

EC2025-695

AN ACT TO REPEAL THE BEVERAGE CONTAINERS ACT
DECLARATION RE

Under authority of section 3 of *An Act to Repeal the Beverage Containers Act* Stats. P.E.I. 2025, c. 2 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Repeal the Beverage Containers Act*" to come into force effective April 1, 2026.

EC2025-696

ENVIRONMENTAL PROTECTION ACT
MATERIALS STEWARDSHIP AND RECYCLING REGULATIONS
AMENDMENT

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

- 1. The *Environmental Protection Act* Materials Stewardship and Recycling Regulations (EC349/14) are amended by the addition of the following after section 110.93:

DIVISION 9

BEVERAGE CONTAINERS

Interpretation

111.01 Definitions

- In this Division,
- (a) “**administrator**” means an administrator appointed under section 111.07;
 - (b) “**agent**” means an agent of a beverage container producer designated under section 111.04;
 - (c) “**beverage**” means a ready-to-serve liquid that is intended for human consumption, but does not include milk, plant-based milk product alternatives that are fortified and a source of protein, unprocessed apple cider, concentrated drinks, infant formula, meal replacements or formulated liquid diets;
 - (d) “**beverage container**” means a sealed container, including all its component parts, that contains a beverage in a quantity that does not exceed five litres, and includes a box or similar container used to contain, handle, protect, deliver or present refillable glass beer bottles;
 - (e) “**beverage container producer**” means, in respect of a beverage container sold, offered for sale or otherwise distributed in or into the province
 - (i) a manufacturer of the beverage container,
 - (ii) a distributor of the beverage container in or into the province,
 - (iii) where the beverage container is imported into the province, the first person to sell the beverage container in or into the province;

- (f) “**retailer**” means a person who sells a beverage in a beverage container to a consumer for the purposes of consumption and includes a person who makes such a sale in the course of operating a food service.

111.02 Designated materials

- (1) For the purposes of the Act and these regulations, beverage containers are designated materials.

Effective date

- (2) This section comes into force on April 1, 2026.

Beverage Container Stewardship Program

111.03 Beverage container stewardship program

- (1) No beverage container producer shall sell, offer for sale or otherwise distribute a beverage container in or into the province unless an agent of the beverage container producer operates a beverage container stewardship program in respect of the beverage container.

Prohibition

- (2) No retailer shall sell, offer for sale or otherwise distribute a beverage container in or into the province unless an agent of the beverage container producer operates a beverage container stewardship program in respect of the beverage container.

Effective date

- (3) This section comes into force on April 1, 2026.

111.04 Designation of agent

A beverage container producer may, by written agreement with any person, designate that person as the agent of the beverage container producer to operate a beverage container stewardship program on the beverage container producer’s behalf.

Application

111.05 Application for approval of beverage container stewardship program

- (1) An agent of a beverage container producer who wishes to operate a beverage container stewardship program on the producer’s behalf and who wishes to apply for approval of the program shall file with the Minister a completed application on a form approved by the Minister.

Material to be submitted

- (2) An applicant shall submit with an application made under subsection (1) a detailed written proposal outlining
- (a) a description of the proposed methods for recycling beverage containers including information respecting all storage, collection, transportation, processing, and disposal facilities and their locations;
 - (b) information on the beverage container return system to be used by the public, including return facilities and a description of the manner in which existing facilities have been considered to maximize the return of beverage containers;
 - (c) information on current developments related to beverage container recycling and return systems including planned activities in new innovations, technology or improvements for public accessibility and convenience;
 - (d) a communication plan to inform the public about the beverage container stewardship program including an education and awareness component that includes information about
 - (i) the beverage container stewardship program, specifying products accepted by the program,
 - (ii) how and when consumers can return beverage containers,

- (iii) the environmental benefits of participating in the beverage container stewardship program, and
- (iv) a description of any fee collected from consumers as it relates to the recycling of beverage containers;
- (e) a plan for the prevention and reduction of the littering of empty beverage containers;
- (f) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
- (g) the amount of a deposit for a beverage container and how the deposit is collected and refunded.

Additional information

- (3) The Minister may require an applicant to provide any additional information that the Minister requires to consider the application.

Requirements for approval of beverage container stewardship program

- (4) The Minister shall approve a beverage container stewardship program if the Minister is satisfied that
 - (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 (g) and is otherwise acceptable to the Minister, and
 - (ii) adequately provides for the operation of the beverage container 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 (2)(a) to (g).

