



Product Care Association (PCA) RecycFluo Program for Mercury-Containing Lamps: Supplier - Customer Remitter Determination Form

Program Background:

The Quebec *Regulation respecting the recovery and reclamation of products by enterprises* (the "Regulation") obligates all "brand owners/first suppliers" (including manufacturers, distributors and retailers of mercury-containing lamps operating in Québec) to either operate or be a member of an approved program to recover and reclaim end-of-life mercury-containing lamps in Quebec, including sales to the residential, institutional, commercial and industrial sectors. Product Care has been approved by RECYC-QUÉBEC, the oversight agency in Quebec for product stewardship programs, to implement a "recovery and reclamation system" for mercury-containing lamps on behalf of its members, pursuant to the Regulation. Product Care's RecycFluo program will be funded by the payment to PCA by members of "eco-fees" applied to the quantity of new mercury-containing lamps supplied or sold in QC, effective October 1, 2012. Members of the program must report their sales and remit applicable eco-fees to PCA on a monthly basis.

Purpose of the "Remitter Determination Form":

The Customer(s) of the Supplier has the choice of:

- **Supplier Remits:** Having the Supplier fulfill the responsibility of reporting sales/remitting fees on their behalf. If the Supplier remits fees to PCA on with respect to sales to a Customer, the cost of the fees may be included in product invoices after October 1, 2012.
- **Customer Remits:** Joining PCA as a member to report their sales/remit fees to the program directly.

As the seller of obligated products in Quebec, the Supplier (see below for company information) registered as a member of PCA for the RecycFluo program. If the Customer prefers to directly join the RecycFluo program and report their sales and remit fees to PCA the formalization of an agreement between Supplier and Customer s is recommended. The following Supplier-Customer Remitter Determination Form is provided as a template. A copy of this document should be sent to PCA once signed by both parties.

In order to NOT be invoiced the cost of the fees remitted to PCA after October 1, 2012, the Supplier requires proof that the Customer has become a member of PCA by completing this form (including their PCA member registration number) by _____ [Date] _____.

If a company does not respond to this letter, the "Supplier Remits" option will be assumed.



It is the responsibility of any person using this sample document to obtain their own legal advice regarding the content and effect of this document and the obligations under the applicable regulations. Product Care Association does not hereby provide any legal advice or determination, does not waive any rights it may have against either party, and accepts no responsibility regarding the use of this document.

**Product Care Association (PCA) RecycFluo Program for Mercury-Containing Lamps:
Supplier - Customer Remitter Determination Form
(Sample Document)**

Dated: _____

Agreement between,

Name of Supplier: _____

Complete legal name (if different): _____

PCA Member Number: _____

Name of the contact person, phone number and email address:

Enterprise address: _____

(the "Supplier")

and,

Name of Customer: _____

Complete legal name (if different): _____

PCA Member Number: _____

Name of the contact person, phone number and email address:

Enterprise address: _____

(the "Customer")

Please check one of the following two options:

The Customer is the remitter: The Customer confirms that it takes responsibility to report sales and remit eco-fees directly to PCA as a program member on all obligated products supplied by the Supplier to the Customer and sold or distributed by the Customer in Québec.

In order to remit eco-fees, the Customer acknowledges that he/she is registered as a PCA member (registration number included above).

The Customer acknowledges that in reliance on this agreement, the Supplier will not report to PCA on the supply of obligated products to the Customer, and the Supplier will not invoice the Customer for eco-fees relating to such supply.

The Supplier remits: The Customer requests that the Supplier report sales and remit eco-fees to PCA on all obligated products supplied by the Supplier to the Customer and sold or distributed by the Customer in Québec. The Customer acknowledges that the Supplier will include the cost of the eco-fees on invoices rendered to the Customer with respect to the obligated products.

The Supplier agrees that such reports and remittances are the Supplier's responsibility. In order to remit the eco-fees, the Supplier acknowledges that the Supplier is registered as a PCA member (see registration number above).

I, the under signed, authorized signatory of the **Supplier**, accept the conditions present in this Agreement.

Supplier
Supplier Signatory
Supplier Signatory
Date: _____

Signature: _____
Name: _____
Title: _____

I, the under signed, authorized signatory of the **Customer**, accept the conditions present in this Agreement.

Customer
Customer Signatory
Customer Signatory
Date: _____

Signature: _____
Name: _____
Title: _____

Next Steps Required:

Please complete and return a copy of this document to admin@productcare.org.

If a company does not respond to this letter, the "Supplier Remits" option will be assumed.