

Supplier Registration Information for Alberta's Tire Recycling Program

The Tire Recycling Program in Alberta (the Program) was launched in September 1992 and is regulated through the [Designated Material Recycling and Management Regulation](#) and the [Tire Designation Regulation](#).

The Program is managed by the Alberta Recycling Management Authority (Alberta Recycling), a not-for-profit association delegated by the provincial governmentⁱ to administer the Program on their behalf.

Referencing the Designated Material Recycling and Management Regulation, Section 9 indicates that “no person shall supply a designated material in Alberta unless the person is registered in accordance with the Bylaws”. Under the [Tire Recycling Bylaw](#) (the Bylaw), any retailer, wholesaler, distributor, manufacturer, marketer, online seller, importer or any other supplier that supplies eligible tires in or into the Province of Alberta, is deemed a Tire Supplier and therefore required to register with Alberta Recycling.

Applicable Tire Suppliers must collect Advance Disposal Surcharges (Surcharges) on the sale or supply of [eligible tires](#) and remit these Surcharges to Tire Recycling Alberta. The Surcharges collected on the supply of eligible tire products assist in funding the collection and recycling of scrap tires from recycling depots and businesses throughout the province.

Please download and complete the [Tire Supplier Registration Application](#) and send it to our office (contact information below) along with the following documents:

- Copy of your company's certificate of incorporation; or
- Copy of your company's business license; and
- List of company directors

Upon receipt of your completed application and documents, you will be sent a Registered Supplier package and a Tire Recycling Alberta Registration Certificate.

If you have any questions regarding the Supplier Registration application process or if you do not supply eligible tires, please do not hesitate to contact us.

For a summary of the Tire Recycling Program, how the Surcharges are used and how the Program benefits Albertans, please see the most recent version of our [Tire Progress Report](#).

Thank you.

Supplier Administration for
Tire Recycling Alberta, Alberta Recycling Management Authority

E-mail: tires@albertarecycling.ca

Phone: 1.888.999.8762 or 780.990.1111

Fax: 1.866.990.1122 or 780.990.1122

Mailing address: P.O. Box 189, Edmonton, AB T5J 2J1

Courier address: 1800 Scotia Tower 1, 10060 Jasper Avenue, Edmonton AB T5J 3R8

ⁱ Regulated Recycling Programs: <http://aep.alberta.ca/waste/reduction-recycling/regulated-recycling-programs.aspx>

Tire Supplier Registration Application

APPLICANT INFORMATION

Legal Business Name of Applicant:			
Operating As (if different from legal business name):		Franchise Name (if applicable):	
Physical Address:			
City:	Province:	Postal Code:	Country:
Mailing Address (if different from physical address):			
City:	Province:	Postal Code:	Country:
Phone Number:	Fax Number:	Website:	

Does the company have additional locations in Alberta operating under the same legal entity? Yes No
 If so, please list the details below. If space is not sufficient, please attach complete list.

Location Name	Address (including city, province, postal code)	Phone Number

CONTACT INFORMATION

Reporting Contact <i>(Please provide the contact information for the primary individual that will be responsible for submitting reports.)</i>	
Name:	Title/Position:
Email Address (required):	Phone Number:
Owner/Manager Contact	
Name:	Title/Position:
Email Address:	Phone Number:

BUSINESS INFORMATION

Business Start Date:	Locations of Customers (select all that apply): <input type="checkbox"/> In Alberta <input type="checkbox"/> Outside Alberta		
Primary Line of Business (please select one description that best describes the company's primary line of business):			
<input type="checkbox"/> Retailer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Distributor <input type="checkbox"/> Manufacturer <input type="checkbox"/> Online Seller <input type="checkbox"/> Importer <input type="checkbox"/> Courier/Transporter/Carrier/Mail Service (in or into Alberta) <input type="checkbox"/> Other: _____			
Secondary Lines of Business (please select all descriptions that describe the company's secondary lines of business):			
<input type="checkbox"/> Retailer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Distributor <input type="checkbox"/> Manufacturer <input type="checkbox"/> Online Seller <input type="checkbox"/> Importer <input type="checkbox"/> Courier/Transporter/Carrier/Mail Service (in or into Alberta) <input type="checkbox"/> Other: _____			
Program Eligible Tires <i>(see Product Clarification Table for details)</i>	Sale/supply in or into Alberta?	Date of first sale/supply in or into Alberta	Approximate number of products sold per year
Passenger and Light Truck Tires	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Specialty, Industrial and Other Tires	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Medium Truck Tires	<input type="checkbox"/> Yes <input type="checkbox"/> No		
OTR (Off-the-Road) Tires	<input type="checkbox"/> Yes <input type="checkbox"/> No		

