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the box

Stewardship Ontario

**SCHEDULE B TO THE PROGRAM AGREEMENT BETWEEN WASTE DIVERSION ONTARIO AND STEWARDSHIP
ONTARIO**

**RULES FOR STEWARDS WITH RESPECT TO PAYMENT OF BLUE BOX FEES FOR THE PERIOD COMMENCING
JANUARY 1, 2013**

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1. Introduction

These Rules do not revoke or amend any previously approved Rules for stewards with Respect to Payment of Fees respecting Designated Blue Box Waste (DBBW) during the period they were effective. The following Rules relate to the Blue Box program, and the definitions of capitalized words used in these Rules are contained in a glossary attached as Appendix D.

For reporting and fee calculations, the DBBW is organized into six material categories with 32 material sub-categories as outlined in Appendix A.

2. Designation of Stewards

For the purposes of determining which Person shall be designated as a steward for a particular category of DBBW, the following provisions shall apply, in the order in which they are set out.

If two or more Persons are designated as a steward pursuant to the following provisions, then the earlier provision shall prevail:

- 2.1. A Brand Owner is designated as a steward with respect to all Printed Material, Service Packaging, and the Packaging of all goods, for which it is the Brand Owner.
- 2.2. A First Importer is designated as a steward with respect to all Printed Material, Service Packaging, and the Packaging of all goods, for which it is the First Importer.
- 2.3. A Franchisor which is Resident in Ontario is designated as a steward with respect to all Printed Material, Service Packaging, and the Packaging of all goods, which are Supplied within the relevant Franchise System.
- 2.4. In the event there is more than one Brand Owner for the same DBBW, the Brand Owner more directly connected to the production of the DBBW shall be designated as the steward, but where the Brand Owner is a Franchisor who is Resident in Ontario, the Franchisor shall be designated as the steward.

- 2.5. In the event that products containing two or more independent Brands are packaged to be Supplied together, then the Brand Owner more directly connected to the joint Packaging shall be designated as the steward for such joint Packaging.
- 2.6. Any Person who is Resident in Ontario, who Supplies Service Packaging shall be the steward for such Service Packaging.
- 2.7. Any Person who elects to become a steward respecting DBBW that would otherwise be the responsibility of another steward, shall be designated as a steward upon execution of a contract with Stewardship Ontario, and the steward otherwise responsible is exempt from the requirement to pay fees respecting such DBBW and from Filing a DBBW Annual Steward's Report during the currency of the contract. Stewardship Ontario shall not be required to execute a contract contemplated herein.
- 2.8. Notwithstanding the above, any Person who has executed a contract with Stewardship Ontario under Section 2.7 prior to June 30, 2006, shall remain an elected steward under the terms of the agreement.
- 2.9. An election under Section 2.7 may be made only with Stewardship Ontario by a Person who would otherwise be a Brand Owner but is not Resident in Ontario, but such election may not be made by a Person who would be eligible for an exemption described in Section 5.1.

3. Reporting and Fees

3.1. Steward Reporting

- 3.1.1. Subject to Section 5.1 of these Rules, every steward shall File, in accordance with the timetable in Appendix C, a Designated Blue Box Waste (DBBW) Annual Steward's Report with Stewardship Ontario not later than June 30, 2013, or 90 (ninety) days after such steward is notified, whichever is later. A steward is notified:
 - 3.1.1.1. On the day the steward receives personal service via email of how to obtain a copy of these Rules, or
 - 3.1.1.2. Three days following the sending by prepaid first class postage to the steward, at its Published Address, a copy of these Rules or a written notice of how to obtain a copy of these Rules.
- 3.1.2. A DBBW Annual Steward's Report must include the following information: (currently submitted on the Stewardship Ontario reporting portal located at <https://werecycle.stewardshipontario.ca>):
 - 3.1.2.1. Obligation Year and Data Year of the DBBW Annual Steward's Report;
 - 3.1.2.2. Contact information such as email addresses and phone numbers for the steward's Primary Contact, Billing Contact, Secondary Contacts and Environmental Lead;
 - 3.1.2.3. Company name, mailing address, phone number, and Sector;
 - 3.1.2.4. Quantities of DBBW Supplied in the Data Year according to the reporting categories as set out in Appendix A;
 - 3.1.2.5. Description of Methodology and sources of data including any changes from Methodology used in the DBBW Annual Steward's Report for the prior Obligation Year;
 - 3.1.2.6. Details of any deductions from DBBW Supplied including data used to prepare, calculate and determine these deductions;
 - 3.1.2.7. Any initiatives or changes in the Packaging mix or business practices that may explain any variation from quantities of DBBW Supplied in the DBBW Annual Steward's Report for the prior Obligation Year;
 - 3.1.2.8. List of Brands included in the DBBW Annual Steward's Report, and any changes in Brands since the prior Obligation Year;
 - 3.1.2.9. List of all Affiliates and/or Franchisees included in the DBBW Annual Steward's Report;
 - 3.1.2.10. Declaration of accuracy of the DBBW Annual Steward's Report by the Primary Contact.

