

**2010–2012 Schedule of Contributions
for the “Newspaper” class**

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1. Definitions

1.1 Definitions

In the Schedule, unless the context indicates a different meaning, the following words and expressions mean or designate:

- a) “Brand”: a mark that is used by a person for the purpose of distinguishing, or so as to distinguish, newspapers marketed by the person from newspapers marketed by others;
- b) “Cash contribution”: the amount that must be paid in cash to RecycleMédias by a person prescribed under the Schedule;
- c) “Class of materials”: a class of materials covered by the compensation regime, i.e. the class “newspapers” marketed in Québec;
- d) “Compensation regime”: the compensation regime for municipalities established by Sub-section 4.1 of Division VII of Chapter I of the Act and by the Regulation;
- e) “Contribution in ad placements”: the amount that may be paid in the form of ad placements by a prescribed person under the Schedule. Such contributions in ad placements must consist of publishing, at the national, regional and local levels, messages intended to inform, educate or raise awareness about environmental matters, particularly in terms of promoting the recycling and recovery of residual materials, and may be made either in newspapers or through digital products;
- f) “Costs of RecycleMédias”: the management costs and other expenses of RecycleMédias incidental to the compensation regime that may be collected by RecycleMédias under Section 53.31.13 of the Act;
- g) “Costs of Recyc-Québec”: the management costs and other expenses of Recyc-Québec incidental to the compensation regime and payable to Recyc-Québec by RecycleMédias under Section 53.31.18 of the Act and Section 8.14 of the Regulation;
- h) “Digital products”: websites (including portals) and other digital products devoted primarily to current events, that are owned by the prescribed person or another member of the person’s corporate group, or through which a contribution in ad placements may be made;
- i) “Distinguishing guise”: the format of a newspaper, the appearance of which is used by a person for the purpose of distinguishing, or so as to distinguish, newspapers marketed by the person from newspapers marketed by others;

- j) “First supplier”: a person who is domiciled or has an establishment in Québec and who is the first to take title, possession or control, in Québec, of a newspaper covered by the Schedule;
- k) “Foreign publication”: a newspaper that markets less than 25% of its total materials in Québec;
- l) “Materials”: paper and other cellulosic fibres belonging to the class of materials concerned here. Quantities of marketed materials are measured in metric tonnes;
- m) “Name”: the name under which any business is carried on, whether or not it is the name of a legal body, a partnership or an individual;
- n) “Newspapers”: as set forth in Section 2 of the Regulation, this class includes paper and other cellulosic fibres used as a medium for written current affairs periodicals published on newsprint, particularly dailies and weeklies, as well as containers and packaging used to deliver newspapers directly to the ultimate consumer or recipient;
- o) “Prescribed person”: a person subject to the compensation regime, as designated in Chapter 3 of the Schedule;
- p) “RecycleMédias”: an organization accredited by Recyc-Québec that represents newspapers;
- q) “Recyc-Québec”: the Société québécoise de récupération et de recyclage, as designated in Section 1 of the *Act respecting the Société québécoise de récupération et de recyclage*, R.S.Q., c. S-22.01;
- r) “The Act”: the *Environment Quality Act*, R.S.Q., c. Q-2, as amended from time to time;
- s) “The Regulation”: the *Regulation respecting compensation for municipal services provided to recover and reclaim residual materials*, R.R.Q., c. Q-2, r. 10, as amended from time to time;
- t) “The Schedule”: the present Schedule of Contributions, including appendices.

2. Interpretation

2.1 Explanatory note

- 2.1.1 RecycleMédias may publish an explanatory notice or interpretation guide on its website at www.recyclemedias.com to explain its interpretation of the Schedule and how it will be administered.

