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In force date of regulations: As of March 5, 2005*, the date that a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date that a regulation is filed and any specified effective dates are important in determining when the regulation is in force.

*Effective November 28, 2023, subsection 3(6) of the *Regulations Act* was replaced. (See subsection 3(5) of Chapter 54 of the Acts of 2022, *An Act to Amend Chapter 393 of the Revised Statutes, 1989, the Regulations Act*.)

N.S. Reg. 169/2025

Made: August 19, 2025

Filed: August 27, 2025

Forms Regulations—amendment

Order dated August 19, 2025

Amendment to regulations made by the Minister of Service Nova Scotia
pursuant to Section 90 of the *Mortgage Regulation Act***In the matter of Section 90 of Chapter 11 of the Acts of 2012,
the *Mortgage Regulation Act*****-and-****In the matter of an amendment to the *Forms Regulations*
made by the Minister of Service Nova Scotia****Order**

I, Jill Balser, Minister of Service Nova Scotia for the Province of Nova Scotia, pursuant to Section 90 of Chapter 11 of the Acts of 2012, the *Mortgage Regulation Act*, hereby amend the *Forms Regulations*, N.S. Reg. 132/2020, made by the Minister of Service Nova Scotia and Internal Services by order dated September 16, 2020, in the manner set forth in the attached Schedule “A”, effective on and after September 1, 2025.

Dated and made August 19, 2025, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Jill Balser*

Honourable Jill Balser

Minister of Service Nova Scotia

Schedule “A”**Amendment to the *Forms Regulations*
made by the Minister of Service Nova Scotia
under Section 90 of Chapter 11 of the Acts of 2012,
the *Mortgage Regulation Act***

- 1 Form 1—Mortgage Brokerage Disclosure of the *Forms Regulations*, N.S. Reg. 132/2020, made by the Minister of Service Nova Scotia and Internal Services by order dated September 16, 2020, is amended by striking out “(name of mortgage brokerage)” immediately after “*Mortgage Regulation Act, General Disclosure Regulations*” and substituting the following text:

Name of Mortgage Brokerage: _____ Licence Number: _____

- 2 (1) Form 2—Mortgage Brokerage Recommendation and Assessment is amended by striking out “(name of mortgage brokerage)” immediately after “*Mortgage Regulation Act, General Disclosure Regulations*” and substituting the following text:

Name of Mortgage Brokerage: _____ Licence Number: _____

- (2) Form 2—Mortgage Brokerage Recommendation and Assessment is further amended under the

heading “**Assessment Criteria**” by adding the following text immediately after the table:

Explanation for Our recommendation: *(Clearly explain the rationale for selecting the recommended lender and mortgage product type. The explanation must be based on the borrower's personal and financial circumstances, and take into account factors such as lender practices, product availability, turnaround time, service levels, complexity, exceptions, and existing relationships.)*

- (3) Form 2—Mortgage Brokerage Recommendation and Assessment is further amended by repealing the entire “**Next-best options (if more than 1 option is available for consideration)**” section of the form.
- 3 Form 3—Mortgage Disclosure Statement is amended by adding the following text immediately after “*Mortgage Regulation Act, Cost of Borrowing Disclosure Regulations*”:
- Name of Mortgage Lender: _____ Licence Number: _____
- 4 Form 6A—Annual Information Return: Mortgage Brokerages, Form 6B—Annual Information Return: Mortgage Lenders and Form 6C—Annual Information Return: Mortgage Administrators are repealed and the following forms substituted:

Form 6A—Annual Information Return: Mortgage Brokerages
(*Mortgage Regulation Act, Reporting Requirements Regulations*)

Name of Licensee: _____ Licence Number: _____
For the reporting period of October 1, 20____ to September 30, 20____.

Information provided must be based on Nova Scotia data only, except for questions 1, 6 and 7.

1. Did the mortgage brokerage broker mortgages in another Canadian province or territory?
- ☐ No
- ☐ Yes, complete table:

Canadian Province or Territory	% of Mortgages (of total number)	% of Mortgages (of total dollar amount)
British Columbia		
Alberta		
Saskatchewan		
Manitoba		
Ontario		
Quebec		
New Brunswick		
Nova Scotia		
Prince Edward Island		
Newfoundland and Labrador		
Nunavut		
Northwest Territories		

Yukon		
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2. Did the mortgage brokerage close any mortgage deals in Nova Scotia during the reporting period?
(Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

Mortgage Type	Number of Mortgages	Dollar Amount of Mortgages
<i>Include both new and renewal mortgage data for a-c, where applicable</i>		
a) Residential		
b) Commercial		
c) Other (specify types):		
Total (a+b+c)		

Complete d-q for residential business only:

d) Conventional ¹		
e) High ratio insured ²		
f) High ratio uninsured ³		
Total (d+e+f)		
g) First mortgage		
h) Second mortgage		
i) Third mortgage		
j) Other mortgages (4th, 5th, etc.)		
Total (g+h+i+j)		
k) New loans		
l) Renewals ⁴		
Total (k+l)		

¹ Conventional: Loan to value ratio less than or equal to 80%.

² High ratio insured: Loan to value ratio greater than 80% and insured with mortgage default insurance.

³ High ratio uninsured: Loan to value ratio greater than 80% and not insured with mortgage default insurance.

⁴ Renewals: Mortgages that were originally placed by the brokerage and renewed with the same lender on the same property. Renewals are any extensions of the terms of the mortgage that were not originally contemplated.

m)	First time homebuyers		
n)	Reverse mortgage		
o)	Sub-prime ⁵		
p)	Construction mortgages		
q)	Home equity line of credit		

3. Please provide the following information regarding the funding sources of the mortgage brokerage's residential mortgage business: (Information provided must be based on Nova Scotia data only.)

