

The Electronic Equipment Stewardship Regulations

being

[Chapter E-10.22 Reg 6](#) (effective May 1, 2018).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-10.22 REG 6

The Environmental Management and Protection Act, 2010

Title

1 These regulations may be cited as *The Electronic Equipment Stewardship Regulations*.

Definitions

2 In these regulations:

“**Act**” means *The Environmental Management and Protection Act, 2010*;

“**approval**” means approval of a product stewardship program by the minister pursuant to subsection 5(3);

“**electronic equipment**” means any electronic equipment listed in Table 1 of the Appendix and includes:

- (a) all embedded components; and
- (b) batteries discarded in the electronic equipment;

“**first seller**” means a person who:

- (a) is a manufacturer or distributor of, or owner or licensee of intellectual property rights in, electronic equipment that is sold, offered for sale or otherwise distributed into or in Saskatchewan;
- (b) is a vendor of electronic equipment outside of Saskatchewan and who, as an ordinary part of the vendor’s business, solicits and sells electronic equipment to consumers in Saskatchewan;
- (c) imports electronic equipment into Saskatchewan for resale in Saskatchewan;
- (d) imports parts for electronic equipment into Saskatchewan for assembly and resale in Saskatchewan; or
- (e) purchases electronic equipment outside of Saskatchewan for use in Saskatchewan;

“**product stewardship program**” means a program that provides for the collection and recycling of waste electronic equipment;

“**waste electronic equipment**” means electronic equipment that the consumer no longer wants.

29 Sep 2017 cE-10.22 Reg 6 s2.

Prescribed product

3 Electronic equipment is a prescribed product for the purposes of clause 46(a) of the Act.

29 Sep 2017 cE-10.22 Reg 6 s3.

E-10.21 REG 6 ELECTRONIC EQUIPMENT STEWARDSHIP**Product stewardship program required**

- 4(1) No first seller shall fail to:
- (a) operate a product stewardship program approved by the minister; or
 - (b) enter into an agreement with a person to operate, on the first seller's behalf, a product stewardship program approved by the minister.
- (2) No first seller who operates a product stewardship program shall fail to operate the product stewardship program in accordance with:
- (a) the program as approved by the minister; and
 - (b) these regulations.
- (3) No person who has entered into an agreement to operate a product stewardship program on a first seller's behalf shall fail to operate the product stewardship program in accordance with:
- (a) the program as approved by the minister; and
 - (b) these regulations.
- (4) No first seller who has entered into an agreement to have a product stewardship program operated on the first seller's behalf shall fail to ensure that the product stewardship program is operated in accordance with:
- (a) the program as approved by the minister; and
 - (b) these regulations.

29 Sep 2017 cE-10.22 Reg 6 s4.

Requirements for product stewardship programs

- 5(1) A first seller who operates or intends to operate a product stewardship program, or a person who operates or intends to operate a product stewardship program on a first seller's behalf, shall:
- (a) apply to the minister for approval of the program, in a form acceptable to the minister; and
 - (b) submit any additional information or material to the minister that the minister requests and considers relevant to the application.
- (2) The minister shall not approve a product stewardship program unless the product stewardship program:
- (a) contains details of the management structure of the product stewardship program; and
 - (b) provides details respecting all of the following:
 - (i) the composition of the board of directors of the operator of the product stewardship program, including details to satisfy the minister that there will be, in the minister's opinion, sufficient Saskatchewan representation;
 - (ii) the creation of an advisory committee to the operator of the product stewardship program;

- (iii) the role of the advisory committee in relation to the operation of the program;
 - (iv) the manner in which Saskatchewan interests will be represented on the advisory committee;
 - (v) the manner in which waste electronic equipment will be collected in all areas of Saskatchewan;
 - (vi) recycling options for waste electronic equipment, listed in descending order of preference;
 - (vii) the policies and procedures to be followed by any person processing waste electronic equipment collected pursuant to the program;
 - (viii) the manner in which the program will be funded;
 - (ix) the quality control and assurance aspects of the program, including tracking and auditing mechanisms;
 - (x) the public education or public awareness and communication strategy for the program;
 - (xi) the management of contracts with collectors, processors and other third party contractors, including the policies and procedures to be followed to ensure that all contracted parties comply with all municipal, provincial and federal legislation;
 - (xii) the manner in which the program will manage greenhouse gas emissions related to the collection and recycling of waste electronic equipment.
- (3) If the minister is satisfied that a proposed product stewardship program complies with the Act and these regulations and is otherwise in the public interest, the minister may approve the product stewardship program on any terms and conditions that the minister considers appropriate.
- (4) The minister shall cause notice of the approval of any product stewardship program to be published on the ministry's website and to be made public in any other manner that the minister considers appropriate.