- 2.2 Continuance of the Schedule
 - 2.2.1 If any provision of the Schedule is deemed invalid or unenforceable by a competent court or for any other reason, it shall not affect the validity of the other provisions of the Schedule, which shall be interpreted as if the invalid provision were omitted.
- 3. Designation of prescribed persons
 - 3.1 Prescribed persons
 - 3.1.1 Only the person who is the owner of the brand, name or distinguishing guise that identifies a material subject to contributions under the Schedule shall be required to pay a contribution with regard to that material.
 - 3.1.2 However, if the owner has neither a domicile nor an establishment in Québec, payment of contributions may be required of the first supplier in Québec, whether or not it is the importer of that material.
 - 3.2 Exempted persons
 - 3.2.1 Prescribed persons who demonstrate to RecycleMédias that the contributions prescribed in Chapters 5 and 6 of the Schedule have been paid in full, on their behalf, by a third party recognized by RecycleMédias as a voluntary contributor under Section 3.3, are exempted from those contributions.
 - 3.2.2 Prescribed persons who, during the year in question, marketed materials weighing no more than a total of two tonnes, are also exempted from the contributions prescribed in Chapters 5 and 6 of the Schedule.
 - 3.3 Voluntary contributor
 - 3.3.1 A third party whose domicile or establishment is outside of Québec, and who is the owner of a brand, name or distinguishing guise, may be accepted by RecycleMédias as a voluntary contributor, notably if the person satisfies the conditions stipulated below.
 - 3.3.2 A voluntary contributor may only act to fulfil the obligations that, under the Schedule, would be the responsibility of the first supplier of materials identified by a brand, name or distinguishing guise that is owned by the voluntary contributor. The latter may not act to fulfil the obligations of persons prescribed under Section 3.1.1.

3.3.3 A third party may be recognized as a voluntary contributor if it concludes an agreement to that effect with RecycleMédias, which agreement shall include the following provisions:

- that it agrees to fulfil the obligations related to contribution in ad placements under the Schedule;
- that it agrees to pay the cash contribution under the Schedule;
- that it agrees to produce the reports required in Chapter 7 of the Schedule, under the terms set out in that Chapter;
- that it agrees to the foregoing with regard to all of its first suppliers in Québec;
- that it agrees to respect the laws of Québec, and accepts that any legal proceedings will take place in Québec, under the laws of Québec.

A third party recognized as a voluntary contributor thus becomes a prescribed person with respect to both cash contribution and contribution in ad placements.

3.3.4 RecycleMédias may decide to conclude an agreement such as that described in Section 3.3.3 with a third party whose domicile or establishment is in Canada but outside of Québec, and which, without being the owner of a brand, name or distinguishing guise, is its principal distributor in Québec. Section 3.3.2 also applies to such a third party, which for the purposes of the Schedule is considered as a voluntary contributor.

3.3.5 The first supplier and the voluntary contributor are solidarily liable for their obligations under the Schedule.

3.4 Publication of the names of prescribed persons

3.4.1 RecycleMédias will publish on its website the name of every person that has registered or been automatically registered, as set out in Section 7.1 of the Schedule.

3.4.2 RecycleMédias may publish on its website the name of any person that meets the criteria for a prescribed person in Section 3.1 and that has not registered as set out in Section 7.1 of the Schedule.

4. Compensation regime

4.1 Annual compensation payable

For the years covered by the Schedule, the amount of the annual compensation payable for the class “newspapers”, under the Act and the Regulation, will be \$2,660,000 in 2010 and \$3,040,000 in 2011 and 2012. These amounts will be paid through contributions in goods and services, i.e. as contributions in ad placements.

4.2 Costs

As well, the amounts corresponding to the costs of Recyc-Québec and RecycleMédias will be paid by the prescribed persons through cash contributions.

5. Contribution in ad placements

5.1. Determination of contribution in ad placements

5.1.1 For a given year, the contribution in ad placements by a prescribed person corresponds to the quantity of materials marketed by that person in 2010, multiplied by the applicable rate for the year in question, as follows:

2010: \$19.58 per tonne;

2011: \$22.38 per tonne;

2012: \$22.38 per tonne.

5.1.2 For a person who became a prescribed person after the effective date of the Schedule, as set out in the second paragraph of Section 7.1.3, the first contribution in ad placements is in the year following that event. For that year, the calculation of the contribution in ad placements (Section 5.1.1) uses the tonnage of materials marketed by that person in the previous year.

5.2 Foreign publication

5.2.1 For newspapers qualified as foreign publications, the contribution in ad placements is converted into cash contribution that is additional to that provided in Section 6.

5.2.2 The payment rules for cash contributions set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to the additional cash contribution.

5.3 Terms and conditions

5.3.1 For each prescribed person, ad placements for a maximum value corresponding to the amount of the person's required contribution must be made by September 30, 2013, for publication by December 31, 2013, for contributions in ad placements applying to 2010 and 2011; and by March 31, 2014, for publication by June 30, 2014, for contributions in ad placements applying to 2012.

5.3.2 To determine the value of each ad placement and the terms and conditions under which it is provided, the customary government rate card (or national rate card) of the prescribed person (or member of the person's corporate group, as the case may be) shall be applied.

