

**Ministry of the Environment,  
Conservation and Parks**

**Ministère de l'Environnement,  
de la Protection de la nature et des  
Parcs**

Office of the Minister

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357-2021-385

January 29, 2021

Mr. Robert Poirier  
Chair of the Board  
Resource Productivity and Recovery Authority  
4711 Yonge Street, Suite 408  
Toronto ON M2N 6K8

Dear Mr. Poirier:

Pursuant to section 30 of the *Resource Recovery and Circular Economy Act, 2016* (RRCEA), I am directing that the Resource Productivity and Recovery Authority (the Authority) establish an Industry Advisory Council (the Council), which can provide advice to the Authority on matters related to carrying out its objects.

#### Advice from the Council

The Council shall provide advice to the Authority but will not make decisions about the Authority's operations, including on its finances. I may specify topics related to the Authority's objects, such as its strategic priorities as they relate to the business planning process and fee-setting, on which the Council should provide advice.

#### Meetings

I expect that you, as chair of the Authority's Board, along with the chair of the Council and at least one industry representative from the Council will meet with me at least once a year to discuss the work of the Council. I will provide additional details about the timing and content of those meetings to the Council.

#### Terms of Reference

The Authority must draft the Council's Terms of Reference (ToR), which shall include, but not be restricted to, the following elements:

- **Membership:** There will be, at maximum, 11 industry members representing a cross-section of the regulated producer community. At minimum, there should be one member for each regulation made under Part IV of the RRCEA and for each existing Waste Diversion Transition Act (WDTA) program. The Authority will determine membership in consultation with industry and the ministry.

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- Governance structure of the Council: The appointments of chair, vice chair and/or co-chairs will be determined by the Authority in consultation with industry representatives and the ministry.
- The Authority's Board: The Authority's chair or his/her designate shall attend any Council meetings. In addition, representatives of the Council shall meet directly with the Authority's Board on at least an annual basis.
- Number of meetings a year: The Council will hold a minimum of two meetings per year, which should occur in a timeframe that allows the Council to provide input into the Authority's business planning process and for the Authority to consider any industry proposals about the planning process and other issues with stakeholders.
- The role and purpose of the Council is to provide advice during the Authority's business planning process prior to the Board's approval of the annual business plan and provide feedback on matters the Authority is consulting on and other matters as determined by the Council. The Council will not make decisions pertaining to the operations and finances of the Authority.
- Ministry participation: A ministry observer shall attend any Council meetings.
- Transparency measures: These will outline how relevant documents such as the TOR, Council meeting minutes and other documents shall be posted on the Authority's Registry.

#### Timelines

The ToR must be made public on the Authority's Registry within 90 days of this direction letter. The ToR must be shared with the Minister 30 days prior to being posted on the Registry. The Authority shall also consult with the regulated community on the ToR prior to their posting. The initial members of the Council shall be appointed by the Authority by the end of May 2021.

#### Expenditures

Any expenses associated with running the Council will be paid by the Authority and minimized, taking into consideration the Government of Ontario's Travel, Meal and Hospitality Expenses Directive, 2020. The members of the Council will not receive any remuneration for their participation.

I trust the Authority will continue to work cooperatively with stakeholders to develop and finalize the ToR as well as establish an effective governance structure for the Council.

Mr. Robert Poirier  
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Lastly, the Authority shall make publicly available on the Authority's website this policy direction letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Yurek". The signature is stylized and cursive.

Jeff Yurek  
Minister of the Environment, Conservation and Parks

c: Serge Imbrogno, Deputy Minister  
Ministry of the Environment, Conservation and Parks

Frank Denton, Chief Executive Officer  
Resource Productivity and Recovery Authority