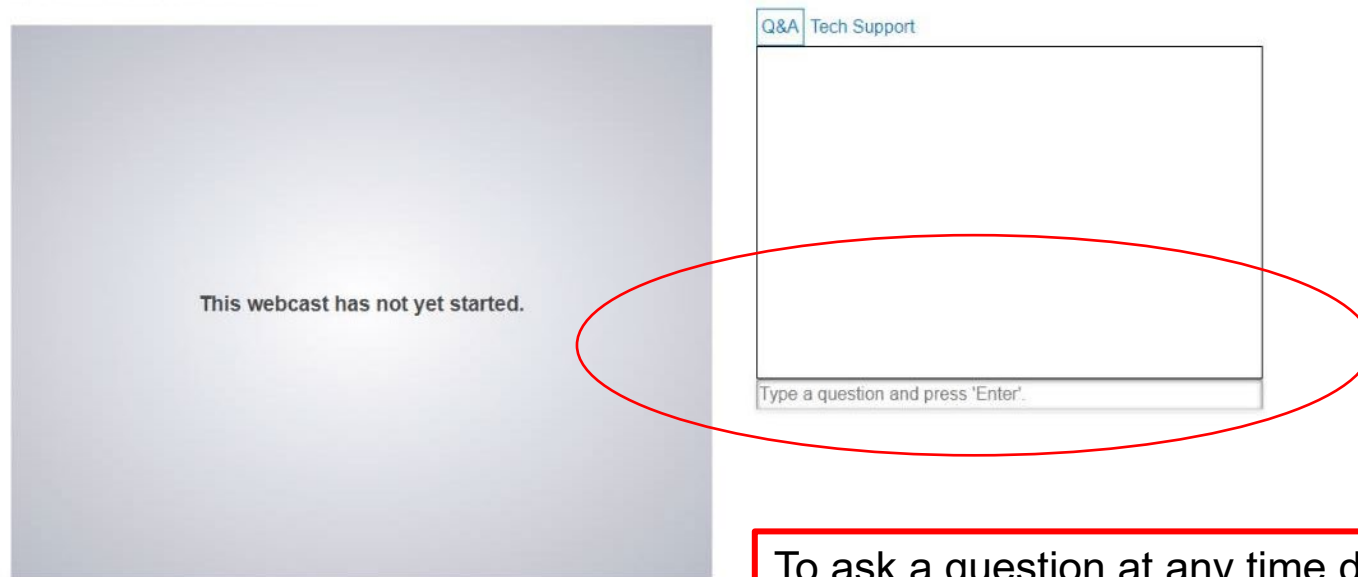


ITT/AV Producer Registration and Supply Reporting

Presented by Pat Moran
November 17, 2020



How to ask a question



To ask a question at any time during the presentation or for technical assistance, type your question in the text box and press 'Enter.'

How to participate in a poll

Q&A Tech Support

Type a question and press 'Enter'.

Active Polls

How would you rate today's webinar?

- Excellent*
- Good*
- Average*
- Fair*
- Poor*

Please select an option.



1. Select an option

Q&A Tech Support

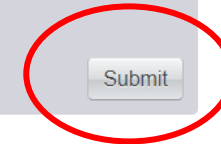
Type a question and press 'Enter'.

Active Polls

How would you rate today's webinar?

- Excellent*
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- Fair*
- Poor*

