

Caution:

This draft regulation is provided solely to facilitate public consultation under section 16 of the Environmental Bill of Rights, 1993. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the draft regulation are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

To be made under the

RESOURCE RECOVERY AND CIRCULAR ECONOMY ACT, 2016

ADMINISTRATIVE PENALTIES

**PART I
GENERAL**

Administrative penalty orders

1. The Registrar or a Deputy Registrar shall not issue an order under subsection 89 (2) of the Act except in accordance with this Regulation.

Prescribed provisions, persons

2. (1) The provisions set out in Column 1 of the Tables to Schedules 1 and 2 are prescribed under clause 89 (2) (f) of the Act.

(2) For the purposes of clause 89 (3) (e) of the Act, a person who contravenes a provision set out in Column 1 of a Table to Schedule 1 or 2 is a prescribed person.

**PART II
PROCEDURE FOR ISSUING ORDER**

Notice of intention to issue order

3. (1) If the Registrar or a Deputy Registrar intends to issue an order to pay an administrative penalty under subsection 89 (2) of the Act to a person, the Registrar or Deputy Registrar shall serve upon the person a written notice containing the following information:
 1. A statement of the Registrar or Deputy Registrar's intention to issue an order and the name of the person to whom the Registrar or Deputy Registrar intends to issue the order.

2. The provision that, in the Registrar or Deputy Registrar's opinion, the person has contravened.
3. A description of the contravention.
4. A description of the day, days or parts of days on which the contravention occurred.
5. The proposed amount of the administrative penalty, including,
 - i. the proposed base penalty amount determined by the Registrar or Deputy Registrar in accordance with section 8 and a description of the manner in which it was determined, and
 - ii. the proposed amount for economic benefit determined by the Registrar or Deputy Registrar in accordance with section 9, and a description of the calculations, variables and assumptions that led to the determination of that amount.
6. In the case of a contravention that is continuing and that, as of the date of the notice, has not been remedied, a statement that because of the continuing nature of the contravention,
 - i. the final base penalty amount may exceed the proposed base penalty amount, unless the proposed base penalty amount set out in the notice cannot be exceeded under the applicable limit set out in the applicable Table to Schedule 2, and
 - ii. the final amount for economic benefit may exceed the proposed amount for economic benefit.
7. Information about the person's right to make a request under section 4, including the date by which the request must be made.

(2) A notice may apply in respect of one or more contraventions.

(3) The Registrar or Deputy Registrar may, in writing, amend a notice after it has been served.

Request to Registrar or Deputy Registrar

4. (1) A person who is served with a notice of the Registrar or Deputy Registrar's intention to issue an order, or an amendment to a notice, may request, in writing, that the Registrar or Deputy Registrar consider any of the following information:
 1. Any additional information related to the contravention.

2. Any information relevant to the Registrar or Deputy Registrar's determination of the proposed base penalty amount or the proposed amount for economic benefit.
3. Information about any actions the person has taken to remedy the contravention since it occurred.

(2) A request shall be made no later than 15 days after the date on which the notice or amendment was served.

(3) If the notice or amendment applies to more than one contravention, a request may be made in respect of any of the contraventions.

(4) A request shall include all information and supporting documentation that the person wants the Registrar or Deputy Registrar to consider with respect to the request.

Consideration of request, issuing of order

5. (1) After receiving a request from a person under section 4 or after the time period described in subsection 4 (2) has expired, whichever is earlier, the Registrar or Deputy Registrar shall,

(a) consider any information contained in a request received; and

(b) decide whether or not to issue an order to the person.

(2) If the Registrar or Deputy Registrar decides not to issue an order to the person, the Registrar or Deputy Registrar shall, in writing, notify the person of the decision.

(3) Subsection (2) does not limit a Registrar or Deputy Registrar's ability to issue a subsequent notice to the person with respect to the same contravention.

(4) If the Registrar or Deputy Registrar decides to issue an order to the person, the Registrar or Deputy Registrar shall determine the final amount of the administrative penalty in accordance with Part III and issue the order in accordance with section 6.

