

Plain Language Summary

NWT Electronics Recycling Regulations

Introduction

This is a summary of the official *Electronics Recycling Regulations* (the Regulations) that define the Northwest Territories (NWT) Electronics Recycling Program (the Program). These Regulations come under the *Waste Reduction and Recovery Act*.

Every effort has been made to ensure this summary is accurate. If you find any contradictions between it and the Regulations - the Regulations prevail. If you notice any errors or omissions, or want to suggest ways to improve this summary please contact the Department of Environment and Natural Resources, Government of the Northwest Territories at 867-873-7654 or nwtrecycle@gov.nt.ca.

This summary starts with definitions of words from the Regulations that you should understand. The rest of this summary is organized based on what different people must do to follow the laws:

1. Public
2. Distributors
3. Depot Operators, Collection Event Operators and Processing Centre Operators
4. Government of the Northwest Territories (GNWT)

Words to Understand

Collection Event

A collection event is a licensed event for collecting electronics from the public.

Collection Event Operator

The collection event operator is the person or business with the licence to run the collection event.

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Depot

A depot is the licenced place that receives electronics from the public or from an electronics collection event.

Each depot sends electronics collected to an assigned regional processing centre.

Depot Operator

The depot operator is the person or business with the licence to run the depot.

Distributor

A distributor is a person or business that manufactures, distributes or sells new electronics in or into the NWT. Distributors include retailers.

Distributors must register with the GNWT and participate in the Program.

Electronics

Electronics included in the Program are limited to the categories listed in column 1 of Table 1 (see next page). Examples for each electronic category are listed in column 2. (Note: The list in column 2 is meant to give examples; it is not a complete list). Electronics not identified in column 1 are not part of the Program.

If an electronic item comes as part of a bigger system and cannot work without the rest of the system, it is not part of the Program.

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Table 1. Electronics Categories Included in the Program.

Column 1 Category of Electronics	Column 2 Examples of Electronic Items Included in the Category
Computers (CPUs or Central Processing Units) and servers	Desktop computers; blade (rack mount), desktop and floor standing servers
Portable computers	Laptop, tablet and notebook computers
Display devices	Computer monitors, television screens and all-in-one computers (CPU and display device)
Desktop printing, copying, scanning and fax machines, whether stand-alone or multifunction	Desktop printers, photocopiers, scanners and facsimile (fax) machines; label, bar-code and card printers (other than handheld) and desktop photo printers, including dock printers
Floor standing printing, copying, scanning and fax machines, whether stand-alone or multifunction (less than 1,000 kg.)	Floor standing printers, photocopiers, scanners, facsimile (fax) machines and document centres

Environment Fund

The Environment Fund is a special fund set up under the Northwest Territories *Waste Reduction and Recovery Act*.

The Environment Fund handles all income and expenses connected with the Electronics Recycling Regulations and other waste reduction and recovery programs.

Licence

A licence is the legal agreement a person or business must have with the GNWT to operate a depot, collection event or processing centre.

Processing centre

A processing centre is the licenced place that takes electronics from assigned depots and collection events in their region. Processing centres store electronics until they have full loads to ship to recycling facilities.

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Processing centre operator

The processing centre operator is the person or business with the licence to run the processing centre.

Registration

Registration is the legal agreement a distributor must have with the GNWT to manufacture, sell or distribute electronics in or into the NWT.

Surcharge

The surcharge is the environmental handling fee collected on new electronics. Registered distributors must pay a surcharge to the Environment Fund for each electronic item they sell or distribute.

Public

Laws for the public:

Pay surcharges on electronics that are part of the Program. This includes TVs, computers, printers and fax machines. Electronics included in the program and the surcharges are listed in Table 2 (see next page). The cash register receipt shows the total surcharge.

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Table 2. Electronics Categories and Surcharges.

Category of Electronics	Examples of Electronic Items	Surcharge
Computers (CPUs or Central Processing Units) and servers	Desktop computers; blade (rack mount), desktop and floor standing servers	\$ 10.50
Portable computers	Laptop, tablet and notebook computers	\$ 3.00
Display devices: less than 30"	Computer screens, television screens and all-in-one computers (CPU and display device)	\$ 12.25
Display devices: 30" to 45"		\$ 24.50
Display devices: greater than 45"		\$ 40.00
Desktop printing, copying, scanning and fax machines, whether stand-alone or multifunction	Desktop printers, photocopiers, scanners and facsimile (fax) machines; label, bar-code and card printers (other than handheld) and desktop photo printers, including dock printers	\$ 8.00
Floor standing printing, copying, scanning and fax machines, whether stand-alone or multifunction (less than 1,000 kg.)	Floor standing printers, photocopiers, scanners, facsimile (fax) machines and document centres	\$ 40.00

The public can take used electronics that are part of the Program to any NWT electronics depot or collection event for free. No refunds are provided. Refunds are not collected as part of the surcharge on new electronics and are not part of the Program.