Type of Lender	Number of Mortgages	Dollar Amount of Mortgages
Bank		
Credit union		
Insurance company		
Trust company		
Mortgage finance company (MFC)/ Monoline ⁶		
Mortgage investment corporation (MIC) ⁷		
Mortgage investment entity (MIE) (other than a MIC) ⁸		
Private investor		
Self-funding		
Other (specify types):		
Total		

⁵ Sub-prime: For the purposes of this return, sub-prime refers to a mortgage for an individual with a credit score of 600 points or less (or a reasonable equivalent). These mortgages are arranged based on the credit worthiness of the individual borrower.

⁶ For the purposes of this return, a mortgage finance company (MFC)/Monoline lender is a non-depository financial institution that underwrites and services mortgages sourced through brokers.

⁷ For the purposes of this return, a mortgage investment corporation (MIC) is an investment or lending company designed specifically for mortgage investing or lending in Canada and governed by the *Income Tax Act* (Canada).

⁸ For the purposes of this return, a mortgage investment entity (MIE), other than a MIC, is a mortgage financing business that pools together money from investors to lend on mortgages. MIEs can vary in organizational structure, and may be a trust, a limited partnership or a corporation.

4. How many lenders did the mortgage brokerage have available to fund residential mortgages as at September 30? (Information provided must be based on Nova Scotia data only.) _____
5. Did the mortgage brokerage fund more than 20% of its residential mortgage business, in dollar value, with any one lender? (Information provided must be based on Nova Scotia data only.)
- ☐ No
- ☐ Yes, complete table:

Type of Lender	Name	Percent of Business (>20% only)
Bank		
Credit union		
Insurance company		
Trust company		
Mortgage finance company (MFC)/Monoline		
Mortgage investment corporation (MIC)		
Mortgage investment entity (MIE) (other than a MIC)		
Private investor		
Self-funding		
Other (specify types):		
Total		

6. Did the principal broker or an officer or director of the mortgage brokerage have an equity interest in a mortgage investment corporation (MIC) as at September 30?
- ☐ No
- ☐ Yes, list the name, description of equity interest and legal name of the MIC for each person who had an equity interest:
7. Did the principal broker or an officer or director of the mortgage brokerage hold any management roles in a MIC as at September 30?
- ☐ No
- ☐ Yes, list the name of each person who held a management role, the position held and the legal name of the MIC:

Were any of the MICs fully managed by the principal broker?

- ☐ No
- ☐ Yes

Were any of the MICs subject to any legal claims in any Canadian jurisdiction?

- ☐ No
☐ Yes

8. Please provide the amount of the mortgage brokerage's residential mortgage business that was funded by MIC(s) during the reporting period: (Information provided must be based on Nova Scotia data only.)

Number of mortgages	
Dollar amount of mortgages	
Number of MICs that funded the mortgages	

9. Please provide the amount of the mortgage brokerage's residential mortgage business that was funded by MIE(s) during the reporting period: (Information provided must be based on Nova Scotia data only.)

Number of mortgages	
Dollar amount of mortgages	
Number of MIEs that funded the mortgages	

10. Did the mortgage brokerage broker any mortgages funded by private investors, other than through a MIC or MIE? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

Number of mortgages	
Dollar amount of mortgages	
Number of private investors	

Based on the value of the mortgages, please list the top 3 private investors that funded the mortgage brokerage's mortgage transactions:

Private Investor Name	Number of Mortgages	Dollar Amount of Mortgages

11. Did the mortgage brokerage syndicate⁹ mortgages? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete the following table respecting the mortgages syndicated by the mortgage brokerage:

⁹ For the purposes of this return, a syndicated mortgage is a mortgage offered by a group of investors or lenders that work together to provide funds for a single borrower, with each investor or lender noted as a mortgagee on the mortgage. A mortgage brokerage that syndicates a mortgage solicits investors or lenders to offer the syndicated mortgage by the group of investors or lenders. A syndicate refers to a group of investors or lenders who offer a syndicated mortgage.

Type of Mortgage	Total Number of Mortgages	Total Dollar Amount of Mortgages	Total Number of Investors and Lenders	Total Number of Private Investors	Who Administers the Mortgages	Number and Value of High-Ratio Syndicated Mortgages	
						Number	Dollar Amount
Residential							
Commercial							
Other							

Based on the value of the mortgages, please list the top 3 syndicates that funded the mortgage brokerage's syndicated mortgage transactions:

Identifying Details of Syndicate	Number of Mortgages	Dollar Amount of Mortgages

12. Did the mortgage brokerage refer any clients to other licensed mortgage brokerages to invest in syndicated mortgages? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete:

How many clients did the mortgage brokerage refer? _____

Please provide the dollar amount of compensation received by the mortgage brokerage for referring persons to invest in syndicated mortgages.
\$ _____

13. Did the mortgage brokerage arrange or participate in arranging any securitization facilities¹⁰? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

Number of instruments	
Dollar amount of instruments	

14. Please provide the following breakdown of written complaints received by the mortgage brokerage during the reporting period: (Information provided must be based on Nova Scotia data only.)

¹⁰ For the purposes of this return, a securitization facility is a tool used to pool various types of existing debt, repackage them as bonds and sell the new debt obligations to investors.

