



Electronic Equipment Stewardship Regulations

Summary of Proposed Regulatory Changes

Table of Contents

Purpose 1

Background 1

Rationale 2

Engagement Process..... 2

Contact..... 2

Proposed Changes..... 3

 Definitions..... 3

 Determination of First Seller/Producer 3

 Guidelines 4

 Prescribed Products 4

 Annual Reporting and Performance Targets 4

Next Steps 5

Appendix A – Electronic equipment accepted in Saskatchewan and other provincial programs 6

Purpose

The Government of Saskatchewan is engaging on potential changes to *The Electronic Equipment Stewardship Regulations* (the regulations). The regulations use the extended producer responsibility (EPR) model to require obligated businesses (i.e. first sellers of electronic products in Saskatchewan) to operate a product stewardship program or enter into an agreement with a person to operate a program on the first seller's behalf. The proposed changes would impact electronic equipment recycling in Saskatchewan and the Recycle My Electronics program operated by the Electronic Products Recycling Association (EPRA).

Background

The Waste Electronics Equipment Regulations were established in 2007 to decrease the amount of waste entering Saskatchewan landfills, increase the amount of material recycled and increase access to recycling for residents. After engagement with industry and stakeholders, the regulations were updated and expanded in 2010 and 2018.

EPRA is the producer responsibility organization operating the Recycle My Electronics Program in Saskatchewan. EPRA partners with retailers, SARCAN depots and municipalities to collect and recycle regulated electronic equipment, including computers and peripherals, printers, televisions, monitors, audio/video equipment, non-cellular phones, microwaves, GPS devices and e-readers. EPRA also operates programs for electronic equipment recycling in British Columbia, Manitoba, Ontario, Quebec, Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland and Labrador.

In 2018, the Canadian Council of Ministers of the Environment created a Canada-wide Strategy on Zero Plastic Waste and Action Plans to keep all plastics in the economy and out of the environment, with the goal of reducing waste by 30 per cent by 2030 and 50 per cent by 2040, based on 2014 baseline levels. The Government of Saskatchewan supports the strategy and action plans and has shown our commitment to reducing plastic waste by co-leading action items related to extended producer responsibility and single-use and disposable plastic. Our government has also committed to working towards goals outlined in the CCME Canada-wide Action Plan for EPR, which includes incorporating appliances into extended producer responsibility programs.

In 2023, the Ministry of Environment conducted a regulatory red tape reduction review. This review, which occurs at least once every 10 years, is mandatory for all business regulations and includes obtaining feedback from businesses to identify ways to reduce administrative burdens. In 2023, the ministry also completed a legislated five-year review of EPRA's product stewardship program (PSP) to determine its effectiveness and efficiency and to find opportunities for improvement.

Since Saskatchewan's regulatory updates in 2018, many Canadian provinces have expanded their list of accepted electronic products. They now collect and recycle a variety of additional devices, including small appliances, power tools, lawn and garden equipment, musical instruments, and games and toys. Notably, the Canadian Wireless Telecommunications Association (CWTA) discontinued the voluntary, national Recycle My Cell program in 2022 due to program viability challenges. Cell phones are included in extended producer responsibility regulations in British Columbia, Manitoba, Ontario, Quebec, New

Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland and Labrador. Alberta also includes cell phones as part of their provincial stewardship program for electronic products.

Rationale

Through the engagement process, the ministry will work with stakeholders and interest groups to revise the electronic equipment regulations to achieve the following positive outcomes.

- Increase opportunities for residents to reduce waste and ensure an appropriate level of service to urban, rural and remote communities.
- Reduce the amount of waste entering Saskatchewan landfills and increase Saskatchewan's recycling rate for electronic equipment to help reach the waste reduction targets of 30 per cent by 2030 and 50 per cent by 2040 in the Solid Waste Management Strategy.
- Reduce burdens on municipalities for managing landfill waste.
- Encourage businesses to reduce the amount of material used in their products and/or improve the environmental performance of their products.
- Integrate more materials back into the economy so they can be used as a resource and help create a circular economy.
- Encourage investment in Saskatchewan and provide opportunities to take advantage of innovative local solutions and economies of scale.
- Expand the list of designated products to harmonize Saskatchewan's regulations more closely with programs in other provinces.

Engagement Process

This document provides information, highlights and clarifies the proposed changes, and invites feedback before finalizing proposed regulatory changes.

Responses can be provided through written submissions and will be accepted until September 13, 2024. The ministry will accommodate meetings upon request.