29 Sep 2017 cE-10.22 Reg 6 s5.

Review of product stewardship program

6 Every 5 years after the date of the approval of the product stewardship program, every first seller operating a product stewardship program, and every person operating a product stewardship program on a first seller's behalf, shall review the approved program and:

- (a) seek approval from the minister of any proposed amendments to the approved product stewardship program; or
- (b) notify the minister in writing that no amendments to the approved product stewardship program are proposed.

29 Sep 2017 cE-10.22 Reg 6 s6.

E-10.21 REG 6 ELECTRONIC EQUIPMENT STEWARDSHIP**Changes to product stewardship program**

7 No person operating a product stewardship program shall make any changes to the program without obtaining the minister's prior written approval of the proposed changes.

29 Sep 2017 cE-10.22 Reg 6 s7.

Amendment, suspension or cancellation of approvals

8(1) Subject to subsection (2), if, in the minister's opinion, a product stewardship program is not being operated in accordance with the Act, these regulations or the terms and conditions of the approval, or if, in the minister's opinion, it is in the public interest to do so, the minister may:

- (a) amend the approval by imposing new or additional terms and conditions; or
- (b) suspend or cancel the approval.

(2) Before amending, suspending or cancelling an approval pursuant to subsection (1), the minister shall provide the person operating the product stewardship program with:

- (a) written notice of the minister's intended action and the reasons for that intended action; and
- (b) an opportunity to make written representations to the minister, within 30 days after the written notice mentioned in clause (a) is served or a longer period set by the minister, as to why the intended action should not be taken.

(3) The minister is not required to give an oral hearing to any person to whom a notice has been provided pursuant to subsection (2).

(4) After considering the representations mentioned in subsection (2), the minister shall:

- (a) issue a written decision, with reasons for the decision; and
- (b) serve a copy of the decision on the person operating the product stewardship program.

(5) Notwithstanding subsection (2), if the minister considers that it is necessary in order to protect the public interest, the minister may immediately amend, suspend or cancel an approval without giving the person mentioned in subsection (2) an opportunity to make written representations, but the minister shall give that person an opportunity to make written representations within 15 days after the date on which the minister takes any of those actions.

(6) The minister shall cause notice of the suspension or cancellation of any product stewardship program to be published on the ministry's website and to be made public in any other manner that the minister considers appropriate.

29 Sep 2017 cE-10.22 Reg 6 s8.

Annual reporting

9(1) In this section, "**reporting period**" means the period commencing on January 1 in one year and ending on December 31 of that year.

- (2) On or before June 30 in each year, every first seller operating a product stewardship program, and every person operating a product stewardship program on the first seller's behalf, shall prepare and send to the minister a written annual report that describes the activities of the product stewardship program during the previous reporting period and that contains the information mentioned in subsection (3).
- (3) A written report mentioned in subsection (2) must include:
- (a) the types and amount of waste electronic equipment collected;
 - (b) the types and amount of waste electronic equipment diverted to each of the program's recycling options as identified pursuant to subclause 5(2)(b)(vi);
 - (c) the total amount of recycling fees collected to fund the program in Saskatchewan;
 - (d) the amount spent to operate the program in Saskatchewan;
 - (e) the amount paid out as recycling incentives, if any;
 - (f) the costs incurred to administer the program;
 - (g) the amount spent on public education or public awareness and communication;
 - (h) any other information that the minister may reasonably require.

29 Sep 2017 cE-10.22 Reg 6 s9.

RRS c E-10.21 Reg 4 repealed

10 *The Waste Electronic Equipment Regulations* are repealed.