SUPPLIER LIST

Please provide the name and contact information for all companies who supply the company with **Program Eligible Tires**. **Include suppliers of loose tires and suppliers of equipment/vehicles with tires**. If space is not sufficient, please attach complete list.

Company Name:	Contact Name:	Address (including city, province, postal code):	Phone Number & Email:

CUSTOMER LIST

Does the company sell Program Eligible Tires to end users? Yes No

Does the company sell Program Eligible Tires to resellers? Yes No *If yes, please list contacts below.*

Please provide the name and contact information for all companies to whom the company supplies **Program Eligible Tires**. **Include customers who are resellers only, do NOT include end users**. If space is not sufficient, please attach complete list.

Company Name:	Contact Name:	Address (including city, province, postal code):	Phone Number & Email:

REGISTRATION CATEGORY

Is the company seeking to apply for Payment-on-Purchase (POP) status? Yes No

Please note that the final registration category will be determined by Alberta Recycling based on whether the company is able to meet the criteria for such registration and additional information may be requested. For further details about POP status, please refer to [Supplier Classification and Reporting Obligations](#) on the Alberta Recycling website or contact our office.

REVIEW CHECKLIST

<input type="checkbox"/>	Registration application form completed, including: <ul style="list-style-type: none"> review of the Terms and Conditions (pages 3 and 4); and signing page 4
Documents to include:	
<input type="checkbox"/>	A copy of the company's certificate of incorporation (if incorporated) <u>OR</u> A copy of the company's business license (if not incorporated)
<input type="checkbox"/>	A list of directors of the company

SUPPLIER REGISTRATION TERMS AND CONDITIONS

In consideration of Tire Recycling Alberta, a Program of the Alberta Recycling Management Authority (“Alberta Recycling”) registering the applicant identified on the ‘Applicant Information’ side of this Supplier Registration Application (hereinafter, the “Supplier”) as a supplier under the Designated Material Recycling and Management Regulation (AR 93/2004) and in consideration of the Supplier’s agreement to carry out its duties set out in the *Environmental Protection and Enhancement Act*, any regulations made under the Act (the “Regulations”) and any bylaws made by Alberta Recycling (the “Bylaws”), and in consideration of the covenants contained herein and other good and valuable consideration, the Supplier hereby acknowledges and agrees as follows:

