

BELIZE:

RETURNABLE CONTAINERS ACT, 2009

ARRANGEMENT OF SECTIONS

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SCHEDULE

Interpretation.

2. (1) For the purposes of this Act:

“beverage” means carbonated soft drinks, beer and other malt products;

“beverage container” means the glass, metal, aluminum, steel, or plastic bottle, or beer can, used for containing one gallon (or 3.8 litres) or less at the time of sale of a beverage intended for use or consumption in Belize;

“dealer” means every person, firm or corporation who engages in the sale of beverages in beverage containers to a consumer for off premises consumption in Belize;

“distributor” means any person, firm or corporation that bottles or cans beverages or otherwise fills beverage containers or packages beverages or engages in the sale of such containers to a dealer and includes an importer of beverage containers;

“malt beverage” means any beverage obtained by the alcoholic fermentation or infusion or decoction of barley, malt, hops, or other wholesome grain or cereal and water and includes ale, stout and malt liquor;

“Minister” means the Minister responsible for the Environment;

“place of business” means the location at which the dealer sells or offers for sale beverages in beverage containers to consumers;

“redeemer” means every person who demands the refund value provided for in this Act in exchange for the empty beverage container, but shall not include a dealer;

(2) Beverage containers sold or distributed aboard aircraft and ships shall be considered as intended for use or consumption outside Belize.

3. (1) A deposit on beverage containers shall be collected by all distributors and dealers at the time of sale or distribution:

Payment of
deposit

Provided that no deposit shall be payable if the person, to whom the sale or distribution is made produces empty beverage containers of the same design, shape, size, colour, brand and quantity as are being bought or received by him.

(2) The deposit value of a beverage container shall be prescribed in the Schedule to this Act.

Schedule.

4. (1) A dealer shall, on proof of purchase from him, accept at his place of business from a redeemer any empty beverage containers sold by that dealer to the redeemer (containing beverage), and shall pay to the redeemer the refund value of each such beverage container.

Acceptance
of
containers.

(2) Without prejudice to subsection (1) above, a distributor or his agent shall accept from a dealer, and a dealer or an agent designated or appointed by the distributor shall accept from a redeemer, any empty beverage containers of the design, shape, size, colour, composition and brand sold by such distributor or dealer, and shall pay to the dealer or the redeemer, as the case may be, the refund value of each beverage container.

(3) For the purpose of subsection (2) above, every distributor shall designate or appoint sufficient number of dealers or agents in different parts of the country so as to be within easy reach of the public.

(4) To facilitate the return and acceptance of empty containers, all distributors and dealers shall ensure that beverage containers sold by them are duly labeled in accordance with the Standards (Belize National Standard)- Part 2 (Specification for Labeling - Labeling of Pre-packaged Goods) Order, 1999, and other applicable legislation.

S.I. No. 117
of 1999.

Refusal to
accept
container.

5. (1) A dealer may refuse to accept from a redeemer, and a distributor may refuse to accept from a dealer, any empty beverage container for which the refund value is not fixed by this Act.

(2) A dealer, distributor or his agent may also refuse to accept any broken bottle, or corroded or dismembered beer can, or any other beverage container which is otherwise not in a returnable condition.

(3) Notwithstanding subsection (2) above, a distributor or his agent shall accept beverage containers mentioned in the said subsection, if the dealer has already paid the refund value of such beverage containers.

Refund
value.
Schedule.

6. (1) The refund value of a beverage container shall be as prescribed in the Schedule to this Act.

(2) The Minister may, from time to time by Order published in the *Gazette*, amend the Schedule.

Regulations.

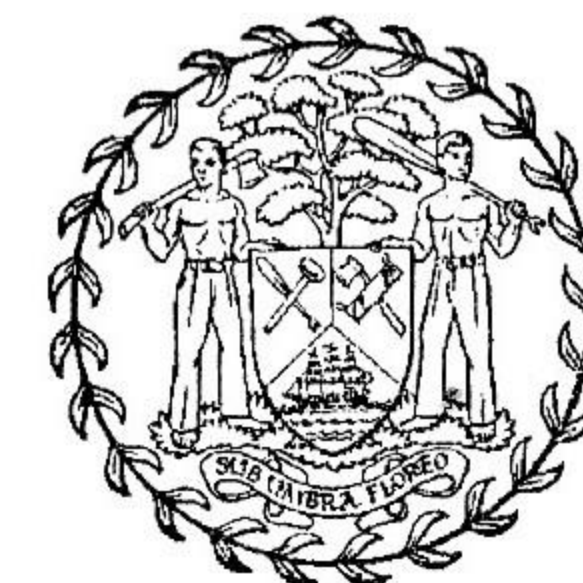
7. The Minister may make regulations respecting beverage containers and generally for carrying out the purposes of this Act.

Offence.

8. Every person who contravenes this Act is guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding six months or to both such fine and period of imprisonment; and where the offence is a continuing offence, a person is liable to a further fine of five hundred dollars or to a period of three months' imprisonment for every day the offence continues after conviction is first obtained.

Commencement.

9. This Act shall come into force on a day to be appointed by the Minister by Order published in the *Gazette*, such day being not less than three months after the date on which this Act is published in the *Gazette*.



No. 12 of 2009

I assent,

(SIR COLVILLE N. YOUNG)

Governor-General

30th December, 2009

AN ACT to provide for the control of sale of beverages in beverage containers; to provide for the payment of a deposit on beverage containers and for a refund for the return of those containers; and to provide for matters connected therewith or incidental thereto

(Gazetted 2nd January, 2010.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:

1. This Act may be cited as the

Short title.

RETURNABLE CONTAINERS ACT, 2009.

SCHEDULE
[Sections 3 and 6]

Deposit and Refund Values

- | | |
|--|----------|
| (i) For every plastic beverage container with a capacity of or under ½ litre | 5 cents |
| (ii) For every plastic beverage container with a capacity of more than ½ litre | 10 cents |
| (iii) For every beverage container made of glass, metal, aluminum or steel, including beer can | 15 cents |