- 3.1.3. Stewards have 10 (ten) days from the date of a change to any information outlined in Section 3.1.2.2 to notify Stewardship Ontario in writing via email to WeRecycle@StewardshipOntario.ca of such changes.
- 3.1.4. A steward shall report for its Affiliates and/or Franchisees under one steward number. Any steward whose DBBW is included in a DBBW Annual Steward's Report of its Affiliate and/or Franchisor need not File a separate DBBW Annual Steward's Report.
- 3.1.5. Stewards shall provide notice in writing to Stewardship Ontario at its mailing address (currently 1 St. Clair Ave. West, 7th Floor, Toronto, ON, M4V 1K6), or by email to WeRecycle@stewardshipontario.ca of any changes to its status as a steward as per Section 2 of these Rules, together with a description of the reasons within 10 (ten) days of such change.

3.2. Steward Fees, Penalties, Interest and Administrative Fees

- 3.2.1. Stewards shall pay fees based on the rates set out in Appendix A. The aggregate amount of fees payable shall be the sum of the amounts set out in the DBBW Annual Steward's Report Prior Period Quantity multiplied by the rates set out in the table of fees attached as Appendix A of these Rules.
- 3.2.2. Stewards shall pay fees to Stewardship Ontario in accordance with the schedule in Appendix C of these Rules.
- 3.2.3. Stewards who fail to pay fees by the date specified in the timetable set out in Appendix C or Section 3.1.2. will be subject to:
- 3.2.3.1. A penalty calculated at 10% of fees due and payable;
 - 3.2.3.2. Interest on the overdue account balance.
 - 3.2.3.3. In the event that the amounts reported in a DBBW Annual Steward's Report are inaccurate, penalties and Interest as outlined under Section 3.2.2 shall apply to any underpayment by a steward.
- 3.2.4. In the event a steward fails to File a DBBW Annual Steward's Report in accordance with Section 3.1.1, then the amount set out in such steward's prior year's DBBW Annual Stewards Report shall constitute the quantities in the DBBW Annual Stewards Report (Proxy Report) then due, and all fees shall be due in accordance with Appendix C.
- 3.2.5. The quantities set out in a Proxy Report will be increased by 40% thereof on every successive instance of non-reporting by a steward.
- 3.2.6. Where a Proxy Report has been used, the steward is required to submit actual quantities to Stewardship Ontario at which point, Stewardship Ontario will complete report adjustments.
- 3.2.7. Stewards who File a correction (or require a later amendment) to their DBBW Annual Steward's Report that either increases or decreases quantities of DBBW Supplied in any material category set out in Appendix A, shall be invoiced or credited any difference in fees paid in accordance with Appendix C.
- 3.2.8. Pursuant to Section 4.1.4, stewards must amend an inaccurate DBBW Annual Steward's Report within 30 (thirty) days of receiving notification from Stewardship Ontario. Failure to do so shall result in the obligation to pay Administrative Fees.
- 3.2.9. Pursuant to Section 4.1.4, stewards must pay any unpaid fees, including penalties, Interest and Administrative Fees as outlined under Section 3.2.2, as a result of an amendment to a DBBW Annual

Steward's Report, in accordance with Appendix C. Failure to pay in accordance with Appendix C shall result in further penalties, Interest and Administrative Fees.