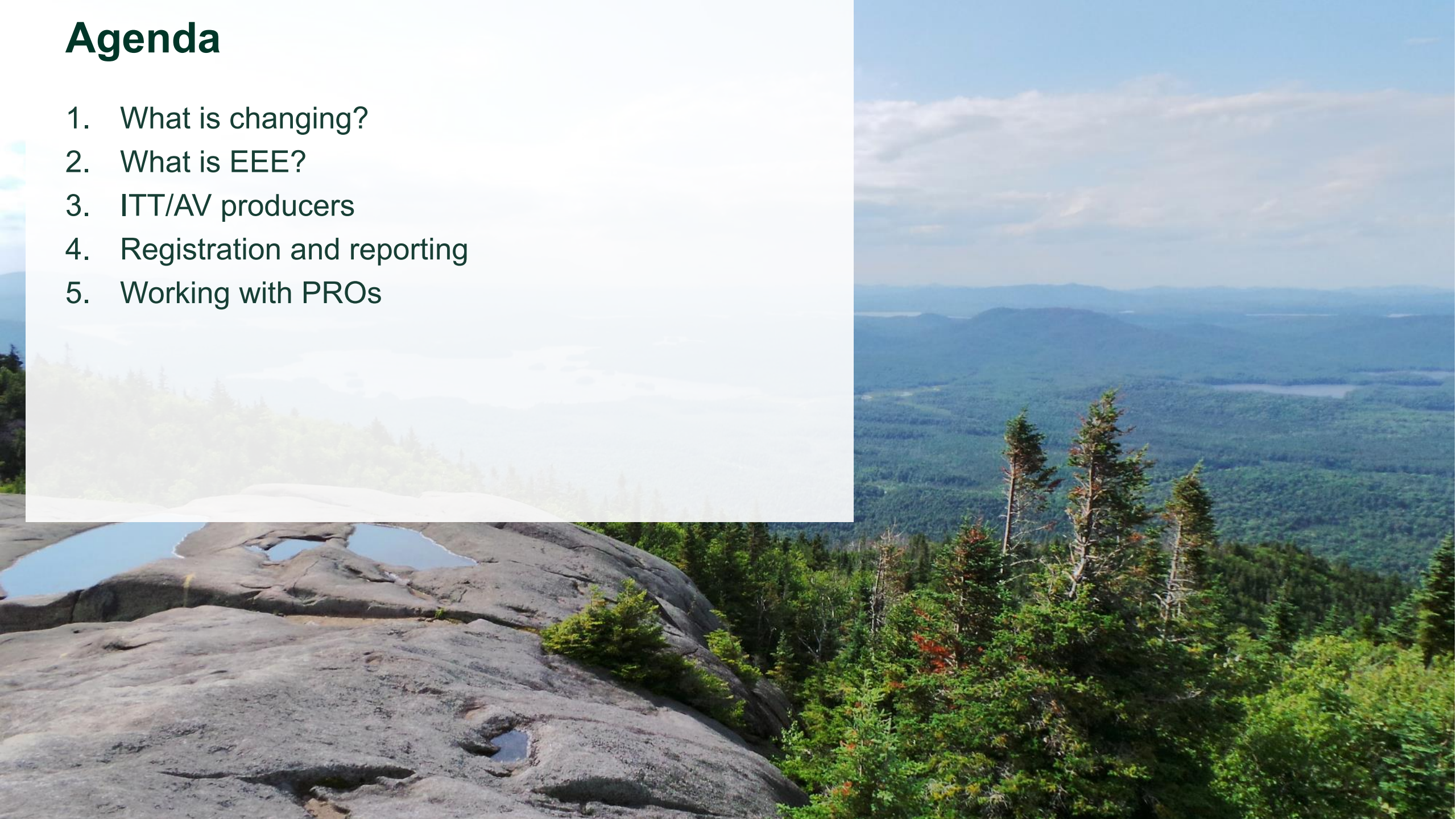
Submit



2. Submit your selection

Agenda

1. What is changing?
2. What is EEE?
3. ITT/AV producers
4. Registration and reporting
5. Working with PROs





What is changing?

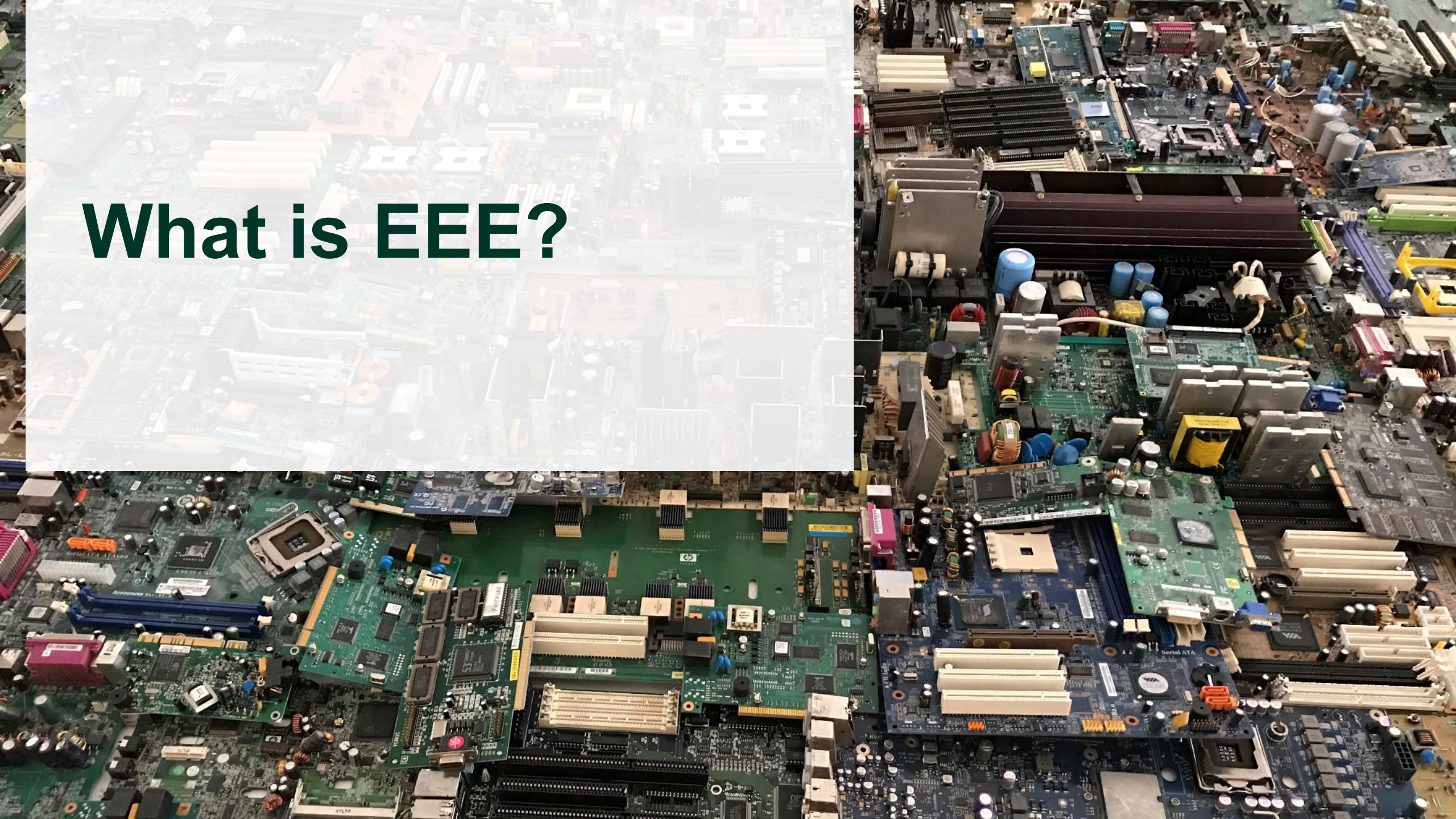
What is changing?

