

## **ONTARIO REGULATION 389/16**

made under the

WASTE DIVERSION TRANSITION ACT, 2016

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### **WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT**

#### Interpretation

1. In this Regulation,

“waste electrical and electronic equipment” means a device that is waste, that required an electric current to operate and that is,

(a) a household appliance, whether used inside or outside a home, including any device listed in Schedule 1,

(b) information technology equipment, including any device listed in Schedule 2,-

(c) telecommunications equipment, including any device listed in Schedule 3,

(d) audio-visual equipment, including any device listed in Schedule 4,

(e) a toy, leisure equipment or sports equipment, including any device listed in Schedule 5,

(f) an electrical or electronic tool, including any device listed in Schedule 6, but not including a large-scale stationary industrial tool, or

(g) a navigational, measuring, monitoring, medical or control instrument, including any device listed in Schedule 7, but not including any implanted or infected medical instrument.

#### Designation

2. Waste electrical and electronic equipment is prescribed as a designated waste for the purposes of the Act.

#### Board composition

3. (1) The board of Ontario Electronic Stewardship shall be composed of the following members:

1. Four members appointed by the Electronics Product Stewardship Canada.

2. Three members appointed by the Retail Council of Canada.

3. One member appointed jointly by the Electronics Product Stewardship Canada and the Retail Council of Canada.

4. Any members appointed under subsection (2).

(2) A majority of the members appointed under paragraphs 1 to 3 of subsection (1) may appoint up to two further members of the board.

(3) A maximum of two members of the board of directors may be persons who are not Canadian citizens or permanent residents within the meaning of the Immigration and Refugee Protection Act (Canada) and who are not ordinarily resident in Canada.

(4) The following rules apply for the purpose of determining quorum under section 19 of the Act:

1. If no members are appointed under subsection (2), quorum is determined on the basis that the fully constituted board consists of 8 members.

2. If one member is appointed under subsection (2), quorum is determined on the basis that the fully constituted board consists of 9 members.

3. If two members are appointed under subsection (2), quorum is determined on the basis that the fully constituted board consists of 10 members.

(5) A member of the board appointed under subsection (1) or (2) shall hold office for a term of no more than two years beginning on the date the appointment is made.

(6) Members of the board are eligible for reappointment, subject to section 4.

(7) If the Electronics Product Stewardship Canada and the Retail Council of Canada do not jointly appoint a board member described in paragraph 3 of subsection (1) within 30 days after the position becomes vacant, the chair of Ontario Electronic Stewardship may, after providing 30 days notice to the two organizations, appoint an individual to fill the vacancy until the earlier of,

(a) the day a member is jointly appointed by the organizations; and

(b) the day that is two years after the date the chair makes the appointment.

(8) The term of a member of the board of directors appointed by the chief executive officer of Ontario Electronic Stewardship under subsection 5 (2) of Ontario Regulation 393/04 (Waste Electrical and Electronic Equipment) made under the Waste Diversion Act, 2002 expires on the earlier of,

(a) the day a member is jointly appointed by the Electronics Product Stewardship Canada and the Retail Council of Canada to replace the member appointed by the chief executive officer; and

(b) the day that is two years after the date the chief executive officer made the appointment.

(9) Ontario Electronic Stewardship shall maintain on its website a list of members of its board of directors along with an indication of who appointed each member and when each member's term expires.

#### Qualifications

4. (1) An individual may be appointed as a member of the board of directors only if the individual,

(a) is a director, officer or employee of,

(i) a corporation that supplies a product from which waste electrical and electronic equipment is derived, or

(ii) an organization or industry association representing a corporation mentioned in subclause (i);  
and

(b) is at least 18 years of age.

(2) Despite subsection (1), an individual shall not be appointed as a member of the board of directors if the individual,

(a) has the status of bankrupt; or

(b) has been found, under the Substitute Decisions Act, 1992 or the Mental Health Act, to be incapable of managing property.

## Application of Corporations Act

5. Subsections 59 (1) and (2), section 80 and subsection 283 (5) of the Corporations Act apply, with necessary modifications, to Ontario Electronic Stewardship.

## Amendments and Commencement

### Amendment in consequence of Not-for-Profit Corporations Act, 2010

6. Section 5 of this Regulation is revoked and the following substituted:

### Application of Not-for-Profit Corporations Act, 2010

5. Sections 46 and 85 of the Not-for-Profit Corporations Act, 2010 apply, with necessary modifications, to Ontario Electronic Stewardship.

## Commencement

7. (1) Subject to subsection (2), this Regulation comes into force on the later of the day clause 73 (1) (b) of Schedule 2 to the Waste-Free Ontario Act, 2016 comes into force and the day it is filed.

(2) Section 6 comes into force on the later of the day subsection 77 (1) of Schedule 2 to the Waste-Free Ontario Act, 2016 comes into force and the day this regulation is filed.

