

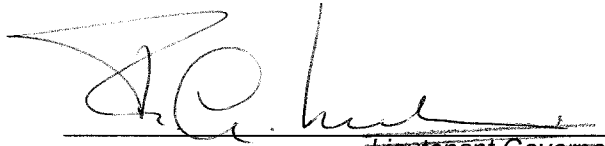
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

211

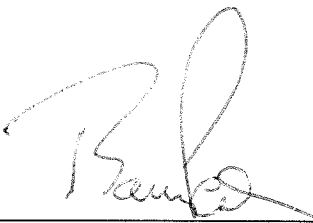
, Approved and Ordered MAR 30 2006



Lieutenant Governor
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that the Recycling Regulation, B. C. Reg. 449/2004, is amended as set out in the attached Appendix.



Minister of Environment and Minister Responsible for
Water Stewardship and Sustainable Communities



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Environmental Management Act, s. 21 and 138

Other (specify):- oic 995/2004

February 17, 2006

151 /2006/13

APPENDIX

1 Section 1 of B.C. Reg. 449/2004, the Recycling Regulation, is amended

(a) by repealing paragraph (c) of the definition of “collection facility” and substituting the following

(c) in respect of a product within the empty oil container product category, electronic product category or tire product category, a collection facility established by the producer; ,

(b) in the definition of “product category”, by adding the following paragraph:

(k) tire product category. , **and**

(c) by adding the following definitions:

“recapped tire” means a used pneumatic or solid tire that has been restored to usable condition by bonding new rubber onto its worn tread and lateral surface;

“retreaded tire” means a used pneumatic or solid tire that has been restored to usable condition by being fitted with a new tread.

2 The following section is added:

Retailers of a product within the tire product category

3.2 (1) If a plan is approved under this Part for a product within the tire product category, a retailer must not sell or offer to sell the product to consumers unless the retailer participates in an approved plan under this Part for that product.

(2) Subsection (1) does not apply to a used, recapped or retreaded tire.

3 Section 16 (a) is amended by striking out “6,” and substituting “3.2, 6,”.

4 The following section is added:

Transitional – producer of a product in the tire product category

18 (1) Subject to subsection (2), section 2 [*duty of the producer*] does not apply to a producer of a product in the tire product category until 300 days after this section comes into force.

(2) To be covered by Part 2 [*Product Stewardship Plans*] on the applicable date under subsection (1), a producer of a product in the tire product category must submit, 150 days or more before the date this section comes into force, a product stewardship plan under section 4 of this regulation [*submission of product stewardship plan*] respecting products in the tire product category.

5 The following Schedule is added:

SCHEDULE 4
Tire Product Category

Definitions

1 In this Schedule:

“**cycle**”, “**farm tractor**”, “**highway**”, “**motor vehicle**”, and “**trailer**” have the same meaning as in the *Motor Vehicle Act*;

“**pneumatic tire**” and “**solid tire**” have the same meaning as in the Motor Vehicle Act Regulations, B.C. Reg. 26/58.

Tire Product Category

2 The tire product category consists of pneumatic or solid tires designed for use on a motor vehicle, farm tractor, trailer, or other equipment or machinery but does not include

- (a) tires designed for use on cycles, wheelchairs or three-wheeled motorized devices designed for the transportation of persons with physical impairment,
- (b) tires designed for use on an aircraft or wheelbarrow,
- (c) tires that ordinarily have a retail value of less than \$30; and
- (d) tires designated with a tire tread code of C, E, G, L, or IND in the 2005 Tire and Rim Handbook of The Tire and Rim Association of the United States, as amended from time to time.