RPRA
Resource Productivity & Recovery Authority

Registrar Reporting Protocol

Overview

The Oversight of the Compliance Function Policy sets out the principles that govern the relationship between the board and the Registrar, which require that the board should not interfere or be seen to be interfering with the statutory decision-making authority given to the Registrar or other compliance staff.

The Registrar reporting protocol summarizes the types of information the board can expect to receive in order to carry out its oversight function, while adhering to the principles in the policy.

On February 19, 2020, the board adopted the following resolution:

> **The Registrar's Protocol is an acceptable basis for reporting by the Registrar to the Board that appropriately acknowledges both the oversight role of the Board and the independence of the Registrar in fulfilling the Registrar's statutory duties.**

Registrar Reporting Protocol

Timing of reports

In the normal course, the Registrar will report to the board on a quarterly basis. An outline of the contents of the Registrar's regular reports is set out below.

If items arise in between quarterly reports that, in the Registrar's view, the board should be notified of, the Registrar may submit an ad hoc report to the board. Examples of when an ad hoc report might be needed are provided below.

Registrar's regular reports

The Registrar's regular reports will be focused on providing the board with the information it needs to perform its duties, while adhering to the principle of non-interference. This means that the information in the Registrar's regular reports will generally not contain details on specific compliance actions against individual entities. Instead, it will focus on activities in the aggregate, as well as any useful patterns or trends that emerge from compliance activities.

The Registrar's regular quarterly reports to the board will typically contain the following information:

1) Registry development and operation:
    a) Narrative description regarding the status of Registry development projects (focused on progress to meeting deadlines and requirements) and information about Registry operations (e.g., gaps in Registry functionality and any significant issues with Registry operations). Regular reports from the Chief Information Officer

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will provide additional detail regarding Registry development, including project governance and budget tracking.

2) Recruitment:
    a) Update on any new hires or other staffing changes on the compliance team.
3) Policies update:
    a) A narrative update on the development or amendment of compliance-related policies, other than the risk-based compliance framework, including, when relevant, copies of the policies (e.g. an administrative penalty policy).
4) Aggregate data on registrations and reporting, which may include:
    a) Number of registrations and amount of fees collected by, or within some period following, a relevant registration deadline, by material/program, with a comparison to expected registrations or fees collected, if applicable.
    b) Aggregate supply data reported by producers and related aggregate collection or management targets (if applicable) by a relevant registration deadline, or within some period following, by material/program, with a comparison to expected supply amounts, if applicable.
    c) Accessibility, collection or management performance reported by producers, by material/program (with relevant comparators from previous years, if applicable).
    d) Narrative discussion of relevant trends or patterns relating to registrations and reporting.
5) Aggregate data on compliance cases, which may include:
    a) Number of open compliance cases by material/program at the beginning and at the end of the quarter, which may also include grouping by type of compliance issue, if possible.
    b) Number of compliance cases closed during the quarter, by material/program, which may also include grouping by type of compliance issue, if possible.
    c) Average response times, per the risk-based compliance framework, for substantiated cases of non-compliance (to track corporate or business plan objectives relating to response times).
    d) A list of any compliance orders issued during the quarter, with a link to the publicly posted order, and noting the final disposition of the order.
    e) Aggregate information on orders appealed to the Ontario Land Tribunal, and links to publicly posted tribunal decisions.
    f) Narrative discussion of relevant trends, patterns or other context relating to compliance cases, which may include discussion of the efficacy of the compliance tools identified in the risk-based compliance framework.
6) Compliance plans or initiatives:

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a) Lists of compliance plans or initiatives that have been implemented or are ongoing in the quarter (e.g. the list of compliance plans would identify the categories of non-compliance that staff have been focused on in the quarter or plan to focus on in upcoming quarters).

7) Bulletins and Registry procedures:

   a) A list of any new compliance bulletins and Registry procedures issued during the quarter, with a link to the publicly posted version.

8) Market performance:

   a) Narrative description, when relevant, on significant market disruptions to waste diversion and resource recovery for a material or program, or significant concerns regarding potential market failures in relevant resource recovery and waste diversion services markets (e.g. inadequate competition).

9) Risk:

   a) Narrative description of key risks faced by the compliance function that arose or are ongoing in the quarter.

10) Status of corporate objectives:

   a) Report on the status of corporate and business plan objectives relating to the compliance function.

11) Complaints:

   a) A summary of significant complaints from registrants or other stakeholders regarding Registry performance or difficulties meeting registration and reporting requirements.

The fourth report for a calendar year will also contain a high-level summary of the above information for the entire calendar year, in addition to the regular quarterly report.

Ad hoc Registrar's reports

In addition to quarterly reports, the Registrar may provide ad hoc reports to the board on compliance matters that in the Registrar's view require or would benefit from the board's attention. The Registrar or Deputy Registrars will also be available at every regularly scheduled board meeting to respond to potential questions from the board, even if a written report is not expected, and the board may also request oral or written reports from the Registrar, consistent with this protocol and the Oversight of the Compliance Function Policy. Some examples of when the Registrar may choose to submit an ad hoc report to the board include:

- To provide information to the board relating to an upcoming or recent registration or reporting deadline.
- When an upcoming statutory compliance decision might have some strategic impact on the organization's mission.
- When the exercise of the board's statutory powers could help resolve a compliance matter.
- When it may be useful for the board to learn about an upcoming statutory compliance decision in order to avoid surprises and coordinate public statements.

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