Complaint Category	Number of Complaints	Number Responded to (as at September 30)	Number Resolved (as at September 30)
1. Administration <i>Complaints regarding administrative practices; e.g., failing to return original records, record-keeping, payment schedule problems, contractual disputes (client fees or services) and customer service (client expectations)</i>			
2. Disclosure <i>Complaints regarding disclosure requirements</i>			
3. Marketing and sales <i>Complaints regarding product suitability, incomplete, inappropriate or misleading public relations material, high-pressure sales tactics, tied selling</i>			
4. Fraud <i>Complaints regarding deceptive or deliberate practices to secure unfair or unlawful gain; e.g., falsifying documents or information related to a mortgage transaction or arrangement, defalcation</i>			
Total			

Attestation by the Principal Broker

I, (print name), of (print name of mortgage brokerage), certify as follows:

I am aware that it is an offence to make a false statement to the Registrar of Mortgage Regulation. The information provided in this annual information return is true to the best of my knowledge and belief.

Note: Only the principal broker of the brokerage can submit this annual information return. The above name must match the name on the principal broker's licence.

(signature of principal broker)

(date)

Form 6B—Annual Information Return: Mortgage Lenders (Mortgage Regulation Act, Reporting Requirements Regulations)

Name of Licensee: _____ Licence Number: _____

For the reporting period of October 1, 20____ to September 30, 20____.

Information provided must be based on Nova Scotia data only, except for questions 1, 5 and 6.

1. Did the mortgage lender fund mortgages in another Canadian province or territory?

- ☐ No
- ☐ Yes, complete table:

Canadian Province or Territory	% of Mortgages (of total number)	% of Mortgages (of total dollar amount)
British Columbia		
Alberta		
Saskatchewan		
Manitoba		
Ontario		
Quebec		
New Brunswick		
Nova Scotia		
Prince Edward Island		
Newfoundland and Labrador		
Nunavut		
Northwest Territories		
Yukon		

2. Did the mortgage lender close any mortgage deals in Nova Scotia during the reporting period?
(Information provided must be based on Nova Scotia data only.)

- ☐ No
- ☐ Yes, complete table:

Mortgage Type	Number of Mortgages	Dollar Amount of Mortgages
<i>Include both new and renewal mortgage data for a-c, where applicable</i>		
a) Residential		
b) Commercial		
c) Other (specify types):		
Total (a+b+c)		

Complete d-q for residential business only:

d) Conventional ¹		
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¹ Conventional: Loan to value ratio less than or equal to 80%.

e)	High ratio insured ²		
f)	High ratio uninsured ³		
	Total (d+e+f)		
g)	First mortgage		
h)	Second mortgage		
i)	Third mortgage		
j)	Other mortgages (4th, 5th, etc.)		
	Total (g+h+i+j)		
k)	New loans		
l)	Renewals ⁴		
	Total (k+l)		
m)	First time homebuyers		
n)	Reverse mortgage		
o)	Sub-prime ⁵		
p)	Construction mortgages		
q)	Home equity line of credit		

3. Did the mortgage lender fund mortgages through a mortgage brokerage? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, number of brokerages used: _____

4. Did the mortgage lender fund more than 20% of its business, in dollar value, with any one brokerage? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

² High ratio insured: Loan to value ratio greater than 80% and insured with mortgage default insurance.

³ High ratio uninsured: Loan to value ratio greater than 80% and not insured with mortgage default insurance.

⁴ Renewals: Mortgages that were originally placed by the lender and renewed with the same lender on the same property. Renewals are any extensions of the terms of the mortgage that were not originally contemplated.

⁵ Sub-prime: For the purposes of this return, sub-prime refers to a mortgage for an individual with a credit score of 600 points or less (or a reasonable equivalent). These mortgages are arranged based on the credit worthiness of the individual borrower.

Name of Mortgage Brokerage	Percent of Business (>20% only)

5. Did any officers or directors of the mortgage lender have an equity interest in a mortgage investment corporation (MIC)⁶ as at September 30?
- ☐ No
- ☐ Yes, list the name, description of equity interest and legal name of the MIC for each person who had an equity interest:
6. Did any officers or directors of the mortgage lender hold any management roles in a MIC as at September 30?
- ☐ No
- ☐ Yes, list the name of each person who held a management role, the position held and the legal name of the MIC:

Were any of the MICs subject to any legal claims in any Canadian jurisdiction?

- ☐ No
- ☐ Yes

7. Please provide the amount of the mortgage lender's business that was funded by MIC(s) during the reporting period: (Information provided must be based on Nova Scotia data only.)

Number of mortgages	
Dollar amount of mortgages	
Number of MICs that funded the mortgages	

8. Please provide the amount of the mortgage lender's residential mortgage business that was funded by any mortgage investment entities (MIEs)⁷ during the reporting period: (Information provided must be based on Nova Scotia data only.)

Number of mortgages	
Dollar amount of mortgages	
Number of MIEs that funded the mortgages	

⁶ For the purposes of this return, a mortgage investment corporation (MIC) is an investment or lending company designed specifically for mortgage investing or lending in Canada and governed by the *Income Tax Act* (Canada).

⁷ For the purposes of this return, a mortgage investment entity (MIE), other than a MIC, is a mortgage-financing business that pools together money from investors to lend on mortgages. MIEs can vary in organizational structure, and may be a trust, a limited partnership or a corporation.