Issuing of order

6. (1) Without limiting the contents required under subsection 89 (7) of the Act, an order issued to a person who is required to pay an administrative penalty in respect of a contravention shall,
 - (a) describe the contravention to which the order relates, and, as part of the description, specify the provision that the person has contravened and the day, days or parts of days on which the contravention occurred;
 - (b) set out the final amount of the administrative penalty, and as part of specifying the final amount of the administrative penalty, specify the final base penalty amount and the final amount for economic benefit, including,

- (i) a description of the manner in which the final base penalty amount was determined,
 - (ii) a description of the calculations, variables and assumptions that led to the determination of the final amount for the economic benefit, and
 - (iii) any consideration given by the Registrar or Deputy Registrar to any request made under section 4;
- (c) give particulars respecting the time for paying the penalty and the manner of payment; and
- (d) provide details of the person's right to require a hearing under section 91 of the Act.
- (2) A single order may require a person to pay an administrative penalty in respect of one or more contraventions.

PART III DETERMINATION OF ADMINISTRATIVE PENALTY AMOUNT

Administrative penalty amount, general

7. (1) Subject to subsections (2), (3) and (4), the amount of an administrative penalty required to be paid under subsection 89 (2) of the Act in respect of a contravention shall consist of the following, determined in accordance with this Regulation:

1. A base penalty amount.
2. An amount for economic benefit.

(2) Subject to subsection (3), the amount of the administrative penalty required to be paid in respect of a contravention shall not exceed \$1 million.

(3) The administrative penalty amount shall not exceed the difference between \$1 million and the total amount of any previous administrative penalties that meet all of the following conditions:

1. The administrative penalty was imposed by a previous order under subsection 89 (2) of the Act during the 365-day period preceding the day on which the current order is to be issued.
2. The previous order was in respect of a contravention of a provision set out in Column 1 of a Table to Schedule 2.
3. The contravention with respect to which the current order is to be issued is a continuation of the contravention in respect of which the previous order was issued.

(4) If, after determining the amount of the administrative penalty in respect of a contravention in accordance with subsections (1), (2) and (3), the Registrar or Deputy Registrar determines that, due to its magnitude, the imposition of the administrative penalty is punitive in nature having regard to all the circumstances, including any other administrative penalties required to be paid in respect of contraventions under the same order, the Registrar or Deputy Registrar shall reduce the amount such that the imposition of the administrative penalty is consistent with the purposes set out in subsection 89 (1) of the Act.

Base penalty amount, determination

8. (1) For the purposes of setting out the proposed base penalty amount in a notice under subsection 3 (1) and the final base penalty amount set out in an order under subsection 6 (1), the Registrar or Deputy Registrar shall determine the base penalty amount in accordance with the following rules:
 1. The Registrar or Deputy Registrar shall consider the following factors:
 - i. The contravention's impact, if any, on the Authority's ability to carry out its objects.
 - ii. The contravention's impact, if any, on resource recovery and waste reduction of a class of materials designated for the purposes of section 60 of the Act.
 - iii. With respect to the person who carried out the contravention,
 - A. the person's history, if any, of complying or not complying with the *Waste Diversion Transition Act, 2016* or its regulations or with the Act or its regulations, and
 - B. any information available to the Registrar regarding whether the person has remedied the contravention or is in the process of remedying the contravention, and how quickly the contravention was or is being remedied.
 2. For a contravention of a provision set out in Column 1 of a Table to Schedule 1, the base penalty amount shall not exceed the amount set out opposite the contravention in,
 - i. Column 3 of the applicable Table to Schedule 1, if the person who contravened the provision is a corporation, or
 - ii. Column 4 of the applicable Table to Schedule 1, if the person who contravened the provision is an individual.
 3. For a contravention of a provision set out in Column 1 of a Table to Schedule 2, the following rules apply:
 - i. The daily amount of the base penalty shall not exceed the maximum amount set out opposite the contravention in,

