brand owner or an agent who operates a consumer paint material stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the consumer paint material stewardship program, including any of the following: Request for information by Minister
- (a) the types of processes used to reuse and recycle the consumer paint products and their components;
 - (b) the location of the consumer paint product return facilities for the consumer paint products;
 - (c) the location of any long-term containment or final treatment and processing facilities for consumer paint products;

- (d) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the consumer paint products collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.
- 41.** No retailer shall charge a consumer any separate fee with respect to the costs associated with implementing or operating a paint stewardship plan. Internalization of fees
- 42.** A retailer shall prominently display, at the point of display or the point of sale of a consumer paint product, the education and awareness program information referred to in clause 37(3)(f) that is supplied to it by the brand owner or the brand owner's agent. Display of education and awareness program information
- 43.** A brand owner or an agent who operates a consumer paint material stewardship program shall review the consumer paint material stewardship program and Review of consumer paint material stewardship program
- (a) submit to the Minister all proposed amendments to the consumer paint material stewardship program; or
- (b) advise the Minister in writing that in its opinion no amendments to the consumer paint material stewardship program are necessary, not later than the date that is 5 years after the date the consumer paint material stewardship program was first approved under subsection 37(5) and every 5 years thereafter.
- 44.** A brand owner or an agent who operates a consumer paint material stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of consumer paint products collected during the previous calendar year. Reporting quantity of consumer paint materials collected
- 45.** (1) No brand owner who operates a consumer paint material stewardship program shall fail to operate the consumer paint material stewardship program in accordance with the program as approved under subsection 37(5). Operation of consumer paint material stewardship program
- (2) No agent who has been designated to operate a consumer paint material stewardship program on a brand owner's behalf shall fail to operate the consumer paint material stewardship program in accordance with the program as approved under subsection 37(5). *Idem*

Division 3

Lamp Products

- 46.** In this Division, Definitions
- (a) "administrator" means an administrator appointed under section 52; administrator
- (b) "agent" means an agent of a brand owner designated under section 49; agent
- (c) "brand owner" means, in respect of a lamp product sold, offered for sale or otherwise distributed in or into the province, brand owner
- (i) a manufacturer of the lamp product,
- (ii) a distributor of the lamp product in or into the province,
- (iii) where the lamp product is imported into the province, the first person to sell the lamp product in or into the province;
- (d) "lamp product" means a light source designed to produce light from electricity including, but not limited to, lamp product
- (i) fluorescent tubes,
- (ii) compact fluorescent lamps,
- (iii) high-intensity discharge lamps,
- (iv) incandescent lamps,
- (v) light-emitting diode lamps;
- (e) "lamp product stewardship program" means a program approved by the Minister under subsection 50(5) that lamp product stewardship program
- (i) establishes a process for the collection, transportation and recycling of lamp products, and

(ii) incorporates the principles of a pollution prevention hierarchy by replacing disposal with recycling of lamp products;

(f) “retailer” means a person who sells or offers for sale lamp products directly to consumers. retailer

47. (1) For the purposes of the Act and these regulations, a lamp product is a designated material. Designation

(2) No person shall discard a lamp product except Discarding lamp product

(a) at a recycling facility approved to accept lamp products pursuant to these regulations; or

(b) in accordance with an approved lamp product stewardship program.

Lamp Product Stewardship Program

48. (1) No brand owner of a lamp product shall sell, offer for sale or otherwise distribute a lamp product in or into the province unless the brand owner, or an agent of the brand owner of the lamp product, operates a lamp product stewardship program in respect of the lamp product. Prohibition

(2) No retailer shall sell, offer for sale or otherwise distribute a lamp product in or into the province unless the brand owner of the lamp product, or an agent of the brand owner of the lamp product, operates a lamp product stewardship program in respect of the lamp product. *Idem*

49. A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate an lamp product stewardship program on the brand owner’s behalf. Designation of agent

Proposal

50. (1) A brand owner who wishes to apply for approval of a lamp product stewardship program shall file with the Minister a completed proposal in a format approved by the Minister. Proposal for approval of lamp product stewardship program

(2) An agent of a brand owner who wishes to operate a lamp product stewardship program on the brand owner’s behalf and who wishes to apply for approval of the program shall file with the Minister a completed proposal in the format approved by the Minister. *Idem*

(3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting Material to be submitted

(a) the management structure of the program;

(b) how waste lamp products will be collected;

(c) the recycling options for waste lamp products;

(d) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and

(e) an education and awareness program for consumers of lamp products that includes information about

(i) the lamp product stewardship program, specifying products accepted by the program,

(ii) the environmental benefits of participating in the lamp product stewardship program, and

(iii) a description of the proposed methods for recycling lamp products.

(4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the proposal. Additional information

(5) The Minister shall approve a lamp product stewardship program if the Minister is satisfied that Requirements for approval of lamp product stewardship program

(a) the proposal has been made in accordance with the requirements of these regulations;

(b) the proposal

(i) includes the information referred to in clauses (3)(a) to (e) and is otherwise acceptable to the Minister, and

(ii) adequately provides for the operation of the lamp products stewardship program in compliance with the Act and these regulations; and

- (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (e).
- (6) Where the Minister refuses to approve a lamp product stewardship program, the Minister shall provide written reasons for the refusal to the applicant. Reasons for refusal
- (7) Where the Minister approves a lamp product stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8). Approval of lamp product stewardship program
- (8) The fee for an approval of a lamp product stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. Approval fee
- 51.** (1) A brand owner or an agent who operates a lamp product stewardship program shall, on or before July 31 of each year, pay the annual fee prescribed by subsection (2). Payment of annual fee
- (2) The annual fee for a lamp products stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. Annual fee
- 52.** The Minister may Appointment of administrator
- (a) appoint any person as the administrator of a lamp products stewardship program; and
- (b) specify the duties and responsibilities of an administrator appointed under clause (a).
- Information**
- 53.** A brand owner or an agent who operates a lamp products stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the lamp product stewardship program, including any of the following: Request for information by Minister
- (a) the types of processes used to reuse and recycle the lamp products and their components;
- (b) the location of the lamp product return facilities for the lamp products;
- (c) the location of any long-term containment or final treatment and processing facilities for lamp products;
- (d) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the lamp products collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.
- 54.** No retailer shall charge a consumer any separate fee with respect to the costs associated with implementing or operating a lamp product stewardship plan. Internalization of fees
- 55.** A retailer shall prominently display, at the point of display or the point of sale of a lamp product, the education and awareness program information referred to in clause 50(3)(e) that is supplied to it by the brand owner or the brand owner's agent. Display of education and awareness program information
- 56.** A brand owner or an agent who operates a lamp product stewardship program shall review the lamp product stewardship program and Review of lamp product stewardship program
- (a) submit to the Minister all proposed amendments to the lamp product stewardship program; or
- (b) advise the Minister in writing that in its opinion no amendments to the lamp product stewardship program are necessary, not later than the date that is 5 years after the date the lamp product stewardship program was first approved under subsection 50(5) and every 5 years thereafter.
- 57.** A brand owner or an agent who operates a lamp product stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of lamp products collected during the previous calendar year. Reporting quantity of lamp products collected
- 58.** (1) No brand owner who operates a lamp product stewardship program shall fail to operate the lamp product stewardship program in accordance with the program as approved under subsection 50(5). Operation of lamp product stewardship program

(2) No agent who has been designated to operate a lamp products stewardship program on a brand owner's behalf shall fail to operate the lamp products stewardship program in accordance with the program as approved under subsection 50(5). *Idem*

DIVISION 4

Oil and Glycol Products

59. In this Part

Definitions

- (a) "administrator" means an administrator appointed under section 65; administrator
- (b) "agent" means an agent of a brand owner designated under section 62; agent
- (c) "brand owner" means, in respect of an oil, oil filter or glycol product sold, offered for sale or otherwise distributed in or into the province,
 (i) a manufacturer of the oil, oil filter or glycol product,
 (ii) a distributor of the oil, oil filter or glycol product in or into the province,
 (iii) where the oil, oil filter or glycol product is imported into the province, the first person to sell the oil, oil filter or glycol product in or into the province; brand owner
- (d) "glycol" means ethylene or propylene glycol used or intended for use as a vehicle or commercial engine coolant, but does not include the following:
 (i) plumbing antifreeze,
 (ii) windshield washer antifreeze,
 (iii) lock de-icer and antifreeze, and
 (iv) gasoline and diesel fuel antifreeze; glycol
- (e) "oil" means petroleum or synthetic derived crankcase oil, engine oil and gear oil, hydraulic fluid, transmission fluid and heat transfer fluid, and fluid used for lubricating purposes in machinery or equipment; oil
- (f) "oil filter" means
 (i) a spin-on style or element style fluid filter that is used in hydraulic, transmission or internal combustion engine applications, and
 (ii) an oil filter, a diesel fuel filter, a storage tank fuel filter and a household furnace oil filter other than a gasoline filter; oil filter
- (g) "oil products and glycol stewardship program" means a program approved by the Minister under section 63 that
 (i) establishes a process for the collection, transportation and recycling of oil, oil filters or glycol, and
 (ii) incorporates the principles of a pollution prevention hierarchy by replacing disposal with reuse and recycling of oil, oil filters or glycol; oil products and glycol stewardship program
- (h) "retailer" means a person who sells or offers for sale oil, oil filters or glycol products directly to consumers. retailer