- 3.2.10. Where Stewardship Ontario, or its authorized representative, determines that a DBBW Annual Steward's Report as set out in Section 3.1.2 is deficient or inaccurate, an Administrative Fee shall apply.
- 3.2.11. Pursuant to Section 4.1.3, where a steward notifies Stewardship Ontario of incorrect data in their DBBW Annual Steward's Report prior to the commencement of a Review by Stewardship Ontario, or its authorized representative, an Administrative Fee shall not apply.
- 3.2.12. All penalties and Interest charges begin accruing on the business day immediately following the payment due date specified in the timetable set out in Appendix C.
- 3.2.13. Stewards, including those exempt under Section 5.1.4, who fail to File a DBBW Annual Steward's Report within the dates specified in Appendix C will be subject to an Administrative Fee.
- 3.2.14. Stewardship Ontario may waive all or part of any penalties, Interest or Administrative Fees otherwise payable under these Rules.
- 3.2.15. Stewards may request a reduction in quantities reported for a period of up to two years from the first payment due date as set out in Table 2 in Appendix C after which the relevant DBBW Annual Steward's Report will be deemed to be final and conclusive.
- 3.2.16. Stewards who are members of the Canadian Newspaper Association and the Ontario Community Newspapers Association shall pay applicable Stewardship Ontario administrative costs, in the aggregate, equivalent to the fees otherwise payable, and will meet their obligation for the payment of fees, as calculated by Stewardship Ontario, by providing advertising lineage in a manner approved by Waste Diversion Ontario.

4. Compliance

4.1. Review of a DBBW Annual Steward's Report

- 4.1.1. A steward shall grant access during business hours to Stewardship Ontario, or its authorized representative, upon request to inspect and Review the steward's records maintained under Section 4.2 up to five years after the date of Filing a DBBW Annual Steward's Report. Stewards who fail to grant access to Stewardship Ontario, or its authorized representative, will be subject to an Administrative Fee.
- 4.1.2. Stewards shall comply with written requests from Stewardship Ontario, or its authorized representative, for information set out in Section 4.2 within reasonable timelines as specified by Stewardship Ontario, or its authorized representative, at the time of the request. Stewards who fail to comply with written requests from Stewardship Ontario, or its authorized representative, within the timelines specified will be subject to an Administrative Fee.
- 4.1.3. Where a steward identifies any errors in a DBBW Annual Steward's Report after submission, the steward must amend the DBBW Annual Steward's Report to correct information in the DBBW Annual Steward's Report that is incorrect. Stewardship Ontario reserves the right to Review the amendment for accuracy.
- 4.1.4. Where Stewardship Ontario, or its authorized representative, identifies an error in a DBBW Annual Steward's Report as a result of a Review, the steward shall, upon notification by Stewardship

Ontario, so amend the DBBW Annual Steward's Report within 30 (thirty) days of receiving such notice.

4.2. Record Provision and Retention

Stewards shall retain records to substantiate and verify the amount set out in their respective DBBW Annual Steward's Report for a period of not less than five years from the date on which the DBBW Annual Steward's Report was Filed. These records include but are not limited to; all data and reports used by stewards in the preparation of the DBBW Annual Steward's report as outlined in Section 3.1.22, a list of Brands excluded from the DBBW Annual Steward's Report, and product and packaging data.

5. General

5.1. Steward Exemptions

5.1.1. Stewards are exempt from Filing a DBBW Annual Steward's Report and paying the fees otherwise due if during the Data Year, the steward's, its Affiliates', and Franchisees' combined gross revenues, from the sale of all its products and services in Ontario, was less than \$2 million.

5.1.2. Stewards, in the business of retailing, are exempt from Filing a DBBW Annual Steward's Report and paying the fees otherwise due if during the Data Year, the steward's, its Affiliates', and Franchisees' combined gross revenue, from the services provided and the cost of merchandise sold in Ontario, was less than \$2 million.

5.1.3. Stewards that are not-for-profit entities (for example municipalities, provincial agencies, colleges, or universities) are not exempted by 5.1.1 and 5.1.2.

5.1.4. Stewards shall File a DBBW Annual Steward's Report but shall be exempt from payment of fees otherwise due provided that during the Data Year, the steward, its Affiliates and Franchisees Supplied DBBW into Ontario, with an aggregate quantity of less than 15,000 kilograms.