Contact

Written submissions and questions can be forwarded to:

Ministry of Environment
Environmental Assessment and Stewardship Branch
Attn: Packaging and Printed Paper Regulations
4th Floor, 3211 Albert Street
Regina, SK S4S 5W6
waste.management@gov.sk.ca

Proposed Changes

Definitions

To maintain consistency with the most recent stewardship regulations, *The Household Packaging and Paper Stewardship Program Regulations*, the ministry is proposing the following definitions:

“**brand owner**” means the person who is the owner or licensee of a trademark used in association with or marked on electronic equipment;

“**end user**” means any person who uses electronic equipment for its intended purpose;

“**marketplace facilitator**” means a person:

- (a) who makes or facilitates a marketplace for retail sales by marketplace sellers; and
- (b) who, directly or indirectly, collects payment from a consumer or user and remits payment to a marketplace seller, whether or not that person receives consideration in exchange for its services;

“**marketplace seller**” means a person who makes retail sales through any physical or electronic marketplace operated, owned or controlled by a marketplace facilitator;

“**producer responsibility organization**” means a person who operates a product stewardship program on behalf of producers;

“**recycle**” means electronic equipment collected by a product stewardship program that is sold as a commodity for the purposes of being reprocessed into raw materials for use as inputs into new products; and

“**trademark**” means a trademark as defined in the *Trademarks Act* (Canada).

Determination of First Seller/Producer

The existing regulations use a producer hierarchy to determine who is obligated as a first seller/producer in descending order. In the regulations, “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.

The ministry proposes changing the term “first seller” to “producer” and revising the language in the producer hierarchy. These revisions will not result in any changes to the regulatory obligations of first

sellers/producers but will ensure consistency with the language in the most recent stewardship regulations, *The Household Packaging and Paper Stewardship Program Regulations*.

Determination of producer

3(1) Subject to subsections (2) and (3), the person who is the producer of electronic equipment that are supplied in Saskatchewan to an end user is:

(a) if the person is a resident of Canada, the brand owner with respect to the electronic equipment;

(b) if there is no person as described in clause (a), the person who first imports the electronic equipment into Saskatchewan; or

(c) if there is no person as described in clause (a) or (b), the retailer who supplied the electronic equipment to the end user for use in Saskatchewan.

(2) In the case of a business operated wholly or in part as a franchise, the producer is the franchisor, if that franchisor has franchisees that are resident in Saskatchewan.

(3) If the producer determined in accordance with subsection (1) is a retailer and that retailer is a marketplace seller, the marketplace facilitator that contracts with the marketplace seller shall be deemed to be the producer for the purposes of this section.

Guidelines

The ministry proposes including guidelines to further inform the development of product stewardship programs for electronic equipment. The Minister of Environment may establish guidelines respecting any additional terms and conditions that a producer or producer responsibility organization shall comply with. The Minister will make the guidelines available to the public by publishing them on the ministry's website.

Prescribed Products

The existing regulations include desktop computers, portable computers, computer peripherals (i.e., mouse, keyboard and hard drive), printers, televisions, audio/video equipment, GPS devices, non-cellular telephones, answering machines and countertop microwave ovens. For a complete list of devices included in the existing regulations, visit [Saskatchewan's Publications Centre](#).

The categories and devices listed in Appendix A of this document are a compilation of the electronic equipment currently accepted by provincial recycling programs. The ministry is considering expanding the list of devices accepted in Saskatchewan's program to include cell phones, small appliances and power tools. The ministry is looking for feedback on including these categories in the program and other categories that should be considered in the updated regulations.

Annual Reporting and Performance Targets

Current regulations do not require the producer responsibility organization to make annual reports available to the public, report on the amount of electronic equipment supplied to the market or meet targets. The regulations require annual reporting on the types and amounts of waste electronic equipment collected and diverted to each program's recycling options. The producer responsibility organization is also required to report on financial requirements, including the total amount of recycling

fees collected to fund the program in Saskatchewan, the amount paid out as recycling incentives, the cost of administering the program, and the amount spent on public education or public awareness and communication.

The ministry proposes requiring the producer responsibility organization to publicly post a copy of each annual report on the program website and report annually on the amount of electronic equipment sold into or supplied for use in Saskatchewan by the producers. Additionally, the ministry proposes requiring annual reporting on the amount of each material component of electronic equipment identified by the producer responsibility organization and the aggregate amount of all waste electronic equipment collected, reused, recycled, recovered for energy or disposed of in a landfill. The ministry is also considering adding a requirement for the program plan to explain how the program will incorporate or support reuse in the program. The annual report must also provide the number and location of collection services and any changes from the previous reporting period.

The ministry also proposes requiring the producer responsibility organization to propose and report on annual incremental targets to be achieved for public awareness of the program, per cent of the population with access to the program, any other performance indicators proposed by the producer responsibility organization and a description of how the targets were determined. While other regulations, including household packaging and paper, require reporting on recycling and diversion rates, using these performance indicators is difficult for electronic equipment. The products the ministry is considering including in an expanded regulation are durable goods that are likely not to be returned until years after their initial purchase; therefore, a recycling rate or diversion rate calculation is not practical.

Finally, the annual report would also require a description of educational materials and educational strategies used to advertise the program and educate the public, as well as a description of the efforts taken by or on behalf of the producers to reduce environmental impacts throughout the product life cycle and to increase reusability or recyclability at the end of the life cycle.

Next Steps

The information gathered during engagement will inform the final regulatory amendments to *The Electronic Equipment Stewardship Regulations*. The ministry values all feedback as it aims for an effective, efficient and sustainable program for end-of-life electronics. Once regulations are finalized and approved, the ministry will notify all stakeholders who participated in engagement.

