



**Canadian Electrical Stewardship Association
15 Allstate Parkway, Suite 601 Markham, ON L3R 5B4**

**CESA BACK FEES POLICY
February 19, 2015**

1. General

CESA's body of policies is intended to create the infrastructure required to support an effective and secure environment in which to carry out its mandate and activities. The purpose of the Back Fees Policy (the "Policy") is to provide a framework for the consistent handling of accounts that are newly created but for members that have sold into the marketplace prior to registering with CESA.

2. Definitions

"Board" means the CESA Board of Directors.

"Program Manager" means the assigned and contracted administrative management company(s) for the CESA program.

3. Back Fees Policy Application

Any new member of CESA must provide information relating to the start of business operations, and more specifically to the start of the sale of CESA products into the marketplace. If the member can provide sufficient documentation to support a claim that no CESA products were sold prior to registration, then the Back Fee Policy would not apply to the member.

Companies who join the program after the program's start date (October 1, 2011) are obligated to pay fees for all products sold from the program's start date or the date on which they started selling designated products in BC, whichever is more recent, in accordance with s.5.1 of CESA's Membership Agreement.

PCA and CESA maintain full discretion over the application of the Back Fees Policy.

4. Back Fees Policy Administrative Penalties

Any member who is assessed as owing fees related to sale of CESA product prior to registration with CESA, will be responsible for payment of the fees for products sold. Furthermore, any such member will pay interest on the total fees owing at the rate of 1% per month (from month of sales), compounded monthly (which is 12.6825% on an annual basis), and a further 20% of the assessed environmental handling fees (exclusive of penalty) by way of an administrative fee.

Members whose total back-fees owing at time of registration (or "on the Application Date") total less than \$500.00 before interest and administrative fees will be exempted from remitting the applicable fees.

5. Disclosure

The Program Manager is responsible to keep any information pertaining to a member whose account may be subject to this Policy, as confidential. The information shall only be disclosed to and used by those of the Program Manager, agents or representatives who have a legitimate need to know such information, are aware of the confidential nature of such information and agree not to use or disclose same except as permitted herein.

6. Enforcement

The terms and provisions of this Policy may be enforced by way of injunction or any other equitable or other relief deemed appropriate.

Nothing in this Policy shall be interpreted or applied contrary to the CESA by-laws, Articles of Incorporation, the Canada Not-for-profit Corporations Act or its Regulations, or applicable privacy legislation.