

12. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

106439

Gouvernement du Québec

O.C. 1369-2023, 23 August 2023

Environment Quality Act
(chapter Q-2)

Act respecting certain measures enabling
the enforcement of environmental
and dam safety legislation
(chapter M-11.6)

Recovery and reclamation of products by enterprises — Amendment

Regulation to amend the Regulation respecting the
recovery and reclamation of products by enterprises

WHEREAS, under subparagraphs 1 and 2 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, classify recoverable and reclaimable residual materials and prescribe or prohibit, in respect of one or more classes of residual materials, any mode of recovery or reclamation;

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

WHEREAS, under subparagraph *c* of subparagraph 6 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, require those persons

to keep registers and furnish to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks or the Société québécoise de récupération et de recyclage, on the terms and conditions fixed, reports on the quantity and composition of the containers, packaging, packaging materials, printed matter or other products, on the residual materials generated by their activities, and on the results obtained in terms of reduction, recovery or reclamation;

WHEREAS, under subparagraph *a* of subparagraph 7 of the first paragraph of section 53.30 of the Act, the Government may, by regulation, exempt from all or any of the requirements prescribed pursuant to subparagraph 6 of the first paragraph of the section any person that is a member of an organization, except the requirements prescribed under both subparagraph *b* of that paragraph and, as the case may be, section 53.30.1 or 53.30.2 of the Environment Quality Act, the purpose or one of the purposes of which is to develop and implement, as a measure, a system to recover or reclaim residual materials, or to contribute financially to the development and implementation of such a system, in both cases in accordance, in particular, with the provisions of the regulation;

WHEREAS, under subparagraph 11 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish measures providing for the use of economic instruments, including tradeable permits, emission, effluent and waste-disposal fees or charges, advance elimination fees or charges, and fees or charges related to the production of hazardous residual materials or the use, management or purification of water, with a view to protecting the environment and achieving environmental quality objectives for all or part of the territory of Québec;

WHEREAS, under subparagraph 12 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish any rule that is necessary for or relevant to carrying out measures referred to in subparagraph 11 of the first paragraph of the section and that pertains, in particular, to the determination of persons or municipalities required to pay the fees or charges referred to in that subparagraph, the conditions applicable to their collection and the interest and penalties payable if the fees or charges are not paid;

WHEREAS, under subparagraph 21 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe the reports, documents and information that must be provided to the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks by any person or municipality carrying on an activity governed by the Environment Quality Act or the regulations, and determine the terms and conditions governing their sending;

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

WHEREAS, under the first paragraph of section 45 of the Act, the Government may, in particular, determine the provisions of a regulation made under the Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises was published in Part 2 of the *Gazette officielle du Québec* dated 19 July 2023 with a notice stating that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises with amendments;

WHEREAS, under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and where the reason justifying such coming into force has been published with the regulation;

WHEREAS, the Government is of the opinion that the urgency of the situation requires that the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises come into force on the day of its publication in the *Gazette officielle du Québec* as warranted by the following circumstances:

(1) the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) provides that some of the obligations it imposes are applicable from 1 November 2023, and the persons required to comply are the same as those covered by the Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1); some obligations are, in addition, similar in both Regulations and others are complementary;

(2) the amendments introduced by the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, made on the same date as this Regulation, must come into force before 1 November 2023 and some of them include provisions similar to those proposed by this Regulation; it is therefore important for this Regulation to come into force on the same date as the Regulation to amend the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers, to ensure that the provisions of both Regulations and the systems to which they apply are consistent.