- On December 31, 2020, the Waste Electrical and Electronic Equipment (WEEE) Program operated by Ontario Electronic Stewardship will end
- Starting January 1, 2021, producers of Electrical and Electronic Equipment (EEE) (formerly called “stewards”) will be individually accountable and financially responsible for collecting and reusing, refurbishing or recycling their products when consumers discard them
- New system is based on extended producer responsibility (EPR) framework, where each individual producer’s obligation is calculated based on the weight of ITT/AV the producer supplies into Ontario
- RPRA (the Authority) is the regulator responsible for enforcing the EPR requirements under the EEE Regulation, as well as the Tires Regulation and Batteries Regulation

The role of RPRA

- RPRA is the regulatory body created by the government to enforce Ontario's EPR framework by:
 - ensuring that all obligated parties register and report
 - ensuring that EEE continues to be collected throughout the province
 - ensuring that management requirements for EEE are met
 - creating and maintaining an electronic registry
 - working with businesses to help them understand the regulatory requirements
 - overseeing and enforcing compliance
 - maintaining a level playing field
- RPRA is **not** replacing Ontario Electronic Stewardship and will not:
 - contract with producers and service providers
 - collect money from producers to pay service providers
 - collect or manage ITT/AV or lighting
- Ontario Electronic Stewardship is being wound up and replaced with a marketplace of service providers that will compete to meet producer obligations

What is EEE?



What is EEE?

- **Electrical and Electronic Equipment (EEE) is equipment that is:**
 - designed for use with an electric current
 - has a voltage of less than 1,000 volts for alternating current and less than 1,500 volts for direct current
 - weighs no more than 250 kg
 - not intended to be used permanently as part of a building or structure
- Includes all components, parts or peripherals, including batteries, that are provided with the product at the time of supply to the consumer
- Does not include printed paper or packaging supplied with the product

Categories of EEE

- There are two categories of obligated EEE:
 1. Information Technology, Telecommunications and Audio Visual (ITT/AV)
 2. Lighting
- References to EEE mean both ITT/AV and lighting
- **Lighting will not be covered in this presentation**
 - Registration for lighting producers and service providers is on or before November 30, 2022
 - First performance period for lighting is January 1, 2023 – December 31, 2023
 - Further information will be provided prior to the initial registration and performance period

ITT/AV

- ITT/ AV has a primary purpose of collecting, storing, processing, presenting or communicating information, including sounds and images, recording or reproducing sounds and images (no more than 250kg)
- The following slides contain types of products that are included and excluded from the Regulation
 - **They do not represent a complete list of products that are obligated**
- Further information about whether a product is obligated can be found in our upcoming compliance bulletin “What is ITT/AV?”
 - Questions about specific products should be directed to the Compliance Team at 833-600-0530 or registry@rpra.ca

What is included? (Schedule 1)

- Computers
- Printers (desktop and floor-standing), including printer cartridges
- Video gaming devices
- Telephones, including cellular phones
- Display devices
- Radios and stereos, including after-market vehicle stereos
- Headphones
- Speakers
- Cameras, including security cameras
- Video recorders
- Drones with audio or visual recording equipment
- Peripherals and cables used to support the function of information technology, telecommunications and audio visual equipment, including charging equipment
- Parts of information technology, telecommunications and audio visual equipment sold separately, such as hard drives
- Handheld point-of-sale terminals or devices
- Musical instruments and audio recording equipment

What is excluded? (s. 3 subsection 2)

- Cash registers, self-checkout machines and automated teller machines (ATMs)
- Streetlights and signal or lighting systems designed to control or manage the movement of vehicles or pedestrians
- Textiles, clothing, furniture or any other upholstered and stuffed articles containing EEE
- Motor vehicles
- Any product that is, or that is designed for use with, any marine, military, aeronautic or space equipment
- Any EEE that falls under the definition of “device” in section 2 of the Food and Drugs Act (Canada)
- Power tools
- Children’s toys

Note: Large appliances and other EEE (e.g. small appliances, personal care, cleaning, recreation and fitness equipment, etc.) are not obligated in the final EEE Regulation, despite being included in earlier drafts.