Electronics will not be accepted if:

- They are not part of the NWT Program and the depot operator or collection event operator is not licenced to take them. Only electronics in Table 1 (above) are part of the Program.
- The depot operator or collection event operator can identify the electronics are not from a distributor registered in the NWT.

Distributors

Distributors include any person or business that manufactures, sells or distributes new electronics in or into the NWT. Examples of distributors include electronics retailers in the NWT, electronics suppliers bringing electronics into the NWT and online distributors. Distributors must participate in the Program.

The Regulations say that distributors:

1. Cannot sell, distribute or manufacture new electronics covered by the Program in the NWT unless they register with the GNWT.
2. Must apply to the GNWT and register as a distributor. They must use GNWT forms and give all the information asked for in the forms.
3. Cannot register as a distributor if convicted of an offence under the *Waste Reduction and Recovery Act* within the past five years. They may apply to the GNWT to be exempt from this.
4. Will receive a written notice by registered mail to find out if the GNWT approves or rejects their application - within 45 days for a new application and within 21 days for a renewal.
5. If the GNWT rejects the application, the notice explains why it was not accepted. If the GNWT needs more information, the notice explains what other information is needed and how many days the distributor has to provide it.
6. The distributor will provide any additional information within the time allowed. If the distributor does not provide the additional information, the GNWT sends a written notice to tell the distributor it is assumed the application has been dropped.
7. Will follow any conditions the GNWT places on the registration.
8. May appeal a decision that the GNWT makes to:
 - Reject an application to register.
 - Change the conditions of registration.
 - Suspend or cancel registration.

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Distributors must appeal in writing within 30 days of the decision. The GNWT reviews all information and responds within 60 days.

9. Must not operate as a distributor if the GNWT suspends or cancels the registration.
10. Cannot transfer the registration to another person or business. Must apply for a new registration if the distributor's business ownership changes.
11. Must collect the surcharge outlined in Table 2 (see page 5) on every new electronic item sold and provide their customers with a receipt that shows the surcharge.
12. Must pay the surcharge for every new electronic item they sell.
 - The first distributor of electronics in, or into, the NWT will pay the surcharge to the Environment Fund. This distributor is called a **remitter**.
 - Distributors who get their electronics from registered first distributors or remitters do not pay the surcharge to the Environment Fund. They pay the surcharge at the time of purchase to the first distributor(s) or remitter(s) who supply them. Distributors must save their receipts showing they have already paid the surcharge.
13. Only one surcharge is paid to the Environment Fund for every electronic item.
14. A parent company or other business may pay surcharges to the Environment Fund for the distributor.
15. Must report on who their supplier is and/or who they supply to in the NWT.
16. Must report on the total surcharge owed to the Environment Fund.
17. Must submit reports within 30 days of the end of each month for the month before.

The GNWT may allow a distributor to report less than every month if they are following the regulations, they are not a remitter and they sell a small number of electronics. The GNWT decides on what is a small number of electronics.

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18. Must make monthly payments to the Environment Fund for surcharges on electronics they sold the month before. Monthly payments are required at the same time as reports.

For example, before the end of December distributors provide records of the numbers and types of electronics they sold during November and pay the total surcharge.

19. Distributors who are not remitters will not have to make monthly payments.

20. Must keep accurate financial records and provide them upon request to the GNWT.

Distributors who are not remitters must save their receipts showing they paid the surcharge on electronics at the time they purchased them.

21. Must keep all records for a total of six years.

Depot Operators, Collection Event Operators and Processing Centre Operators

Depot operators have a licence to receive electronics from the public and from collection events. Depot operators deliver electronics to an assigned processing centre.

Collection event operators have a licence to collect electronics from the public. Collection event operators deliver electronics to an assigned depot or processing centre.

Processing centre operators have a licence to accept electronics from assigned depots and collection events. They cannot accept electronics from anywhere else.

The Regulations say that depot, collection event and processing centre operators:

1. May apply to the GNWT for a licence to operate a depot, collection event or processing centre. Must use the forms the GNWT provides and give all the information asked for on the forms.

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2. The GNWT decides to approve or reject the licence. They may reject an application if there isn't enough demand or it won't work for other reasons.
3. Cannot get a licence if convicted of an offence under the *Waste Reduction and Recovery Act* within the past five years. May apply to the GNWT for an exemption.
4. May operate more than one depot or processing centre. They need to apply for, and have, a separate licence for each.
5. Cannot transfer the licence to any other person or business.
6. Will follow the conditions of the licence, such as:
 - How to receive, collect, handle, store, transport, process, recycle and dispose of electronics.
 - Types of electronics they can receive.
 - How processing centre operators pay depot operators.
 - How to keep records and books.