60. (1) For the purposes of the Act and these regulations, an oil product, oil filter or glycol product is a designated material. Designation

(2) No person shall discard an oil product, oil filter or glycol product except
 (a) at a recycling facility approved to accept oil products, oil filters or glycol products pursuant to these regulations;
 (b) at an automotive salvage and scrap metal collection facility operated by a person who holds an automotive salvage and scrap metal endorsement issued under section 17, if the collection of oil products, oil filters or glycol products is part of the ordinary course of business of the automotive salvage and scrap metal collection facility; or
 (c) in accordance with an approved oil and glycol stewardship program. Discarding oil product, oil filter or glycol product

Oil and Glycol Stewardship Program

61. (1) No brand owner of an oil product, oil filter or glycol product shall sell, offer for sale or otherwise distribute the oil product, oil filter or glycol product in or into the province unless the brand owner, or an agent of the brand owner, of the oil product, oil filter or glycol product operates an oil and glycol stewardship program in respect of the oil product, oil filter or glycol product. Prohibition

(2) No retailer shall sell, offer for sale or otherwise distribute an oil product, oil filter or glycol product in or into the province unless the brand owner of the oil product, oil filter or glycol product, or an agent of the brand owner of the oil product, oil filter or glycol product, operates an oil and glycol stewardship program in respect of the oil product, oil filter or glycol product. *Idem*

62. A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate an oil and glycol stewardship program on the brand owner's behalf. Designation of agent

Proposal

63. (1) A brand owner who wishes to apply for approval of an oil and glycol stewardship program shall file with the Minister a completed proposal in the format approved by the Minister. Proposal for approval of oil and glycol stewardship program

(2) An agent of a brand owner who wishes to operate an oil and glycol stewardship program on the brand owner's behalf and who wishes to apply for approval of the program shall file with the Minister a completed proposal in the format approved by the Minister. *Idem*

(3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting Material to be submitted

- (a) the management structure of the program;
- (b) how waste oil, oil filters or glycol products will be collected;
- (c) the plans for the receipt of oil, oil filters or glycol products and the policies and procedures to be followed by the applicant;
- (d) the recycling options for waste oil, oil filters or glycol products;
- (e) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
- (f) an education and awareness program for consumers of oil, oil filters or glycol products that includes information about
 - (i) the oil and glycol stewardship program, specifying products accepted by the program,
 - (ii) how and when consumers can return oil, oil filters or glycol products,
 - (iii) the environmental benefits of participating in the oil and glycol stewardship program, and
 - (iv) a description of the proposed methods for reusing and recycling oil, oil filters or glycol products.

(4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the proposal. Additional information

(5) The Minister shall approve an oil and glycol stewardship program if the Minister is satisfied that Approval of oil and glycol stewardship program

- (a) the proposal has been made in accordance with the requirements of these regulations;
- (b) the proposal
 - (i) includes the information referred to in clauses (3)(a) to (f) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the oil and glycol stewardship program in compliance with the Act and these regulations; and
- (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (f).

(6) Where the Minister refuses to approve an oil and glycol stewardship program, the Minister shall provide written reasons for the refusal to the applicant. Reasons for refusal

- (7) Where the Minister approves an oil and glycol stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8). Approval fee
- (8) The fee for an approval of an oil and glycol stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. *Idem*
- 64.** (1) A brand owner or an agent who operates an oil and glycol stewardship program shall, on or before July 31 of each year, pay the annual fee prescribed by subsection (2). Payment of annual fee
- (2) The annual fee for an oil and glycol stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. Annual fee
- 65.** The Minister may Appointment of administrator
- (a) appoint any person as the administrator of an oil and glycol stewardship program; and
- (b) specify the duties and responsibilities of an administrator appointed under clause (a).
- Information
- 66.** A brand owner or an agent who operates an oil and glycol stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the oil and glycol stewardship program, including any of the following: Request for information by Minister
- (a) the types of processes used to reuse and recycle the oil products, oil filters or glycol products and their components;
- (b) the location of any long term containment or final treatment and processing facilities for oil products, oil filters or glycol products;
- (c) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the oil products, oil filters or glycol products collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.
- 67.** No retailer shall charge a consumer any separate fee with respect to the costs associated with implementing an oil and glycol stewardship program. Internalization of fees
- 68.** A retailer shall prominently display, at the point of display or the point of sale of an oil product, oil filter or glycol product, the education and awareness program information referred to in clause 63(3)(f) that is supplied to it by the brand owner or the brand owner's agent. Display of education and awareness program information
- 69.** A brand owner or an agent who operates an oil and glycol stewardship program shall review the oil and glycol stewardship program and Review of oil and glycol stewardship program
- (a) submit to the Minister all proposed amendments to the oil and glycol stewardship program; or
- (b) advise the Minister in writing that in its opinion no amendments to the oil and glycol stewardship program are necessary,
- not later than the date that is 5 years after the date the oil and glycol stewardship program was first approved under subsection 63(5) and every 5 years thereafter.
- 70.** A brand owner or an agent who operates an oil and glycol stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of oil products, oil filters or glycol products collected during the previous calendar year. Reporting quantity of oil or glycol materials collected
- 71.** (1) No brand owner who operates an oil and glycol stewardship program shall fail to operate the oil and glycol stewardship program in accordance with the program as approved under subsection 63(5). Operation of oil and glycol stewardship program
- (2) No agent who has been designated to operate an oil and glycol stewardship program on a brand owner's behalf shall fail to operate the oil and glycol stewardship program in accordance with the program as approved under subsection 63(5). *Idem*

DIVISION 5

Lead-acid Batteries

- 72.** In this Division,
- (a) “administrator” means an administrator appointed under section 78; Definitions
administrator
- (b) “agent” means an agent of a brand owner designated under section 75; agent
- (c) “brand owner” means, in respect of a lead-acid battery sold, offered for sale or otherwise distributed in or into the province,
brand owner
(i) a manufacturer of the lead-acid battery,
(ii) a distributor of the lead-acid battery in or into the province, or
(iii) where the lead-acid battery is imported into the province, the first person to sell the lead-acid battery in or into the province;
- (d) “lead-acid battery” means a device consisting of one or more cells, each containing the essentials for producing voltage electricity and designed and used for the storage of electrical energy through chemical reactions involving lead and acids; lead-acid battery
- (e) “lead-acid battery stewardship program” means a program approved by the Minister under section 76 that
lead-acid battery stewardship program
(i) establishes a process for the collection, transportation and recycling of lead-acid batteries, and
(ii) incorporates the principles of a pollution prevention hierarchy by replacing disposal with reuse and recycling of lead-acid batteries;
- (f) “retailer” means a person who
retailer
(i) stores new lead-acid batteries at a fixed location, and
(ii) sells or offers for sale new lead-acid batteries directly to consumers;
- (g) “used lead-acid battery” means a lead-acid battery which has been used and is no longer suitable for its original purpose. used lead-acid battery

73. (1) For the purposes of the Act and these regulations, a lead-acid battery is a designated material. Designation

- (2) No person shall discard a used lead-acid battery except
Discarding used lead-acid battery
(a) at a recycling facility approved to accept used lead-acid batteries pursuant to these regulations;
(b) at an automotive salvage and scrap metal collection facility operated by a person who holds an automotive salvage and scrap metal endorsement issued under section 17, if the collection of lead-acid batteries is part of the ordinary course of business of the automotive salvage and scrap metal collection facility; or
(c) in accordance with an approved lead-acid battery stewardship program.