Obligated products not previously accepted in the OES program

- The following products are newly obligated under the new EEE Regulation:
 - Modems and routers
 - Set-top boxes and cable/satellite digital receivers
 - Satellite equipment, such as radios, phones, radio receivers and dishes
 - IT and telecom equipment, including servers, bridges and switches
 - Printer cartridges, excluding the toner or ink
 - Musical instruments and audio recording equipment
 - Industrial/commercial equipment, such as amplifiers, speakers, microphones and video cameras, broadcasting equipment and professional radios
 - E-readers/e-books
 - Electronic calculators and dictionaries
 - Video game consoles and controllers, including handheld video game consoles
 - Aftermarket vehicle ITT/AV including GPS, satellite radio, security systems, collision avoidance and dash cameras
 - Replacement parts and components for ITT/AV products, including when supplied under warranty

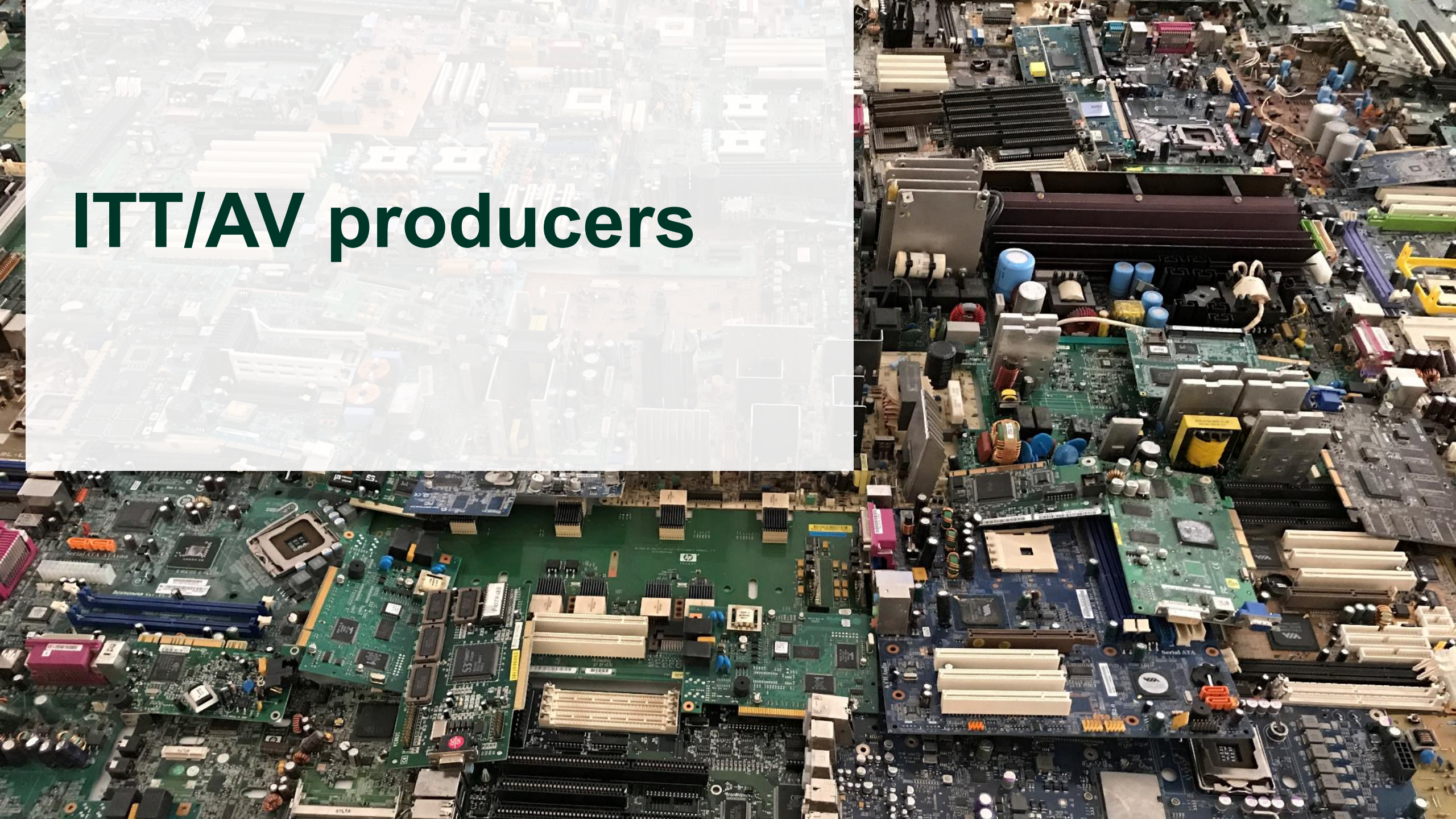
Question to consider: Is this product obligated as ITT/AV?

- To help you determine if an ITT/AV product you supply is obligated under the EEE Regulation, consider the following question:
 1. Is the primary purpose of the product for collecting, storing, processing, presenting or communicating information, including sounds and images, recording or reproducing sounds and images?
- If the answer is yes, and the product weighs no more than 250 kg and is not otherwise exempted, it is ITT/AV.
- Additional questions to consider:
 1. Is the product listed as an example in Schedule 1 of the EEE Regulation?
 2. Is the product similar in purpose to the examples listed in Schedule 1?
 3. Is the product listed as obligated in RPRA's [upcoming] "What is ITT/AV?" compliance bulletin?
- If you answered "yes" to the additional questions above, the product is obligated as ITT/AV.
- If you are unsure a product you supply meets one of the exemptions under the regulation, or whether the product is obligated as ITT/AV, contact the Compliance Team at registry@rpra.ca or 833-600-0530.

A person wearing yellow work gloves is holding a black smartphone vertically in the center of the frame. The background is a large pile of discarded mobile phones and their components, including keyboards, screens, and casings, scattered on a dark surface. The lighting is dramatic, highlighting the gloves and the phone being held.