1. The Supplier represents and warrants that all information provided to Alberta Recycling in this application, and in all documents required by virtue of the Supplier’s registration with Alberta Recycling, or by virtue of the requirements of law, are true and accurate;
2. The Supplier agrees to indemnify and hold Alberta Recycling, its employees and agents, harmless for all costs, expenses claims, demands and actions that may arise as a result of any untrue or inaccurate statement or information provided by the Supplier;
3. Alberta Recycling has authority to make bylaws, policies and procedures and the Supplier agrees to be bound by any bylaws, policies and procedures applicable to it and made by Alberta Recycling;
4. For all supplies of eligible tire for which Alberta Recycling has prescribed an Advance Disposal Surcharge (“Surcharge”), the Supplier shall remit the prescribed Surcharge to Alberta Recycling or to the person designated by Alberta Recycling unless the supply is of a kind that is exempt in the Bylaws. The Supplier shall account to Alberta Recycling for all Surcharges that must be remitted, and shall remit the Surcharges to Alberta Recycling or to the person designated by Alberta Recycling in the form and manner and at the times required;
5. All Surcharges that the Supplier is obligated to remit are held in trust for Alberta Recycling;
6. The Supplier shall complete and file with Alberta Recycling as required, a return in respect of a reporting period not later than 30 days after the end of the reporting period, and shall remit to Alberta Recycling with the return all Surcharges owing with respect to the supplies of tires made by the Supplier in or into Alberta during the reporting period. The reporting period, unless Alberta Recycling otherwise directs, is a calendar month;
7. Any registration granted, or any payment made by or to Alberta Recycling, where there has been false or misleading information provided by the Supplier shall be considered to have been granted or paid in mistake. Any such registration is void and any such payment is held in trust by the Supplier for the sole and exclusive benefit of Alberta Recycling. Such payments shall be made forthwith to Alberta Recycling upon the discovery of the error;
8. Alberta Recycling has the right to withhold any registration of application until sufficient verification or information has been provided by the Supplier in relation to any matter reasonably requested to be verified by Alberta Recycling;
9. To secure payment and performance of all obligations of the Supplier to Alberta Recycling, and in accordance with the Bylaws, Alberta Recycling may require a Supplier provide a security interest to Alberta Recycling;
10. All outstanding Surcharges and any interest owing in respect of it are recoverable by Alberta Recycling in an action in debt;
11. The Supplier shall:
 - a) keep records that may relate to or support the Supplier’s transactions in tires and make them available for inspection by Alberta Recycling at all reasonable times; and
 - b) provide to Alberta Recycling upon request all such information that may relate to or support the Supplier’s transaction in tires;
 - c) be subject to compliance reviews to the extent necessary to verify the Supplier is meeting its obligations under the Act and Regulations and remitting Surcharges accurately to Alberta Recycling;
12. Alberta Recycling may from time to time require, and the Supplier shall pay, interest on outstanding Surcharge(s) at the rate per annum established by Alberta Recycling from time to time, from the date the unpaid amount is due until it is paid;
13. Where the Supplier fails to remit any or all Surcharges with respect to a reporting period, Alberta Recycling may assess the Surcharges in an amount equal to the amount of the Surcharges that the Supplier failed to remit. Where Alberta Recycling makes an assessment, the Supplier shall remit the amount of the assessment, or, where a return has been filed and a remittance made, the amount, if any by which the amount of the assessment exceeds the amount remitted. The remittance is due and payable from the time the Supplier receives notice of the assessment;

14. For the purpose of notices and assessments, the address provided by the Supplier on the front side of the Registration Application shall be the address at which Alberta Recycling may send all notices to the Supplier;
15. The Supplier acknowledges it may have a right of defence or limitation of claim under the Limitations Act or similar legislation, and specifically waives any rights or benefits it may have under that act in the event Alberta Recycling has a claim for unpaid Surcharges;
16. Alberta Recycling may cancel or suspend the Supplier’s registration if the Supplier:
 - a) fails to remit to Alberta Recycling or to the person designated by Alberta Recycling all Surcharges the Supplier is required to remit;
 - b) ceases to carry on business;
 - c) applies to surrender the Supplier’s registration to Alberta Recycling;
 - d) contravenes the Act, the Regulations or the Bylaws; or
 - e) provides inadequate, false or misleading information or representation in any application or Surcharge Return;
17. The Supplier agrees to surrender the Supplier’s certificate of registration to Alberta Recycling if the Supplier registration is cancelled or suspended. The Supplier understands that it may not carry on business as a supplier of tires in Alberta unless the Supplier is registered and the Supplier’s registration is not under suspension. The Supplier understands that failure to maintain a registration where it is required is an offence under the Designation Material Recycling and Management Regulation, and subject to a fine up to \$50,000 for an individual and \$500,000 for a corporation;
18. All information and documents submitted to Alberta Recycling will be in the custody of Alberta Recycling and therefore subject to the access and privacy provisions of the Freedom of Information and Protection of Privacy Act, RSA 2000, c.F-25;
19. Unless otherwise required or authorized by law, Alberta Recycling shall not disclose to a third party personal information supplied by the Supplier where, as determined by Alberta Recycling, such disclosure would constitute an unreasonable invasion of personal privacy in accordance with s.17 of the Freedom of Information and Protection of Privacy Act;
20. Alberta Recycling reserves all rights and remedies provided to it under law that may be in addition to any terms contained herein.

