



# Procedures to Become a Voluntary Contributor



## The Concept

The concept behind the Voluntary agreement is to allow a company, who does not have an establishment in Quebec, to assume the responsibility of its brand(s), name(s) or distinguishing guise(s) for one or more products or services ultimately intended for Quebec consumers.

This agreement between a company and Éco Entreprises Québec (ÉEQ) establishes specific conditions and removes the obligation for the first supplier(s) in the province to report and defray the cost of contribution for printed matter designated by the Schedules of Contributions or a product whose container or packaging is designated by the Schedules of Contributions.

## Admissibility Criteria

ÉEQ cannot accept as a Voluntary Contributor, any company who is exempt from paying a contribution pursuant to and satisfies the conditions set out in that Schedule.

- Companies whose gross sales, receipts, revenues or other inflows for Products marketed in Québec for a Reference Year were less than or are equal to \$1,000,000 and who have marketed one or more Materials for the same period, with a total weight for such Materials or group of Materials were less than or equal to 1 metric:
- Companies who are retailers and operate only one retail outlet and said location is not supplied or operated as a franchise or a chain, under a banner name, or as part of another similar form of affiliation or group of businesses or establishments. However, this exemption is not available to a Retailer operating only one retail outlet, which occupies 929 square meters (10 000 square feet) or more of floor space.

## How to apply :

- [Register your company on our website](#)
- Fill out, sign and send us the completed agreement at the latest the day before the opening date of the preliminary report;
- Commit to take responsibility for all of your brands and customers in Quebec by duly completing Annexes A and B of the agreement, including indirect sales (shipped outside of Quebec but reintroduced in Quebec by a retailer or a distributor).

## Procedure to become a Voluntary Contributor

In accordance with the Environment Quality Act Chapter Q-2 (the “Act”) and the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials Chapter Q-2, r.10 (the “Regulation”), companies who are required to pay a contribution for materials in the containers and packaging as well as printed matter categories are defined as follows:

- Owners of a brand, a name or a distinguishing guise on containers and packaging used to sell or market products or services in Quebec under that brand, name or distinguishing guise as well as containers and packaging identified by that brand, name or distinguishing guise;
- Owners of a brand, a name or distinguishing guise identifying materials included in the printed matter category.

The Schedule of Contributions (the “Schedule”), adopted by the government of Québec and published in the Gazette officielle du Québec, allows companies who have neither a domicile nor an establishment in Quebec but who are owners of a brand, a name or a distinguishing guise to elect to fulfill the obligations that would otherwise be the responsibility of their first supplier in Quebec of its products, containers, packaging or printed matter (also referred to as designated materials) as per the Regulation or the Schedule. The purpose of this procedure is to provide an opportunity for a company to accept reporting responsibilities and make payments on behalf of another company that would otherwise be named as targeted company in order to reduce the latter’s administrative burden.

ÉEQ may decide to conclude the agreement with a third party, whose domicile or establishment is outside Québec, and, while not being owner of a Brand, a Name or a Distinguishing Guise, is its main distributor in Québec.

Such companies are designated as “Voluntary Contributors” and become subject to the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories for the reference year, this in addition to any other obligations they may have.

### Admissible Criterias

Effective with the 2013 Schedule, cannot be accepted as a Voluntary Contributor, any company who is exempt from paying a contribution pursuant to and satisfies the conditions set out in that Schedule.

- Companies whose gross sales, receipts, revenues or other inflows for Products marketed in Québec for a Reference Year were less than or are equal to \$1,000,000 and who have marketed one or more Materials for the same period, with a total weight for such Materials or group of Materials were less than or equal to 1 metric:
  - Companies who are retailers and operate only one retail outlet and said location is not supplied or operated as a franchise or a chain, under a banner name, or as part of another similar form of affiliation or group of businesses or establishments. However, this exemption is not available to a Retailer operating only one retail outlet, which occupies 929 square meters (10 000 square feet) or more of floor space.