Once the regulations come into force, producer responsibility organizations can either amend an existing product stewardship program or submit plans for a new one. The ministry will review all submissions to ensure compliance with regulatory requirements and alignment with the best interests of Saskatchewan residents. The ministry will keep stakeholders informed throughout the approval process.

Appendix A – Electronic equipment accepted in Saskatchewan and other provincial programs

CATEGORIES ACCEPTED IN SASKATCHEWAN	EXAMPLES
Desktop computers	computer terminals, desktop computers, nettop computers
Portable computers	laptop computers, notebook computers, tablets, netbooks
Display devices	computer monitors, display monitors, televisions
Desktop printers, scanners, fax machine and multi-functional devices	desktop printers, desktop scanners, camera dock printers, desktop fax machines, thermal printers
Floor-standing printers, copiers and multi-functional devices	floor-standing office printers, floor-standing multi-function or “all-in-one” devices, floor standing fax machine
Other peripherals	computer mouse, controllers, disk drives, external CD-ROM, headphones, headsets, HDMI switches, keyboards, trackballs, touchpads, microphones
Personal/portable audio/video playback and/or recording system	clock radios, portable AM/FM radios, portable stereos, portable disc players, portable digital readers (e.g. MP3, MP4 players), digital and non-digital cameras, video cameras, web cams, baby monitors, devices for storage sounds or images
Home audio/video playback/recording systems and/or home-theatre-in-a-box	video cassette players, digital projectors, personal video recorders (PVRs), cable and satellite digital receivers, disc players, AM/FM radios, amplifiers, home speaker systems
Vehicle audio and video systems	dash radio, DVD, CD and/or cassette players, amplifiers, equalizers, speakers, video player systems, car security systems
Non-cellular telephones and answering machines	rotary and touchtone phones, cordless telephones, VoIP phones, satellite phones, USB speakerphones
Microwave ovens	countertop microwave ovens
ADDITIONAL CATEGORIES ACCEPTED IN OTHER PROVINCES	EXAMPLES
Cellular devices and pagers	cellular phones, smart phones, pagers
IT and telecom equipment	bridges, switches/network hubs, routers, range extenders
Musical instruments	acoustic percussion instruments; amplifiers, mixers and speakers; tuners, metronomes or combination devices; portable amplifiers, mixers or pedal boards; and digital pianos, electronic keyboards, electronic stringed instruments
Medical and monitoring equipment	blood pressure monitors, digital thermometers, defibrillators, hearing aids, heart rate monitors, breast pumps, microscopes
E-bikes and e-scooters	battery powered electric bikes and scooters

Electronic toys	metal or hard plastic toys with electronics, plush textile with electronics, remote control vehicles, electronic action figures, electronic learning aids (e.g. toy books), toy cameras, toy robots
Ride-on toys	small and large battery-powered ride-on toys
Lawn and garden equipment	chainsaw, irrigation timers, lawn mower, leaf blower, power rake, pressure washer, rototiller, snow blower, trimmer
Power tools – bench and floor standing	air compressor, angle, band saw, chop saw, drum machine, electronic sharpener, lathe, mitre saw, sink machine, table saw, wallpaper steamer/stripper
Power tools – handheld	air compressor accessories, angle grinder, autofeed screwdriver, automotive air inflator/pump, battery charger, circular saw, drill, glue gun, impact wrench, jigsaw, nailer, paint mixer, sander, soldering iron
Lighting and light fixtures	interior lighting products including ceiling fan/lighting, decorative lighting (string lights), lamps (tabletop or floor standing), light fixtures (wall or ceiling mount), solar powered lighting, peripherals (e.g. power/extension cords)
Solar panels	silicon and thin film
Small Appliances	
Kitchen countertop motorized	blender, can opener, coffee grinder, electric knife, food bag sealer, food processor, ice cream maker, juicer, mixer
Kitchen countertop heating	air fryer, bottle warmer, bread maker, coffee maker, countertop oven, deep fryer, electric wok, food dehydrator, pressure cooker, rice cooker, sandwich maker, slow cooker, sous vide, toaster
Time measurement	alarm clock, timer, wall clock
Weight measurement	bathroom scale, food scale, luggage scale
Garment care	boot/glove dryer, clothes shaver, garment steamer, garment sanitizer, iron, towel warmer
Portable air treatment	heater, humidifier/vaporizer, patio heater, scent diffuser machine, air conditioner, air freshener, air purifier/ionizer, portable and desktop fan, window fan
Floor cleaning - large	carpet cleaner, floor cleaner, floor steamer, vacuum cleaner
Floor/surface cleaning - small	electric brooms or sweepers, handheld floor or surface steamers, handheld or robotic vacuum cleaner
Personal care	automatic soap dispenser, curling iron and hair straightener, facial cleansing devices, hair trimmers and shavers, hair dryer, heating pads, hot rollers, massagers, razors, toothbrushes
Home security and monitoring	carbon monoxide detectors, home security systems, smoke alarms, keyless entry deadbolts, video doorbell cameras
Home office	laminator, pencil sharpener, shredder, typewriter
Designated very small items	automatic air freshener/scent diffuser, handheld frother, lint rollers or clothing shavers, mini massager, mug warmers