5.1.5. Notwithstanding the above Stewardship Ontario may, acting reasonably, require a steward to File a DBBW Annual Steward's Report by sending a written request to a steward.

5.2. Duration of these Rules

These Rules shall remain in force until replaced or modified by subsequent Rules made. In the event no subsequent Rules are made after the end of 2013, the dates specified in these Rules shall be automatically amended by substituting the year appearing in these Rules with the subsequent year.

5.3. Dispute Resolution

Disputes between Stewardship Ontario and a steward respecting a steward's obligations under section 31 of the Waste Diversion Act or under the Rules made by Stewardship Ontario under section 30 of the Waste Diversion Act, shall be made under the dispute resolution process that is published on Stewardship Ontario website's (www.Stewardshipontario.ca) and Waste Diversion Ontario's website (www.wdo.ca).

5.4. Interpretive Memoranda

Stewardship Ontario may publish on its website currently at www.stewardshipontario.ca interpretive memoranda and guidebooks describing its interpretations of these Rules and how it proposes to administer them.

5.5. Publishing of Company Names

Stewardship Ontario may publish any of the following:

5.5.1. The names of stewards Filing DBBW Annual Steward's Reports with Stewardship Ontario;

5.5.2. A list of stewards In Good Standing;

5.5.3. The registry of all Brands reported in DBBW Annual Steward's Reports;

5.5.4. The name of any Person that may appear to be a steward Resident in Ontario, but which it has determined, upon investigation, is not Resident in Ontario;

5.5.5. The name of any Person who elects to become a steward under Section 2 (7) of these Rules and the name of the steward who would otherwise be responsible; and,

5.5.6. The name of any Person who has executed a contract with Stewardship Ontario under Section 2 (7) prior to June 30, 2006.

5.6. Non-compliance with these Rules

Failure to comply with these Rules is a violation of these Rules and stewards may be subject to enforcement under the *Waste Diversion Act (2002)*, and/or subject to Administrative Fees.

Appendix A

Designated Blue Box Waste Reporting Categories (Table 1) and Fee Schedule (Table 2)

Table 1

Material Category	2013 DBBW Reporting Categories based on 2012 Data Year Reported in Kilograms
Printed Materials	Newsprint–CNA/OCNA Members
	Other Newsprint–Non-CNA/OCNA Members
	Magazines and Catalogues
	Directories
	Other Printed Materials
Paper Packaging	Gable Top Containers
	Aseptic Containers
	Paper Laminates
	Corrugated Cardboard
	Boxboard and Other Paper Packaging
Plastic Packaging	PET Bottles
	PET Bottles > 5 Litres
	HDPE Bottles and Jugs
	HDPE Bottles and Jugs > 5 Litres
	LDPE/HDPE Film
	LDPE/HDPE Film Carry-Out Bags
	LDPE/HDPE Film Carry-Out Bag Units*
	Expanded Polystyrene
	Non-Expanded Polystyrene
	Natural and Synthetic Textiles
	Other Plastic Packaging
	Other Plastic Packaging > 5 Litres
	Plastic Laminates
Disrupter Plastics	
Steel and Other Metal Packaging	Steel Aerosol Containers
	Steel Paint Cans
	Other Steel and Metal Containers and Packaging
Aluminum Packaging	Aluminum Food and Beverage Containers
	Aluminum Aerosol Containers
	Other Aluminum Packaging
Glass Packaging	Clear Glass
	Coloured Glass