APPLICATION SUBMISSION INFORMATION

If this form has been filled out electronically, there are two options to sign and complete it:

1. Electronic Signature

If you would like to provide an electronic signature, please read the consumer disclosure information linked below. By proceeding forward and signing this document, you are agreeing that you have reviewed the consumer disclosure information and consent to transact business using electronic communications, and to utilize electronic signatures in lieu of using paper documents.

- [CONSUMER DISCLOSURE INFORMATION](#)

Click the Signature field to sign this application and save as a PDF. Email the application to Alberta Recycling as an email attachment.

2. Physical Signature

If you would like to provide a physical signature, please print the filled-out form and sign in the Signature field. The application may be submitted by scanning it to email or faxing to Alberta Recycling.

Email: tires@albertarecycling.ca

Fax: 1-866-990-1122

Mail: P.O. Box 189, Edmonton, AB T5J 2J1

APPLICANT AUTHORIZATION	
Signature:	Date:
Print Name:	Title/Position:

Alberta’s Tire Recycling Program Products, Definitions and Fees

The following table helps clarify which tires should be charged Advance Disposal Surcharges (Surcharges) when sold or supplied in or into Alberta, and which tires should not be charged. New tires sold on vehicles and equipment in Alberta, and used tires on vehicles and equipment entering Alberta from outside of Canada are also subject to Surcharges.

Eligible Tire Categories	Advance Disposal Surcharge
a) Passenger and Light Truck Tires	\$ 4.00
b) Specially, Industrial and Other Tires	\$ 4.00
c) Medium Truck Tires	\$ 9.00
d) Off-the-Road (OTR) Tires	
• Small	\$ 40.00
• Medium	\$ 100.00
• Large	\$ 200.00

Category of Eligible Tires	Advance Disposal Surcharge
PASSENGER AND LIGHT TRUCK TIRES	\$ 4.00
Additional Information	
This category includes, but is not limited to:	
<ul style="list-style-type: none"> • Passenger & Light Truck tires (including temporary spare tires) designed for use on passenger cars, light trucks (consumer or commercial under 10,000 lbs. gross vehicle weight) and multipurpose passenger vehicles (MPVs), including sport and crossover utility vehicles (SUVs & CUVs) <ul style="list-style-type: none"> ○ Sidewalls may be marked “P”, “LT” and generally fall under the Canadian Motor Vehicle Standard CMVSS No. 109, 119 & 139 and sections 1, 2, 6 & 7 of the Tire and Rim Association Yearbook. 	

Category of Eligible Tires	Advance Disposal Surcharge
SPECIALTY, INDUSTRIAL AND OTHER TIRES	\$ 4.00
Additional Information	
This category includes but is not limited to:	
<ul style="list-style-type: none"> • Specialty, Industrial and Other Tires with a rim diameter of 8 inches (20 cm) up to and including 24 inches (61 cm) such as tires designed for use on a: <ul style="list-style-type: none"> ○ Trailer including but not limited to boat, utility, cargo, livestock, flatbed, recreation/travel ○ Motorcycle (both on and off road), motorized scooter (does not include motorized mobility aids), sidecar, other personal transportation vehicles ○ All-terrain vehicle (ATV); lawn tractors; golf carts ○ Skid steer, mini-loader ○ Forklift 	
Products in this category include:	
<ul style="list-style-type: none"> ▪ Compactor Road Roller Tires 15 and 20 inch 	



Excluded:

- Aviation Tires
- Electric Bike; Bicycle
- Electric Scooter (tires with a rim diameter less than 8 inches)
- Farm/Agricultural Tires, both drive and free rolling tires for farm implements, tractors & other farm equipment with the following sidewall codes: F-1, F-2, F-2M, F-2D, R-1, R-1W, R-2, R-3, HF-1, HF-2, HF-3, HF-4, I-1, I-2, I-3, IMP, IMP FLOTATION
- Hand-powered equipment tires e.g. wheelbarrows, wagons, dollies, wheelchairs, bicycles, hand powered lawn and garden equipment
- Mini-bike, quad & moped tires where the tire rim size is less than 8 inches
- Segway tires
- Motorized mobility aid tires