9. Did the mortgage lender fund any mortgages with funds from private investors, other than through a MIC or MIE? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

Number of mortgages	
Dollar amount of mortgages	
Number of private investors	

Based on the value of the mortgages, please list the top 3 private investors that funded the mortgage lender's transactions:

Private Investor Name	Number of Mortgages	Dollar Amount of Mortgages

10. Did the mortgage lender syndicate⁸ mortgages? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete:

Type of Mortgage	Total Number of Mortgages	Total Dollar Amount of Mortgages	Total Number of Investors and Lenders	Total Number of Private Investors	Number and Value of High-Ratio Syndicated Mortgages		Who Administers the Mortgages
					Number	Dollar Amount	
Residential							
Commercial							
Other							

Based on the value of the mortgages, please list the top 3 syndicates that funded the mortgage lender's syndicated mortgage transactions:

⁸ For the purposes of this return, a syndicated mortgage is a mortgage offered by a group of investors or lenders that work together to provide funds for a single borrower, with each investor or lender noted as a mortgagee on the mortgage. A mortgage lender that syndicates a mortgage solicits investors or lenders to offer the syndicated mortgage by the group of investors or lenders. A syndicate refers to a group of investors or lenders who offer a syndicated mortgage.

Identifying Details of Syndicate	Number of Mortgages	Dollar Amount of Mortgages

11. Did the mortgage lender refer any persons to any licensed brokerages to invest in syndicated mortgages? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete:

How many persons did the mortgage lender refer? _____

Please provide the dollar amount of compensation received by the mortgage lender for referring persons to invest in syndicated mortgages.

\$ _____

12. Did the mortgage lender arrange or participate in arranging any securitization facilities⁹? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

Number of instruments	
Dollar amount of instruments	

13. Did the mortgage lender make securitization sales? (Information provided must be based on Nova Scotia data only.)

- ☐ No
☐ Yes, complete table:

Number of mortgages	
Dollar amount of mortgages	

14. Please provide the following breakdown of written complaints received by the mortgage lender during the reporting period: (Information provided must be based on Nova Scotia data only.)

⁹ For the purposes of this return, a securitization facility is a tool used to pool various types of existing debt, repackage them as bonds and sell the new debt obligations to investors.

Complaint Category	Number of Complaints	Number Responded to (as at September 30)	Number Resolved (as at September 30)
1. Administration <i>Complaints regarding administrative practices; e.g., failing to return original records, record-keeping, payment schedule problems, contractual disputes (client fees or services) and customer service (client expectations)</i>			
2. Disclosure <i>Complaints regarding disclosure requirements</i>			
3. Marketing and sales <i>Complaints regarding product suitability, incomplete, inappropriate or misleading public relations material, high-pressure sales tactics, tied selling</i>			
4. Fraud <i>Complaints regarding deceptive or deliberate practices to secure unfair or unlawful gain; e.g., falsifying documents or information related to a mortgage transaction or arrangement, defalcation</i>			
Total			

Attestation by the Compliance Officer

I, (print name), of (print name of mortgage lender), certify as follows:

I am aware that it is an offence to make a false statement to the Registrar of Mortgage Regulation. The information provided in this annual information return is true to the best of my knowledge and belief.

(signature of compliance officer)

(date)

Form 6C—Annual Information Return: Mortgage Administrators (Mortgage Regulation Act, Reporting Requirements Regulations)

Name of Licensee: _____ Licence Number: _____

For the reporting period of October 1, 20____ to September 30, 20____.

1. Did the mortgage administrator administer mortgages in another Canadian province or territory?

- ☐ No
☐ Yes, complete table:

Canadian Province or Territory	% of Mortgages (of total number)	% of Mortgages (of total dollar amount)
British Columbia		
Alberta		
Saskatchewan		
Manitoba		
Ontario		
Quebec		
New Brunswick		
Nova Scotia		
Prince Edward Island		
Newfoundland and Labrador		
Nunavut		
Northwest Territories		
Yukon		

2. Did the mortgage administrator have a trust account under the *Mortgage Regulation Act (MRA)* as at the last day of the reporting period (September 30)?

- ☐ No, explain: _____
☐ Yes, complete: _____

How many *MRA* trust accounts did the mortgage administrator have as at the last day of the reporting period (September 30)? _____

Of the total number, how many *MRA* trust accounts did the mortgage administrator open during the reporting period? _____

Did the mortgage administrator obtain prior written consent from the Registrar to open any new *MRA* trust accounts during the reporting period?

- ☐ Not applicable
☐ No
☐ Yes

If not, why? _____

Did the mortgage administrator reconcile all of its *MRA* trust accounts?

- ☐ Not applicable
☐ No
☐ Yes

If not, why? _____

3. Was there a shortfall, at any time, in any of the *MRA* trust accounts?

- ☐ Not applicable
☐ No
☐ Yes, complete table:

Date	Amount	Corrected		When	Reported to Registrar	Comment
	\$	<input type="radio"/> Yes	<input type="radio"/> No			
	\$	<input type="radio"/> Yes	<input type="radio"/> No			
	\$	<input type="radio"/> Yes	<input type="radio"/> No			
	\$	<input type="radio"/> Yes	<input type="radio"/> No			
	\$	<input type="radio"/> Yes	<input type="radio"/> No			

4. Did the mortgage administrator operate a mortgage investment corporation (MIC)¹ as at September 30?

- ☐ No
☐ Yes

5. Did the mortgage administrator administer any mortgages on behalf of a mortgage investment entity (MIE)² as at September 30?

- ☐ No
☐ Yes

6. Did the mortgage administrator administer any mortgages on behalf of private investors, other than through a MIC or MIE, in which either an investor or borrower were located in Nova Scotia?

- ☐ No
☐ Yes, complete table:

Number of mortgages	
Dollar amount of mortgages	
Number of private investors	

Based on the value of the mortgages, please list the top 3 private investors the mortgage administrator administered mortgages for:

Private Investor Name	Number of Mortgages	Dollar Amount of Mortgages

¹ For the purposes of this return, a mortgage investment corporation (MIC) is an investment or lending company that is designed specifically for mortgage investing or lending in Canada and is governed by the *Income Tax Act* (Canada).