- 5.4 Conversion into additional cash contribution
 - 5.4.1 A prescribed person who has not fulfilled the contribution in ad placements, in whole or in part, by the date set in the Schedule and after receiving the statement of contributions owing will be liable to an additional cash contribution corresponding to the value of the unpaid contribution in ad placements.
 - 5.4.2 The payment rules for the cash contribution set out in Chapter 6 also apply, with the necessary modifications, to the additional cash contribution.
- 6. Cash contribution
 - 6.1 Determination of cash contribution
 - 6.1.1 For a given year, the cash contribution by a prescribed person corresponds to the quantity of materials marketed by that person in 2010, multiplied by the applicable rate for the year in question, as follows:
 - 2010: \$3.45 per tonne;
 - 2011: \$4.07 per tonne;
 - 2012: \$4.15 per tonne.
 - 6.1.2 For a person who became a prescribed person after the effective date of the Schedule, as set out in the second paragraph of Section 7.1.3, the first cash contribution is in the year following that event. For that year, the calculation of the cash contribution (Section 6.1.1) uses the tonnage of materials marketed by that person in the previous year.
 - 6.1.3 Notwithstanding the above, each prescribed person must pay a minimum cash contribution of fifty dollars (\$50.00) for each obligation year.
 - 6.2 Date, place and form of payment
 - 6.2.1 The cash contribution for 2010 and 2011 must be paid to RecycleMédias within 120 days after the effective date of the Schedule. Unless otherwise decided by RecycleMédias, payment must be in full.
 - 6.2.2 For 2012, the cash contribution must be paid to RecycleMédias within 120 days after the invoice is received. Unless otherwise decided by RecycleMédias, payment must be in full.
 - 6.2.3 RecycleMédias may specify a different deadline for payment of the cash contribution.

- 6.3 Penalties, interest and recovery
 - 6.3.1 Cash contributions that are due and unpaid to RecycleMédias bear interest as set out in Section 53.31.16 of the Act, i.e. at the rate determined under the first paragraph of Section 28 of the *Tax Administration Act*, R.S.Q., c. A-6.002. Such interest will be calculated daily on the unpaid amount of the cash contribution, starting from the date when the cash contribution became due and ending on the date of payment, at the rate mentioned above. Any change to that rate automatically changes the interest rate applying under the present section.
 - 6.3.2 In addition to the interest applied under Section 6.3.1, a prescribed person who has not paid the cash contribution within 210 days after the effective date of the Schedule (for the contribution for 2010 and 2011), or after reception of the invoice (for the contribution for 2012), will be liable to a penalty equal to 10% of the contributions owing.
 - 6.3.3 Pursuant to Section 53.31.16 of the Act, when RecycleMédias exercises a remedy to claim a sum that it is owed, a penalty equal to 20% of the amount of the cash contribution will be applied.
- 6.4 Form of payment
 - 6.4.1 Payment of cash contributions under Chapter 6 of the Schedule must be made in the legal tender of Canada.
- 7. Registration and reporting by prescribed persons
 - 7.1 Registration of prescribed persons
 - 7.1.1 The prescribed persons identified in Appendix A are automatically registered with RecycleMédias. No later than 90 days after the effective date of the Schedule, they must send to RecycleMédias the information specified in Appendix B of the Schedule.
 - 7.1.2 Any prescribed person that is not automatically registered (including a prescribed person exempted from contributions under Section 3.2.2 of the Schedule) must register with RecycleMédias by sending it the information specified in Appendix B of the Schedule.
 - 7.1.3 The information must be sent by the prescribed person within 90 days after the effective date of the Schedule.

A person who becomes a prescribed person after the effective date of the Schedule must, within 90 days of that event, comply with Section 7.1.2 of the Schedule.

7.2 Reporting of materials

7.2.1 Any prescribed person that is not automatically registered (including a prescribed person exempted from contributions under Section 3.2.2 of the Schedule) must, at the end of each year, produce a report on the materials marketed during that year, by sending to RecycleMédias the information specified in Appendix C of the Schedule, notably:

- a) A description of the methodology and data used to prepare the materials report;
- b) A list of the brands, names and distinguishing guises covered by the materials report;
- c) A list and description of any excluded materials that were omitted from the materials report;
- d) A statement certifying that the content of the materials report is true and accurate.

7.2.2 The materials report must be submitted within 90 days after the effective date of the Schedule (for 2010 and 2011) or no later than January 31, 2013 (for 2012).