Category of Eligible Tires	Advance Disposal Surcharge
MEDIUM TRUCK TIRES	\$ 9.00
Additional Information	
<p>This category includes tires with rim sizes greater than 19.5 inches (50 cm) including, but not limited to tires designed for use on:</p> <ul style="list-style-type: none"> • Highway Tractor Trucks, Commercial Truck, Bus • Larger RV & Trailer tires <p>Tires in this category generally fall under the Canadian Motor Vehicle Standard CMVSS No. 120 (TSD 120) and section 3 of the Tire and Rim Association Yearbook. (Truck tires with a rim diameter from 17.5 inches (44.45 cm) to 19.5 inches (50 cm) inches are excluded from this category; and the PLTT rate of \$4.00 applies.)</p>	

Category of Eligible Tires	Advance Disposal Surcharge
OFF-THE-ROAD (OTR) TIRES	
SMALL	\$ 40.00
MEDIUM	\$100.00
LARGE	\$200.00
Additional Information	
<p>This category includes the OTR (off-the-road) Tire designation used by the tire industry, including but not limited to tires designed for use on industrial vehicles or equipment, including Construction, Mining, Earthmover, Haulage, Dozer, Grader, Mobile Crane, Compactor, Front End Loader, Backhoe, Extended Reach Forklift and Forestry Skidder.</p> <p>May have tread coding of “LS”, “C”, “E”, “G”, “L” and sidewalls may be marked “TG”, “ML”, “DT” or “K” and generally fall under section 4 of the Tire and Rim Association Yearbook.</p> <ul style="list-style-type: none"> a) Small Tires with rim sizes ranging from a diameter of 8 inches (20 cm) up to and including a rim diameter of 24 inches (61 cm). b) Medium Tires with rim sizes ranging from a diameter of over 24 inches (61 cm) up to and including a rim diameter of 33 inches (84 cm). c) Large Tires with rim sizes over a diameter of 33 inches (84 cm) up to and including a rim diameter of 39 inches (99 cm). 	

Products in this category include:

- G2 and L2 tires (small, medium or large based on size)

Excluded:

- Large OTR Tires with a rim size greater than 39 inches (99 cm)

General Inclusions and Exclusions

Products in this category include:

- Foam filled tires

Excluded:

- Polyurethane tires
- Solid Rubber Tires
- Used/ recapped or retreaded tires

Date published: November 30, 2017. This table does not include changes made after the date published. For the most up-to-date information, please refer to Alberta Recycling’s website:

- www.albertarecycling.ca/tire-recycling-program/eligible-tires

Notes:

1. This is not considered an exhaustive list. Products identified are examples based on Supplier inquiries. If you require assistance in verifying whether or not a particular tire should be charged a Surcharge, please call Alberta Recycling at 1-888-999-8762 or email us at tires@albertarecycling.ca.
2. Pursuant to the *Environmental Protection and Enhancement Act, Tire Designation Regulation* and the *Tire Recycling Bylaw*, Surcharges must be remitted on all sales/supplies of designated eligible tires in or into Alberta.

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ALBERTA RECYCLING MANAGEMENT AUTHORITY

Tire Recycling Bylaw

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1. DEFINITIONS

1.1 In this Bylaw,

- (a) “advance disposal surcharge” means the advance disposal surcharge referred to in section 4.1;
- (b) “applicant” means a supplier who applies for registration with the Authority;
- (c) “Authority” means the Alberta Recycling Management Authority;
- (d) “Designated Material Regulation” means the *Designated Material Recycling and Management Regulation* (Alta. Reg. 93/2004) or any replacement thereof as may be amended from time to time;
- (e) "end user" means a person who purchases new tires for the end user's intended use or purchases used tires imported from Outside of Canada in or into the province of Alberta for the end user's intended use;
- (f) “POP registrant” has the meaning set out in section 4.8 of this Bylaw;

Approved May 17, 2004, Amended March 16, 2011, Amended August 1, 2011, Amended December 1, 2011, Amended July 8, 2014.