² For the purposes of this return, a mortgage investment entity (MIE), other than a MIC, is a mortgage-financing business that pools together money from investors to lend on mortgages. MIEs can vary in organizational structure, and may be a trust, a limited partnership or a corporation.

7. Did the mortgage administrator administer any syndicated mortgages³ in which an investor, lender or borrower were located in Nova Scotia?

- ☐ No
☐ Yes, complete table:

Number of mortgages	
Dollar amount of mortgages	
Number of investors or lenders	

Based on the value of mortgages, please list the top 3 investors or lenders the mortgage administrator administered syndicated mortgages for:

Investor or Lender Name	Number of Mortgages	Dollar Amount of Mortgages

8. Did the mortgage administrator administer any securitization facilities⁴?

- ☐ No
☐ Yes, complete table:

Number of instruments	
Dollar amount of instruments	

9. How many written complaints did the mortgage administrator receive during the reporting period?

Of the total written complaints received, how many were responded to? _____

Of the total written complaints received, how many were resolved as at September 30? _____

Please provide the following breakdown of complaints received:

³ For the purposes of this return, a syndicated mortgage is a mortgage offered by a group of investors or lenders that work together to provide funds for a single borrower, with each investor or lender noted as a mortgagee on the mortgage.

⁴ For the purposes of this return, a securitization facility is a tool used to pool various types of existing debt, repackage them as bonds and sell the new debt obligations to investors.

Complaint Category	Number of Complaints	Comments (Provide a brief explanation about the types of complaints received by the mortgage administrator for each category)
1. Administration <i>Complaints regarding administrative practices; e.g., failing to return original records, record-keeping, contractual disputes (client fees or services) and customer service (client expectations)</i>		
2. Disclosure/trust agreement <i>Complaints regarding disclosure requirements or contents of trust agreement</i>		
3. Marketing and sales <i>Complaints regarding product suitability, incomplete, inappropriate or misleading public relations material, high-pressure sales tactics, tied selling</i>		
4. Fraud <i>Complaints regarding deceptive or deliberate practices to secure unfair or unlawful gain, e.g., falsifying documents or information related to a mortgage transaction or arrangement, defalcation</i>		
Total		

Attestation by the Compliance Officer

I, (print name), of (print name of mortgage administrator), certify as follows:

I am aware that it is an offence to make a false statement to the Registrar of Mortgage Regulation. The information provided in this annual information return is true to the best of my knowledge and belief.

(signature of compliance officer)

(date)

Form 7—Statutory Declaration: Mortgage Administrator Not Handling Trust Property (Mortgage Regulation Act, Reporting Requirements Regulations)

I, _____ (name), Compliance Officer for
_____, (name of mortgage administrator), Licence Number _____, do
solemnly declare that at no time during the fiscal year from _____, 20____, to
_____, 20____, did the mortgage administrator receive or handle any trust property within
the meaning of the *Mortgage Regulation Act*.

I MAKE THIS DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Schedule “A”

**Amendment to the *Reporting Requirements Regulations*
made by the Minister of Service Nova Scotia
under Section 90 of Chapter 11 of the Acts of 2012,
the *Mortgage Regulation Act***

Section 4 of the *Reporting Requirements Regulations*, N.S. Reg. 131/2020, made by the Minister of Service Nova Scotia and Internal Services by order dated September 16, 2020, is amended by

- (a) repealing clause (3)(b) and substituting the following clauses:
 - (b) for a mortgage administrator that received or handled trust property during the fiscal year, a copy of the audited financial statement for the mortgage administrator’s trust account and the assets and liabilities under administration for the fiscal year;
 - (ba) for a mortgage administrator that did not receive or handle any trust property during the fiscal year, a statutory declaration that is sworn under oath or affirmed by the compliance officer in Form 7—Statutory Declaration as prescribed in the *Forms Regulations* made under the Act;
- (b) repealing clause (3)(e) and substituting the following clause:
 - (e) for a mortgage administrator that received or handled trust property during the fiscal year, a copy of a report by the auditor about the mortgage administrator’s trust account and the assets and liabilities under administration for the fiscal year.
- (c) in subsection (4),
 - (i) striking out “clauses (2)(a) and (b)” and substituting “clauses (3)(a) and (b)”, and
 - (ii) striking out “clauses 2(d) and (e)” and substituting “clauses 3(d) and (e)”.

N.S. Reg. 171/2025

Made: July 29, 2025

Approved: August 14, 2025

Filed: August 28, 2025

Milk Pricing Regulations—amendment

Order dated August 27, 2025

Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to Sections 9 and 14 of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

**Amendment to the *Milk Pricing Regulations*
made under the *Dairy Industry Act***

I certify that on July 29, 2025, the Dairy Farmers of Nova Scotia, pursuant to Sections 9 and 14 of Chapter 24

of the Acts of 2000, the *Dairy Industry Act*, as delegated by Section 2 of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, carried a motion to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, in the manner set forth in the attached Schedule “A”, effective on and after September 1, 2025.

Signed at Truro, in the County of Colchester, Nova Scotia, on August 27, 2025.

Dairy Farmers of Nova Scotia

per: sgd. *J Fewer*
Jo Ann Fewer
General Manager

Approved by the Natural Products Marketing Council at Bible Hill, in the County of Colchester, Nova Scotia, on August 14, 2025.

Natural Products Marketing Council

per: sgd. *Danielle Dorn Kouwenberg*
Danielle Dorn Kouwenberg
Manager

Schedule “A”

**Amendment to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to Sections 9 and 14 of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

- 1 Clause 9(1)(a) of the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, is amended by striking out “\$0.17” and substituting “\$0.1897”.
- 2 Clause 9(1)(b) of the regulations is amended by striking out “\$1.50” and substituting “\$1.36”.