7.3 Reporting of ad placements

7.3.1 A prescribed person that is not exempted under Section 3.2.2 of the Schedule must produce, within 30 days after each of the dates indicated in Section 5.3.1, an ad placement report describing the person's contribution in ad placements during the period concerned, except in the case of newspapers covered by Section 5.2 of the Schedule, by sending to RecycleMédias the information specified in Appendix D of the Schedule, notably:

- a) A description of the methodology and data used to prepare the ad placement report;
- b) A list and description of the newspapers and digital products for which the prescribed person is registered, specifying any that may be covered by Section 5.2 of the Schedule (“foreign publications”);
- c) For each newspaper or digital product not covered by Section 5.2 of the Schedule, a list of the ad placements made, with a description of the content, publication date and value in Canadian dollars of each ad placement;
- d) A statement certifying that the content of the ad placement report is true and accurate.

7.3.2 A prescribed person whose newspapers are all covered by Section 5.2 of the Schedule is exempted from the requirements of the present section.

7.4 Changes and amendments

7.4.1 Any change in the content of documents submitted by a prescribed person must be reported in a modification notice sent to RecycleMédias within 30 days after the change occurs.

7.5 Transmission medium and format

7.5.1 Documents and modification notices must be transmitted to RecycleMédias using digital media. They must be submitted using the forms provided for that purpose in the Schedule's appendixes and on the website of RecycleMédias, using the procedure described on the site.

7.6 Billing

7.6.1 For each contribution year, RecycleMédias sends each prescribed person a statement of the contribution owing in ad placements and an invoice for the cash contribution owing (and any additional cash contribution).

7.6.2 If a person fails to register under Section 7.1.2 of the Schedule, or fails to send to RecycleMédias the materials report required under Section 7.2.1 of the Schedule, the amounts of the contribution in ad placements and the cash contribution and additional cash contribution (if any) will be determined and billed based on an estimate by RecycleMédias.

7.7 Verification of reports

7.7.1 Besides the information and documents that must be produced for the purposes of Appendices C and D of the Schedule, RecycleMédias reserves the right to ask for additional information, such as tables of data, audit reports, or any other information used in preparing the reports.

7.7.2 RecycleMédias may review the materials report and require that corrections be made by the prescribed person. RecycleMédias may also choose to make the necessary corrections itself, after notifying the prescribed person. Following such corrections, the prescribed person will be sent a revised statement adjusting the contribution in ad placements, and a revised invoice adjusting the cash contribution.

7.7.3 A prescribed person that has not followed through on an adjusted contribution in ad placements, in whole or in part, or that has not concluded an agreement with RecycleMédias within 60 days after the revised statement was issued, will be liable to a penalty, payable in cash, of an amount corresponding to the value of the unpaid contributions in ad placements.

The payment rules for the cash contribution set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to such penalties. In the case of a credit, RecycleMédias will apply the value of the credit to the next statement.

- 7.7.4 An adjustment made to the cash contribution must be paid in full to RecycleMédias within 30 days after the revised invoice is issued. In the case of a credit, RecycleMédias will apply the value of the credit to the next invoice.

The payment rules for the cash contribution set out in Chapter 6 of the Schedule also apply, with the necessary modifications, to such adjustments.

8. Conservation of files

8.1 Conservation of files

- 8.1.1 A prescribed person must conserve all documents and other media used in preparing reports for a period of five years after the reports were transmitted. Such information must be made available for consultation and copying by RecycleMédias, during normal business hours, following prior notice to that effect by RecycleMédias.

8.2 Confidentiality

- 8.2.1 During the period in which RecycleMédias conserves information it has received in connection with the compensation regime, RecycleMédias is bound to take appropriate measures to ensure its security, preserve its integrity, protect its confidentiality, and prohibit access to it by any unauthorized person. RecycleMédias must also ensure the respect of all other obligations prescribed by law with respect to the conservation of such information.

9. Dispute resolution

9.1 Procedure

- 9.1.1 In the event of dispute between a prescribed person and RecycleMédias concerning the materials or quantity of materials covered by contributions, or concerning the value of ad placements made by a prescribed person, both parties shall attempt to resolve the dispute through discussions between their respective representatives within 30 days after a written notice of the dispute is issued, or by a common agreement, which will be consigned to writing.
- 9.1.2 If the dispute persists after the expiry of the period mentioned in Section 9.1.1, it shall be definitely settled by arbitration other than the courts, pursuant to the provisions of the *Code of Civil Procedure*, R.S.Q., c. C-25.

9.1.3 Non-payment and failure by a prescribed person to submit a report are not subject to arbitration.

10. Adjustment

10.1 Adjustment clause

10.1.1 Amounts received as interest or penalties under the Schedule are applied to the costs of Recyc-Québec and RecycleMédias for the year after such amounts are received.