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- (g) “Regulation” means the *Tire Designation Regulation* (Alta. Reg. 95/04) or any replacement thereof as may be amended from time to time;
 - (h) “security interest” means a security interest within the meaning of the *Personal Property Security Act* (Alberta) (R.S.A. 2000, c P-7) or *Bank Act* (Canada) (S.C. 1991, c 46) or any replacement thereof as may be amended from time to time;
 - (i) “supplier” means
 - (i) manufacturer of new tires who supplies the manufacturer’s own brand of tires to a retailer, or an end user, in or into Alberta;
 - (ii) a marketer who supplies new tires to a retailer, or an end user, in or into Alberta, where the tires were manufactured for the marketer by another person and the marketer owns the brand or is the licensee of the brand;
 - (iii) a wholesaler, including a retail distributor, who supplies new tires to a retailer, or an end user, in or into Alberta;
 - (iv) a retailer who supplies to the end user new tires imported in or into Alberta or used tires imported from outside of Canada in or into Alberta;
 - (v) any other supplier of new tires in or into Alberta or used tires from outside of Canada in or into Alberta; or
 - (vi) an end user who is described in section 4.7 of this Bylaw.
- 1.2 Terms that are defined in the Regulation have the same meaning when they are used in this Bylaw.
- 1.3 For the purposes of this Bylaw, all references to “Alberta” exclude the whole of the City of Lloydminster.

2. REGISTRATION

- 2.1 All suppliers shall be registered with the Authority.
- 2.2 The Authority may cancel or suspend a supplier’s registration if the supplier:

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- (a) fails to remit to the Authority or to the person designated by the Authority all advance disposal surcharges the supplier is required to remit under this Bylaw;
 - (b) ceases to carry on business as a supplier;
 - (c) applies to surrender the supplier's registration with the Authority and the supplier does not carry on business as a supplier;
 - (d) contravenes the Act, the Designated Material Regulation, the Regulation or this Bylaw; or
 - (e) provides inadequate, false or misleading information or representations in any application, return or other form required by the Authority.
- 2.3 The Authority may withhold any registration until sufficient verification or information has been provided by the supplier in relation to any matter reasonably requested by the Authority to be verified or supplied.
- 2.4 An application for registration by a supplier must be in a form acceptable to, or provided by, the Authority and must contain the information required by the Authority.
- 2.5 If the Authority registers an applicant it shall assign a registration number and shall notify the supplier in writing of the number and the effective date of registration.
- 2.6 A supplier who supplies new tires or used tires imported into Alberta from outside of Canada prior to the supplier's registration with the Authority is required to:
- (a) complete any and all reports that may be required by the Authority with respect to such supply of tires prior to the supplier's registration;
 - (b) remit to the Authority any outstanding advance disposal surcharges that arise from such supply of tires prior to registration, regardless of whether the supplier has collected the advance disposal surcharges in respect of such supply; and
 - (c) pay to the Authority any interest that has accrued on any outstanding advance disposal surcharges as calculated in accordance with this Bylaw.

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3. SECURITY INTEREST

3.1 The Authority may require an applicant or a supplier:

- (a) to provide a security interest to the Authority, or
- (b) to provide to the Authority evidence of a security interest in a form and amount that is acceptable to the Authority for the purpose of ensuring that the applicant or supplier exercises the powers and carries out the duties as supplier in accordance with the Act, the Designated Material Regulation, the Regulation and this Bylaw.

4. ADVANCE DISPOSAL SURCHARGE

4.1 Unless a tire is excepted in section 4.2, below, the advance disposal surcharge to be remitted by a supplier is:

CATEGORY OF TIRE	ADVANCE DISPOSAL SURCHARGE
Medium Truck Tires This category includes, but is not limited to: Tires with rim sizes greater than 19.5" for use on larger vehicles licensed for highway use, including but not limited to semi-trailer transport trucks, commercial trucks, buses, wide-base or heavy trucks, trailers, larger RV and Trailer tires.	\$9
Off-the-Road (OTR) Tires Tires used on non-agricultural industrial vehicles or industrial non-agricultural equipment not licensed for highway use, including but not limited to excavation, hauling, loading, logging and materials handling, construction, mining, earthmoving, graders, forestry skidders	
(a) small OTR Tires , with rim sizes to and including 24"	\$40
(b) medium OTR Tires , with rim sizes greater than 24" to and including 33"	\$100
(c) large OTR Tires , with rim sizes greater than 33" to and including 39"	\$200

Approved May 17, 2004, Amended March 16, 2011, Amended August 1, 2011, Amended December 1, 2011, Amended July 8, 2014.