N.S. Reg. 172/2025

Made: July 29, 2025

Approved: August 14, 2025

Filed: August 28, 2025

Total Production Quota Regulations—amendment

Order dated August 27, 2025

Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 14(1)(e) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia**Amendment to the *Total Production Quota Regulations***

I certify that on July 29, 2025, the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(e) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(h) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, carried a motion to amend the *Total Production Quota Regulations*, N.S. Reg. 255/2009, made by the Dairy Farmers of Nova Scotia on May 21, 2009, and approved by the Natural Products Marketing Council on July 21, 2009, in the manner set forth in the attached Schedule “A”, effective on and after September 1, 2025.

Signed at Truro, in the County of Colchester, Nova Scotia, on August 27, 2025.

Dairy Farmers of Nova Scotia

per: sgd. *J Fewer*
Jo Ann Fewer
General Manager

Approved by the Natural Products Marketing Council at Bible Hill, in the County of Colchester, Nova Scotia, on August 14, 2025.

Natural Products Marketing Council

per: sgd. *Danielle Dorn Kouwenberg*
Danielle Dorn Kouwenberg
Manager

Schedule “A”

**Amendment to the *Total Production Quota Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clause 14(1)(e) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

- † Subsections 26(7) to (9) of the *Total Production Quota Regulations*, N.S. Reg. 255/2009, made by the Dairy Farmers of Nova Scotia on May 21, 2009, and approved by the Natural Products Marketing Council on July 21, 2009, are repealed and replaced with the following:

- (7) If, at the market clearing price, the cumulative volume of the successful offers to buy is greater than the cumulative volume of the successful offers to sell, the TPQ must be distributed to buyers according to the following order of priority:
- (a) first, if there is a successful buy offer from an assisted new producer who is in their quota acquisition period as described in the Board policy and who, immediately before the TPQ exchange, held less TPQ than the buyer prorate exemption amount prescribed in the Board policy, the TPQ must be allocated to the assisted new producer until 1 of the following conditions is satisfied:
 - (i) all of the TPQ is allocated to the assisted new producer,
 - (ii) the assisted new producer's buy offer is filled,
 - (iii) the TPQ held by the assisted new producer immediately before the TPQ exchange plus the amount of TPQ bought by the producer is equal to the buyer prorate exemption amount prescribed in the Board policy;
 - (aa) second, if there is a successful buy offer from an assisted new producer and the TPQ exchange is taking place during a month in which the assisted new producer is required by the Board to reimburse TPQ to the Board in accordance with the Board policy, the TPQ must be allocated to the assisted new producer until 1 of the following conditions is satisfied:
 - (i) all of the remaining TPQ is allocated to the assisted new producer,
 - (ii) the assisted new producer's buy offer is filled,
 - (ii) the amount of TPQ bought by the assisted new producer is equal to the amount prescribed in the Board policy as the buyer prorate exemption amount during the reimbursement period;
 - (b) third, any remaining TPQ must, subject to subsection (8), be allocated to each producer with an unsatisfied successful buy offer through iteration of TPQ in increments of 0.01 kg, as follows:
 - (i) before each allocation round, producers with unsatisfied buy offers must be randomly sorted into a list;
 - (ii) in each allocation round, 0.01 kg of TPQ must be allocated to each of the producers on the list, beginning with the first producer on the list and continuing down the list until each producer on the list has been allocated 0.01 kg of TPQ or until all of the TPQ has been allocated, whichever occurs first;
 - (iii) allocation rounds must continue until all of the TPQ has been allocated.
- (8) If an assisted new producer acquires TPQ under clause (7)(a), and part of their successful buy offer remains unsatisfied, the assisted new producer must not be allocated any TPQ under clause (7)(b) on that exchange.
- (9) If an assisted new producer acquires TPQ under clause (7)(aa), and part of their successful buy order remains unsatisfied, the assisted new producer must be allocated TPQ under clause (7)(b) on that exchange.

N.S. Reg. 173/2025

Made: August 28, 2025

Filed: August 28, 2025

Development Approval Cost Freeze Expiration Date Regulations

Order dated August 28, 2025

Regulations made by the Minister of Municipal Affairs
pursuant to Section 236A of the *Halifax Regional Municipality Charter***In the matter of Section 236A of Chapter 39 of the Acts of 2008,
the *Halifax Regional Municipality Charter*****-and-****In the matter of new regulations respecting the development approval cost freeze expiration date
made by the Minister of Municipal Affairs
under Section 236A of the *Halifax Regional Municipality Charter*****Order**

I, John A. Lohr, Minister of Municipal Affairs for the Province of Nova Scotia, pursuant to Section 236A of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, hereby make new regulations respecting the development approval cost freeze expiration date, in the form set forth in the attached Schedule “A”.

This order is effective on and after the date it is filed with the Registrar of Regulations.