Lead-acid Battery Stewardship Program

74. (1) No brand owner of a lead-acid battery shall sell, offer for sale or otherwise distribute a lead-acid battery in or into the province unless the brand owner, or an agent of the brand owner of the lead-acid battery, operates a lead-acid battery stewardship program in respect of the lead-acid battery. Prohibition

(2) No retailer shall sell, offer for sale or otherwise distribute a lead-acid battery in or into the province unless the brand owner of the lead-acid battery, or an agent of the brand owner of the lead-acid battery, operates a lead-acid battery stewardship program in respect of the lead-acid battery. *Idem*

75. A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate a lead-acid battery stewardship program on the brand owner’s behalf. Designation of agent

Proposal

- 76.** (1) A brand owner who wishes to apply for approval of a lead-acid battery stewardship program shall file with the Minister a completed proposal in a format approved by the Minister. Proposal for approval of lead-acid battery stewardship program
- (2) An agent of a brand owner who wishes to operate a lead-acid battery stewardship program on the brand owner's behalf and who wishes to apply for approval of the program shall file with the Minister a completed proposal in a format approved by the Minister. *Idem*
- (3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting Material to be submitted
- (a) the management structure of the program;
 - (b) how used lead-acid batteries will be collected;
 - (c) the plans for the receipt of used lead-acid batteries at the lead-acid battery return facilities that participate in the program and the policies and procedures to be followed by the lead-acid battery return facilities;
 - (d) the recycling options for used lead-acid batteries;
 - (e) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
 - (f) an education and awareness program for consumers of lead-acid batteries that includes information about
 - (i) the lead-acid battery stewardship program, specifying products accepted by the program,
 - (ii) how and when consumers can access lead-acid battery return facilities,
 - (iii) the environmental benefits of participating in the lead-acid battery stewardship program, and
 - (iv) a description of the proposed methods for collecting and recycling lead-acid batteries.
- (4) The Minister may require an applicant who submits a proposal under this section to provide any additional information that the Minister requires to consider the proposal. Additional information
- (5) The Minister shall approve a lead-acid battery stewardship program if the Minister is satisfied that Requirements for approval of lead-acid battery stewardship program
- (a) the proposal has been made in accordance with the requirements of these regulations;
 - (b) the proposal
 - (i) includes the information referred to in clauses (3)(a) to (f) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the lead-acid battery stewardship program in compliance with the Act and these regulations; and
 - (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (f).
- (6) Where the Minister refuses to approve a lead-acid battery stewardship program, the Minister shall provide written reasons for the refusal to the applicant. Reasons for refusal
- (7) Where the Minister approves a lead-acid battery stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8). Approval of lead-acid battery stewardship program
- (8) The fee for an approval of a lead-acid battery stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. Approval fee
- 77.** (1) A brand owner or an agent who operates a lead-acid battery stewardship program shall, on or before June 30 of each year, pay the annual fee prescribed by subsection (2). Payment of annual fee
- (2) The annual fee for a lead-acid battery stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. Annual fee

- 78.** The Minister may
- (a) appoint any person as the administrator of a lead-acid battery stewardship program; and
 - (b) specify the duties and responsibilities of an administrator appointed under clause (a).

Appointment of administrator

Information

- 79.** A brand owner or an agent who operates a lead-acid battery stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the lead-acid battery stewardship program, including any of the following:

Request for information by Minister

- (a) the types of processes used to recycle used lead-acid batteries;
- (b) the location of the lead-acid battery return facilities for used lead-acid batteries;
- (c) the location of any long-term containment or final treatment and processing facilities for used lead-acid batteries;
- (d) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the lead-acid batteries collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.

- 80.** No retailer shall charge a consumer any separate fee with respect to the costs associated with implementing or operating a lead-acid battery stewardship plan.

Internalization of fees

- 81.** A retailer shall prominently display, at the point of display or the point of sale of a lead-acid battery, the education and awareness program information referred to in clause 76(3)(f) that is supplied to it by the brand owner or the brand owner's agent.

Display of education and awareness program information

- 82.** A brand owner or an agent who operates a lead-acid battery stewardship program shall review the lead-acid battery stewardship program and

Review of lead-acid battery stewardship program

- (a) submit to the Minister all proposed amendments to the lead-acid battery stewardship program; or
- (b) advise the Minister in writing that in its opinion no amendments to the lead-acid battery stewardship program are necessary,

not later than the date that is 5 years after the date the lead-acid battery stewardship program was first approved under subsection 76(5) and every 5 years thereafter.

- 83.** A brand owner or an agent who operates a lead-acid battery stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of used lead-acid batteries collected during the previous calendar year.

Reporting quantity of used lead-acid batteries collected

- 84.** (1) No brand owner who operates a lead-acid battery stewardship program shall fail to operate the lead-acid battery stewardship program in accordance with the program as approved under subsection 76(5).

Operation of lead-acid battery stewardship program

(2) No agent who has been designated to operate a lead-acid battery stewardship program on a brand owner's behalf shall fail to operate the lead-acid battery stewardship program in accordance with the program as approved under subsection 76(5).

Idem

DIVISION 6

Pharmaceutical Products

- 85.** In this Division,
- (a) "administrator" means an administrator appointed under section 91;
 - (b) "agent" means an agent of a brand owner designated under section 88;
 - (c) "brand owner" means, in respect of a pharmaceutical product sold, offered for sale or otherwise distributed in or into the province,
 - (i) a manufacturer of the pharmaceutical product,

Definitions

administrator

agent

brand owner

- (ii) a distributor of the pharmaceutical product in or into the province, or
- (iii) where the pharmaceutical product is imported into the province, the first person to sell the pharmaceutical product in or into the province;

(d) “pharmaceutical product” means a drug within the meaning of section 2 of the *Food and Drugs Act* (Canada) and includes a natural health product within the meaning of the *Natural Health Products Regulations* made under that Act, but does not include

- (i) a substance or mixture of substances manufactured, sold or represented for use in disinfection in premises in which food within the meaning of section 2 of the *Food and Drugs Act* (Canada) is manufactured, prepared or kept,
- (ii) a food within the meaning of section 2 of the *Food and Drugs Act* (Canada),
- (iii) a cosmetic within the meaning of section 2 of the *Food and Drugs Act* (Canada), or
- (iv) items in any of the following classes:
 - (A) contact lens disinfectants,
 - (B) anti-dandruff products, including shampoos,
 - (C) anti-perspirants,
 - (D) sunburn protectants,
 - (E) mouthwash,
 - (F) fluoridated toothpaste,
 - (G) topical substances not containing antibiotics or anti-fungal agents,
 - (H) radio pharmaceuticals,
 - (I) antiseptic or medicated skin-care products,
 - (J) veterinary medications and products;

(e) “pharmaceutical product stewardship program” means a program approved by the Minister under section 89 that establishes a process for the collection, transportation and disposal of pharmaceutical products;

(f) “retailer” means a person who sells or offers for sale pharmaceutical products directly to consumers.

86. (1) For the purposes of the Act and these regulations, pharmaceutical products are a designated material.

- (2) No person shall discard pharmaceutical products except
 - (a) at a facility approved to accept pharmaceutical products pursuant to these regulations; or
 - (b) in accordance with an approved pharmaceutical product stewardship program.

Pharmaceutical Product Stewardship Program

87. (1) No brand owner of a pharmaceutical product shall sell, offer for sale or otherwise distribute a pharmaceutical product in or into the province unless the brand owner, or an agent of the brand owner of the pharmaceutical product, operates a pharmaceutical product stewardship program in respect of the pharmaceutical product.

(2) No retailer shall sell, offer for sale or otherwise distribute a pharmaceutical product in or into the province unless the brand owner of the pharmaceutical product, or an agent of the brand owner of the pharmaceutical product, operates a pharmaceutical product stewardship program in respect of the pharmaceutical product.

88. A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate a pharmaceutical product stewardship program on the brand owner’s behalf.

Proposal

89. (1) A brand owner who wishes to apply for approval of a pharmaceutical product stewardship program shall file with the Minister a completed proposal in a format approved by the Minister.