The GNWT may change the conditions of the licence, or suspend or cancel it.

7. May appeal a decision the GNWT makes to:
 - Reject an application for a licence.
 - Change the conditions of a licence.
 - Suspend or cancel a licence.

Must appeal in writing within 30 days of the decision. The GNWT responds within 45 days.

8. May refuse to take electronics if:
 - The operator isn't licenced to take them.
 - The operator can identify the electronics are not from a distributor registered in the NWT.
9. Must report to the GNWT within 30 days of the end of each month for the month before.

Depot operators report on:

- Quantity of electronics received from each collection event held in another community (if any).

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- Quantity of electronics delivered to a processing centre.
- What processing centre received their electronics.
- Quantity of electronics still in storage.
- Any other information the GNWT needs.

Collection event operators report on:

- Quantity of electronics delivered to a depot or processing centre.
- Depot or processing centre that received their electronics.
- Any other information the GNWT needs.

Processing centre operators report on:

- Quantity of electronics received from each collection event and depot.
- Payments to depot operators.
- Quantity of electronics shipped for recycling.
- Any other information the GNWT needs.

Depot, collection event and processing centre operators may present these records more often than once a month, if they want to.

Processing centre operators must provide copies of their records upon request of the GNWT. They must keep their records for a total of six years.

10. Must keep financial and other records for six years and present them to the GNWT upon request.
11. Will receive payments from the Environment Fund based on their records and an amount determined by the GNWT.
12. Processing centre operators pay depot operators as determined by the GNWT for the quantity of electronics collected.

The depot operator may appeal to the GNWT if the processing centre operator refuses to pay. The depot operator must appeal in writing within 30 days of when the processing centre refuses to pay.

The GNWT reviews all information. A notice of the decision about the appeal will be sent by registered mail to the depot and processing centre operators. The processing centre operator must pay within 30 days if the GNWT decides in favour of the depot operator.

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13. The GNWT pays the processing centre operator. The payment includes the amount paid to depot operators plus a fee for the quantity of electronics received by the processing centre operator.
14. The GNWT pays to transport all electronics between collection events, depots and processing centres. The GNWT also pays to transport electronics to recycling facilities.
15. Processing centre operators must keep all information from the depot operators they deal with confidential.

Government of the Northwest Territories (GNWT)

The GNWT puts the law into action and makes sure everyone follows it. The Department of Environment and Natural Resources administers the Electronics Recycling Program. The Chief Environmental Protection Officer has overall responsibility for the Program.

The Regulations say that the GNWT:

1. Will register all distributors and licence all depot, collection event and processing centre operators. Each licence or registration lasts up to five years. An operator or distributor can apply to renew a licence or registration.
2. Will design a process (for example, an application form) to:
 - Register all distributors.
 - Licence all operators of depots, collection events and processing centres.
3. Will approve or reject an application for a registration or for a licence. Will send a written notice by registered mail about the decision within 45 days for a new application and 21 days for a renewal.

If the GNWT refuses the application, the notice says why.

If more information is needed, the notice states what information is needed and by what date it is expected.

Additional information is reviewed by the GNWT. A written notice is sent by registered mail to say if the application is approved or rejected based

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on additional information. This notice is sent within 45 days of receiving the information.

If the additional information is not received within the time allowed, the GNWT sends a written notice by registered mail telling the distributor the application is considered dropped.

4. Can decide any conditions for a licence or registration, such as:
 - How operators receive, collect, handle, store, transport, process, recycle and dispose electronics.
 - Types of electronics operators can receive.
 - How processing centre operators pay depot operators.
 - How operators and distributors keep records and books.
5. May suspend or cancel a licence or registration, or change the conditions, based on a review.

Must send a written notice to the distributor or operator about the review. Invite them to respond within 30 days and consider their input. Send the distributor or operator a copy of the written decision about the review by registered mail.

6. May restore a suspended or cancelled licence or registration.
7. Will receive and manage appeals from distributors or operators. Review all information and respond to the appeal by registered mail within 60 days.

Within 30 days of receiving an appeal, the GNWT will appoint an advisor to recommend how to respond to the appeal. The advisor must be someone from outside the Department of Environment and Natural Resources.

8. May audit and inspect a distributor's or operator's books or facilities at any time.
9. Will produce an annual report that shows:
 - Total licences and registrations.
 - Total quantity of electronics returned.