



COMMUNIQUÉ

BILL 102 DRAFT REGULATION PRE-PUBLICATION

MONTREAL, March 24, 2004 - THE draft regulation, in accordance with Bill 102, has finally been pre-published in the Gazette officielle du Québec on March 24, 2004. It is available on the following website: www.publicationsduquebec.gouv.qc.ca or at our office.

MAJOR ELEMENTS:

- Article 2 specifies three (3) categories of material targeted:
 - containers and packaging;
 - printed material (except “printed media”);
 - printed media.
- Article 3 states that, for any brand named products sold in Québec or containers and packaging identified with the person’s name sold in Québec, only the brand owner or the named person is obligated under the regulation. Provisions are foreseen if the above-mentioned have no business location or office in Québec.

The industry funding organization is bound by the preceding mandatory rules.

- Subject to the mandatory provisions outlined in Article 3, the industry funding organization (ÉEQ) will determine, in accordance with Article 4, the persons responsible for the category of “containers and packaging” from the following:
 - those who manufacture them;
 - those who put them on the market;
 - those who market products in these;
 - those who distribute them.
- However, despite Articles 3 and 4, Article 5 states that persons who, at the retail point of sale, add containers or packaging to a product, could not be obligated. Other exemptions are also listed. The industry funding organization is bound by these exemptions.

- Article 6 specifies the persons obligated in the categories of “printed media” and “printed material.”
- Articles 7 and 8 also specify certain other aspects of the bill, such as:
 - the percentage of “net cost” to be compensated is fixed at 50 % for each of the 3 categories;
 - the agreement with the “printed media” is confirmed.

NEXT STEPS:

All interested parties have a delay of 60 days to submit their comments. When this delay expires, the government can adopt the regulation which must then be published in the Gazette officielle du Québec. No deadline is set for this step.

CSQ will assume coordination with the industry. To this effect, we will organize an information meeting and invite the Ministry of Environment of Québec and Recyc-Québec.

You will soon be receiving a notice specifying the date. Meanwhile, we are available to answer your questions and meet with you at your convenience.

Note: This communiqué is not intended as legal interpretation of the draft regulation. Only the published version in the Gazette officielle du Québec constitutes the official text.

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