- (2) An agent of a brand owner who wishes to operate a pharmaceutical product stewardship program on the brand owner's behalf and who wishes to apply for approval of the program shall file with the Minister a completed proposal in a format approved by the Minister. *Idem*
- (3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting *Material to be submitted*
- (a) the management structure of the program;
 - (b) how discarded pharmaceutical products will be collected;
 - (c) the plans for the receipt of discarded pharmaceutical products at the pharmaceutical product return facilities that participate in the program and the policies and procedures to be followed by the pharmaceutical product return facilities;
 - (d) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
 - (e) an education and awareness program for consumers of pharmaceutical products that includes information about
 - (i) the pharmaceutical product stewardship program, specifying products accepted by the program,
 - (ii) how and when consumers can access pharmaceutical product return facilities, and
 - (iii) the environmental benefits of participating in the pharmaceutical product stewardship program.
- (4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the proposal. *Additional information*
- (5) The Minister shall approve a pharmaceutical product stewardship program if the Minister is satisfied that *Requirements for approval of pharmaceutical product stewardship program*
- (a) the proposal has been made in accordance with the requirements of these regulations;
 - (b) the proposal
 - (i) includes the information referred to in clauses (3)(a) to (e) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the pharmaceutical product stewardship program in compliance with the Act and these regulations; and
 - (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (e).
- (6) Where the Minister refuses to approve a pharmaceutical product stewardship program, the Minister shall provide written reasons for the refusal to the applicant. *Reasons for refusal*
- (7) Where the Minister approves a pharmaceutical product stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8). *Approval of pharmaceutical product stewardship program*
- (8) The fee for an approval of a pharmaceutical product stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. *Approval fee*
- 90.** (1) A brand owner or an agent who operates a pharmaceutical product stewardship program shall, on or before June 30 of each year, pay the annual fee prescribed by subsection (2). *Payment of annual fee*
- (2) The annual fee for a pharmaceutical product stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs. *Annual fee*
- 91.** The Minister may *Appointment of administrator*
- (a) appoint any person as the administrator of a pharmaceutical product stewardship program; and
 - (b) specify the duties and responsibilities of an administrator appointed under clause (a).

Information

- 92.** A brand owner or an agent who operates a pharmaceutical product stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the pharmaceutical product stewardship program, including any of the following:
- Request for information by Minister
- (a) the types of processes used to dispose of discarded pharmaceutical products;
 - (b) the location of the pharmaceutical product return facilities for discarded pharmaceutical products;
 - (c) the location of any long-term destruction or final treatment and processing facilities for discarded pharmaceutical products;
 - (d) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the discarded pharmaceutical products collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.
- 93.** No retailer shall charge a consumer any separate fee with respect to the costs associated with implementing or operating a pharmaceutical product stewardship plan.
- Internalization of fees
- 94.** A retailer shall prominently display, at the point of display or the point of sale of a pharmaceutical product, the education and awareness program information referred to in clause 89(3)(e) that is supplied to it by the brand owner or the brand owner's agent.
- Display of education and awareness program information
- 95.** A brand owner or an agent who operates a pharmaceutical product stewardship program shall review the pharmaceutical product stewardship program and
- Review of pharmaceutical product stewardship program
- (a) submit to the Minister all proposed amendments to the pharmaceutical product stewardship program; or
 - (b) advise the Minister in writing that in its opinion no amendments to the pharmaceutical product stewardship program are necessary,
- not later than the date that is 5 years after the date the pharmaceutical product stewardship program was first approved under subsection 89(5) and every 5 years thereafter.
- 96.** A brand owner or an agent who operates a pharmaceutical product stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of discarded pharmaceutical products collected during the previous calendar year.
- Reporting quantity of pharmaceutical products collected
- 97.** (1) No brand owner who operates a pharmaceutical product stewardship program shall fail to operate the pharmaceutical product stewardship program in accordance with the program as approved under subsection 89(5).
- Operation of pharmaceutical product stewardship program
- (2) No agent who has been designated to operate a pharmaceutical product stewardship program on a brand owner's behalf shall fail to operate the pharmaceutical product stewardship program in accordance with the program as approved under subsection 89(5).
- Idem*

DIVISION 7

Medical Sharps

- 98.** In this Division,
- Definitions
- (a) "administrator" means an administrator appointed under section 104; administrator
 - (b) "agent" means an agent of a brand owner designated under section 101; agent
 - (c) "brand owner" means, in respect of medical sharps sold, offered for sale or otherwise distributed in or into the province,
 - (i) a manufacturer of the medical sharp,
 - (ii) a distributor of the medical sharp in or into the province, or
 - (iii) where the medical sharp is imported into the province, the first person to sell the medical sharp in or into the province; brand owner

- (d) “medical sharp” means a needle, safety engineered needle, lancet, or other similar instrument that is designed to puncture the skin for medical purposes and that is sold or otherwise distributed, and includes anything affixed to the medical sharp, including a syringe; medical sharp
- (e) “medical sharp stewardship program” means a program approved by the Minister under section 102 that establishes a process for the collection, transportation and disposal of medical sharps; medical sharp stewardship program
- (f) “retailer” means a person who sells or offers for sale medical sharps directly to consumers. retailer
- 99.** (1) For the purposes of the Act and these regulations, medical sharps are a designated material. Designation
- (2) No person shall discard medical sharps except Discarding medical sharps
- (a) at a facility approved to accept medical sharps pursuant to these regulations; or
- (b) in accordance with an approved medical sharp stewardship program.
- Medical Sharp Stewardship Program**
- 100.** (1) No brand owner of a medical sharp shall sell, offer for sale or otherwise distribute medical sharps in or into the province unless the brand owner, or an agent of the brand owner of the medical sharp, operates a medical sharp stewardship program in respect of the medical sharp. Prohibition
- (2) No retailer shall sell, offer for sale or otherwise distribute medical sharps in or into the province unless the brand owner of the medical sharp, or an agent of the brand owner of the medical sharp, operates a medical sharp stewardship program in respect of the medical sharp. *Idem*
- 101.** A brand owner may, by written agreement with any person, designate that person as the agent of the brand owner to operate a medical sharp stewardship program on the brand owner’s behalf. Designation of agent
- Proposal**
- 102.** (1) A brand owner who wishes to apply for approval of a medical sharp stewardship program shall file with the Minister a completed proposal in a format approved by the Minister. Proposal for approval of medical sharp stewardship program
- (2) An agent of a brand owner who wishes to operate a medical sharp stewardship program on the brand owner’s behalf and who wishes to apply for approval of the program shall file with the Minister a completed proposal in a format approved by the Minister. *Idem*
- (3) An applicant shall submit with a proposal made under subsection (1) or (2) detailed information respecting Material to be submitted
- (a) the management structure of the program;
- (b) how discarded medical sharps will be collected;
- (c) the plans for the receipt of discarded medical sharps at the medical sharp return facilities that participate in the program and the policies and procedures to be followed by the medical sharp return facilities;
- (d) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
- (e) an education and awareness program for consumers of medical sharps that includes information about
- (i) the medical sharp stewardship program, specifying products accepted by the program,
- (ii) how and when consumers can access medical sharp return facilities, and
- (iii) the environmental benefits of participating in the medical sharp stewardship program.
- (4) The Minister may require an applicant to provide any additional information that the Minister requires to consider the application. Additional information

- (5) The Minister shall approve a medical sharp stewardship program if the Minister is satisfied that
- (a) the proposal has been made in accordance with the requirements of these regulations;
 - (b) the proposal
 - (i) includes the information referred to in clauses (3)(a) to (e) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the medical sharp stewardship program in compliance with the Act and these regulations; and
 - (c) approval of the program is in the public interest having regard to the matters referred to in clauses (3)(a) to (e).
- Requirements for approval of medical sharp stewardship program
- (6) Where the Minister refuses to approve a medical sharp stewardship program, the Minister shall provide written reasons for the refusal to the applicant.
- Reasons for refusal
- (7) Where the Minister approves a medical sharp stewardship program, the applicant shall, not later than the commencement date of the program, pay the fee prescribed by subsection (8).
- Approval of medical sharp stewardship program
- (8) The fee for an approval of a medical sharp stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs.
- Approval fee
- 103.** (1) A brand owner or an agent who operates a medical sharp stewardship program shall, on or before June 30 of each year, pay the annual fee prescribed by subsection (2).
- Payment of annual fee
- (2) The annual fee for a medical sharp stewardship program is \$5,000, payable to the Minister of Finance, Energy and Municipal Affairs.
- Annual fee
- 104.** The Minister may
- (a) appoint any person as the administrator of a medical sharp stewardship program; and
 - (b) specify the duties and responsibilities of an administrator appointed under clause (a).
- Appointment of administrator
- Information
- 105.** A brand owner or an agent who operates a medical sharp stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the medical sharp stewardship program, including any of the following:
- (a) the types of processes used to dispose of discarded medical sharps;
 - (b) the location of the medical sharp return facilities for discarded medical sharps;
 - (c) the location of any long-term destruction or final treatment and processing facilities for discarded medical sharps;
 - (d) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the medical sharps collected are managed in a manner that employs environmental and human health and safety standards meeting or exceeding applicable federal, provincial and local regulations.
- Request for information by Minister
- 106.** No retailer shall charge a consumer any separate fee with respect to the costs associated with implementing or operating a medical sharp stewardship plan.
- Internalization of fees
- 107.** A retailer shall prominently display, at the point of display or the point of sale of a medical sharp, the education and awareness program information referred to in clause 102(3)(e) that is supplied to it by the brand owner or the brand owner's agent.
- Display of education and awareness program information
- 108.** A brand owner or an agent who operates a medical sharp stewardship program shall review the medical sharp stewardship program and
- (a) submit to the Minister all proposed amendments to the medical sharp stewardship program; or
- Review of medical sharp stewardship program

(b) advise the Minister in writing that in its opinion no amendments to the medical sharp stewardship program are necessary, not later than the date that is 5 years after the date the medical sharp stewardship program was first approved under subsection 102(5) and every 5 years thereafter.