Questions?

ITT/AV producers



Who is a producer?

A person is considered an ITT/AV producer if that person supplies ITT/AV into Ontario and is:

Brand holder
resident in
Canada (not just
Ontario)

If there are two brand holders, the producer is the person most directly connected to the production of the EEE

If no resident
brand holder, then
the importer
resident in Ontario

Resident in Ontario or Canada means having a permanent establishment as defined in the *Income Tax Regulations*

If no resident
importer, then the
person resident in
Ontario marketing
the EEE

If no resident
marketer, then the
non-resident
marketer

ITT/AV producer hierarchy is defined in Section 5 of the EEE Regulation.

Who is a brand holder?

- A **brand** is any mark, word, name, symbol, design, device or graphical element, or a combination thereof, including a registered or unregistered trade-mark, which identifies a product and distinguishes it from other products
- A **brand holder** is a person who owns or licenses a brand or otherwise has rights to market a product under the brand
 - If there are two or more brand holders, the producer most directly connected to the production of the EEE is the brand holder
 - If more than one item of EEE produced by different brand holders are marketed as a single package, the producer who is more directly connected to the primary product in the package is the brand holder

Question to consider: Is my company the obligated producer?

To help you determine if your company is the obligated producer under the EEE Regulation, consider the following questions:

1. Is my company the brand holder for the products we supply? If yes, does my company have residency in Canada?
 - If yes to both questions, you are the obligated producer for all products for which you are the brand holder and supplied into Ontario.
2. Does my company import any of the products we supply from outside Ontario? Is there a brand holder resident in Canada for those products that we import?
 - If the brand holder is resident in Canada, they are the obligated producer. Confirm with your supplier that they are aware of their products being supplied into Ontario.
 - If the brand holder is not resident in Canada, and you are resident in Ontario, you are the obligated producer for the products that you import and supply into Ontario.
3. Does my company market any products directly to consumers in Ontario?
 - If you market products directly to a consumer in Ontario and there is no resident brand holder or importer, you are the obligated producer for those products. This is true even if your company does not have residency in Ontario, if there is no marketer resident in Ontario.

Producer exemptions

- If, before any reductions to their supply data, the ITT/AV producer's management requirement is less than 3.5 tonnes they are exempt from the following:
 - registering and reporting to the Authority
 - establishing a collection and management system and meeting a management requirement
 - promotion and education requirements

Note: the management percentage requirement increases each year in 2023, 2024 and 2025, therefore while you may be exempt in 2021 and 2022, you might not be exempt in subsequent years

- Even if a producer is not required to register with the Authority, they must retain records related to the weight of ITT/AV supplied into Ontario and provide them to the Authority upon request
- Producers are encouraged to confirm their exemption with the Compliance Team at 833-600-0530 or registry@rpra.ca

ITT/AV producer exemptions based on annual supply

Performance period	Formula to calculate management requirement	Exempt if management requirement is less than (tonnes)	Exempt if average annual supply less than (kg)
2021	2018 supply x 55%	3.5	6,360
2022	(2018 supply and 2019 supply) ÷ 2 x 55%	3.5	6,360
2023	(2018 supply + 2019 supply + 2020 supply) ÷ 3 x 60%	3.5	5,830
2024	(2019 supply + 2020 supply + 2021 supply) ÷ 3 x 65%	3.5	5,380
2025	(2020 supply + 2021 supply + 2022 supply) ÷ 3 x 70%	3.5	5,000

What is a volunteer organization?

- A volunteer organization is a person who:
 - a) is an ITT/AV brand holder that is not resident in Canada;
 - b) has registered with the Authority; and
 - c) has entered into a written agreement with a producer in relation to one or more of the producer's responsibilities (e.g. register or report) – *this agreement does not need to be submitted to the RPRA; only an attestation stating the agreement exists and signed by both parties is required*
- A volunteer organization can take on the registration and reporting responsibilities (including performance reporting) for producers in relation to its brand of ITT/AV
- The obligated producer remains responsible for meeting the requirements set out in the Regulation (e.g. collection and management, P&E, record retention, etc.)
- We will work with producers and potential volunteer organizations that want to pursue this arrangement

What is a producer agreement?

- Once a producer registers, they can enter into a written agreement with one or more people for those people to carry out all their requirements, responsibilities, activities and obligations under the Regulation, including supply data reporting and payment of fees
- A producer is relieved from carrying out their requirements, responsibilities and activities provided the person they have an agreement with does everything a producer was required to do
- The obligated producer remains responsible for meeting their requirements under the Regulation. Therefore if the person with which they have an agreement fails to meet the producer's obligations, the obligated producer will be out of compliance.