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

THAT the Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises

Environment Quality Act
(chapter Q-2, s. 53.30, 1st par., subpars. 1, 2, 6 and 7, and s. 95.1, 1st par., subpars. 11, 12 and 21)

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

1. The Regulation respecting the recovery and reclamation of products by enterprises (chapter Q-2, r. 40.1) is amended in section 2

(1) by replacing the first paragraph by the following paragraph:

“Every enterprise that owns or, as the case may be, uses a name or brand and that has its domicile or an establishment in Québec, is required to recover and reclaim, as a measure under subparagraph *b* of subparagraph 6 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), by means of a recovery and reclamation program developed in accordance with section 5, any new product to which this Regulation applies that is marketed in Québec under that name or brand and is returned to one of its drop-off centres, or for which it provides a collection service.”

(2) in the second paragraph

- (a) by inserting “name or” after “one”;
- (b) by striking out “, name or distinguishing guise”;
- (c) by replacing “design” by “manufacture”;
- (3) in the third paragraph

(a) by replacing “that acts as the first supplier in Québec” in the part preceding subparagraph 1 by “that has its domicile or an establishment in Québec and that acts as the first supplier in Québec, excluding the manufacturer,”;

(b) by replacing “referred to in the first or second paragraph” in subparagraph 1 by “that owns or uses the name or brand”;

- (c) by replacing subparagraph 2 by the following:

“(2) the product is marketed with no name or brand.”.

- (4) by striking out the fourth, fifth and sixth paragraphs.

2. The following is inserted after section 2:

“**2.1.** Where a new product covered by this Regulation is acquired outside Québec in the course of a sale governed by the laws of Québec by a person that has its domicile or an establishment in Québec, by a municipality or by a public body within the meaning of section 4 of the Act respecting contracting by public bodies (chapter C-65.1) for that enterprise’s, that person’s, that municipality’s or that public body’s own use, the obligations provided for in the first paragraph of section 2 fall

(1) on the enterprise that operates a transactional website, by means of which the product was acquired, enabling an enterprise that has no domicile or establishment in Québec to market a product in Québec;

(2) on the enterprise from which the product was acquired, whether or not it has a domicile or establishment in Québec, in other cases.

“**2.2.** Where enterprises referred to in section 2 or 2.1 do business under the same banner, whether pursuant to a franchise contract or another form of affiliation, the obligations set out in the first paragraph of section 2 apply to the owner of the banner if that owner has a domicile or establishment in Québec.

“**2.3.** Sections 2 to 2.2 do not apply to an enterprise that is a “small supplier” within the means of the Act respecting the Québec sales tax (chapter T-0.1).”.

3. Section 4.1 is amended

(1) by replacing “recover and reclaim, by means of a recovery and reclamation program developed in accordance with section 5, a product covered by this Regulation that is marketed by an enterprise referred to in section 2 or 3 that is a member of it” in the first paragraph by “assume the obligations that fall on them pursuant section 2, 2.1 or 3”;

(2) by inserting “, 2.1, 2.2,” after “section 2” in the third paragraph.

4. The following is inserted after section 4.4:

“**4.5.** The organization referred to in section 4 must take steps to discuss, with any management body designated pursuant to the Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers (chapter Q-2, r. 16.1) or the Regulation respecting a system of selective collection of certain residual materials (chapter Q-2, r. 46.01) and with any organization referred to in subparagraph 7 of the first paragraph of section 53.30 of the Environment Quality Act (chapter Q-2), ways to optimize the use of their resources.”.

5. Section 5 is amended

- (1) in the first paragraph

- (a) by replacing subparagraph 6 by the following:

“(6) provide for drop-off centres and, if applicable, collection services in accordance with Chapter V and, in the case of a product covered by

(a) Division 6 of Chapter VI, in accordance with section 53.0.4;

(b) Division 7 of Chapter VI, in accordance with sections 53.0.12 and 53.0.13;

(c) Division 8 of Chapter VI, in accordance with section 53.0.21;

(d) Division 9 of Chapter VI, in accordance with section 53.0.31;”;

(b) by replacing “each year” in the part preceding subparagraph *a* of subparagraph 8.1 by “not later than 30 September each year for the preceding calendar year”;

(c) by inserting “, 2.1, 2.2” after “section 2” in subparagraph 11;

(2) by replacing “and referred to in subparagraphs 3, 8 and 9 of the second paragraph must be” in the second paragraph by “must be discussed with the authorities responsible for the administration of the territory and”.