Dated and made August 28, 2025, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *John Lohr*

Honourable John A. Lohr

Minister of Municipal Affairs

Schedule “A”**Regulations Respecting the Development Approval Cost Freeze Expiration Date
made by the Minister of Municipal Affairs
under Section 236A of Chapter 39 of the Acts of 2008,
the *Halifax Regional Municipality Charter*****Citation**

1 These regulations may be cited as the *Development Approval Cost Freeze Expiration Date Regulations*.

Definitions

2 In these regulations, “Charter” means the *Halifax Regional Municipality Charter*.

Prescribed expiration date for Section 236A of Charter

3 The prescribed date for the expiration of Section 236A of the Charter is November 9, 2026.

N.S. Reg. 174/2025

Made: August 28, 2025

Filed: August 28, 2025

Prescribed Petroleum Products Prices

Order dated August 28, 2025
made by the Nova Scotia Energy Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Energy Board's website at the following address:
<https://nserbt.ca/nseb/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 175/2025

Made: September 4, 2025

Filed: September 4, 2025

Prescribed Petroleum Products Prices

Order dated September 4, 2025
made by the Nova Scotia Energy Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Energy Board's website at the following address:
<https://nserbt.ca/nseb/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 176/2025 to 178/2025

Made: September 4, 2025

Filed: September 4, 2025

Reporting of Notifiable Diseases and Conditions Regulations—amendment

Order in Council 2025-250 dated September 4, 2025
Amendment to regulations made by the Governor in Council
pursuant to Sections 74 and 106 of the *Health Protection Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated August 20, 2025, is pleased to,

- (a) pursuant to Sections 74 and 106 of Chapter 4 of the Acts of 2004, the *Health Protection Act*, amend the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, to further define “dangerous disease” in the Act and update the list of communicable diseases, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 4, 2025;
- (b) pursuant to Section 74 of Chapter 4 of the Acts of 2004, the *Health Protection Act*, amend the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, to update the list of communicable diseases, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation, effective on and after December 31, 2025; and
- (c) pursuant to Section 74 of Chapter 4 of the Acts of 2004, the *Health Protection Act*, amend the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, to update the list of communicable diseases, in the manner set forth in Schedule “C” attached to and forming part of the report and recommendation, effective on and after April 1, 2026.

N.S. Reg. 176/2025

Reporting of Notifiable Diseases and Conditions Regulations—amendment

Schedule “A”

**Amendment to the *Reporting of Notifiable Diseases and Conditions Regulations*
made by the Governor in Council under Sections 74 and 106
of Chapter 4 of the Acts of 2004,
the *Health Protection Act***

- 1 Clause 2(2A)(a) of the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, is amended by striking out “Ebola hemorrhagic fever” and substituting “Ebola disease”.
- 2 Part I—Communicable Diseases of Schedule A to the regulations is amended by, under the heading “Other communicable diseases”,
 - (a) adding the following names of diseases where they belong in alphabetical order:

Respiratory Syncytial Virus (RSV)
Shiga toxin-producing escherichia coli infection;
 - (b) adding “, including congenital rubella syndrome” immediately after “Rubella”;
 - (c) adding “, including syphilitic stillbirths” immediately after “Syphilis”; and
 - (d) striking out “Verotoxigenic escherichia coli infection”.

N.S. Reg. 177/2025

Reporting of Notifiable Diseases and Conditions Regulations—amendment

Schedule “B”

**Amendment to the *Reporting of Notifiable Diseases and Conditions Regulations*
made by the Governor in Council under Section 74
of Chapter 4 of the Acts of 2004,
the *Health Protection Act***

Part I—Communicable Diseases of Schedule A to the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, is amended by striking out the following names of diseases under the heading “Other communicable diseases”:

- Meningitis (bacterial)
- Methicillin resistant staphylococcus aureus (MRSA)
- Vancomycin resistant enterococcus (VRE)

N.S. Reg. 178/2025

Reporting of Notifiable Diseases and Conditions Regulations—amendment

Schedule “C”

**Amendment to the *Reporting of Notifiable Diseases and Conditions Regulations*
made by the Governor in Council under Section 74
of Chapter 4 of the Acts of 2004,
the *Health Protection Act***

Part I—Communicable Diseases of Schedule A to the *Reporting of Notifiable Diseases and Conditions Regulations*, N.S. Reg. 195/2005, made by the Governor in Council by Order in Council 2005-457 dated October 14, 2005, is amended by adding the following names of diseases where they belong in alphabetical order under the heading “Other communicable diseases”:

- Cryptococci gatti
- Eastern Equine Encephalitis (EEE)
- Haemophilus influenzae (Hi) non-b serotypes including untypable (invasive)
- Q fever
- Varicella zoster virus (chickenpox)

N.S. Reg. 179/2025

Made: September 4, 2025

Filed: September 4, 2025

Prescribed Generation Facilities and Energy-Storage Projects Regulations—amendment

Order in Council 2025-255 dated September 4, 2025

Amendment to regulations made by the Governor in Council
pursuant to subsection 4AA(8) of the *Electricity Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated August 18, 2025, and pursuant to subsection 4AA(8) of Chapter 25 of the Acts of 2004, the *Electricity Act*, is pleased to amend the *Prescribed Generation Facilities and Energy-Storage Projects Regulations*, N.S. Reg. 160/2024, made by the Governor in Council by Order in Council 2024-304 dated August 6, 2024, to correct the location of the Minas Highlands Wind Limited project generation facility, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 4, 2025.

Schedule “A”

**Amendment to the *Prescribed Generation Facilities and Energy-Storage Projects Regulations*
made by the Governor in Council under subsection 4AA(8)
of Chapter 25 of the Acts of 2004,
the *Electricity Act***

Section 7A of the *Prescribed Generation Facilities and Energy-Storage Projects Regulations*, N.S. Reg. 160/2024, made by the Governor in Council by Order in Council 2024-304 dated August 6, 2024, is amended by

- (a) striking out “East Hants County” in subsection (1) and substituting “West Hants Regional Municipality”; and
- (b) striking out “East Hants County” in clause (4)(a) and substituting “West Hants Regional Municipality”.