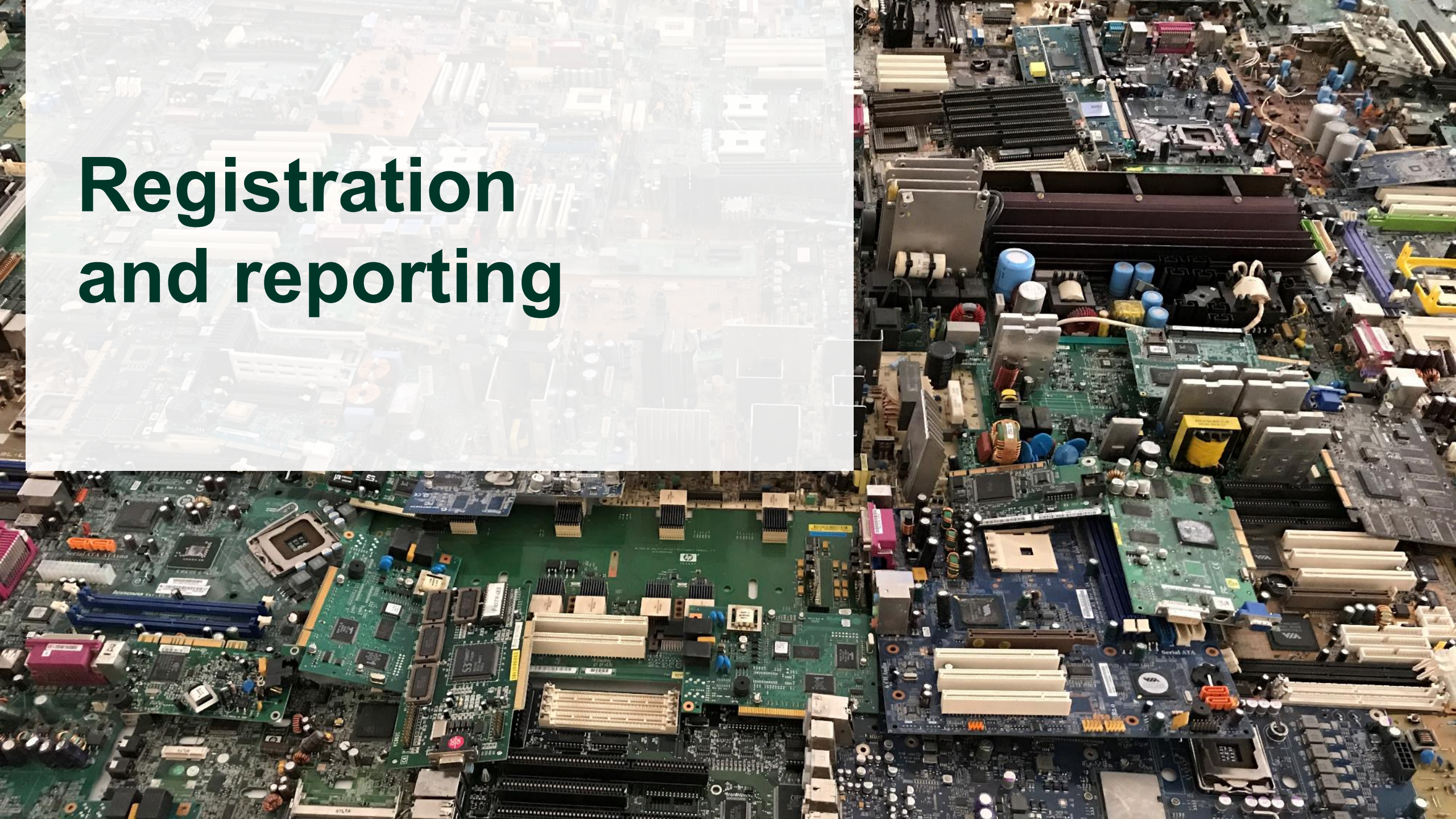
Visible fees under the EEE Regulation

- Under the EEE Regulation, it's a business decision whether a producer charges visible resource recovery fees, previously referred to as EHF's, eco-fees, recycling fees
- **Resource recovery fees are not mandatory**
- Producers who incur costs for collecting and recycling ITT/AV can choose to charge a visible fee on their products or to embed those costs into the price of the product
- The fee must represent the cost the producers incur to ensure resources are recovered from used ITT/AV
- Any fee charged for resource recovery is set by the producer for that product
 - There is no requirement that all producers charge the same fee for the same type of product
 - RPRA does not set or collect any fees for the collection or management of ITT/AV in Ontario
- **There is no requirement for retailers to charge resource recovery fees**
- If you are not the producer of a product and are not being passed down a visible fee, you should not charge a fee for collecting or recycling ITT/AV. Only obligated producers should be adding a visible fee to a product.
- If a business chooses to charge a visible fee, **the fee must not be called a tax**

A gloved hand holds a black smartphone vertically in the center of the frame. The background is a large pile of discarded mobile phones and their components, including keyboards, screens, and casings, scattered on a dark surface. The lighting is dramatic, highlighting the textures of the gloves and the metallic parts of the phones.

Questions?

Registration and reporting



How to register as an ITT/AV producer

- Register on or before January 31, 2021
 - Producers are required to begin meeting their collection and management requirements by January 1, 2021
- Because of the late delivery of the EEE Regulation, registration and initial supply reporting will take place using a spreadsheet-based form and will include:
 - Name and contact information
 - The weight of ITT/AV supplied into Ontario in 2018
 - Information regarding reduction in management requirement based on:
 - Post-consumer recycled content
 - Warranties
 - Repair options
- This information will be migrated into the electronic Registry when it has been developed
- To register, download and complete [the registration form](#) (also found on [our website](#)) and email it to registry@rpra.ca

What are Registry Fees?