6. Section 6 is amended

(1) by inserting “, 2.1, 2.2” after “section 2” in the first paragraph;

(2) in the French text, by inserting “de” after “sous-catégorie” in subparagraph 8 of the second paragraph.

7. Section 7 is amended:

(1) by replacing “must be internalized in the price asked for the product as soon as it” in the first paragraph by “; if they are included in whole or in part in the sale price of the project, must be internalized in the sale price as soon as the product”;

(2) by replacing “section 2 or 3 that markets the product; in such case that information must be disclosed” in the second paragraph by “section 2, 2.1, 2.2 or 3 that markets the product; in such case that information must be made visible by the enterprise”;

(3) in the third paragraph

(a) by inserting “referred to in section 2, 2.1, 2.2 or 3” after “enterprise”;

(b) by replacing “a product, indicate to the purchaser” by “the product, indicate to the purchaser, by way of a mention, that the amount is used to ensure the recovery and reclamation of the product and include”;

(4) by adding the following paragraph at the end:

“If an enterprise referred to in section 2, 2.1, 2.2 or 3 producer makes internalized costs visible, any person who offers for sale, sells, distributes to a user or final consumer or otherwise makes available the product to which the costs apply may also, without being required to do so, make the amounts visible. The person must, in such a case, include a mention for the same purpose as in the third paragraph and the same internet address.”.

8. Section 9 is amended

(1) in the first paragraph

(a) by inserting “, 2.1, 2.2” after “section 2” in the part preceding subparagraph 1;

(b) by inserting “, 2.1, 2.2” after “section 2” in subparagraph 2.2;

(c) by inserting the following after subparagraph 14:

“(15) a description of the steps taken pursuant to section 4.5 during the year covered by the report, as well as the means considered, agreed on and implemented with the organizations with which the discussions were conducted to optimize the use of their resources.”;

(2) by replacing “expert third person holding a permit to practise public accountancy issued by a professional order, who gives his or her opinion on the information’s reliability” in the third paragraph by “a chartered professional accountant authorized by the professional order to which the accountant belongs to perform an audit engagement. It may also be audited by any other person legally authorized to perform such an activity in Québec”;

(3) in the French text, by replacing “réalisée” in the part of the fourth paragraph preceding subparagraph 1 by “réalisé”;

(4) by inserting the following paragraph after the fourth paragraph:

“A person engaged to perform the audit referred to in the third or fourth paragraph must not be employed by the organization, the enterprise, its service suppliers or its subcontractors.”.

9. Section 14 is amended

(1) in the first paragraph

(a) by inserting “, 2.1, 2.2” after “section 2”;

(b) by replacing “or under” by “or, as the case may be, under both paragraphs and, where applicable”;

(2) in the third paragraph:

(a) by replacing subparagraph 1 by the following:

“(1) make it possible to attain, not later than the end of the second year following the year during which the plan was submitted, the rates prescribed in Chapter VI for that second year”.

(b) by adding “, the result of the multiplication being then multiplied by 3 to obtain the minimum total amount of the expenditures” at the end of subparagraph 2.

10. The following is inserted after section 14:

“**14.1.** When two or more rates prescribed pursuant to Chapter VI have not been attained during a year for various subcategories of products, a single remedial plan covering all the rates may be submitted, detailing for each rate the measures that will be implemented to attain them, unless a remedial plan has already been submitted and is still in effect.

“**14.2.** Every change to a remedial plan must be submitted to the Minister within 30 days of being made.

“**14.3.** If, before the expiry of a remedial plan, a rate attained for the year during which the plan was submitted or the year following is below the rate attained that led to the sending of the plan, extra financing must be added to the financing initially provided for in the plan. The extra financing is calculated using the equation in subparagraph 2 of the third paragraph of section 14, adapted to ensure that the rate to be attained in the formula is the rate for the year during which the plan was submitted or the year following, applying until the expiry of the plan.