## SCHEDULE 1

### HOUSEHOLD APPLIANCES

1. Air purifier

2. Air conditioner

3. Answering machine

4. Barbeque starter

5. Blender

6. Bottle or can dispenser

7. Can opener

8. Carpet sweeper

9. Clock

10. Clothes dryer

11. Clothes washer

12. Coffee grinder

13. Coffee maker

14. Curling iron

15. Dehumidifier

16. Dishwashing machine

17. Electric hot plate

18. Fan

19. Food processor

20. Freezer

21. Fryer

22. Glue gun

23. Hair dryer

24. Heat gun

25. Heater

26. Hot drink dispenser

27. Humidifier

28. Iron

29. Kettle

30. Knitting machine

31. Microwave oven

32. Mixer

33. Radiator

34. Razor

35. Refrigerator

36. Scissors

37. Sewing machine

38. Slicing machine

39. Solid product dispenser

40. Stove

41. Toaster

42. Toaster oven

43. Toothbrush

44. Vacuum cleaner



45. Vacuum sealer

46. Watch

47. Water purifier

48. Weaving machine

49. Weigh scale

## SCHEDULE 2

### INFORMATION TECHNOLOGY EQUIPMENT

1. Analog computer

2. Automatic teller machine (ATM)

3. Bar code scanner

4. Calculator

5. CD-ROM drive

6. Computer disk drive

7. Computer keyboard

8. Computer mouse

9. Computer terminal

10. Copier

11. Joystick

12. Mainframe computer

13. Microcomputer

14. Minicomputer

15. Monitor (CRT)

16. Monitor (LCD)

17. Monitor (Plasma)

18. Personal computer (Desktop)

19. Personal computer (Handheld)

20. Personal computer (Laptop)

21. Personal computer (Notebook)

22. Personal computer (Notepad)

23. Personal digital assistant (PDA)

24. Point-of-sale (POS) terminal

25. Printer

26. Computer router

27. Computer flatbed scanner

28. Typewriter

### SCHEDULE 3

#### TELECOMMUNICATIONS EQUIPMENT

1. Antenna, transmitting or receiving

2. Broadcast equipment (including studio), for radio or television

3. Cable television transmitting or receiving equipment

4. Citizens' band (CB) radio

5. Closed circuit television equipment

6. Fax machine

7. Global positioning system (GPS)

8. Infrared wireless device

9. Intercom system

10. Local area network (LAN) communication equipment

11. Modem

12. Pager

13. PBX (private branch exchange)

14. Satellite television transmitting or receiving equipment

15. Switching equipment

16. Telephone (Cellular)

17. Telephone (Cordless)

18. Telephone (Wire line)

19. Telephone answering machine

20. Telephone carrier line equipment

21. Telephone carrier switching equipment

22. Telex machine

23. Traffic signal

24. Wide area network communications equipment

#### SCHEDULE 4

#### AUDIO-VISUAL EQUIPMENT

1. Amplifier

2. Audio player (tape, disk, digital)

3. Audio recorder (tape, disk, digital)

4. Camera (film, tape, disk, digital)

5. Equalizer

6. Headphone

7. Microphone

8. Mixing board

9. Musical instrument

10. Preamplifier

11. Public address system

12. Radio

13. Receiver

14. Speaker

15. Television (CRT)

16. Television (LCD)

17. Television (Plasma)

18. Television (Rear projection)

19. Tuner

20. Turntable

21. Video player or projector (tape, disk, digital)

22. Video recorder (tape, disk, digital)

## SCHEDULE 5

### TOYS, LEISURE EQUIPMENT AND SPORTS EQUIPMENT

1. Action figure and accessories

2. Arts, crafts or hobby device

3. Building set

4. Doll

5. Game or puzzle

6. Infant or preschool toy

7. Learning or exploration toy

8. Outdoor or sports toy

9. Plush toy

10. Vehicle

11. Video game and accessories

## SCHEDULE 6

### ELECTRICAL AND ELECTRONIC TOOLS

1. Bender

2. Blower

3. Cutter

4. Disperser

5. Drill

6. Fastener

7. Folder

8. Grinder

9. Hammer

10. Joiner



11. Lathe

12. Lawn mower

13. Mill

14. Nail gun

15. Nibbler

16. Planer

17. Polisher

18. Punch

19. Riveter

20. Router

21. Sander

22. Saw

23. Screwdriver

24. Shear

25. Soldering gun

26. Sprayer

27. Spreader

28. Staple gun

29. Trimmer

30. Vacuum

31. Welder

32. Wrench

#### SCHEDULE 7

NAVIGATIONAL, MEASURING, MONITORING,  
MEDICAL OR CONTROL INSTRUMENTS

1. Alarm system

2. Analyzer

3. Automatic environmental controller or regulator

4. Cardiology equipment
5. Dialysis equipment
6. Drafting instrument
7. Fertilization tester
8. Fire detection and alarm system
9. Freezer
10. Hearing aid
11. Heating regulator
12. Humidistat
13. Instrument for industrial process control
14. Irradiation equipment
15. Laboratory analytical instrument
16. Laboratory equipment for in-vitro diagnosis
17. Medical equipment, ultrasonic

18. Medical radiation therapy equipment

19. Meteorological instrument

20. Meter

21. Nuclear medicine equipment

22. Oscilloscope

23. Process controller

24. Pulmonary ventilator

25. Radiation detection or monitoring instrument

26. Radiotherapy equipment

27. Refractometer

28. Scanner (CT/CAT)

29. Scanner (MRI)

30. Scanner (PET)

31. Smoke detector

32. Soil testing or analysis instrument

33. Surgical support system

34. Surveying instrument

35. Temperature instrument

36. Thermostat

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