Refusal to approve beverage container stewardship program

- (5) Where the Minister refuses to approve a beverage container stewardship program, the Minister shall provide written reasons for the refusal to the applicant.

111.06 Annual fee

- (1) A beverage container producer or an agent who operates a beverage container stewardship program shall, on or before July 31 of each year, pay the annual fee prescribed by subsection (2).

Amount of fee

- (2) The annual fee for a beverage container stewardship program is \$10,000 and shall be made payable to the Minister of Finance.

111.07 Administrator

The Minister may

- (a) appoint any person as the administrator of a beverage container stewardship program; and
- (b) specify the duties and responsibilities of an administrator appointed under clause (a).

Information

111.08 Request for information by Minister

An agent who operates a beverage container stewardship program shall, upon request in writing from the Minister, provide the Minister with any information about the beverage container stewardship program, including any of the following:

- (a) the types of processes used to reuse and recycle the beverage containers;
- (b) the location of any long-term containment or final treatment and processing facilities for beverage containers;
- (c) records showing that the program adheres to established industry vendor qualification standards, or information demonstrating that the beverage containers collected are managed in a manner that employs environmental

and human health and safety standards that meet or exceed applicable federal, provincial and local regulations.

111.09 Deposit

- (1) A retailer shall collect from a consumer, at the time of the sale of a beverage container, a deposit in the amount specified in the beverage container stewardship plan under subsection 111.05(2), which shall include any applicable taxes.

Refund

- (2) The amount of the refund for an empty beverage container shall be equal to the amount of deposit collected from a consumer for the beverage container at the time of sale.

111.10 Display of education and awareness program information

A retailer shall prominently display, at the point of display or the point of sale of a beverage container, the education and awareness program information referred to in clause 111.05(2)(d) that is supplied to it by the beverage container producer's agent.

111.11 Review of beverage container stewardship program

- (1) An agent who operates a beverage container stewardship program shall review the program and
 - (a) submit to the Minister all proposed amendments to the beverage container stewardship program; or
 - (b) advise the Minister in writing that in its opinion no amendments to the beverage container stewardship program are necessary.

Information to Minister of quantity of beverage containers collected

- (2) An agent who operates a beverage container 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,
 - (a) the total quantity of beverage containers collected during the previous calendar year;
 - (b) the annual financial statements, as prepared by an independent auditor, or the revenues received and the expenditures incurred in connection with the beverage container stewardship program; and
 - (c) aggregate information specifying the total amount of beverage containers distributed by beverage container producers during the previous calendar year.

111.12 Operation of beverage container stewardship program

No agent who has been designated to operate a beverage container stewardship program on a beverage container producer's behalf shall fail to operate the beverage container stewardship program in accordance with the program as approved under section 111.05.

2. **These regulations come into force on July 19, 2025.**

EXPLANATORY NOTES

SECTION 1 amends the *Environmental Protection Act* Materials Stewardship and Recycling Regulations (EC394/14) to add a new Division 9 containing new sections 111.01 to 111.12 to deal with beverage containers. New section 111.01 establishes definitions of key terms to be used in the Division. New section 111.02 designates beverage containers as designated materials for the purposes of the Act and the regulations. New section 111.03 provides that no beverage container producer or retailer is permitted to sell, offer for sale or distribute a beverage container in or into the province unless an agent operates a beverage container stewardship program in respect of it. New section 111.04 authorizes a beverage container producer to designate a person as agent to operate a beverage container stewardship program. New section 111.05 establishes an application and approval process for the establishment of the stewardship program. New section 111.06 establishes the annual fee for the stewardship program. New section 111.07 authorizes the Minister to appoint an administrator for the stewardship program and to specify the duties and responsibilities of the administrator. New section 111.08 authorizes the Minister to require additional information about the stewardship program, as specified, from the agent. New section 111.09 authorizes the charging of a deposit and the payment of a refund of the deposit, as specified. New section 111.10 requires a retailer to prominently display education and awareness information about the stewardship program as specified. New section 111.11 requires that an agent shall review the program and either advise the Minister about necessary amendments or that no amendments are needed. The agent is also required to provide the specified information to the Minister respecting the operation of the stewardship program. New section 111.12 requires an agent to operate the stewardship program in accordance with the approval granted by the Minister under section 111.05.