If, before the expiry of a remedial plan, a rate prescribed for the year during which the plan was submitted or the year following is attained, the enterprise referred to in section 2, 2.1, 2.2 or 3 or, as the case may be, the organization referred to in section 4 may cease to implement the measures in the plan with respect to that rate and the associated financing.

On the expiry of a remedial plan, if the enterprise referred to in section 2, 2.1, 2.2 or 3 or, as the case may be, the organization referred to in section 4 has disbursed only part of the amount provided to finance the measures in the plan and if the rate or rates prescribed for the second year have not been attained, it must add to the amounts provided for the financing of the measures in the next plan an amount equivalent to the amount that has not been disbursed.

“**14.4.** Until the expiry of a remedial plan, if the enterprise referred to in section 2, 2.1, 2.2 or 3 or, as the case may be, the organization referred to in section 4 may use any amount that it must commit to finance the expenditures referred to in subparagraph 2 of the third paragraph of section 14 at a time of its own choosing.”

11. Section 21 is amended

(1) by replacing “sections 16, 17, 53.0.4, 53.0.12 and 53.0.21” by “Chapters V and VI”;

(2) by replacing “sections 19 and 20” by “those chapters”.

12. Section 22 is amended

(1) by replacing “activity trackers” in subparagraph 5 of the second paragraph by “physical activity trackers, smart watches,”;

(2) by replacing “telephone function” in the third paragraph “function allowing it to be used as a telephone, and whose dimensions are similar to those of a cellphone,”.

13. Section 29 is amended by striking out “listed therein” in the part of the first paragraph preceding subparagraph 1.

14. Section 43 is amended, in the French text, by inserting “de” in the second paragraph after “sous-catégorie”.

15. Section 46 is amended in the first paragraph

(1) by inserting “, 2.1, 2.2” after “section 2” in the part preceding subparagraph 1;

(2) by replacing “2024” in subparagraph 1 by “2026”.

16. Section 52 is amended in the first paragraph

(1) by inserting “, 2.1, 2.2” after “section 2” in the part preceding subparagraph 1;

(2) replacing “2024” in subparagraph 1 by “2026”.

17. Section 53.0.1 is amended in the second paragraph

(1) by replacing “300” by “400”;

(2) by replacing “Refrigerators and freezers” by “Refrigeration and freezing appliances”.

18. Section 53.0.3 is amended

(1) by replacing “section 2 or 8 that markets, acquires or manufactures” in subparagraph 1 of the first paragraph by “section 2, 2.1 or 8 that markets or acquires”;

(2) in the second paragraph

(a) by replacing “section 2 or 8 that markets, acquires or manufactures” by “section 2, 2.1 or 8 that markets or acquires”;

(b) by replacing “cooking, conservation or storage” by “the cooking, conservation or storage of food or drink”.

19. Section 53.0.4 is amended

(1) by inserting “, 2.1, 2.2” after “section 2” in the first paragraph;

(2) in the third paragraph

(a) by inserting “, 2.1, 2.2” after “section 2”;

(b) by inserting “, not later than the second full calendar of the program’s implementation and” after “provide”;

(3) by inserting “, 2.1 or 2.2” after “section 2” in the fourth paragraph.

20. Section 53.0.8 is amended

(1) in subparagraph 2

(a) in the French text, by replacing “culture” in subparagraph 2 by “culture,”;

(b) by adding “and that are designed and intended for non-household purposes” at the end;

(2) in subparagraph 3

(a) in the French text, by replacing “sols et les” in subparagraph 3 by “sols, ainsi que les”;

(b) by adding “and that are designed and intended for non-household purposes” at the end;

(3) by inserting “designed and” after “pesticides” in subparagraph 7;

(4) by adding the following paragraph at the end:

“The products referred to in subparagraphs 1 and 4 to 6 of the first paragraph are those designed and intended for agricultural purposes. In addition, the agricultural products referred to in this Division that are designed and intended for agricultural purposes do not include those intended for household purposes.”.