109. A brand owner or an agent who operates a medical sharp stewardship program shall, on or before June 30 of each year, or on or before the date set by the Minister, inform the Minister in writing of the total quantity of discarded medical sharps collected during the previous calendar year.

Reporting quantity of medical sharps collected

110. (1) No brand owner who operates a medical sharp stewardship program shall fail to operate the medical sharp stewardship program in accordance with the program as approved under subsection 102(5).

Operation of medical sharp stewardship program

(2) No agent who has been designated to operate a medical sharp stewardship program on a brand owner's behalf shall fail to operate the medical sharp stewardship program in accordance with the program as approved under subsection 102(5).

Idem

PART IV

GENERAL AND TRANSITIONAL

Offence

111. Any person who contravenes any provision of these regulations or the environmental standards set out in the Schedule to these regulations, or fails to comply with a condition of a permit or an endorsement or fulfil an obligation imposed on the person by these regulations, the environmental standards set out in the Schedule to these regulations or an order of the Minister, is guilty of an offence and liable on summary conviction to the penalties specified in section 32 of the Act.

Offence

Service

112. (1) Any notice required to be served on a person under these regulations is deemed to be sufficiently served

Manner of service

- (a) upon a copy of the notice being personally served on the person to whom it is directed;
- (b) upon a copy of the notice being sent by facsimile or by other electronic means to the person to whom it is directed and an acknowledgement of receipt being received; or
- (c) five days after a copy of the notice is sent by mail addressed to the person to whom it is directed at the last known address for that person.

(2) Where the person to be served with a notice is a corporation, service of the notice on a director, officer or recognized agent of the corporation in accordance with subsection (1) is deemed to be service of the notice on the corporation for the purposes of this Act.

Service on corporation

(3) Where it is impractical for any reason to serve a notice in a manner referred to in subsection (1), an *ex parte* application may be made to a judge of the Supreme Court who may make an order for substituted service providing for such steps to be taken to bring the matter to the attention of the person to be served.

Substituted service

Transitional

113. (1) A person who, on the coming into force of these regulations, held

Specified permits continued

- (a) a valid permit for an automobile junk yard under the *Automobile Junk Yards Act* R.S.P.E.I. 1988, Cap. A-25; or
- (b) a valid permit for a recycling facility to collect scrap metal under the *Materials Recycling Regulations* (EC690/09),

is deemed to hold a permit under section 4 of these regulations with an automotive salvage and scrap metal endorsement under section 17 of these regulations.

(2) A person who, on the coming into force of these regulations, held a valid permit, other than a permit referred to in clause (1)(b), or a valid permit and endorsement for a designated material under the Materials Recycling Regulations (EC690/09), is deemed to hold a permit, or a permit and endorsement for a designated material, as the case may be, under these regulations. Other permits

(3) Where a person is deemed under subsection (2) to hold a permit or a permit and endorsement for a designated material under these regulations, the permit or permit and endorsement of the person is subject to any terms and conditions to which the permit or permit and endorsement held by the person was subject under the regulations under which it was issued. Terms and conditions continue

(4) Where a person is deemed under subsection (1) to hold a permit and an endorsement under these regulations, the permit and endorsement of the person are subject to any terms and conditions to which the permit of the person was subject under the enactment under which it was issued. Idem

(5) Where a person is deemed, under this section, to hold a permit or a permit and an endorsement under these regulations, the permit or permit and endorsement of the person expire, unless sooner revoked under the Act or these regulations, on the earlier of Expiry

(a) March 1 next following the day these regulations come into force; and

(b) the expiry date to which the permit held by the person was subject under the enactment under which it was issued.

114. The Schedule to these regulations is hereby adopted and forms part of these regulations. Schedule adopted

Revocation and Commencement

115. The Materials Recycling Regulations (EC690/09) are revoked. Revocation

116. (1) Subject to subsection (2), these regulations come into force on June 21, 2014. Commencement

(2) The following provisions come into force on the dates specified: Idem

(a) subsection 47(2) and section 48, on October 1, 2014;

(b) clause 60(2)(c) and section 61, on October 1, 2014;

(c) clause 73(2)(c) and section 74, on October 1, 2014;

(d) subsection 86(2) and section 87, on January 1, 2015;

(e) subsection 99(2) and section 100, on January 1, 2015.

Schedule

Environmental Standards for the Operation of an Automotive Salvage and Scrap Metal Collection Facility

Division 1

Collection of Hazardous Materials

- 1.** In this Schedule, Definitions
- (a) “automotive fluids” means liquid materials associated with the normal operation of automobiles, transport vehicles and heavy equipment and includes motive fuel, motor oil, antifreeze, brake fluid, transmission fluid and power steering fluid; Automotive fluids
- (b) “motive fuel” means a petroleum product used to power a motor vehicle and includes gasoline and diesel fuel; motive fuel
- (c) “ozone-depleting substance” means an ozone-depleting substance or compound found in refrigerants used in the cooling system of automobiles, freezers, refrigerators and air conditioning units; ozone-depleting substance
- (d) “white goods” means appliances such as freezers, refrigerators, stoves, dryers, washing machines, dish washers and air conditioning units. white goods
- 2.** (1) Every person who owns or operates an automotive salvage and scrap metal collection facility shall ensure that Handling and storage of automotive fluids

- (a) all automotive fluids from vehicles are collected, segregated, and stored in containers that are compatible with the automotive fluid being handled;
- (b) the containers described in clause (a) are labelled to indicate their contents;
- (c) the containers described in clause (a) are protected from damage by vehicular traffic or other means;
- (d) leakage or spillage from the containers described in clause (a) does not result in contamination of the environment; and
- (e) all automotive fluids are disposed of at least once per year at a facility approved for that purpose by the Department.
- (2) Every person who owns or operates an automotive salvage and scrap metal collection facility shall ensure that all ozone-depleting substances present in the automotive salvage or white goods accepted at the facility are collected in accordance with the requirements of sections 4 and 5 and subsection 8(5). Collection of ozone-depleting substances
- 3.** The owner or operator of an automotive salvage and scrap metal collection facility may leave automotive fluids, other than motive fuels, in a vehicle or component of a vehicle, if the vehicle or component is capable of being restored to operational condition or reused, as the case may be. Exception
- 4.** The owner or operator of an automotive salvage and scrap metal collection facility who collects white goods shall ensure that ozone-depleting substances are recovered in accordance with the Ozone Layer Protection Regulations (EC619/94). Recovery of ozone depleting substances
- 5.** (1) Any person at an automotive salvage and scrap metal collection facility who services, dismantles equipment or recovers refrigerant from automotive salvage or white goods that contain ozone-depleting substances shall meet the training requirements of the Ozone Layer Protection Regulations (EC619/94). Training requirements
- (2) The owner or operator of an automotive salvage and scrap metal collection facility shall maintain records indicating quantities of ozone-depleting substances removed and the final disposition of these substances. Records to be maintained
- Vehicle Dismantling, Processing, Compacting and Crushing**
- 6.** If removal of parts from vehicles is being conducted and these parts contain or are likely to contain automotive fluids, the owner or operator of an automotive salvage and scrap metal collection facility shall ensure that removals are done on an impervious pad or within a structure capable of holding the drained fluids. Removal of automotive fluids
- 7.** If vehicles are being stored or being stripped for parts, the owner or operator of an automotive salvage and scrap metal collection facility shall ensure that the lead-acid batteries are removed and placed in secure storage. Removal of lead-acid batteries
- 8.** (1) The owner or operator of an automotive salvage and scrap metal collection facility shall ensure that vehicle carcasses, scrap metal and white goods are crushed and sent for disposal on a regular basis
- (a) at least once every two years; or
- (b) as determined by an inspector. Crushing and disposal
- (2) The owner or operator of an automotive salvage and scrap metal collection facility shall maintain records indicating quantities of vehicle carcasses and white goods crushed and the final disposal destination of these materials. Records to be maintained
- (3) The owner or operator of an automotive salvage and scrap metal collection facility shall notify the Department prior to beginning crushing operations. Prior notification required
- (4) The owner or operator of an automotive salvage and scrap metal collection facility shall ensure that all crushing operations take place
- (a) at a designated area within the boundaries of an approved automotive salvage and scrap metal collection facility; or
- (b) at a specific site approved in writing by the Department. Designated area for crushing

(5) Prior to the compacting or crushing of any automotive salvage or white goods containing ozone depleting substances, the owner or operator of an automotive salvage and scrap metal collection facility shall ensure that all ozone-depleting substances are removed and recovered in accordance with the requirements of the Ozone Layer Protection Regulations (EC619/94).