- A. Column 3 of the applicable Table to Schedule 2, if the person who contravened the provision is a corporation, or
 - B. Column 4 of the applicable Table to Schedule 2, if the person who contravened the provision is an individual.
 - ii. The daily amount of the base penalty shall be multiplied by the number of full or partial days during which the contravention continued before it was remedied.
 - iii. The result of the calculation under subparagraph ii shall be reduced such that it does not exceed the amount set out opposite the contravention in,
 - A. Column 5 of the applicable Table to Schedule 2, if the person who contravened the provision is a corporation, or
 - B. Column 6 of the applicable Table to Schedule 2, if the person who contravened the provision is an individual.
4. Despite subparagraph 3 iii, the maximum base penalty for the contravention shall not exceed the difference between the relevant maximum base penalty under subparagraph 3 iii and the total amount of any base penalties imposed with respect to the same contravention during the 365-day period preceding the day on which the current order is to be issued if all of the following circumstances apply:
- i. The base penalty was imposed by a previous order under subsection 89 (2) of the Act during the 365-day period preceding the day on which the current order is to be issued.
 - ii. The previous order was in respect of a contravention of a provision set out in Column 1 of a Table to Schedule 2.
 - iii. The contravention with respect to which the current order is to be issued is a continuation of the contravention in respect of which the previous order was issued.

(2) For the purposes of paragraph 3 of subsection (1), a contravention of a provision set out in Column 1 of a Table to Schedule 2 that requires a person to do something within a particular time period shall be considered to have been remedied when the person has done it, even if the person has done it after it was required to be done.

Amount for economic benefit, determination

9. The Registrar or Deputy Registrar shall consider the following factors when determining, with respect to a contravention of a provision set out in Column 1 of a Table to Schedule 1 or 2, the proposed amount for economic benefit to be set out in a notice under subsection 3 (1) and the final amount for economic benefit to be set out in an order under subsection 6 (1):

1. Costs that the person avoided incurring by failing to comply with the provision.
2. Costs that the person delayed incurring by delaying compliance with the provision.
3. Gains that the person has accrued by failing to comply with the provision.

Determination of final amount of administrative penalty

10.(1) The Registrar or Deputy Registrar shall apply the following rules for the purposes of determining the final administrative penalty amount to be set out in an order:

1. The Registrar or Deputy Registrar shall re-apply section 8 and re-determine the base penalty amount if the Registrar or Deputy Registrar considers it to be appropriate based on any additional information now available to the Registrar or Deputy Registrar that was not available at the time of giving the notice under subsection 3 (1), which may include information regarding the continuation of the contravention following the giving of the notice.
2. The Registrar or Deputy Registrar shall re-apply section 9 and re-determine the amount for economic benefit if the Registrar or Deputy Registrar considers it to be appropriate based on any additional information now available to the Registrar or Deputy Registrar that was not available at the time of giving the notice under subsection 3 (1), which may include information regarding the continuation of the contravention following the giving of the notice.

(2) In making the determinations under subsection (1), the Registrar or Deputy Registrar shall consider any information contained in a request received under section 4.

No penalties re “best efforts” provisions

11. Despite anything else in this Regulation, the Registrar or Deputy Registrar shall not issue an administrative penalty in respect of a person’s contravention of a requirement to make best efforts to do something.

PART IV COMMENCEMENT

Commencement

12.[Commencement]

SCHEDULE 1 MAXIMUM BASE PENALTY AMOUNTS FOR NON-CONTINUING CONTRAVENTIONS

TABLE 1 CONTRAVENTIONS OF THE ACT

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty For Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
1.	Subsection 50 (4)	Failure to file complete and accurate information, reports, records or documents required by the Registrar	\$50,000	\$10,000
2.	Subsection 99 (1)	Hindering or obstructing an officer, employee or agent of the Authority in the performance of his or her duties	\$120,000	\$24,000
3.	Subsection 99 (2)	Giving or submitting false or misleading information to a specified person	\$120,000	\$24,000
4.	Subsection 99 (3)	Including false or misleading information in any document or data required to be created, stored or submitted	\$120,000	\$24,000
5.	Subsection 107.1 (6)	Failure to comply with a rule made under subsection 107.1 (2) of the Act in respect of the collection of blue box material	\$120,000	\$24,000

**TABLE 2
CONTRAVENTIONS OF ONTARIO REGULATION 225/18 (TIRES)**

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty For Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
1.	Subsection 4 (1)	Failure to collect minimum amount of tires in accordance with section 4	\$200,000	\$40,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty For Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
2.	Subsection 11 (1), in respect of requirements under subsections 11 (2) to (5)	Failure to establish or operate a system for managing collected tires in accordance with the requirements set out in subsections 11 (1) to (5)	\$200,000	\$40,000
3.	Subsection 11 (1), in respect of requirement under subsection 11 (6)	Failure to ensure that specified activities under subsection 11 (3) are undertaken with respect to tires as required under subsection 11 (6)	\$2,500	\$500
4.	Section 25	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$120,000	\$24,000