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All Other Tires This category includes, but is not limited to, all passenger and light truck tires regardless of rim size, small RV and trailer tires, (including boat, utility, cargo, livestock, flatbed trailers), motorcycle, all terrain vehicle tires, forklift, small utility, and skid steer tires, but does not include any tire that is specifically excluded in section 3.2, below.	\$4
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- 4.2 Notwithstanding any provision of section 4.1, above, no advance disposal surcharge shall be charged on or is payable on the supply of any of the following:
- (a) hand-powered equipment, including wheelbarrows, wagons, dollies, wheelchairs, bicycles, lawn and garden equipment tires;
 - (b) solid rubber tires;
 - (c) aviation tires;
 - (d) Segway tires;
 - (e) mini-bike and mo-ped tires;
 - (f) motorized mobility aid tires;
 - (g) used, recapped or re-treaded tires which were not imported from outside of Canada into the Province of Alberta;
 - (h) farm tires used on agricultural implements or agricultural equipment which is not licensed for highway use;
 - (i) OTR tires with rim sizes greater than 39 inches (99 cm); and
 - (j) tires with rim sizes less than 8 inches (20 cm).
- 4.3 Subject to section 5, below, the advance disposal surcharge applies to any supply of new tires, and to any supply of used tires imported into Alberta from outside of Canada, whether the tires are supplied separately or on a motor vehicle, tractor, trailer, implement of husbandry, off-highway vehicles, equipment, or machinery, regardless of where the sale, gift or other transfer occurs.
- 4.4 A supplier shall levy and collect as a surcharge from the person to whom the tires are supplied the advance disposal surcharge in the amount prescribed for that class or type of tire as set out in this Bylaw.

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- 4.5 A supplier in section 4.4 of this Bylaw shall remit to the Authority with the returns required by the Authority all advance disposal surcharges the supplier has collected or for which the supplier is required to have collected under section 4.4 of this Bylaw.
- 4.6 A supplier or end user who purchases new tires from someone who is not registered with the Authority is required to remit the advance disposal surcharge in the amount prescribed for that class or type of tire as set out in this Bylaw.
- 4.7 An end user who imports new tires into Alberta or used tires from outside of Canada into Alberta for the end user's own use shall pay to the Authority as a surcharge an advance disposal surcharge in the amount prescribed for the tire or tires as set out in this Bylaw.
- 4.8 A supplier may be registered by the Authority as a "Payment on Purchase" or "POP registrant" where that supplier meets the criteria for such registration as established by the Authority from time to time.
- 4.9 Where a supplier is a POP registrant, that supplier shall remit all advance disposal surcharges to a registered supplier. Where a POP registrant purchases tires from a supplier which is not a registered supplier, the POP registrant shall remit all applicable advance disposal surcharges to the Authority.
- 4.10 Without limiting the generality of section 4.4, a supplier who supplies to a POP registrant described in section 4.8 of this Bylaw is liable to remit to the Authority all advance disposal surcharges applicable to supplies of tires made to the POP registrant.
- 4.11 A supplier is not required to remit the advance disposal surcharge to the Authority where that supplier supplies to another supplier who is registered with the Authority under this Bylaw and who provides evidence of his registration number and certifies in writing that the tire is not to be used by him, but is for supply to a third person.
- 4.12 A supplier or end user in sections 4.5 or 4.7 of this Bylaw is required to remit the advance disposal surcharge to the Authority unless the supplier or end user has paid the advance disposal surcharge to a supplier registered with the Authority.
- 4.13 A courier, transporter, carrier or mail service who carries or supplies new tires in or into Alberta and used tires from outside of Canada in or into Alberta shall be liable to remit the advance disposal surcharge in respect of those tires where the supplier on whose behalf or under whose direction the tires are supplied or carried, is not registered with the Authority or the advance disposal surcharge is not paid by that supplier to the Authority.

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4.14 It is the intent of this Bylaw that the advance disposal surcharge in respect of a class or category of tire be paid to the Authority only once.