## Terms and Conditions

In order to become a Voluntary Contributor, a company must sign a Voluntary Contributor Agreement with Éco Entreprises Québec (“ÉEQ”) that establishes specific conditions, including:

- That the Voluntary Contributor commits to making required payments according to the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories for the reference year;
- That such a commitment is entirely voluntary;
- That the Voluntary Contributor commits to producing the required Company Report in accordance with the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories for the reference year with respect to the terms prescribed therein;
- That the Voluntary Contributor commits to shouldering this responsibility for all its first suppliers in Quebec;
- That the Voluntary Contributor commits to observing the laws of Quebec and accepts that any litigation shall be undertaken in Quebec according to Quebec law.

According to the provisions of the Schedule applicable to the “containers and packaging” and “printed matter” categories for a reference year, the first supplier and the voluntary contributor are solidarily responsible for their obligations under the Schedule of Contributions.

## Steps in Applying for Voluntary Contributor Status

To become a Voluntary Contributor, a company must follow the following steps:

1. [Register with ÉEQ on the website](#)
2. Understand and fill out all sections and annexes in the Voluntary Contributor Agreement.
3. Sign and forward a copy of the complete request and Annexes to ÉEQ:
  - Within the 14 days following your registration, by fax at 514 987-1598 or email at [service@eeq.ca](mailto:service@eeq.ca);
  - At the latest, from the starting date of the preliminary report (March 1st) of the Schedule of Contributions for the obligation year for which you want to become a Voluntary Contributor and this, in order to avoid duplication of declared data and allow the other targeted companies to declare other designated materials for which they are responsible, and which are not covered by the Agreement.
4. Retain a copy of this correspondence for your records and to provide as evidence of the submission.
5. If your application to become a Voluntary Contributor is approved by ÉEQ, you will receive a copy of the Voluntary Contributor Agreement signed by ÉEQ. As stipulated in the Agreement, the Voluntary Contributor is required to advise all the companies listed in Annex B of the Agreement that reporting and financial responsibilities for designated materials sold and distributed in Quebec by the specified parties will be assumed by the Voluntary Contributor.

6. If your application for Voluntary Contributor status is not complete or not approved, ÉEQ will provide an explanation of its decision in an e-mail.
7. The approved Voluntary Contributor will then be required to prepare and submit a Company Report on the quantities, in kilograms, of designated materials for which it has volunteered to be responsible and will pay the related contributions.

## Questions

If you have any questions, contact ÉEQ by phone at 514-987-1700, toll free at 1-877-987-1491 or by e-mail at [service@eeq.ca](mailto:service@eeq.ca).

## Voluntary Contributor Agreement

Owner of a brand, a name or a distinguishing guise, without a place of business in Quebec

Check the box next to the year for which you wish to begin your status as Voluntary Contributor:

2019 Schedule of Contributions

WHEREAS ÉEQ Rules permit certain persons/companies to become Voluntary Contributors;

WHEREAS ÉEQ accepts such a person/company to become a Voluntary Contributor;

1. The undersigned (the "Voluntary Contributor") hereby elects to become a targeted company according to the Procedure to Become a Voluntary Contributor to ÉEQ, and according to the Schedule of Contributions applicable to the "containers and packaging" and "printed matter" categories for a reference year.

Name of the company wishing to become a Voluntary Contributor :

Address :

City :

Province/State :

Country :

Zip code :

Name of Contact:

Telephone:

E-mail:

