



Engagement Requirements

Extended Producer Responsibility



Engagement Requirements

Extended Producer Responsibility Regulation (EPRR) section 13(2)(b) requires the stewards to submit a stewardship plan that includes: “a description of the stakeholder engagement undertaken during the development of the plan and how stakeholder input was incorporated into the plan;” Consequently, the Minister shall take the form and quality of the engagement into account when considering whether to approve the plan as per section 14(2)(a) and (b). Section 13(2)(c) also prescribes that the stewardship plan must contain information on “the opportunities that will be provided for ongoing stakeholder input, including input from stewards who are resident in Yukon, in relation to the implementation and operation of the program and how the input will be considered by the operator of the program”.

This document will help you determine who to engage and the level of engagement required. Refer to the [Stewardship Plan Requirements](#) to ensure all stewardship plan requirements have been met.

In case of any discrepancy or inconsistency between this document and the [relevant regulation](#), the regulation shall prevail.

Which stakeholders must be included?

All entities that will or may be impacted by the operation of the stewardship program should be considered stakeholders. Stakeholders include, but are not limited to, the following groups:

Residents, product end users, stewards (including small stewards), retailers, waste service providers, governments that are or may be involved in the delivery of waste management services (including municipalities, Yukon First Nations and the territorial government), environmental non-profit organizations, other public interest groups, and government and industry associations that represent any of the affected or potentially affected stakeholders. Stakeholders should be afforded the right to appoint a proxy (e.g., consultant, lawyer, another stakeholder) to participate in, contribute to, and/or represent their interests in engagement activities on their behalf.

Key principles to guide engagement

1. Engagement includes delivering information, recording comments and, recording steps taken to resolve issues identified and concerns raised or rationale for not making the requested change.
2. Engagement identifies local issues and solutions to inform effective decision-making.
3. Engagement provides stakeholders with an opportunity to shape the engagement plan including timelines and format within the constraints of the plan development process.
4. Engagement provides stakeholders with reasonable and fulsome notice of the engagement process, including activities and input opportunities.

5. Engagement opportunities are accessible to diverse audiences including stakeholders who may wish to participate at a distance and stakeholders who may need accessible documents.¹ Barriers to participation in engagement and related activities, including those identified during the engagement process, should be addressed, wherever possible.
6. Stakeholders are not limited in terms of breadth or length of their comments.
7. Engagement follows an iterative approach, where appropriate. For example, where an issue is raised that requires resolution, stakeholders are consulted on the proposed resolution.

Engagement process

Stakeholder engagement is critical to the development of a stewardship plan and should contain the following steps.

1. Initial engagement:

- A producer responsibility organization, acting on behalf of stewards, should communicate the approach to meeting regulatory obligations with opportunities for affected and potentially affected stakeholders to provide comments and perspectives on the approach.

¹For advice on improving document accessibility see Government of Canada, 2023. Annex: Making documents more accessible. Available at: <https://www.canada.ca/en/employment-social-development/programs/accessible-canada-regulations-guidance/alternate-formats/making-documents-more-accessible.html>

- The methods of engagement should be varied (e.g., webinars, meetings, posting of documents, surveys) and receipt of comments should be varied and flexible (e.g., written submissions, virtual or in-person group meetings, and individual stakeholder meetings). Adequate time should be provided for notice of meetings and the opportunity to provide feedback.
- The initial engagement should provide stakeholders with an opportunity to review a draft stewardship plan a minimum of 20 days prior to engagement events and to pose questions and receive responses in writing and verbally. The stakeholders should have a minimum of 45 days to provide their input.

2. Refining the stewardship plan:

- The producer responsibility organization should engage stakeholders in a transparent process to adjust the draft plan to mitigate concerns identified during engagement that represent reasonably foreseeable outcomes and unintended consequences that are not in the public interest. This process should result in a “What we Heard” document that is publicly available and outlines the key concerns raised and steps taken to mitigate concerns. If a concern is not deemed to be significant or cannot be mitigated due to specific barriers, the rationale should be transparently communicated and documented.

3. Finalizing the stewardship plan:

- The stewardship plan submitted to the Minister for review will include an engagement summary. The summary should outline the details of the engagement activities including meetings and events, types and number of invitees and attendees, feedback received, how the feedback was addressed including revisions to the draft plan and, where feedback did not result in revisions to the draft plan, a full explanation including any related analysis.

- If revisions to the stewardship plan are made as a result of the Minister's review, only the revised stewardship plan should be publicly posted when finalized.

4. Ongoing stakeholder input:

- An operator of a stewardship program shall provide opportunities for ongoing stakeholder input on implementation of the approved stewardship plan. The stewardship plan should outline on when, how, and with whom the ongoing engagement will be undertaken and what would trigger the process. The ongoing stakeholder input may include but cannot be limited to the establishment and operation of a local advisory council as required in section 13(2)(d) of the regulation.

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