* Report LDPE/HDPE Film Carry-Out Bags Units in the number of units Supplied

Table 2

Material Category	2013 DBBW Fee Schedule based on 2011 Data Year	Fee/Kilogram	
Printed Materials	Newsprint–CNA/OCNA Members	0.42 ¢/kg	
	Other Newsprint–Non-CNA/OCNA Members	3.62 ¢/kg	
	Magazines and Catalogues	6.47 ¢/kg	
	Directories	6.64 ¢/kg	
	Other Printed Materials	9.99 ¢/kg	
Paper Packaging	Gable Top Containers	18.22 ¢/kg	
	Aseptic Containers	18.22 ¢/kg	
	Paper Laminates	18.22 ¢/kg	
	Corrugated Cardboard	8.39 ¢/kg	
	Boxboard and Other Paper Packaging	8.39 ¢/kg	
Plastic Packaging	PET Bottles	14.70 ¢/kg	
	PET Bottles > 5 Litres	14.70 ¢/kg	
	HDPE Bottles and Jugs	13.52 ¢/kg	
	HDPE Bottles and Jugs > 5 Litres	13.52 ¢/kg	
	Expanded Polystyrene	23.27 ¢/kg	
	Non-Expanded Polystyrene	23.27 ¢/kg	
	Other Plastic Packaging	23.27 ¢/kg	
	Other Plastic Packaging > 5 Litres	23.27 ¢/kg	
	LDPE/HDPE Film	23.27 ¢/kg	
	LDPE/HDPE Film Carry-Out Bags	23.27 ¢/kg	
	LDPE/HDPE Film Carry-Out Bag Units	Number of units ¹	
	Plastic Laminates	23.27 ¢/kg	
	Disrupter Plastics ²	23.27 ¢/kg	
	Natural and Synthetic Textiles	23.27 ¢/kg	
Steel and Other Metal Packaging	Aerosol Containers	5.51 ¢/kg	
	Paint Cans	5.51 ¢/kg	
	Other Steel and Metal Containers and Packaging	5.51 ¢/kg	
Aluminum Packaging	Aluminum Food and Beverage Containers	2.56 ¢/kg	
	Aerosol Containers	6.97 ¢/kg	
	Other Aluminum Packaging	6.97 ¢/kg	
Glass Packaging	Clear Glass	2.84 ¢/kg	
	Coloured Glass	4.84 ¢/kg	

¹ LDPE/HDPE Film Carry-Out Bag Units does not carry a fee rate

² New fee category for 2013 (used to be biodegradable film and biodegradable rigid plastic containers)

Appendix B
Resident in Ontario

Resident in Ontario, with respect to a corporation, means a corporation that has a permanent establishment in Ontario, where:

- (a) "permanent establishment" includes branches, mines, oil wells, farms, timberlands, factories, workshops, warehouses, offices, agencies and other fixed places of business and
- (b) the following rules apply,

Contracting Employees or Inventory Sufficient

Where a corporation carries on business through an employee or agent who has general authority to contract for the corporation or who has a stock of merchandise owned by the corporation from which the employee or agent regularly fills orders which the employee or agent receives, such employee or agent shall be deemed to operate a permanent establishment of the corporation.

Commission Agent not Sufficient

The fact that a corporation has business dealings through a commission agent, broker or other independent agent shall not of itself be deemed to mean that the corporation has a permanent establishment.

Subsidiary of Parent not Sufficient

The fact that a corporation has a subsidiary controlled corporation in a place or a subsidiary controlled corporation engaged in a trade or business in a place shall not of itself be deemed to mean that the first-mentioned corporation is operating a permanent establishment in that place.

Licensed Insurance Company Sufficient

An insurance corporation is deemed to have a permanent establishment in each jurisdiction in which the corporation is registered or licensed to do business.

Purchasing Office not Sufficient

The fact that a corporation maintains an office solely for the purchase of merchandise shall not of itself be deemed to mean that the corporation has a permanent establishment in that office.

Ownership of Land Sufficient

Where a corporation, otherwise having a permanent establishment in Canada, owns land in a province or territory of Canada, such land is a permanent establishment.

Production Packing and other Activities Sufficient

The fact that a non-resident corporation in a year produced, grew, mined, created, manufactured, fabricated, improved, packed, preserved or constructed in whole or in part anything in Canada, whether or not the corporation exported that thing without selling it prior to exportation, shall of itself, be deemed to mean that the corporation maintained a permanent establishment at any place where the corporation did any of those things in the taxation year.

Machinery or Equipment Sufficient

The use of substantial machinery or equipment in a particular place at any time in a year of a corporation constitutes a permanent establishment of such corporation in that place for such a year.

Principal Place of Business Sufficient

Where a corporation has no fixed place of business, it has a permanent establishment in the principal place in which the corporation's business is conducted.

Charter or By Laws designating Head or Registered Office Sufficient

Where a corporation does not otherwise have a permanent establishment in Canada, it has a permanent establishment in the place designated in its charter or by-laws as being its head office or registered office.

