

NOTICE

TO: Depot Network

DATE: February 29, 2024

RE: **Changes to Depot By-Law: New Payment Timelines for Refund of Deposit**

Following industry consultation and feedback, the BCMB Board of Directors has approved a series of amendments to the Depot By-law that will introduce new payment timelines for deposit refunds to customers. **These amendments came into effect on February 21, 2024.**

These changes are being implemented to ensure that there are clear expectations for both customers and depots on when and how deposit refunds are paid depending on the type of service that has been offered or received. The by-law changes address immediate payment of refunds at a depot, payment of refunds for mobile/offsite collection and drop-and-go services, contractual relationships with customers and compliance with the by-law.

Following are the specific additions to the Depot By-law regarding deposit refund payment timelines:

10.19.6. [A Depot must have the signage as specified by the BCMB from time to time, but which, at a minimum] ... Shows the options described in sections 10.48-10.51 of the Depot By-law for receiving the deposit refund.

10.48. Payment Timelines for Refund of Deposit

10.48.1. Upon being presented with eligible Containers by a customer, when at a depot, a Depot shall pay that customer a Deposit Refund immediately.

10.49. If the Depot allows

10.49.1. Mobile/ offsite collections (meaning the collection and counting of containers at a location other than the depot or the collection from a place other than the depot with counting and sorting conducted at the depot); or



10.49.2. customers to deliver or drop off containers to the Depot and either return to the Depot on a future date to receive the Deposit Refund or have the refund paid by some other means later.

10.49.3 the depot shall, create, abide by and make available upon request, a policy for deposit payment. The policy must at a minimum include the following information:

10.49.3.1 A description of the documentation that the depot shall provide to the customer, which shall at minimum include a receipt, developed by the depot; and

10.49.3.2 That any deposits that the depot does not pay to the customer shall be paid within 14 days unless the depot and the customer mutually agree on a longer period of time; and

10.49.3.3 how such an agreement shall be documented.

10.49.3.4 The method of payment that will be used should an immediate cash refund not be given.

10.49.3.5 The process for how a customer can file a complaint and to whom it should be directed as well as the process the customer can expect should they do so.

10.50 Contractual Relationships between Depots and Customer

10.50.1 Despite section 10.49 of this By-Law, nothing prevents a Depot from entering into a written agreement with a customer with respect to the collection of Containers. The minimum timelines for Refund Payments may be extended by such an agreement, in which case the timelines in the agreement shall prevail.

10.51 Compliance

10.51.1 Failure to comply with this By-law may be contrary to the compliance responsibilities of Permit Holders under this By-law and may result in regulatory compliance or enforcement action by the BCMB.

Depots offering the services outlined in Sections 10.49.1 and 10.49.2 of the by-law have until April 1, 2024, to enact the new policy.



NOTICE (continued)

Section 10 of the Depot By-law has been updated to reflect the payment timeline additions. Click [here](#) to find the Depot By-law on the BCMB website.

For more information, please contact the BCMB compliance team by calling/emailing:

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