Removal of ozone-depleting substances

(6) Prior to the compacting or crushing of any automotive salvage containing automotive fluids, the owner or operator of an automotive salvage and scrap collection facility shall ensure that all automotive fluids are collected, segregated and stored in accordance with section 2.

Removal of automotive fluids

Lead-acid Batteries

9. (1) The owner or operator of an automotive salvage and scrap metal collection facility shall ensure that lead-acid batteries are handled in a manner to prevent breakage or discharge to the environment.

Handling

(2) No person shall store lead-acid batteries in an automotive salvage and scrap metal collection facility unless the batteries are stored in a watertight container or in a building which is weather-tight.

Prohibition

(3) The owner or operator of an automotive salvage and scrap metal collection facility shall ensure that broken or leaking lead-acid batteries are placed in secure containers that prevent the discharge or leakage of acid to the environment and are compatible with the materials being stored.

Secure containers

(4) Prior to the compacting or crushing of any automotive salvage containing lead-acid batteries, the owner or operator of an automotive salvage and scrap metal collection facility shall ensure that all lead-acid batteries are removed from the automotive salvage and handled in a manner to prevent breakage or discharge to the environment.

Removal of lead-acid batteries

Mercury-containing Switches

10. Prior to the compacting or crushing of any automotive salvage containing mercury-containing switches, the owner or operator of an automotive salvage and scrap metal collection facility shall ensure that all mercury-containing switches are removed, recovered and collected in a manner to prevent breakage or discharge to the environment, and are placed in secure containers to prevent the discharge or leakage of mercury to the environment.

Removal of mercury-containing switches

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations and the criteria for determining what constitutes “recyclable material” for the purposes of clause 1(n.11) of the Act.

SECTION 2 prohibits carrying on the business of collecting or selling of recyclable material and operating or holding oneself out as the operator of a recycling facility except under the authority of a permit.

SECTION 3 provides an exception from the prohibition in section 2 for a person who operates a beverage container depot under the authority of a permit issued under the *Beverage Containers Act* R.S.P.E.I. 1988, Cap. B-2.1.

SECTION 4 establishes the application process for a recycling facility permit and specifies the information that must be provided by the applicant. The section also provides that where, in the opinion of the Minister, the proposed recycling facility may pose a risk to the environment, the Minister may require the applicant to provide specified insurance coverage.

SECTION 5 provides that a permit expires on March 1 following the day on which it was issued.

SECTION 6 requires the operator of a recycling facility to record specified information about the recyclable material handled at the facility

and to submit a written report to the Minister on or before March 1 with respect to the preceding calendar year.

SECTION 7 specifies the information to be included in the report required under section 6.

SECTION 8 requires a permit holder to comply with the terms and condition of the permit issued for the recycling facility.

SECTION 9 requires the Minister to give notice to a permit holder and an operator when the Minister revokes, imposes terms and conditions on or changes the terms and conditions of a permit, and to provide reasons for the revocation, imposition or change.

SECTION 10 establishes an application process for an endorsement to a permit to authorize the permit holder to accept, collect or store a designated material for which a stewardship program has not been established, and prohibits the accepting, collecting or storing of a designated material except under the authority of an endorsement.

SECTION 11 requires a permit holder and an operator of a recycling facility for which an endorsement is issued to operate the recycling facility in accordance with the terms and conditions of the endorsement.

SECTION 12 requires the Minister to give notice to a permit holder and an operator when the Minister revokes, imposes terms and conditions on or changes the terms and conditions of an endorsement, and to provide reasons for the revocation, imposition or change.

SECTION 13 establishes definitions for the purposes of sections 14 to 16.

SECTION 14 provides that automotive salvage and scrap metal is a designated material.

SECTION 15 prohibits carrying on the business of collecting, purchasing, trading, bartering or sale of automotive salvage and scrap metal and operating or holding oneself out as the operator of an automotive salvage and scrap metal collection facility except under the authority of a recycling facility permit and an automotive salvage and scrap metal endorsement.

SECTION 16 prohibits selling, offering for sale, transferring, discarding or otherwise disposing of automotive salvage and scrap metal except by disposal at an automotive salvage and scrap metal collection facility.

SECTION 17 establishes the application process for an automotive salvage and scrap metal endorsement and specifies the information that must be provided by the applicant.

SECTION 18 prohibits the granting of an automotive salvage and scrap metal endorsement for a proposed site that fails to meet the specified requirements respecting setbacks set out in the section, subject to the Minister's authority to waive the requirements of clause (1)(c) in the circumstances set out in subsection (2).

SECTION 19 requires a permit holder and an operator of an automotive salvage and scrap metal collection facility to operate the facility in accordance with the terms and conditions of the permit and endorsement issued for the facility and the storage and material handling criteria set out in the Schedule to the regulations.

SECTIONS 20 TO 32 provide that an electronic product is a designated material and prohibit the discarding of an electronic product except at a recycling facility approved to accept it or in accordance with an approved electronic material stewardship program. Section 22 prohibits the sale, offering for sale or distributing of an electronic product in or into the province unless the brand owner of the electronic product or an agent of the brand owner operates an electronic material stewardship program in

respect of the electronic product. Section 24 establishes the proposal process for approval of an electronic material stewardship program and specifies the information to be provided to the Minister by an applicant. Section 26 authorizes the Minister to appoint an administrator of an electronic material stewardship program and specify the duties of the administrator. Section 27 requires a brand owner or agent who operates an electronic material stewardship program to provide information to the Minister on request about the operation of the program. Section 30 requires a brand owner or agent who operates an electronic material stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed. Proposed amendments are required to be submitted to the Minister. Section 31 establishes annual reporting requirements by a brand owner or agent who operates an electronic material stewardship program to the Minister in respect of the program. Section 32 requires a brand owner or agent who operates an electronic material stewardship program to do so in accordance with the approval granted by the Minister under subsection 27(5).

SECTIONS 33 TO 45 provide that a consumer paint product is a designated material and prohibit the discarding of a consumer paint product except at a recycling facility approved to accept it or in accordance with an approved consumer paint material stewardship program. Section 35 prohibits the sale, offering for sale or distributing of a consumer paint product in or into the province unless the brand owner of the consumer paint product or an agent of the brand owner operates a consumer paint material stewardship program in respect of the consumer paint product. Section 37 establishes the proposal process for approval of a consumer paint material stewardship program and specifies the information to be provided to the Minister by an applicant. Section 39 authorizes the Minister to appoint an administrator of a consumer paint material stewardship program and specify the duties of the administrator. Section 40 requires a brand owner or agent who operates a consumer paint material stewardship program to provide information to the Minister on request about the operation of the program. Section 30 requires a brand owner or agent who operates a consumer paint material stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed. Proposed amendments are required to be submitted to the Minister. Section 44 establishes annual reporting requirements by a brand owner or agent who operates a consumer paint material stewardship program to the Minister in respect of the program. Section 45 requires a brand owner or agent who operates a consumer paint material stewardship program to do so in accordance with the approval granted by the Minister under subsection 37(5).

SECTIONS 46 TO 58 provide that a lamp product is a designated material and prohibit the discarding of a lamp product except at a recycling facility approved to accept it or in accordance with an approved lamp product stewardship program. Section 48 prohibits the sale, offering for sale or distributing of a lamp product in or into the province unless the brand owner of the lamp product or an agent of the brand owner operates a lamp product stewardship program in respect of the lamp product. Section 50 establishes the proposal process for approval of a lamp product stewardship program and specifies the information to be provided to the Minister by an applicant. Section 52 authorizes the Minister to appoint an administrator of a lamp product stewardship program and specify the duties of the administrator. Section 53 requires a brand owner or agent who operates a lamp product stewardship program to provide information to the Minister on request about the operation of the program. Section 56 requires a brand owner or agent who operates a lamp product stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed. Proposed amendments are required to be submitted to the Minister. Section 57 establishes annual reporting requirements by a brand owner or agent who operates a lamp product stewardship program to the Minister in respect of the program. Section 58 requires a brand owner or agent who operates a lamp product stewardship program to do so in

accordance with the approval granted by the Minister under subsection 50(5).