10.1.2 In the event that RecycleMédias accumulates, during 2010 and 2011, an amount greater than is necessary to cover the costs of Recyc-Québec and RecycleMédias, RecycleMédias will grant a credit on the cash contribution payable in 2012. The credit granted to each prescribed person will be proportional to the contribution paid by that person for 2011.

10.1.2 In the event that RecycleMédias does not accumulate, during 2010 and 2011, sufficient funds to cover the costs of Recyc-Québec and RecycleMédias, RecycleMédias will require the payment of an adjustment on the cash contribution payable in 2012. For each prescribed person, the adjustment will be proportional to the contribution paid by that person for 2011.

11. Effective date and duration

11.1 Effective date

11.1.1 The Schedule shall come into force on the 15th day after its publication in the *Gazette officielle du Québec*.

11.2 Duration

11.2.1 The Schedule is valid for obligation years 2010, 2011 and 2012.

Appendix A
PRESCRIBED PERSONS REGISTERED AUTOMATICALLY

La Presse, Ltée 3834310 Canada Inc. (Journaux régionaux Gesca)
Corporation Sun Média
Le Devoir Inc.
Postmedia Network Inc.
Publications métropolitaines Inc.
Médias Transcontinental S.E.N.C.

Appendix B
Registration of a prescribed person

Determination of the prescribed person
<p>Name of enterprise:</p> <p>Nature of obligation (check your situation):</p> <ul style="list-style-type: none"><input type="checkbox"/> Person who is the owner of the brand, name or distinguishing guise that identifies a material subject to contributions under the Schedule, and who has an establishment in Québec ;<input type="checkbox"/> First supplier in Québec of a material subject to contributions under the Schedule;<input type="checkbox"/> First supplier exempted from contributions because the latter are paid to RecycleMédias by a voluntary contributor (provide the name and address of the voluntary contributor);<input type="checkbox"/> Voluntary contributor within the meaning of Section 3.3 of the Schedule (provide the name and address of each first supplier). <p>Headquarters:</p> <p>Address:</p> <p>City:</p> <p>Postal code:</p> <p>Country:</p> <p>Telephone:</p> <p>Fax:</p> <p>If the headquarters are not in Québec, indicate domicile or establishment in Québec:</p> <p>Address:</p> <p>City:</p> <p>Postal code:</p> <p>Country:</p> <p>Telephone:</p> <p>Fax:</p> <p>Company website:</p>
First respondent of the enterprise
<p>The first respondent is the person authorized by the company to represent it for the purposes of its obligations under the compensation regime</p> <p>Family name:</p> <p>First name:</p> <p>Title:</p> <p>Office telephone:</p> <p>Office e-mail:</p>

Appendix C
Material report

Report year:

		Quantity marketed in Québec (in tonnes)	
		“Newspapers”	
		not covered by Section 5.2 of the Schedule	covered by Section 5.2 of the Schedule
Materials	Papers and other cellulosic fibres, and containers or packaging used for the delivery of newspapers		
	Total		
	Grand total		

Together with this report, pursuant to Section 7.2.1 of the Schedule the prescribed person must also produce:

- a) A description of the methodology and data used to prepare the materials report;
- b) A list of the brands, names and distinguishing guises covered by the materials report;
- c) A list and description of any excluded materials that were omitted from the materials report;
- d) A statement certifying that the content of the materials report is true and accurate.

Notwithstanding the foregoing, as stipulated in Section 7.7.1 of the Schedule RecycleMédias reserves the right to ask for any additional information that was used in preparing this report.

Appendix D
Ad Placement Report

Report year:

Summary table of the value of ad placements made in all newspapers and digital products	
Newspapers and digital products covered by contributions and not covered by Section 5.2 of the Schedule	Value of advertising placement (in Canadian dollars)
Total	

Together with this report, pursuant to Section 7.3.1 of the Schedule the prescribed person must also produce:

- a) A description of the methodology and data used to prepare the ad placement report;
- b) A list and description of the newspapers and digital products for which the prescribed person is registered, specifying any that are qualified as foreign publications;
- c) For each newspaper or digital product not qualified as a foreign publication, a list of the ad placements made, with a description of the content, publication date and value in Canadian dollars of each ad placement;
- d) A statement certifying that the content of the ad placement report is true and accurate.

Notwithstanding the foregoing, as stipulated in Section 7.7.1 of the Schedule RecycleMédias reserves the right to ask for any additional information that was used in preparing this report.