



# Business FAQs

## What types of businesses are covered by the Checkout Bag Regulation Bylaw?

All businesses operating within the District of Oak Bay.

## What are the requirements for reusable bags?

The Bylaw defines a reusable bag as a “bag that is designed and manufactured to be capable of at least 100 uses and is intended to be used by a customer for the purpose of transporting items purchased by the customer from a Business”.

## What are some examples of reusable checkout bags?

There are many types of reusable checkout bags that are designed to be capable of at least 100 uses. Examples of durable and reusable bags materials include:

- Synthetic fabrics like nylon, polyester and polypropylene (non-woven and woven polypropylene)
- Cotton or recycled cotton
- Other natural fabrics (e.g. hemp, jute)

## What are some other factors to consider when choosing a reusable bag?

The ideal reusable bag is made from sustainable materials, is durable and is easily recycled or repurposed.

## Are there requirements for paper bags?

Yes. According to the Bylaw’s definition, a paper bag must be made out of paper and contain at least 40% of post-consumer recycled paper content.

Paper bags must also display the words “Recyclable” and “made from 40% post-consumer recycled content” (or other applicable amount) on the outside of the bag. These requirements do not apply to paper bags smaller than 15 centimetres by 20 centimetres when flat.

## What are the minimum fees that businesses must charge for recycled or reusable bags?

The Bylaw requires businesses to charge a minimum fee for recycled or reusable bags provided at the point of purchase. Fees are intended to offset costs to businesses and reduce the demand for plastic bags. For one (1) year after the Bylaw takes effect (starting approximately November or December 2022), the minimum fees will be \$0.15 for each recycled paper bag, and \$1.00 for each reusable bag. After the one (1) year introductory period, minimum fees will increase to be consistent with the fees in Victoria, Saanich, and Esquimalt, which are: \$0.25 for each recycled paper bag, and \$2.00 for each reusable bag.

## Are fees on paper and reusable shopping bags subject to GST and PST?

Yes.

## Can businesses charge more than the minimum fees on paper and reusable shopping bags?

Yes. Businesses can choose to charge more than the minimum fees as part of their own business practices

## Are businesses required to charge for fee for all paper bags?

No, paper bags less than 15 x 20 cm do not require a charge.

## Are biodegradable bags allowed?

No. Biodegradable bags contaminate existing recycling streams and don’t adequately decompose in a landfill.

## Can a business give paper or reusable bags as gifts?

In accordance with the Bylaw, bags cannot be given away for free. Businesses should also ensure that the costs of the bags are included on the bill.

## Questions?

Email [administration@oakbay.ca](mailto:administration@oakbay.ca)  
or Call 250-598-3311



### **Can businesses have a bag drop program and offer used bags to customers? Can incentives be offered to encourage customers to return bags for reuse? Would fees apply?**

Businesses can give a used bag to a customer as long as the bag meets the requirements of the bylaw for paper or reusable bags. Used plastic bags cannot be provided. Fees do not have to be charged for used bags. This means that businesses can develop programs to take back surplus bags and offer these used bags to customers for no charge. Businesses can offer prizes for people who donate used bags or provide a credit to customers when they return a bag. Creative solutions like these that support the reuse of bags are encouraged.

### **Are there alternative strategies to using paper bags for protecting multiple breakable items (such as wine bottles) packed together in a reusable bag? Would the charge for paper bags have to be applied in this scenario?**

In accordance with the Bylaw, the fee for paper bags must be charged, even if the paper bags are used to protect breakable items in a reusable bag. Businesses are encouraged to explore options for reusable bags or inserts that are designed to package breakable items, and to share their findings with other members of the business community.

### **What happens if a customer asks for a bag after the sales transaction is completed? Does a fee still need to be charged for the bag?**

The fee must still be charged to meet the terms of the Bylaw.

### **Can businesses use up their existing checkout bag stock past the bylaw implementation date? Do businesses have to charge a fee for checkout bags when using up existing stock?**

No. After the Bylaw takes effect businesses are prohibited from giving out plastic bags. Note that the Bylaw will not take effect for a period of six months following the date of adoption.

### **Will businesses be permitted to sell plastic bags sold in packages?**

Yes. The Bylaw does not restrict the sale of bags intended for use at the customer's home or business (garbage bin liners, sandwich bags, compost liners, etc.).

### **Are there permitted uses under the bylaw for paper and plastic bags?**

Plastic bags, or any type of paper bag, are permitted under the Bylaw if specifically used for one of the following purposes. Fees do not have to be charged for bags used for these purposes:

- Packaging loose bulk items (e.g. fruit, vegetables, nuts, grain or candy)
- Packaging loose small hardware items (e.g. nails and bolts)
- Containing or wrapping frozen foods, meat, poultry or fish – whether pre-packaged or not
- Wrapping flowers or potted plants
- Protecting prepared foods or bakery goods that are not pre-packaged
- Containing prescription drugs received from a pharmacy
- Transporting live fish
- Protecting linens, bedding or other similar large items that cannot fit easily in a reusable bag
- Protecting newspapers or other printed material intended to be left at the customer's residence or place of business
- Protecting clothes after professional laundering or dry cleaning

### **What type of bag can businesses use for large items that cannot easily fit in a standard reusable bag?**

Single-use plastic bags are permitted under the Bylaw for this purpose.

### **How did the District determine the fees for bags?**

The proposed fees outlined in the Bylaw are aligned with neighbouring jurisdictions. Standardization across Capital Region communities are intended to ease understanding for consumers and operations for businesses.

### **Who gets to keep the funds collected?**

The fee will be charged and collected by individual businesses. These fees will help businesses recover the cost of bags, while also decreasing demand for single-use checkout bags.

### **How will the bylaw be enforced?**

A schedule of fines for specific contraventions is included in the Bylaw and are consistent with neighbouring municipalities in the Capital Region. The District would always intend to provide education, guidance, and warnings before any financial penalty, wherever possible.

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