TABLE 3
CONTRAVENTIONS OF ONTARIO REGULATION 30/20 (BATTERIES)

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty For Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
1.	Section 12	Failure to establish or operate a system for managing batteries in accordance with the requirements set out in sections 13 to 17.	\$200,000	\$40,000
2.	Section 29	Failure to keep records in a paper or electronic format that can be examined	\$75,000	\$15,000

		or accessed in Ontario for specified period of time		
3.	Section 30	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000

**TABLE 4
CONTRAVENTIONS OF ONTARIO REGULATION 522/20 (ELECTRICAL AND ELECTRONIC EQUIPMENT)**

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty for Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
1.	Section 13	Failure to establish or operate a system for managing EEE in accordance with the requirements set out in sections 14 to 18.	\$200,000	\$40,000
2.	Section 30	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000
3.	Section 31	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000

**TABLE 5
CONTRAVENTIONS OF ONTARIO REGULATION 392/21 (BLUE BOX)**

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty for Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
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1.	Section 38	Failure to establish or operate a system for managing blue box material in accordance with Part IV.	\$200,000	\$40,000
2.	Section 65	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000
3.	Section 66	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000

TABLE 6
CONTRAVENTIONS OF ONTARIO REGULATION 449/21 (HAZARDOUS AND SPECIAL PRODUCTS)

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty for Corporations	Column 4 Maximum Amount of Base Penalty for Individuals
1.	Section 28	Failure to establish or operate a system for managing a type of HSP in accordance with the requirements set out in Part VI	\$200,000	\$40,000
2.	Section 54	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000
3.	Section 55	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000
4.	Section 56	Failure to keep records in a paper or electronic format that can be examined or accessed in Ontario for specified period of time	\$75,000	\$15,000

SCHEDULE 2
MAXIMUM BASE PENALTY AMOUNTS FOR CONTINUING CONTRAVENTIONS

TABLE 1
CONTRAVENTIONS OF THE ACT

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
1.	Subsection 41 (5)	Failure to pay a fee, cost or charge to the Authority at a time specified by the Authority	\$2,500	\$500	\$75,000	\$15,000
2.	Subsection 68 (3)	Failure to ensure that no charge is imposed at the time of collection	\$2,500	\$500	\$75,000	\$15,000
3.	Subsection 75 (1)	Marketing of prescribed material in a designated class to a person in Ontario	\$6,700	\$1,340	\$200,000	\$40,000
4.	Subsection 78 (6)	Failure to provide, upon being required to do so by an inspector, a copy of a record retained in electronic form to an inspector on	\$4,000	\$800	\$120,000	\$24,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		paper or electronically, or both				
5.	Subsection 79 (1)	Failure to respond to a reasonable inquiry of an inspector	\$4,000	\$800	\$120,000	\$24,000
6.	Section 88	Failure to comply with an order	\$2,500	\$500	\$75,000	\$15,000
7.	Subsection 99 (4)	Refusal to provide information to a specified person	\$4,000	\$800	\$120,000	\$24,000

TABLE 2
CONTRAVENTIONS OF ONTARIO REGULATION 225/18 (TIRES)

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
1.	Subsection 5 (1)	Failure to establish and operate collection system for tires in accordance with the	\$6,700	\$1,340	\$200,000	\$40,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		requirements set out in sections 6 to 10				
2.	Section 12	Failure to implement promotion and education program	\$2,500	\$500	\$75,000	\$15,000
3.	Section 13	Failure to publish and clearly display information on website	\$2,500	\$500	\$75,000	\$15,000
4.	Section 14	Failure to implement promotion and education program	\$6,700	\$1,340	\$200,000	\$40,000
5.	Subsection 15 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
6.	Subsection 15 (5)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
7.	Subsection 16 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
8.	Subsection 16 (2)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
9.	Subsection 17 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
10.	Subsection 17 (2)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
11.	Subsection 17 (3)	Failure to register with the Authority within required period of time	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		or failure to submit information				
12.	Subsection 17 (5)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
13.	Subsection 18 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
14.	Subsection 18 (2)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
15.	Section 19	Failure to submit report to the Authority by the specified date	\$2,500	\$500	\$75,000	\$15,000
16.	Section 20	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
17.	Section 21	Failure to submit report to the Authority	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		by specified date				
18.	Section 22	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
19.	Section 23	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
20.	Section 24	Failure to submit report to the Authority by specified date	\$6,700	\$1,340	\$200,000	\$40,000
21.	Section 26	Failure to cause audit to be undertaken, failure to cause audit to be conducted by an independent auditor, or failure to prepare and submit copy of report by specified date	\$6,700	\$1,340	\$200,000	\$40,000