5. EXEMPTIONS

5.1 Suppliers who supply less than the number of tires prescribed by the Authority from time to time in or into the Province of Alberta may be exempt from the requirement to pay the surcharge to the Authority, upon application by the supplier and acceptance in writing by the Authority, and other terms acceptable to the Authority.

5.2 No advance disposal surcharge is payable in the following supply transactions:

- (a) where the supply is effected solely to create a security interest;
- (b) where the tire is supplied directly to a point outside of Alberta;
- (c) where the tire is supplied within the boundaries of Lloydminster;
- (d) where the tire or class of tire is identified as exempt in section 4.2 of this Bylaw; or
- (e) in any other transaction where the Authority determines, and which otherwise give effect to the Designated Material Regulation, the Regulation and this Bylaw.

6. RETURN AND PAYMENT OF SURCHARGE

6.1 Each supplier required to pay to the Authority the advance disposal surcharge under this Bylaw shall

- (a) complete and file with the Authority at its head office a return in respect of a reporting period not later than 30 days after the end of a reporting period, and
- (b) remit to the Authority at its head office with the return all advance disposal surcharges owing in respect of all supplies by the supplier during the reporting period.

6.2 A return shall be in a form acceptable to the Authority.

6.3 Unless the Authority directs otherwise, the reporting period for the purposes of this section is a calendar month.

APPENDIX 1

- 6.4 Notwithstanding section 6.3 above, a reporting period for a POP registrant shall be annually, unless the Authority otherwise directs.
- 6.5 The Authority may in writing at any time extend the time for filing a return.
- 6.6 At its sole discretion, the Authority may apply any amount remitted by a supplier first to the supplier's outstanding debts to the Authority (including, without limitation, unpaid advance disposal surcharges and interest) with the amount remitted being applied to the oldest debts first, and second to the amounts owing by the supplier for the current reporting period.

7. RECORDS

- 7.1 A supplier shall
 - (a) keep records of the supplier's transactions in tires and of the amount of the applicable advance disposal surcharge, and
 - (b) make such records available:
 - (i) for inspection by the Authority and representatives of the Ministry of Environment and Sustainable Resource Development, and
 - (ii) for audit at the times and by a person designated by the Authority, and
 - (iii) provide to the Authority on request information in respect of the supplier's transactions in tires.

8. ASSESSMENTS

- 8.1 Where
 - (a) a supplier fails to file a return in accordance with section 6.1, or
 - (b) the Authority reasonably believes a return that has been filed is incorrect or misleading, or
 - (c) the Authority reasonably believes any person or organization required to remit the advance disposal surcharge under this Bylaw has failed to do so in whole or in part,

the Authority may assess the amount of advance disposal surcharges to be remitted by the supplier in respect of a reporting period or reporting periods.

APPENDIX 1

8.2 Where a supplier fails to collect or remit an advance disposal surcharge with respect to a reporting period, the Authority may assess the advance disposal surcharge in an amount equal to the amount of the advance disposal surcharge that the supplier failed to collect or remit.

8.3 Where the Authority makes an assessment under section 8.1 or 8.2, the supplier shall remit

(a) the amount of the assessment, or

(b) where a return has been filed and a remittance made, the amount, if any, by which the amount of the assessment exceeds the amount remitted,

and the remittance is due and payable from the time the supplier receives notice of the assessment.

9. INTEREST

9.1 Interest is payable by a supplier on advance disposal surcharges that the supplier fails to remit as required by this Bylaw, and is payable at the rate per annum established by the Authority from time to time, from the date the unpaid amount is due until it is paid.

10. CHARGES IN TRUST

10.1 A supplier holds all advance disposal surcharges in trust for the Authority.

11. RECOVERY OF CHARGE

11.1 An advance disposal surcharge and any interest owing in respect of it are recoverable by the Authority in an action in debt.

12. TRANSITIONAL

12.1 A certificate of registration that was issued by the Tire Recycling Management Authority of Alberta under the Tire Recycling and Management Regulation and that is valid and subsisting as at the date of this Bylaw is deemed to be a certificate of registration for the purposes of this Bylaw, in accordance with the requirements of the Authority.