

## Producer Responsibility Organization (PRO) Registration

### **Purpose:**

The Registration Policy outlines the guiding principles and regulations governing registration within the Extended Producer Responsibility (EPR) system, as stipulated in the Extended Producer Responsibility Regulation, AR 194/2022.

Under the EPR Regulation, the Authority is authorized to register producers, producer responsibility organizations, processing facilities, and communities. It's important to note that only stakeholder groups explicitly identified in the regulation and bylaws are eligible for registration within the system. This ensures that registration is aligned with regulatory guidelines and serves the overarching goals of EPR implementation in Alberta.

This document serves to clarify Producer Responsibility Organization (PRO) registration.

### **Regulatory Requirements:**

- A PRO must be a not-for-profit organization within Alberta or Canada.
- A PRO must not be affiliated with an entity or individual that provides recycling or waste management services.

### **Regulatory intent:**

A PRO registered as a Single-use Products, Packaging, and Paper Products (PPP) PRO should not have any vertical integration within the EPR framework. They should not have any affiliation or controlling interest in waste collection or processing activities for PPP designated materials.

A PRO registered as a Hazardous and Special (HSP) PRO should not have any vertical integration within the EPR framework. They should not have any affiliation or controlling interest in waste collection or processing activities for HSP designated materials.

### **Clarification:**

A PRO may register with the Authority if:

- (a) The PRO is a not-for-profit organization within Alberta or Canada; and
  - (b) The PRO is not affiliated with an entity or individual that provides recycling or waste management services.
- “recycling services or waste management services” means any for-profit service at any stage in the processing of waste or recycled items in Canada. This includes collecting, transporting, handling, storing, sorting, separating, and processing of waste or recycled items.

For clarity, the following affiliations are not restricted:

- not-for-profit recycling or waste management service providers in Canada;
- recycling or waste management service providers outside of Canada.

A PRO may **not** register with the Authority if:

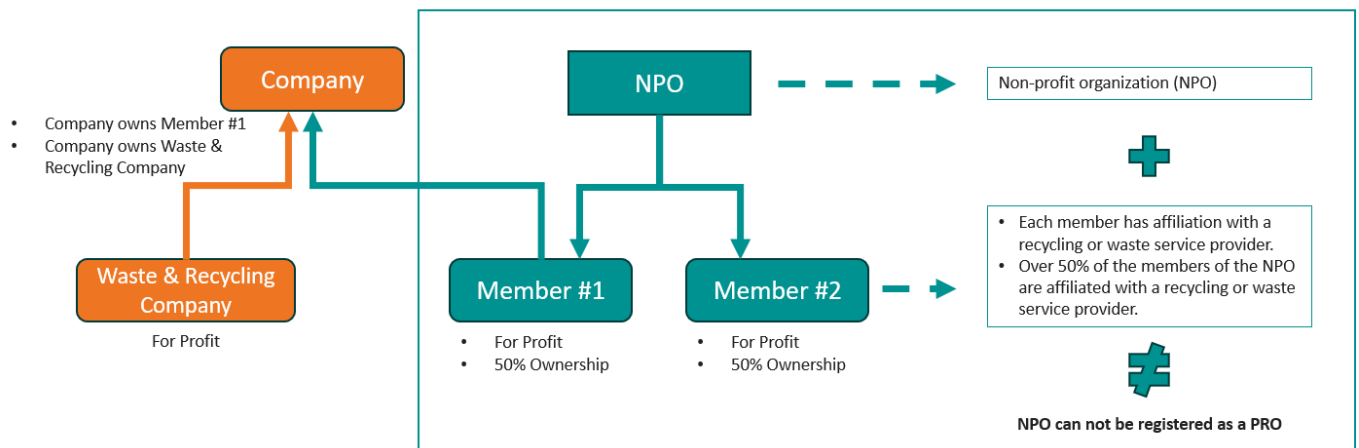
For Single-use Products, Packaging, and Paper Products (PPP)

- The PRO is affiliated with an entity or individual that provides recycling services or waste management services for PPP Designated Materials.
- More than 50% of the members of the PRO are affiliated with an entity or individual that provides recycling services or waste management services for PPP Designated Materials.
- The PRO is a for-profit entity.

For Hazardous and Special Products (HSP)

- The PRO is affiliated with an entity or individual that provides recycling services or waste management services for HSP Designated Materials.
- More than 50% of the members of the PRO are affiliated with an entity or individual that provides recycling services or waste management services for HSP Designated Materials.
- The PRO is a for-profit entity.

#### PRO Due Diligence – Illustration of Affiliation



#### Direction:

The Bylaws and Affiliation Policy prevent individuals associated with recycling and waste management services to establish a not-for-profit PRO thus preventing vertical integration. This prevents undue influence by vertically integrated organizations on service contracts with for-profit entities affiliated with a not-for-profit PROs and creating the potential to undermine the fairness and transparency of the competitive landscape.