**TABLE 3
CONTRAVENTIONS OF ONTARIO REGULATION 30/20 (BATTERIES)**

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
1.	Section 8	Failure to establish and operate collection system for any applicable category of batteries in accordance with the requirements set out in sections 9 to 11	\$6,700	\$1,340	\$200,000	\$40,000
2.	Section 18	Failure to implement promotion and education program	\$2,500	\$500	\$75,000	\$15,000
3.	Subsection 19 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
4.	Subsection 19 (3)	Failure to submit updated information	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		within required period of time				
5.	Subsection 19 (6)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
6.	Subsection 20 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
7.	Subsection 20 (2)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
8.	Subsection 21 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
9.	Subsection 21 (2)	Failure to register with the Authority within required	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		period of time or failure to submit information				
10.	Subsection 21 (4)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
11.	Subsection 22 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
12.	Subsection 22 (4)	Failure to include the specified information in the report referred to in clause 22 (3) (c)	\$2,500	\$500	\$75,000	\$15,000
13.	Subsection 23 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
14.	Subsection 23 (2)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
15.	Subsection 23 (4)	Failure to include the specified information in the report referred to in clause 23 (3) (c)	\$2,500	\$500	\$75,000	\$15,000
16.	Section 24 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
17.	Section 24 (3)	Failure to include the specified information in the report referred to in clause 24(2)(c)	\$2,500	\$500	\$75,000	\$15,000
18.	Section 25	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
19.	Section 26	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
20.	Section 27	Failure to submit report to the Authority	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day For Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		by specified date				
21.	Section 28	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
22.	Section 31	Failure to cause audit to be undertaken, failure to cause audit to be conducted by an independent auditor, or failure to prepare and submit copy of report by specified date	\$6,700	\$1,340	\$200,000	\$40,000

**TABLE 4
CONTRAVENTIONS OF ONTARIO REGULATION 522/20 (ELECTRICAL AND ELECTRONIC
EQUIPMENT)**

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
1.	Section 9	Failure to establish and operate collection system for ITT/AV or lighting in accordance with the requirements set out in sections 10 to 12	\$6,700	\$1,340	\$200,000	\$40,000
2.	Section 19	Failure to implement promotion and education program	\$2,500	\$500	\$75,000	\$15,000
3.	Subsection 20 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
4.	Subsection 20 (3)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
5.	Subsection 20 (6)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
6.	Subsection 21 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
7.	Subsection 21 (2)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
8.	Subsection 22 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
9.	Subsection 22 (2)	Failure to register with the Authority within required period of time or failure to	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		submit information				
10.	Subsection 22 (4)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
11.	Subsection 23 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
12.	Subsection 23 (4)	Failure to include the specified information in the report referred to in clause 23 (3) (c)	\$2,500	\$500	\$75,000	\$15,000
13.	Subsection 24 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
14.	Subsection 24 (2)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
15.	Subsection 24 (4)	Failure to include the specified	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		information in the report referred to in clause 24 (3) (c)				
16.	Subsections 25 (1) and (2)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
17.	Subsection 25 (4)	Failure to include the specified information in the report referred to in clause 25 (3) (c)	\$2,500	\$500	\$75,000	\$15,000
18.	Subsection 26 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
19.	Subsection 27 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
20.	Subsection 28 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
21.	Subsection 29 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
22.	Section 32	Failure to cause audit to be undertaken, failure to cause audit to be conducted by an independent auditor, or failure to prepare and submit copy of report by specified date	\$6,700	\$1,340	\$200,000	\$40,000

TABLE 5
CONTRAVENTIONS OF ONTARIO REGULATION 391/21 (BLUE BOX)