21. Section 53.0.21 is amended

(1) by inserting “, 2.1 or 2.2” after “section 2”;

(2) by inserting “, not later than the second full calendar year of program implementation,” after “set up”.

22. Section 53.0.24 is amended in the first paragraph

(1) in subparagraph 1

(a) by striking out “; marketed or otherwise distributed in a community pharmacy or veterinary clinic”;

(b) in the French text, by replacing “compagnies” in subparagraph *a* by “compagnie”;

(c) in the French text, by replacing “compagnies” in subparagraph *b* by “compagnie”;

(2) by replacing subparagraphs 2 and 3 by the following:

“(2) natural health products within the meaning of the Natural Health Products Regulations (SOR/2003-196); when the products are designed and intended for animals, only products designed and intended for companion animals within the meaning of the Animal Welfare and Safety Act (chapter B-3.1) are included;

“(3) cutting or sharp objects designed to perforate the skin and used for medical purposes, including everything designed to be attached to and be in contact with a product referred to in subparagraph 1; when the objects are designed and intended for animals, only objects designed and intended for companion animals within the meaning of the Animal Welfare and Safety Act (chapter B-3.1) are included.”.

23. Section 53.0.26 is amended

(1) by replacing “section 2 that markets, acquires or manufactures” by “section 2, 2.1 or 2.2 that markets or acquires”;

(2) by replacing “; acquisition or manufacture” by “or acquisition”.

24. Section 53.0.31 is amended

(1) in the first paragraph

(a) by inserting “, 2.1 or 2.2” after “section 2” in the part preceding subparagraph 1;

(b) by replacing “other business establishments” in subparagraph 1 by “community pharmacies or, if there are no community pharmacies in a regional municipality or territory, 100% of the dispensaries”;

(c) in the French text, by replacing “récupérés;” in subparagraph 2 by “récupérés.”;

(2) by striking out the second paragraph.

25. Section 53.1 is amended

(1) by replacing paragraphs 0.1, 0.2 and 0.3 by the following:

“(0.1) to take the steps referred to in section 4.5;”

(2) by striking out paragraphs 3 to 8;

(3) by adding the following paragraph at the end:

“(13) to comply with a provision of this Regulation for which no monetary administrative penalty is otherwise provided for.”

26. Section 53.2 is amended by striking out paragraph 1.**27.** Section 53.3 is amended

(1) by inserting the following after paragraph 1:

“(1.0.1) to submit the report referred to in the first paragraph of section 9, to include the information referred to in the second paragraph of that section, to have the information referred to in the third paragraph of that section audited or to have it audited by a person referred to in that paragraph, to submit the report or information within the time and on the conditions provided for in that section, or to comply with the last paragraph of that section”;

(2) by striking out paragraphs 2 to 8.

28. Section 53.4 is replaced by the following:

“**53.4.** A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who fails

(1) to provide the information referred to in section 4.3 to another organization;

(2) to provide the information and documents referred to in section 4.4 to an organization referred to in section 4 of which it is a member or to provide them within the prescribed time;

(3) to submit to the Minister the information and documents listed in section 6.1 or to submit them within the prescribed time;

(4) to comply with the requirements of section 7;

(5) to comply with the prohibition in section 8.1 concerning the treatment of products to which this Regulation applies;

(6) to record in a register the information referred to in the first paragraph of section 12, to provide the Minister with a copy on request in accordance with that paragraph, or to keep the information during the period prescribed by the second paragraph of the section;

(7) to make the payment to the Fund for the Protection of the Environment and the Waters in the Domain of the State required under the fourth paragraph of section 14 and at the frequency and in the manner provided for in the fifth paragraph of section 14;

(8) to comply with the requirements of section 16, 17, 53.0.4, 53.0.12, 53.0.13 or 53.0.21 or the first paragraph of section 53.0.31;

(9) to establish a drop-off centre on the conditions provided for in the first paragraph of section 18;

(10) to comply with the conditions relating to drop-off centres or collection services for an industrial, commercial or institutional clientele provided for in the first paragraph of section 19;

(11) to offer a complementary collection service in the case and on the conditions provided for in the second paragraph of section 19;

(12) to offer access to and the deposit of products at the drop-off centres and the collection services free of charge as prescribed by section 21 or the second paragraph of section 53.0.31.