SECTION 2 provides for the commencement of these regulations.

EC2025-697

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(ECONOMIC COOPERATION
MEMORANDUM OF UNDERSTANDING)
WITH
THE PROVINCE OF ALBERTA

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier of Prince Edward Island to enter into a Memorandum of Understanding with the Province of Alberta, as represented by the Premier of Alberta, to strengthen a commitment to eliminating barriers to interprovincial trade and labour mobility, effective upon signing, such as more particularly described in the draft agreement.

EC2025-698

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(ECONOMIC COOPERATION
MEMORANDUM OF UNDERSTANDING)
WITH
THE PROVINCE OF BRITISH COLUMBIA

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier of Prince Edward Island to enter into a

Memorandum of Understanding with the Province of British Columbia, as represented by the Premier of British Columbia, to strengthen a commitment to eliminating barriers to interprovincial trade and labour mobility, effective upon signing, such as more particularly described in the draft agreement.

EC2025-699

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(ECONOMIC COOPERATION
MEMORANDUM OF UNDERSTANDING)
WITH
THE PROVINCE OF MANITOBA

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier of Prince Edward Island to enter into a Memorandum of Understanding with the Province of Manitoba, as represented by the Premier of Manitoba, to strengthen a commitment to eliminating barriers to interprovincial trade and labour mobility, effective upon signing, such as more particularly described in the draft agreement.

EC2025-700

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(ECONOMIC COOPERATION
MEMORANDUM OF UNDERSTANDING)
WITH
THE PROVINCE OF NEW BRUNSWICK

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier of Prince Edward Island to enter into a Memorandum of Understanding with the Province of New Brunswick, as represented by the Premier of New Brunswick, to strengthen a commitment to eliminating barriers to interprovincial trade and labour mobility, effective upon signing, such as more particularly described in the draft agreement.

EC2025-701

EXECUTIVE COUNCIL ACT
PREMIER OF PRINCE EDWARD ISLAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(ECONOMIC COOPERATION
MEMORANDUM OF UNDERSTANDING)
WITH
THE PROVINCE OF NOVA SCOTIA

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier of Prince Edward Island to enter into a Memorandum of Understanding with the Province of Nova Scotia, as represented by the Premier of Nova Scotia, to strengthen a commitment to eliminating barriers to interprovincial trade and labour mobility, effective upon signing, such as more particularly described in the draft agreement.

EC2025-702

EXECUTIVE COUNCIL ACT
 PREMIER OF PRINCE EDWARD ISLAND
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (ECONOMIC COOPERATION
 MEMORANDUM OF UNDERSTANDING)
 WITH
 THE PROVINCE OF SASKATCHEWAN

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier of Prince Edward Island to enter into a Memorandum of Understanding with the Province of Saskatchewan, as represented by the Premier of Saskatchewan, to strengthen a commitment to eliminating barriers to interprovincial trade and labour mobility, effective upon signing, such as more particularly described in the draft agreement.

EC2025-703

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Fisheries, Tourism, Sport and Culture to enter into a Memorandum of Understanding with the Government of Canada, as represented by the Minister of Fisheries and Oceans, on behalf of Fisheries and Oceans Canada, for administration of the PEI Shellfish Aquaculture Leasing Program, for the period April 1, 2025 to March 31, 2027, such as more particularly described in the draft agreement.

EC2025-704

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AND ATTORNEY GENERAL
 AUTHORITY TO ENTER INTO
 PRINCE EDWARD ISLAND PROVINCIAL POLICE
 EXTENDED SERVICE AGREEMENT
 WITH
 THE RURAL MUNICIPALITY OF MALPEQUE BAY

Pursuant to clause 10(c) of the *Executive Council Act*, R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Justice and Public Safety and Attorney General to enter into a Policing Extended Service Agreement with the Rural Municipality of Malpeque Bay to set out terms and conditions for provision of policing services by the Royal Canadian Mounted Police, effective upon signing to March 31, 2032, such as more particularly described in the draft agreement.

EXECUTIVE COUNCIL _____ 15 JULY 2025

EC2025-705

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
PAN AMERICAN PROPERTIES INC.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc., through PEI Century 2000 Fund Inc., to renew an existing five-year term loan in the amount of eight hundred twenty-four thousand nine hundred eighty-seven (\$824,987.00) dollars at the applicable market interest rate to Pan American Properties Inc. for the renewal of a term loan, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.