SECTIONS 59 TO 71 provide that an oil product, oil filter or glycol product is a designated material and prohibit the discarding of an oil product, oil filter or glycol product except at a recycling facility approved to accept it or in accordance with an approved oil and glycol stewardship program. Section 61 prohibits the sale, offering for sale or distributing of an oil product, oil filter or glycol product in or into the province unless the brand owner of the oil product, oil filter or glycol product or an agent of the brand owner operates an oil and glycol stewardship program in respect of the designated material. Section 63 establishes the proposal process for approval of an oil and glycol stewardship program and specifies the information to be provided to the Minister by an applicant. Section 65 authorizes the Minister to appoint an administrator of an oil and glycol stewardship program and specify the duties of the administrator. Section 66 requires a brand owner or agent who operates an oil and glycol stewardship program to provide information to the Minister on request about the operation of the program. Section 69 requires a brand owner or agent who operates an oil and glycol stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed. Proposed amendments are required to be submitted to the Minister. Section 70 establishes annual reporting requirements by a brand owner or agent who operates an oil and glycol stewardship program to the Minister in respect of the program. Section 71 requires a brand owner or agent who operates an oil and glycol stewardship program to do so in accordance with the approval granted by the Minister under subsection 63(5).

SECTIONS 72 TO 84 provide that a lead-acid battery is a designated material and prohibit the discarding of a lead-acid battery except at a recycling facility approved to accept it or in accordance with an approved lead-acid battery stewardship program. Section 74 prohibits the sale, offering for sale or distributing of a lead-acid battery in or into the province unless the brand owner of the lead-acid battery or an agent of the brand owner operates a lead-acid battery stewardship program in respect of the designated material. Section 76 establishes the proposal process for approval of a lead-acid battery stewardship program and specifies the information to be provided to the Minister by an applicant. Section 78 authorizes the Minister to appoint an administrator of a lead-acid battery stewardship program and specify the duties of the administrator. Section 79 requires a brand owner or agent who operates a lead-acid battery stewardship program to provide information to the Minister on request about the operation of the program. Section 82 requires a brand owner or agent who operates a lead-acid battery stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed. Proposed amendments are required to be submitted to the Minister. Section 83 establishes annual reporting requirements by a brand owner or agent who operates a lead-acid battery stewardship program to the Minister in respect of the program. Section 84 requires a brand owner or agent who operates a lead-acid battery stewardship program to do so in accordance with the approval granted by the Minister under subsection 76(5).

SECTIONS 85 TO 97 provide that a pharmaceutical product is a designated material and prohibit the discarding of a pharmaceutical product except at a recycling facility approved to accept it or in accordance with an approved pharmaceutical product stewardship program. Section 87 prohibits the sale, offering for sale or distributing of a pharmaceutical product in or into the province unless the brand owner of the pharmaceutical product or an agent of the brand owner operates a pharmaceutical product stewardship program in respect of the designated material. Section 89 establishes the proposal process for approval of a pharmaceutical product stewardship program and specifies the information to be provided to the Minister by an applicant. Section 91 authorizes the Minister to appoint an administrator of a pharmaceutical product stewardship program and specify the duties of the administrator.

Section 92 requires a brand owner or agent who operates a pharmaceutical product stewardship program to provide information to the Minister on request about the operation of the program. Section 95 requires a brand owner or agent who operates a pharmaceutical product stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed.

Proposed amendments are required to be submitted to the Minister.

Section 96 establishes annual reporting requirements by a brand owner or agent who operates a pharmaceutical product stewardship program to the Minister in respect of the program. Section 97 requires a brand owner or agent who operates a pharmaceutical product stewardship program to do so in accordance with the approval granted by the Minister under subsection 89(5).

SECTIONS 98 TO 110 provide that a medical sharp is a designated material and prohibit the discarding of a medical sharp except at a recycling facility approved to accept it or in accordance with an approved medical sharp stewardship program. Section 100 prohibits the sale, offering for sale or distributing of a medical sharp in or into the province unless the brand owner of the medical sharp or an agent of the brand owner operates a medical sharp stewardship program in respect of the designated material. Section 102 establishes the proposal process for approval of a medical sharp stewardship program and specifies the information to be provided to the Minister by an applicant. Section 104 authorizes the Minister to appoint an administrator of a medical sharp stewardship program and specify the duties of the administrator. Section 105 requires a brand owner or agent who operates a medical sharp stewardship program to provide information to the Minister on request about the operation of the program. Section 108 requires a brand owner or agent who operates a medical sharp stewardship program to review the program every 5 years and to notify the Minister as to whether amendments to the program are needed. Proposed amendments are required to be submitted to the Minister. Section 109 establishes annual reporting requirements by a brand owner or agent who operates a medical sharp stewardship program to the Minister in respect of the program. Section 110 requires a brand owner or agent who operates a medical sharp stewardship program to do so in accordance with the approval granted by the Minister under subsection 102(5).

SECTION 111 provides that it is an offence for a person to contravene a provision of the regulations, including the environmental standards set out in the Schedule to the regulations, or to fail to comply with a condition of a permit or fulfil an obligation imposed by the regulations, the environmental standards or an order of the Minister. The penalty for the offence is that set out in section 32 of the Act.

SECTION 112 establishes rules respecting service of notices required to be served under the regulations.

SECTION 113 establishes rules respecting the transition to these regulations of permits previously granted under the *Automobile Junk Yards Act* R.S.P.E.I. 1988, Cap. A-25 or the Materials Recycling Regulations (EC690/09). Such a permit that is still valid on the coming into force of the regulations is deemed to be an equivalent permit, or permit and endorsement, as the case may be, under the regulations and remains in force according to any terms and conditions to which it was subject under the enactment under which it was issued until it expires or is revoked under the regulations.

SECTION 114 adopts the Schedule to the regulations and provides that it forms part of the regulations.

SECTION 115 revokes the Materials Recycling Regulations (EC690/09).

SECTION 116 provides for the commencement of the regulations.

EC2014-350

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 IAN JOHN BREHAUT
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Ian John Brehaut of Toronto, Ontario to acquire a land holding of approximately one (1) acre of land at Launching, Lot 55, Kings County, Province of Prince Edward Island, being acquired from James Armstrong of Cardigan, Prince Edward Island.

EC2014-351

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 IAN JOHN BREHAUT
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Ian John Brehaut of Toronto, Ontario to acquire a land holding of approximately fifteen (15) acres of land at Launching, Lot 55, Kings County, Province of Prince Edward Island, being acquired from James Armstrong of Cardigan, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2014-352

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DUANE JOHNSON KOSTER, WENDY MICHELLE KOSTER,
 LARS VANDERMEULEN AND
 CORNELIA ELISABETH VANDERMEULEN
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Duane Johnson Koster and Wendy Michelle Koster, both of Fergus, Ontario and Lars Vandermeulen and Cornelia Elisabeth Vandermeulen, both of Arthur, Ontario to acquire an interest in a land holding of approximately ninety-three decimal seven (93.7) acres of land at Ebenezer, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Susanna Joy Ford of Ebenezer, Prince Edward Island.

EC2014-353

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MANVILLE CHARLES ROACH
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Manville Charles Roach of London, Ontario to acquire a land holding of approximately twenty-one decimal one two (21.12) acres of land at Grahams Road, Lot 21, Queens County, Province of Prince Edward Island, being acquired from Ayako (Judy) Piper and Curtis Piper, both of Greer, South Carolina PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2014-354

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BELL MOBILITY INC.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Bell Mobility Inc. of Mississauga, Ontario to acquire, by lease, an interest in a land holding of approximately zero decimal zero one (0.01) acres of land at Cavendish, Lot 23, Queens County, Province of Prince Edward Island, being acquired from 100242 P.E.I. Inc. of Charlottetown, Prince Edward Island.

EC2014-355

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BLUE COVE AQUA FARMS INC.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Blue Cove Aqua Farms Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately twelve decimal seven four (12.74) acres of land at Margate, Lot 19, Prince County, Province of Prince Edward Island, being acquired from Trent Ross Cousins of Spring Valley, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2014-356

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CARDIGAN FEED SERVICES LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Cardigan Feed Services Ltd. of Cardigan, Prince Edward Island to acquire a land holding of approximately two decimal one six (2.16) acres of land at Cardigan, Lot 52, Kings County, Province of Prince Edward Island, being acquired from Ashley Ching and Clint Ching, both of Souris, Prince Edward Island PROVIDED THAT the consolidated parcel which includes the adjoining Provincial Property No. 160853 is subject to the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Cardigan Feed Services Ltd. and on all successors in title.