“**53.5.** A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who fails

(1) to comply with the requirements provided for in section 2, 3, 4.1, 4.2 or 5, the first or second paragraph of section 8, section 58 or section 59;

(2) to implement its recovery and reclamation program or to implement it within the period prescribed by section 24, 31, 37, 44, 50, 53.0.3, 53.0.10, 53.0.19 or 53.0.26.”

29. Section 54 is amended

- (1) by replacing “4.3, 4.4, 6, 6.1 or 7” by “4.5 or 6”;
- (2) “, 11 or 12” by “or 11”.

30. Sections 55, 56, 56.1 and 56.2 are replaced by the following:**“55.** Every person who

(1) fails to provide the information referred to in section 4.3,

(2) fails to provide the information and documents referred to in section 4.4 to an organization referred to in section 4 or to provide them within the prescribed time,

(3) fails to submit to the Minister the information and documents listed in section 6.1 or to submit them within the prescribed time,

(4) fails to comply with the conditions set out in section 7,

(5) fails to comply with the prohibition in section 8.1,

(6) fails to record in a register the information referred to in the first paragraph of section 12, to provide the Minister with a copy on request in accordance with that paragraph, or to keep the information during the period prescribed by the second paragraph of the section,

(7) fails to make the payment to the Fund for the Protection of the Environment and the Waters in the Domain of the State required under the fourth paragraph of section 14 and at the frequency and in the manner provided for in the fifth paragraph of section 14,

(8) fails to comply with the requirements of section 16, 17, 53.0.4, 53.0.12, 53.0.13 or 53.0.21 or the first paragraph of section 53.0.31,

(9) fails to establish a drop-off centre on the conditions provided for in the first paragraph of section 18,

(10) fails to comply with the conditions relating to drop-off centres or collection services for an industrial, commercial or institutional clientele provided for in the first paragraph of section 19,

(11) fails to offer a complementary collection service in the case and on the conditions provided for in the second paragraph of section 19,

(12) fails to offer access to and the deposit of products at the drop-off centres and the collection services free of charge as prescribed by section 21 or the second paragraph of section 53.0.31,

(13) pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, in other cases, to a fine of \$15,000 to \$3,000,000.

“56. Every person who

(1) fails to comply with the requirements of section 2, 2.1, 2.2, 3, 4.1, 4.2 or 5, the first or second paragraph of section 8, or section 58 or 59,

(2) fails to implement a recovery and reclamation program within the time prescribed by section 24, 31, 37, 44, 50, 53.0.3, 53.0.10, 53.0.19 or 53.0.26,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, in other cases, to a fine of \$30,000 to \$6,000,000.”

31. The Regulation is amended

(1) by replacing “section 2 or”, wherever it occurs in section 10, 13, 16, 17, 20 or 24, the second paragraph of section 26 or section 32, 33, 37, 44, 53.0.10, 53.0.19, 53.0.20 or 59.1 by “section 2, 2.1, 2.2 or”;

(2) by replacing “section 2,” wherever it occurs in section 4, 12, 31 or 50 by “section 2, 2.1, 2.2,”;

(3) by inserting “, 2.1 or 2.2” after “section 2” wherever it occurs in section 25, the first paragraph of section 26, or section 27, 38, 39, 53.0.6, 53.0.12, 53.0.14, 53.0.22, 53.0.28 or 53.0.30.

32. This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

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