- Producers will be required to pay a Registry fee as part of the registration process
- Registry fees are the charges obligated producers are required to pay to the Authority in order to support the Authority's operations
- Registry fees cover the Authority's costs related to building and operating the electronic Registry, and compliance and enforcement activities

2020 Registry Fees for EEE Producers

- No fee if EEE supplied is 6500 kg or less
 - \$0.034 (3.4¢) per kg if EEE supplied in 2018 is more than 6500 kg
-
- When producers submit their registration spreadsheets, Authority staff will review them and issue invoices based on reported supply
 - Invoices are payable in 30 days of issuance

What is “supplied” into Ontario?

- ITT/AV is considered supplied into Ontario when it is marketed into Ontario, meaning that it has been sold, distributed, leased or rented to someone in Ontario
 - ITT/AV that is imported into Ontario is not necessarily supplied into Ontario and should only be reported to the Authority when it has been marketed to someone in Ontario
 - ITT/AV supplied into all sectors of the Ontario economy is obligated (e.g. residential, business, hospital, institutional, commercial, industrial)
 - ITT/AV supplied under a warranty claim must be reported as supplied into Ontario
 - ITT/AV leased to someone in Ontario is considered supplied into Ontario, even when the product is taken back by the producer at end-of-life

What is supply data used for?

- Producer's supply data is used to calculate their individual obligations under the EEE Regulation. The table below shows the formulas used to calculate a producer's management requirement for each performance period.
- A producer's management requirement determines the following:
 - if they are exempt from obligations under the Regulation
 - the minimum weight of ITT/AV they must ensure is managed or recovered (e.g. collected and recycled) in Ontario
 - whether they must meet small or large collection system requirements

Performance Period	Management Requirement	Calculation
2021	Best efforts – 55%	2018×0.55
2022	Best efforts – 55%	$[(2018 + 2019) / 2 \times 0.55]$
2023	60%	$[(2018 + 2019 + 2020) / 3 \times 0.6]$
2024	65%	$[(2019 + 2020 + 2021) / 3 \times 0.65]$
2025	70%	$[(2020 + 2021 + 2022) / 3 \times 0.7]$
And so on		

How to determine ITT/AV product units

- Producers are required to report the total weight of the ITT/AV they marketed in Ontario
- This is done by multiplying the number of units of each product by the unit weight of the product and adding up the total weight of all the products marketed in Ontario
- Producers can determine how many ITT/AV units of a product they marketed in Ontario by using one of the following methods:
 1. Actual units of the product, or
 2. Calculated units, using the formula below, as set out in RPRA's [EEE Verification and Audit Registry Procedure](#)

(P1/P2) x Canada National Sales

“**P1**” is the population of Ontario, as reported by Statistics Canada in the most recent official census

“**P2**” is the total population of provinces and territories in Canada in which the producer sells ITT/AV in, as reported by Statistics Canada in the most recent official census

“**Canada national sales**” is the total units of the product that a producer marketed in Canada in the calendar year

How to determine ITT/AV product weights

- Producers can determine the weight of the ITT/AV units they supplied into Ontario by using one of the following methods:
 1. Actual weight;
 2. Calculated weight using the weight conversion calculator as set out in RPRA's [EEE Verification and Audit Registry Procedure](#)
 - For some products, where weight conversion factors are not provided, producers should use actual weight
 3. Subtracting a packaging factor from the total weight of a product and its packaging
 - If you are planning to use this method, please contact the Compliance Team to discuss
- Producers may also bring forward their own methodology for the Registrar to review

Reduction in management requirements

- Producers can reduce their supply weight (and in turn their management requirement) through the following means:
 1. Incorporating **post-consumer recycled glass or plastic** into their products
 2. Offering a **manufacturer's warranty**
 3. Making available, information and tools and parts to **repair** the ITT/AV
- Producers can reduce their management requirement up to a cumulative maximum of 50% and it must be verified in accordance with RPRA's [EEE Verification and Audit Registry Procedure](#)
 - Verification of reductions in management requirements for ITT/AV products reported in 2020 and 2021 is not required. This does not reduce the obligation of a producer to report accurate data or limit the ability of a Compliance Officer to review the data and related records for the purpose of ensuring compliance.

Note: Reductions in management requirements are separate from actions taken by a producer to meet their management requirements. If a producer intends to use the weight of refurbished products to meet their management requirement, they must include the weight in their annual Performance Report (starting April 2022).

Post-consumer recycled content

- Post-consumer recycled content is material that was recovered from products or packaging that were used by consumers
- Only post-consumer glass or plastic contained in ITT/AV, and post-consumer recycled content in batteries supplied in or with ITT/AV, can count towards a producer's management requirement
- Producers that use post-consumer recycled content in their products can reduce their supply weight by the weight of that recycled content, in each year it was used in the ITT/AV and batteries (i.e. weight of PCR content = reduction of supply weight)
 - For example, if a TV contains 0.02 kg of post-consumer recycled glass or plastic, and a company supplies 1000 of those TVs, the producer can reduce their supply data by 20 kg (0.02 kg x 1000 TVs), therefore reducing their management requirement

Manufacturer's warranty

- The warranty must cover the ongoing functionality of the equipment for at least one year beyond the first year after purchase date
- The warranty must be provided to a consumer at no additional charge
- Producers can reduce the supply weight of ITT/AV covered by such a warranty by 5% for each full calendar year the warranty is provided beyond the first year after purchase
- For the initial supply report, producers will report what they supplied in 2018
 - If that supply came with a warranty for one year beyond the first year after the date of purchase, the weight of that supply to be reported can be reduced by 5%
 - If that supply came with a warranty for two years beyond the first year, the weight of that supply to be reported can be reduced by 10%
 - If that supply came with a warranty for 90 days beyond the first year, there is no reduction available

