

Ontario Regulation (522/20) on Electrical and Electronic Equipment

INCLUDES ALL LAMPS TECHNOLOGIES

ARE YOU OBLIGATED?

*if you import from a supplier outside of Canada, **OR if you are a manufacturer with an address in Canada, you are a producer under the regulation if you supply Products into Ontario.***

Manufacturers, Distributors and Retailers should verify their obligation. For more information please refer to Resource Productivity & Recovery Authority's (RPRA's) website: <https://rpra.ca/programs/lighting/producers/>
[RPRA Webinar Presentation](#)

OBLIGATED PARTIES ARE CONSIDERED 'PRODUCERS' UNDER THE REGULATION

WHO IS RPRA?

The Resource Productivity and Recovery Authority (RPRA) is the regulator mandated by the Government of Ontario to enforce the province's circular economy laws.

Refer to RPRA's FAQ document for questions. [FAQ's Archive - RPRA Email for Questions: Compliance email](#)

IF YOU DETERMINE YOU ARE NOT OBLIGATED

- Environmental Handling fees (EHF) will be charged by Obligated Producers, which may include your supplier/producer (or their supplier/producer).
- EHF's can be visible or internalized into the price, so you should ask your supplier to clarify the way the fee is collected/charged. For more details regarding the fee visibility conditions, contact RPRA rpra.ca
- To verify if your supplier is registered as a producer with RPRA: <https://rpra.ca/programs/lighting/find-a-lighting-registrant/>

ALTERNATIVELY

- To Potentially simplify the accounting and clarity for your customers, you can sign a contract with your supplier to undertake their obligation to collect and remit EHF **to their selected Producer Responsibility Organization (PRO)**.
 - o confirm with your supplier manufacturer who their PRO is.
 - o Register with their PRO.
 - o Sign the remitter agreement.
 - o Understand your obligations when becoming a remitter.
- If you chose to Remit directly with the PRO, EHF are not to be paid to the supplier manufacturer on invoice.

IF YOU DETERMINE YOU ARE AN OBLIGATED PRODUCER

You need to register with RPRA
[Lighting Producers - RPRA](#)

- Verify your obligations here:
<https://rpra.ca/programs/lighting/producers/>
- Producers have obligation to collect, manage products, along with promotion and education, and reporting and audit requirements. [Lighting producer requirements under the Electrical and Electronic Equipment Regulation now in effect - RPRA](#)
- Producers have the option to work with a Producer Responsibility Organization (PRO) to meet their requirements.

FEES PAID TO RPRA

- Be aware that all Obligated Producers must submit data and pay a registration fee directly to RPRA annually based on sales from prior years.
- This is a separate and additional to any/all EHF's and not related to any PRO relationships (see Below). It is usually considered an operational cost and not internalized in selling price by the obligated producer.

WHAT IS AN EHF?
(Also known as ecofees)

- Environmental Handling fees (EHF) are charged by PROs to cover the cost collecting, hauling, and recycling products as well as the administrative costs associated with Regulatory Compliance. [Environmental Fees on Products Sold in Ontario - RPRA](#)
- Businesses have the choice to recover the cost of recycling their products by incorporating those costs into the overall cost of their product (as they do with other costs, such as materials, labour, other regulatory compliance costs, etc.) or by charging it as a separate fee to consumers.
- The Ontario government has amended the regulation under the Resource Recovery and Circular Economy Act, 2016 (RRCEA) to remove promotion and education requirements related to visible EHF's: The amended regulations come into effect today, March 20, 2023. [Promotion and education requirements for visible fees removed from Tires, Batteries, EEE and HSP regulations - RPRA](#)

WHAT IS A PRO?

- Producers have the option to work with a Producer Responsibility Organization (PRO) to meet their requirements. There are two PROs in Ontario. See who they are: [Lighting PROs - RPRA](#).
*Product Care is an EFC member and sponsor.
- It is not presently known if it is possible to have remitter relationship with different PROs in Ontario.
- A Producer Responsibility Organization is not a recycler. They partner with Obligated Producers to coordinate all aspects of regulatory compliance including reporting and interfacing with RPRA directly in addition to managing collection, processing, recycling, disposal, etc.
- One important role a PRO provides is satisfying the collection requirements – at present, it is estimated that over 900 sites in Ontario must be established by every Producer.

PENALTIES FOR NON-COMPLIANCE


- After a few years ramp-up period, Obligated Producers will be subjected to achieving certain quotas for collection obligations.
- If obligations under the act is not met, producers will face penalties for non-compliance.
- For full list of penalties, please refer to O.Reg 558/22 Administrative Penalties, table 4 under schedule 1 &2, <https://www.ontario.ca/laws/regulation/220558>

*This document was produced by EFC's Lighting section members to assist channel partners with navigating the implementation of Ontario Regulation 522/20, which became effective in Ontario January 1, 2023.

EFC will not be held legally responsible for inaccurate information or mistakes in this document.

Questions should be sent to RPRA at rpra.ca

Sincerely,



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