

# Revisions To The Customer Agreement: Effective January 1, 2023



Automotive  
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# Consultation Process

- Comments made during initial customer onboarding
- Webinar for customers on February 8, 2022
  - Feedback received by February 25, 2022
  - Feedback received was supportive of changes
- Comments received through the onboarding process and consultation were summarized and presented to the Board of Directors

# Summary of Changes

- Inclusion of a Summary of Roles and Responsibilities
- Greater flexibility for report adjustments to 120 days, up from 60 days.
- Inclusion of more favourable termination rights for producers.
- Clarification regarding roles and responsibilities for:
  - Submitting Annual Reports
  - Record Retention
  - Verification and Audit
- Addition of system performance clauses
- General edits intended to increase clarity without changing the intent

# Summary of Roles and Responsibilities

- A new schedule summarizes the activities to be performed by Producers and AMS
  - This is not a statement of work, and it does not add new obligations to either party
- Can serve as a quick reference guide and is useful for briefing colleagues
- Included in updated Guidebook

## Sample of Schedule B

Producer's New Regulatory Requirements	AMS	You (the Customer)
Establish free collection network for consumers across Ontario capable of meeting the collection site and minimum management requirements for Automotive HSP as specified in Parts III, IV and VI of the Regulation.	✓	
Collect, manage, and ensure recycling & proper disposal of Automotive HSP from registered collection sites and call-in collection locations, as applicable, as required under Part IV of the regulation.	✓	
Provide promotion and education materials as required	✓	

# Increased Time for Supply Report Adjustments

- Increased the time for report adjustments to 120 days, up from 60 days.
- This is the maximum timing to allow for the submission, review and approval of Q4 sales reports in advance of customer reports to RPRA
- Note: The Adjustment Policy will be updated to reflect this change, effective January 1, 2023.



# Termination Rights

- Producers may seek termination for cause
  - Producers may request an arbitrator authorize the termination of the Agreement in the event AMS breaches its obligations
- Extended period in event of non-payment of fees
  - Increase from 30 to 60-day grace period following non-payment of fees before AMS has the right to terminate the Agreement
- Non-obligated producers
  - Ability for either AMS or the producer to terminate the Agreement if RPRA determines the producer is not obligated for automotive HSP under the Regulation.



# Reporting Supplied Weight to RPRA

- RPRA's reporting processes are in development, but will not favour the uploading of supply data by AMS on behalf of producers.
- Producers will be required to provide the annual supplied weight reports to RPRA along with their supply quantity verification report
- AMS will support the process by providing producers with aggregate supply quantities, including quantities reported by voluntary reporters.



# Addressing Confidential Information in Reports

- Annual Reports produced by AMS
  - If they contain confidential information, AMS will provide Producers with a summary of the Annual Report
  - If it does not contain confidential information, AMS will provide a copy of the submitted report
- Disclosure of Confidential Information to RPRA outside of normal course of business
  - Clarified that AMS will provide notice to producers if required to provide confidential information to RPRA, including advance notice where possible.



# Records Retention

- Producer records retention obligations are limited to the weight of supplied materials
- AMS records retention obligations pertain to operations, performance and promotion and education (including the Annual Reports and all supporting documentation)

# Verification and Audit

- AMS will continue to be responsible for the audit of the management system performance.
- Customers will be responsible for the verification of their supply quantities in accordance with RPRA's Verification and Audit Procedure



# System Performance Clauses

- Notification of Security Breaches
- System Availability
- Virus Protection

# Next Steps

- Save a copy of the updated Customer Agreement and referenced policies
- Revisions automatically come into effect January 1, 2023



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