Appendix C
Reporting and Payment Schedule

Stewards notified on or before April 2, 2013 are obligated to report their 2012 data by June 30, 2013. Stewards notified after April 2, 2013 are obligated to report their 2012 data within 90 days of receiving notification as outlined in Section 3.1.1.

Table 1

Reporting Deadline	Data Year
June 30, 2013	2012

Table 2

Payment Description	Payment Due Date	Data Year
First payment due (25% of 2013 Obligation Year payment)	April 30, 2013	2011
Second payment due (25% of 2013 Obligation Year payment)	June 30, 2013	2011
Third payment due (25% of 2013 Obligation Year payment)	September 30, 2013	2011
Fourth payment due (25% of 2013 Obligation Year payment)	December 01, 2013	2011

Stewards may pay their 2013 Obligation Year payment (payment based on 2011 Data Year) in full or in part provided they adhere to the minimum payment schedule above.

Table 3

Report Adjustments	Payment Due Date	Data Year
Reports or Adjustments reported after June 30, 2013 that increase fees owing	30 Days from publication of 2013 fee schedule	2011
Adjustments reported after June 30, 2013 that reduce fee owing	April 30, 2014	2011

Appendix D
Glossary of Key Terms in these Rules

Interpretation in these Rules:

Administrative Fee means a fee calculated to reimburse Stewardship Ontario for reasonable costs for staff time and expenses incurred with respect to enforcement or compliance activities, including any legal and accounting fees incurred to obtain, review and correct Annual Steward Reports not filed in accordance with these Rules.

Affiliate means an entity that controls a steward or is controlled by an entity that also controls a steward where "control" in the case of a corporation has the meaning ascribed thereto by subsection 1(5) of the *Business Corporations Act (Ontario)* as amended from time to time.

Billing Contact means an individual identified by the Primary Contact to receive copies of all invoices and financial statements related to the steward account.

Brand means a trademark.

Brand Owner with respect to a specific trademarked Printed Material which is DBBW, and with respect to a specific good, the Packaging of which is DBBW, where either the good or the Packaging bears a trademark means during any time in a Data Year;

- (a) A Person Resident in Ontario who is the holder of the registered trademark, or
- (b) A Person Resident in Ontario who is the licensee, in respect of the registered trademark, or
- (c) A Person Resident in Ontario, who owns the intellectual property rights to the unregistered trademark, or
- (d) A Person Resident in Ontario, who is the licensee, in respect of the intellectual property rights of the unregistered trademark.

Where "licensee" includes a Person who packages goods, the Packaging of which is DBBW and bears a trademark, other than a packer or filler of Private Label Goods, and includes any Person whose corporate name or business name registration contains the trademark.

Data Year means the calendar year that the steward Supplied DBBW.

Designated Blue Box Waste (DBBW) means Packaging, Service Packaging and Printed Materials that are comprised of metal, glass, paper, plastics, textiles or any combination thereof that is Supplied to the Generator. DBBW does not include Transportation Packaging, Durable Packaging, wood, ceramic, crystal, rubber, borosilicate glass and leather.

Designated Blue Box Waste (DBBW) Annual Steward's Report means a report prepared by a steward and Filed with Stewardship Ontario, describing the aggregate amount of DBBW, expressed in kilograms by category as set out in Appendix A of these Rules that was Supplied in a Data Year by the steward and its Affiliates and/or Franchisees containing the information in accordance with Section 3.1.2 of these Rules.

Durable Packaging means Packaging intended for continued use over a period of five years as part of the product and remaining with the product components.

Environmental Lead means an individual identified by the Primary Contact as the lead person responsible for the steward's business operations' interaction with sustainability, the environment and regulatory matters. The Environmental Lead may receive communications related to Stewardship Ontario initiatives and market trends and may be invited to participate in dialogues pertaining to stewardship issues. Environmental Leads will not be issued

access to a DBBW Annual Steward's Report or the reporting portal (currently submitted on the Stewardship Ontario reporting portal <https://wecycle.stewardshipontario.ca/>) by Stewardship Ontario, but can be granted access by the steward.