Repair

- Information regarding repair must be available to the consumer at no charge
- Tools and parts must be available at no charge or on a cost recovery basis
- Information, tools and parts must remain available to the consumer at the time the producer is reporting that supply data
 - For example, repair information, tools and parts for products supplied in 2018 must still be available at the time the 2018 supply data is reported by the producer (i.e. in 2020)
- For ITT/AV products where repair is supported, a producer may reduce the supply weight of those products by 10%

A person wearing yellow work gloves is holding a black smartphone vertically in the center of the frame. The background is a large pile of discarded mobile phones and their components, including keyboards, screens, and casings, scattered on a dark surface. The lighting is dramatic, highlighting the gloves and the phone being held.

Questions?

Working with PROs



Working with PROs or other service providers

- As a producer, you may have mandatory collection and management requirements
- You can choose to:
 - meet these management requirements yourself;
 - hire a PRO to do it for you, or
 - contract directly with haulers, refurbishers and processors.
- Producers will likely contract the services of PROs or other service providers to meet their obligations under the regulation
- Regardless of whether you retain service providers to meet your management requirements, you are always legally responsible for meeting those requirements
- Make sure you build in audit and verification requirements into your contract with your service providers

Note: Producers must ensure that they have collection and management systems in place to begin meeting their obligations under the EEE Regulation by January 1, 2021. Producers, or their PRO on their behalf, must report the collection sites that make up their collection system and the EEE haulers, EEE processors, EEE refurbishers, battery haulers, battery processors and battery refurbishers that make up their management system.

Question to consider: Does my company need a PRO?

To help you determine if your company should work with a PRO in meeting your obligations under the EEE Regulation, consider the following questions:

1. What are my requirements under the Regulation?
 - How much ITT/AV does my company need to collect and manage in Ontario? (i.e. what is my management requirement?)
 - What collection system requirement does my company need to meet? Small or large?
2. Can my company meet its obligations without the services of a PRO?
 - What action does/will my company take to collect and recycle ITT/AV in Ontario?
 - What commercial arrangements does/will my company have with service providers (refurbishers, hauler and processors)?
 - What actions does/will my company take with regards to the promotion and education requirements set out in the EEE Regulation?
 - What systems does/will my company have in place to track actions taken to meet our management requirement in order to report and satisfy verification/audit requirements?
3. Does my company need a contract with a PRO?
 - Which obligations are my company unable to meet without the services of a PRO?
 - Which PRO can help me meet those obligations under the Regulation?

How do I find a PRO?

- If you plan to use a PRO or other service provider to meet your producer responsibilities, you should make those commercial arrangements as soon as possible
- There are currently 9 registered PROs
- The list of registered PROs will continue to be updated on [our website](#)

Name	Phone Number	Email	Website
COM2 Recycling Solutions	905-670-3040	nazim@com2recycling.com	https://www.com2recycling.com/
DNA Group	760-212-8303	sneu@dnagroup.us	http://www.dnagroup.us/
eCycle Solutions	905-671-2900	toldfield@ecyclesolutions.com	https://www.ecyclesolutions.com/en/
Electronic Products Recycling Association	888-567-4535	rep@epra.ca	https://epra.ca/
ERS International	416-285-0588	aprincede@ers-international.com	https://ers-international.com/
Greener Acres Canada Inc.	416-540-2179	meni@greeneracrescanada.com	https://www.greeneracrescanada.ca/
Mobius PRO Services	833-266-2487	ccoutts@mobiustpro.ca	https://www.mobiustpro.ca/
Reverse Logistics Group Americas, Inc.	888-298-3061	ontario@rlgamericas.com	https://www.rlgamericas.com/
Ryse Solutions Inc.	905-330-9206	info@ryseinc.ca	https://ryseinc.ca/

A person wearing yellow work gloves is holding a black smartphone vertically in the center of the frame. The background is a large pile of discarded mobile phones and their components, including keyboards, screens, and casings, scattered on a dark surface. The lighting is dramatic, highlighting the gloves and the phone being held.

Questions?

A close-up photograph of a person's hands typing on a silver laptop keyboard. The laptop screen is dark and displays a semi-transparent grey banner with white text. The background is blurred, showing a window with light coming through and some greenery. The overall scene is brightly lit, suggesting an indoor office or home workspace.

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our webinars**

Recap: Understanding your requirements

- Consider the following questions to better understand your registration and reporting requirements as an ITT/AV producer under the EEE Regulation:
 1. Do I supply ITT/AV equipment into Ontario?
 2. Are any of the ITT/AV products that I supply into Ontario obligated?
 3. Do I meet the definition of a producer?
 4. Am I exempt from registering and reporting with the Authority (among other requirements)?
 5. What are my collection and management requirements?
 6. Do I need to work with a PRO(s) to help meet my requirements?
- Our Compliance Team can further assist in determining your obligations under the EEE Regulation and what data you need to report

Have more questions?

- Send questions to our Compliance Team at registry@rpra.ca or call us at:
 - (647) 496-0530 or
 - toll free at (833) 600-0530
- Visit our website for more information <https://rpra.ca/programs/electronics/>
- Stay tuned for future learning events