29 Sep 2017 cE-10.22 Reg 6 s10.

Transitional

11 Notwithstanding any other provision of these regulations, if a product management program was approved pursuant to *The Waste Electronic Equipment Regulations*, as those regulations existed on the day before the coming into force of these regulations, and the approval for that product management program is valid and not under suspension or cancellation on the day on which these regulations come into force:

- (a) the product management program is deemed to be an approved product stewardship program for the purposes of these regulations; and
- (b) the product management program may be dealt with pursuant to these regulations as if approved pursuant to these regulations and is subject to the same terms and conditions that were imposed pursuant to *The Waste Electronic Equipment Regulations* and were in place on the day on which these regulations come into force.

29 Sep 2017 cE-10.22 Reg 6 s11.

Coming into force

12(1) Subject to subsection (2), these regulations come into force on May 1, 2018.

(2) If these regulations are filed with the Registrar of Regulations after May 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

29 Sep 2017 cE-10.22 Reg 6 s12.

Appendix

TABLE 1
[Section 2]

Electronic Equipment

Item	Electronic Equipment
1.	Desk top computers.
2.	Portable computers.
3.	Peripherals, including the following: <ul style="list-style-type: none"> <li data-bbox="483 621 748 646">(a) computer mouse; <li data-bbox="483 653 672 678">(b) trackballs; <li data-bbox="483 684 672 709">(c) keyboards; <li data-bbox="483 716 651 741">(d) keypads; <li data-bbox="483 747 797 772">(e) external hard drives; <li data-bbox="483 779 708 804">(f) optical drives; <li data-bbox="483 810 776 835">(g) gaming controllers; <li data-bbox="483 842 1252 867">(h) cables belonging to the computer peripherals listed above.
4.	Computer printers, including desktop and portable printers, scanners, fax machines and copying equipment, or any combination of these items.
5.	Floor-standing printers, copiers and multi-function devices.
6.	Display devices, including televisions and computer monitors.
7.	Personal or portable audio or video playback systems, including the following: <ul style="list-style-type: none"> <li data-bbox="483 1136 760 1161">(a) docking speakers; <li data-bbox="483 1167 1045 1192">(b) portable stereos, tape players and radios; <li data-bbox="483 1199 797 1224">(c) personal CD players; <li data-bbox="483 1230 846 1255">(d) portable audio recorders; <li data-bbox="483 1262 695 1287">(e) headphones; <li data-bbox="483 1293 699 1318">(f) MP3 players; <li data-bbox="483 1325 865 1350">(g) solid-state voice recorders; <li data-bbox="483 1356 1154 1381">(h) digital cameras and video cameras or camcorders; <li data-bbox="483 1388 721 1413">(i) e-book readers; <li data-bbox="483 1419 760 1444">(j) portable scanners; <li data-bbox="483 1451 1122 1476">(k) portable Global Positioning System equipment; <li data-bbox="483 1482 911 1507">(l) handheld video game systems.

- | Item | Electronic Equipment |
|-------------|---|
| 8. | Home audio or video playback or recording systems, including: <ul style="list-style-type: none">(a) audio equipment, including the following:<ul style="list-style-type: none">(i) amplifiers;(ii) receivers;(iii) speakers;(iv) CD players (single and multi-disc units);(v) radios;(vi) turntables;(vii) cassette and other tape players;(b) video equipment, including the following:<ul style="list-style-type: none">(i) data projectors;(ii) VCRs;(iii) DVD players;(iv) laser disc players;(v) analog, digital and home computer (web) cameras and cam-corders;(c) cable and satellite TV equipment; and(d) home or non-commercial video gaming equipment consoles that require a TV or screen. |
| 9. | Home theatre in a box (HTB) systems, including audio and video equipment packaged as a complete system intended to provide an “in-home” theatre experience. |
| 10. | Systems or devices intended for use in vehicles, including the following: <ul style="list-style-type: none">(a) audio and video systems, including audio and video systems intended to replace original factory-installed systems;(b) Global Positioning System (GPS) devices, whether stand-alone or in-dash. |
| 11. | Non-cellular telephones and answering machines identified as telecommunication devices with a handset or headset that is used to transmit and receive sound, most commonly speech. |
| 12. | Counter top microwave ovens. |