EC2014-357

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ERIC C. ROBINSON INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Eric C. Robinson Inc. of Albany, Prince Edward Island to acquire a land holding of approximately zero decimal five seven (0.57) acres of land at Borden-Carleton, Lot 27, Prince County, Province of Prince Edward Island, being acquired from Power Line Pork Inc. of Albany, Prince Edward Island.

EC2014-358

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2013-380 of May 28, 2013, rescinded the said Order forthwith, thus rescinding permission for Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately eighty-eight decimal five (88.5) acres of land in Lot 67, Queens County, Province of Prince Edward Island, being acquired from James V. Lawless, Dale Lawless and Kenneth Lawless, all of Kinkora, Prince Edward Island

EC2014-359

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 HILLTOP PRODUCE LTD.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately sixty decimal seven nine (60.79) acres of land at Breadalbane and Rose Valley, Lot 67, Queens County, Province of Prince Edward Island, being acquired from James V. Lawless, Dale Lawless and Kenneth Lawless, all of Kinkora, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2014-360

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 KOSTER HOLDINGS INC. AND MEULEN HOLDINGS INC.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Koster Holdings Inc. of Fergus, Ontario and Meulen Holdings Inc. of Arthur, Ontario to acquire a land holding of approximately ninety-three decimal seven (93.7) acres of land at Ebenezer, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Susanna Joy Ford of Ebenezer, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2014-361

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PRINCE EDWARD ISLAND WILDLIFE FEDERATION
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to the Prince Edward Island Wildlife Federation of Charlottetown, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land at Millcove, Lot 34, Queens County, Province of Prince Edward Island, being acquired from H.W. MacLauchlan Ltd. of York, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2014-362

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SMOOTH-COAT DRYWALL LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Smooth-Coat Drywall Ltd. of Stanley Bridge, Prince Edward Island to acquire a land holding of approximately zero decimal eight eight (0.88) acres of land at New London, Lot 21, Queens County, Province of Prince Edward Island, being acquired from Nancy Macklem of Riverview, New Brunswick.

EC2014-363

AN ACT TO INCORPORATE THE LEGISLATIVE AND PUBLIC LIBRARY
AND THE ROBERT HARRIS MEMORIAL GALLERY
BOARD OF TRUSTEES
APPOINTMENTS

Pursuant to subsection 4(1) of *An Act to Incorporate the Legislative and Public Library and the Robert Harris Memorial Gallery* 19 George V., Chapter 2, as amended by Stats. P.E.I. 1955, Chapter 25, Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause (b)	
Kathleen Eaton Director, Libraries and Archives Department of Tourism and Culture (vice Harry Holman, retired)	27 May 2014 at pleasure
via clause (d)	
Helen Hyndman Charlottetown (vice Mary Beth Harris, deceased)	27 May 2014 at pleasure

EC2014-364

PROVINCIAL DEBENTURE ISSUE
MAXIMUM AGGREGATE PRINCIPAL AMOUNT \$200,000,000.00

The Executive Council having under consideration the matter of Provincial Debentures:

WHEREAS by virtue of the *Loan Act 2014*, Stats. P.E.I. 2014, c. 38, and the *Loan Act 2013*, Stats. P.E.I. 2013, c. 42, (the "*Loan Acts*") and the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, the Lieutenant Governor in Council is authorized to raise from time to time by way of loan such sums of money as may be deemed expedient for any or all of the purposes mentioned in the said Acts, inter alia, for discharging the cost of carrying on public works authorized by the Legislature, for making advances to crown corporations or reporting entities

and the payment of any indebtedness of the Province, provided that the principal amount of any securities issued and the amount of temporary loans raised under the authority of these Acts, including any securities issued for the retirement of the said securities or temporary loans, at any time outstanding, shall not exceed in the whole the sum of Four Hundred Million Dollars (\$400,000,000.00); and

WHEREAS the amount aggregating One Hundred and Eighteen Million, Five Hundred and Thirty-Three Thousand, Five Hundred Dollars (\$118,533,500.00) authorized by Order-in-Council Number EC2014-111 has been borrowed under the authority of the *Loan Act 2013*, Stats. P.E.I. 2013, c. 42, and it is now deemed expedient to borrow under the authority of the *Loan Acts*, by the issue and sale of Debentures of the Province from time to time in the maximum aggregate principal amount of Two Hundred Million Dollars (\$200,000,000.00) at such time or times as the Minister of Finance, Energy and Municipal Affairs considers market conditions are favourable; and

WHEREAS by virtue of subsection 49(3) of the *Financial Administration Act*, the Minister of Finance, Energy and Municipal Affairs has the same powers, rights and authority as the Lieutenant Governor in Council has under the authority given to the Lieutenant Governor in Council to raise sums of money; and

WHEREAS by virtue of subsection 49(4) of the *Financial Administration Act*, the Minister of Finance, Energy and Municipal Affairs, on such terms and conditions as the Minister of Finance, Energy and Municipal Affairs considers advisable, may raise sums of money by way of loan, in whole or in part, or through the issue and sale of securities, in whole or in part, that have a term to maturity of more than one year;

THE EXECUTIVE COUNCIL THEREFORE ADVISES THAT under the authority of and pursuant to the provisions of the said *Loan Acts* and the *Financial Administration Act*, the Province may borrow by issue and sale of Debentures of the Province from time to time in the maximum aggregate principal amount of Two Hundred Million Dollars (\$200,000,000.00) at such time or times as the Minister of Finance, Energy and Municipal Affairs considers market conditions are favourable.

THE EXECUTIVE COUNCIL FURTHER ADVISES THAT the Minister of Finance, Energy and Municipal Affairs shall as soon as practicable, but in no case later than thirty days after the money is received, provide the Lieutenant Governor in Council with a statement of the sums of money raised, the rate of interest or the yield to the investor and such other terms and conditions as the Minister of Finance, Energy and Municipal Affairs considers advisable, including any sinking fund.

THE EXECUTIVE COUNCIL FURTHER ADVISES THAT the maximum aggregate principal amount of Two Hundred Million Dollars (\$200,000,000.00) of the Debentures, the issue and sale whereof is hereby provided for, is and is declared to be necessary to realize the sum required to be raised by way of loan pursuant to the *Loan Acts* and the *Financial Administration Act*.

EC2014-365

**EMPLOYMENT STANDARDS ACT
EMPLOYMENT STANDARDS RECIPROCITY ORDER
AMENDMENT**

Pursuant to section 42 of the *Employment Standards Act* R.S.P.E.I. 1988, Cap. E-6.2, Council made the following order:

1. The *Employment Standards Act* Employment Standards Reciprocity Order (EC810/95) is amended by the addition of the following after section 7:

8. (1) The Province of Quebec is declared to be a reciprocating province for the purpose of the enforcement of orders made under the *Act Respecting Labour Standards* of that province. Reciprocating
province - Quebec

(2) The Quebec Labour Standards Commission of the Province of Quebec is designated as the authority within that province for the purposes of clause 42(1)(b) of the *Employment Standards Act*. Authority

9. (1) The Province of Manitoba is declared to be a reciprocating province for the purpose of the enforcement of orders made under the *Employment Standards Code* of that province. Reciprocating
province - Manitoba

(2) The Director of the Employment Standards Division of the Province of Manitoba is designated as the authority within that province for the purposes of clause 42(1)(b) of the *Employment Standards Act*. Authority

10. (1) The Province of Saskatchewan is declared to be a reciprocating province for the purpose of the enforcement of orders made under the *Labour Standards Act* of that province. Reciprocating
province -
Saskatchewan

(2) The Manager of Collections of the Province of Saskatchewan is designated as the authority within that province for the purposes of clause 42(1)(b) of the *Employment Standards Act*. Authority

11. (1) The Province of Alberta is declared to be a reciprocating province for the purpose of the enforcement of orders made under the *Employment Standards Code* of that province. Reciprocating
province - Alberta

(2) The Director of Employment Standards of the Province of Alberta is designated as the authority within that province for the purposes of clause 42(1)(b) of the *Employment Standards Act*. Authority

2. This Order comes into force on June 21, 2014.

EXPLANATORY NOTES

SECTION 1 adds Quebec, Manitoba, Saskatchewan and Alberta as reciprocating provinces for the purposes of enforcing orders, certificates or judgments for the payment of wages, overtime pay or entitlements made under the *Employment Standards Act*.

SECTION 2 provides for the commencement of these regulations.