2. The Voluntary Contributor and ÉEQ agree that the Voluntary Contributor shall assume the obligations related to all designated materials sold or distributed in Quebec in the appropriate data year and for which it is/was the owner of a brand, a name or distinguishing guise as defined by the Regulation and the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories, and for which the Voluntary Contributor agrees to assume the responsibility for otherwise targeted companies.
3. The Voluntary Contributor accepts to provide details on the weight of materials described in the Schedule of Contributions and related Annex A applicable to the “containers and packaging” and “printed matter” categories, with regard to all designated materials sold or marketed in Quebec under the brands listed in Annex A of this Agreement during the reference year.
4. The Voluntary Contributor agrees to respect and to comply with this procedure and to submit a Company Report as stipulated in the Schedule of Contributions for the selected reference year.
5. The Voluntary Contributor confirms that all branded materials for which the Voluntary Contributor is volunteering are listed in Annex A.
6. The Voluntary Contributor confirms that all Quebec customers for which it is assuming responsibility are listed in Annex B. The Voluntary Contributor shall promptly notify companies named in Annex B, who would otherwise be required to pay a contribution with respect to the branded materials in accordance with the terms of this Agreement.
7. The Voluntary Contributor consents to a notice of its status appearing on ÉEQ’s website and, upon such posting of notice and for the term of this Agreement, companies listed in Annex B that have a commercial connection to the brands or the products listed in Annex A shall be relieved of their obligations as targeted companies with respect to those designated materials under the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories for a given reference year.
8. According to the year of the Schedule of Contributions checked, Voluntary Contributor status takes effect on January 1st of the obligation year and continues in subsequent years.
9. When modifications are required to Annexes A and/or B with regard to a reporting period, the Voluntary Contributor commits and agrees to provide ÉEQ with an updated copy of the concerned Annex.
10. The parties agree that the status of Voluntary Contributor shall extend for an indefinite period and will be in force up until it is cancelled following a notice sent by the Voluntary Contributor to ÉEQ at least 30 days before opening date of the preliminary report (March 1st).
11. Should a Voluntary Contributor default on its obligations as a targeted company, ÉEQ shall serve the Voluntary Contributor with a detailed notice of default with copies sent to the otherwise targeted companies listed in Annex B. If the default is not corrected within 30 days of receipt of notification, ÉEQ may terminate this Agreement.

12. If this Agreement is terminated, ÉEQ shall inform otherwise targeted companies listed in Annex B and will also post a notice to that effect on ÉEQ's website. As of that date, reporting and financial responsibility shall revert back to the original targeted companies upon posting of the Agreement cancellation on ÉEQ's website.
13. Any notice related to the status of a Voluntary Contributor may be sent by first class mail, by fax or by e-mail to ÉEQ at the following address:

**Éco Entreprises Québec**

1600, boul. René-Lévesque Ouest, Office 600

Montréal (Quebec) H3H 1P9

E-mail: [service@eeq.ca](mailto:service@eeq.ca)

Fax : 514 987-1598

IN WITNESS WHEREOF, the parties have signed this Voluntary Contributor Agreement this \_\_\_\_\_ day of the month of \_\_\_\_\_ 20\_\_.

**Voluntary Contributor Declaration**

I declare that \_\_\_\_\_ is a company that meets the conditions of a targeted company according to the Schedule of Contributions applicable to the "containers and packaging" and "printed matter" categories for a reference year, and recognizes its obligation to submit a Company Report and pay contributions to Éco Entreprises Québec according to the terms and conditions contained in this Agreement and with respect to the Schedule of Contributions applicable to the "containers and packaging" and "printed matter" categories for a reference year. I also attest that the information listed in each of the Annexes is accurate. I finally declare that I am duly authorized to sign this Agreement on behalf of the company.

**Voluntary Contributor**

\_\_\_\_\_  
Name of the authorized officer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of the authorized officer

**Éco Entreprises Québec**

\_\_\_\_\_  
Authorized officer

## Annex A

List of brands, names or distinguishing guises for which the Voluntary Contributor with no domicile or establishment in Quebec elects to assume the responsibility according the Act, the Regulation and the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories for a given reference year.

## Annex B

List of all customers that sell or distribute your products or services in Quebec for which the Voluntary Contributor with no domicile or establishment in Quebec elects to assume the responsibility according the Act, the Regulation and the Schedule of Contributions applicable to the “containers and packaging” and “printed matter” categories for a given reference year, that have a commercial connection to the Voluntary Contributor during the reference year and who would normally be responsible for such obligations as first suppliers in Quebec.