Filed means electronically submitted by a steward to Stewardship Ontario through the reporting portal, stipulated by Stewardship Ontario (currently submitted on the Stewardship Ontario reporting portal <https://wecycle.stewardshipontario.ca/>). Filed and File have similar meanings.

First Importer means a Person Resident in Ontario, who imports into Ontario:

- (a) a specific Printed Material which is DBBW, for which a Brand Owner does not exist, or
- (b) a specific good, the Packaging of which is DBBW, for which a Brand Owner does not exist;
- (c) and includes a Person Resident in Ontario who is the first to take title to, possession of or control of such material or good, upon or after arrival in Ontario from elsewhere during a Data Year.

Franchisor, Franchisee and Franchise System have the meaning ascribed thereto under the *Arthur Wishart Act (Ontario)*.

Generator means the Person within the residential sector to which Printed Material, Packaging or Service Packaging is Supplied that makes the DBBW available for reuse, recycling or disposal.

In Good Standing means a steward who is current with its financial and reporting obligations to Stewardship Ontario.

Interest means the amount calculated using the prime rate established by CIBC as at the close of business on the first day of each month plus four percent compounded monthly.

Methodology means the process the steward used to:

- (a) Determine DBBW Supplied including data sources, percentage allocation of data reported, data collection systems, and the use of calculators, worksheets or mathematical formulas, whether or not they were previously approved by Stewardship Ontario; and
- (b) Determine exclusions.

Obligation Year means the calendar year for which the steward is required to discharge their obligation by Filing a DBBW Annual Steward's Report and paying fees.

Packaging means materials that are used for the containment, protection, handling, delivery and presentation of goods Supplied to Generators.

Person means an individual, partnership, joint venture, sole proprietorship, company or corporation, government (whether national, federal, provincial, state, municipal, city, county or otherwise and including any instrumentality, division, body, department, board or agency of any of them), trust, trustee, executor, administrator or any other kind of legal personal representative, unincorporated organization, association, institution, entity, however designated.

Primary Contact means an individual identified by the steward as the authorized officer, or agent, of the steward under whose authority a DBBW Annual Steward's Report is Filed, or amended as set out in Section 3 and Section 4. A Primary Contact may also act as the stewards' Billing Contact and/or Environmental Lead.

Printed Materials means Printed Materials that are Supplied to Generators.

Prior Period Quantity means the DBBW Supplied in the Data Year, January 1, 2011 to December 31, 2011.

Private Label Goods means goods that carry the Brand of a Brand Owner and are Supplied to Generators by such Brand Owner that is a retail outlet in Ontario.

Proxy Report means a prior Designated Blue Box Waste Annual Steward's Report as referred in Section 3.2.4.

Published Address means an address appearing in a current telephone directory or a recognized current published business directory.

Resident in Ontario, with respect to a corporation, means a corporation that has a permanent establishment in Ontario, in accordance with Appendix B.

Review means an investigation into the accuracy and completeness of all or part of the information as set out in Section 3.1.2. A Review can be conducted both onsite and/or remotely by either Stewardship Ontario or its authorized representative.

Rules means these Rules.

Secondary Contact means a second individual identified by the steward who is authorized to act on behalf of the steward Primary Contact.

Sector means the industry category, from a list of categories provided by Stewardship Ontario (currently submitted on the Stewardship Ontario reporting portal <https://werecycle.stewardshipontario.ca/irj/portal>), that best describes the steward's business operations;

Service Packaging means packaging which may or may not bear a Brand that is Supplied at the point of sale by the retail, food service or other service providers to enable or facilitate the delivery of goods.

Supplied means sold, leased, donated, disposed of, used, transferred the possession or title of, or otherwise made available or distributed for use in the Province of Ontario to a Generator. Supply and Supplies have similar meanings.

Transportation Packaging means Packaging and Printed Materials used exclusively for packaging products during their shipment from their place of manufacture to their place of distribution in Ontario, except that which is provided as Service Packaging.

The image shows several handwritten signatures and dates. On the left, there is a large, stylized signature in blue ink. Below it, the date "Dec 11/12" is written in blue ink. In the center, there is a signature in black ink with the date "12/12/12" written below it. On the right, there is another signature in black ink with the date "Dec. 11/12" written below it.