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
1.	Section 19	Failure to establish and operate collection system in	\$6,700	\$1,340	\$200,000	\$40,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		accordance with Part IV.				
4.	Section 44	Failure to register, report, or submit information in accordance with any requirements in the Blue Box Verification and Audit Procedure	\$4,000	\$800	\$120,000	\$24,000
5.	Subsection 45 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
5.	Subsection 45 (2)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
6.	Subsection 45 (5)	Failure to submit updated information	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		within required period of time				
7.	Subsection 46 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
8.	Subsection 46 (4)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
9.	Subsection 47 (1)	Failure to submit information to the Authority	\$2,500	\$500	\$75,000	\$15,000
10.	Subsection 47 (3)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
11.	Subsection 48 (1)	Failure to submit information to the Authority	\$2,500	\$500	\$75,000	\$15,000
12.	Subsection 48 (3)	Failure to submit updated information	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		within required period of time				
13.	Subsection 49 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
14.	Subsection 49 (3)	Processor failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
15.	Subsection 50 (1)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
16.	Subsection 50 (2)	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
17.	Subsections 51	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
18.	Subsection 52	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
19.	Subsection 53	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
27.	Section 64	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
28.	Section 67	Failure to cause audit to be undertaken, failure to cause audit to be conducted by an independent auditor, or failure to prepare and submit copy of report by specified date	\$6,700	\$1,340	\$200,000	\$40,000
29.	Section 69	Failure to implement promotion and education program in	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		accordance with Part VIII				

**TABLE 6
CONTRAVENTIONS OF ONTARIO REGULATION 449/21 (HAZARDOUS AND SPECIAL
PRODUCTS)**

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
1.	Section 7	Failure to establish and operate collection system	\$6,700	\$1,340	\$200,000	\$40,000
2.	Section 8	Failure to establish and operate collection system	\$6,700	\$1,340	\$200,000	\$40,000
3.	Section 9	Failure to establish and operate collection system for a type of HSP in accordance with the requirements	\$6,700	\$1,340	\$200,000	\$40,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		set out in Part IV				
4.	Section 25	Failure to establish and operate collection system for a type of HSP in accordance with the requirements set out in Part V	\$6,700	\$1,340	\$200,000	\$40,000
5.	Section 33	Failure to implement promotion and education program in accordance with the requirements set out in Part VII	\$2,500	\$500	\$75,000	\$15,000
6.	Section 38	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
7.	Subsection 39 (2)	Failure to submit updated information	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		within required period of time				
8.	Subsection 41 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$4,000	\$800	\$120,000	\$24,000
9.	Subsection 41 (2)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
10.	Subsection 42 (1)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
11.	Subsection 42 (2)	Failure to register with the Authority within required period of time or failure to submit information	\$2,500	\$500	\$75,000	\$15,000
12.	Subsection 42 (3)	Failure to register with	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		the Authority within required period of time or failure to submit information				
13.	Section 43	Failure to ensure information is verified in accordance with any requirements set out in the HSP Verification and Audit Procedure	\$4,000	\$800	\$120,000	\$24,000
14.	Subsections 42 (5)	Failure to submit updated information within required period of time	\$2,500	\$500	\$75,000	\$15,000
15.	Section 44	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
16.	Section 45	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
17.	Section 46	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
18.	Section 48	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
19.	Section 49	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
20.	Section 50	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
21.	Section 51	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
22.	Section 52	Failure to submit report to the Authority by specified date	\$2,500	\$500	\$75,000	\$15,000
23.	Section 53	Failure to ensure information is	\$4,000	\$800	\$120,000	\$24,000

Item	Column 1 Provision Contravened	Column 2 Description of Contravention	Column 3 Maximum Amount of Base Penalty per day for Corporations	Column 4 Maximum Amount of Base Penalty per day for Individuals	Column 5 Maximum Amount of Total Base Penalty for Corporations	Column 6 Maximum Amount of Total Base Penalty for Individuals
		verified in accordance with any requirements set out in the HSP Verification and Audit Procedure				
24.	Section 57	Failure to cause audit to be undertaken, failure to cause audit to be conducted by an independent auditor, or failure to prepare and submit copy of report by specified date	\$6,700	\$1,340	\$200,000	\$40,000