N.S. Reg. 180/2025

Made: September 4, 2025

Filed: September 5, 2025

Board Electricity Retailers Regulations (Nova Scotia)—replacement

Order dated September 5, 2025

Repeal of regulations and regulations made by the Nova Scotia Energy Board
pursuant to subsection 5(1B) of the *Electricity Act***Order****Nova Scotia Energy Board****In the matter of the *Energy and Regulatory Boards Act*****- and -****In the matter of a motion to repeal and replace the
*Board Electricity Retailers Regulations (Nova Scotia)***

Before: Stephen T. McGrath, K.C., Chair
Roland A. Deveau, K.C., Vice Chair
Richard J. Melanson, LL.B., Member
Steven Murphy, MBA, P.Eng., Member
Jennifer L. Nicholson, CPA, CA, Member
Darlene Willcott, LL.B., Member

Order

The Nova Scotia Energy Board, at a meeting of the Board held on September 4, 2025, passed a motion to repeal and replace the *Board Electricity Retailers Regulations (Nova Scotia)*, N.S. Reg. 246/2016.

The Board orders that the *Board Electricity Retailers Regulations (Nova Scotia)*, N.S. Reg. 246/2016, made under s. [subsection] 5(1B) of the *Electricity Act*, S.N.S. 2004, c. 25, are hereby repealed and replaced with the *Board Electricity Retailers Regulations (Nova Scotia)* set out in Schedule “A” attached to and forming part of this Order.

Dated at Halifax, Nova Scotia, this 5th day of September, 2025.

sgd. Lisa Wallace
Chief Clerk

Schedule “A”

Board Electricity Retailers Regulations (Nova Scotia)
made under subsection 5(1B) of the
Electricity Act
S.N.S. 2004, c. 25

1 These regulations may be cited as the *Board Electricity Retailers Regulations (Nova Scotia)*.

Definitions

2 (1) In these regulations, unless the context indicates otherwise, words and expressions have the same

meaning as in the *Electricity Act* and the *Renewable Electricity Regulations* enacted under Section 5 of the Act.

(2) In these regulations

“account holder”, in relation to a premises, means the person listed on the account of NS Power for the delivery of electricity consumed at the premises, regardless of whether the person is a customer of a licence holder, in respect of the premises;

“Act” means the *Electricity Act*;

“behind-the-meter” means the sale of electricity from a renewable low-impact electricity generation facility which is directly connected to a load without using NS Power’s transmission or distribution facilities, including NS Power’s meter installed at the premises. For greater certainty, the electricity that is sold from a renewable low-impact electricity generation facility to a directly-connected party is behind-the-meter, while electricity that is sold from the same facility to another party through the use of NS Power’s transmission or distribution facilities is not behind-the-meter;

“blended rate” means the amount of money on a ¢/kilowatt-hour basis, inclusive of any fees or charges, to be paid by a customer to the retail supplier, but excluding distribution tariff charges or other charges levied by NS Power that must be passed through to customers, and is calculated as the total charges excluding distribution tariff and Board-approved pass-through charges to a customer over the compliance period divided by the total kilowatt hours of electricity consumed by the customer over the compliance Period;

“Board” means the Nova Scotia Energy Board;

“bundled-supply” means the account holder is supplied electricity by NS Power;

“certification” means the electricity standard approval issued by the Minister to a renewable low-impact electricity generation facility under the *Renewable Electricity Regulations*;

“code of conduct” means the code of conduct for the sale of renewable low-impact electricity approved by the Board;

“compliance period” means the twenty-four month period commencing each January 1. The initial compliance period shall commence on the date that a licence is approved and shall end December 31 of the following year, but may exclude any periods of time determined by the Board to be subject to force majeure;

“compliance plan” means the forecast of renewable low-impact electricity sales to customers, purchases from renewable low-impact electricity generators, and generation from renewable low-impact electricity generation facilities owned or operated by the licence holder;

“contract” means an agreement between a customer and a licence holder for the supply of renewable low-impact electricity to a single or multiple premises;

“customer” means an account holder, other than an account holder served by a behind-the-meter installation, who consumes electricity on its premises that the account holder did not generate and

- (i) with whom a licence holder has entered into a contract; or
- (ii) to whom a licence holder is marketing;

“day” means calendar day, unless otherwise specified;

“direct mail transaction” means a paper-based transaction

- (i) initiated by a licence holder mailing or transmitting by facsimile documents to a customer, which mailing or transmitting may be solicited or unsolicited by the customer, or
- (ii) initiated by a customer obtaining the form of contract using electronic communication but does not include the completion of the contracting process through electronic communication;

“disclosure statement” means the information document in the form approved from time to time by the Board pursuant to Section 46 of these regulations;

“door-to-door transaction” means a transaction initiated by the attendance of a salesperson at the premises of a customer, whether or not this attendance was solicited or unsolicited by the customer;

“electronic communication” means communication created, recorded, transmitted, or stored in digital form or in other intangible form by electronic, magnetic, or optical means or by any other means that has capabilities for creation, recording, transmission, or storage similar to those means. Electronic communication is primarily conducted over the Internet and includes e-mail correspondence;

“force majeure” means any act, event or circumstances that is not reasonably foreseeable and beyond a person’s reasonable control, including:

- (i) acts of God;
- (ii) flood, tsunami, fire, earthquake, or explosion;
- (iii) epidemics and pandemics;
- (iv) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest;
- (v) government order, law, or actions;
- (vi) embargoes, or blockades;
- (vii) national or regional emergency;
- (viii) general strikes, labour stoppages or slowdowns, or other industrial disturbances (other than with respect to the person’s own work force);
- (ix) power outages or shortages, or inability or delay in obtaining supplies of adequate or suitable materials;
- (x) extreme weather events or grid outages; and
- (xi) other similar events beyond the reasonable control of the person;

but, not including any act, event or circumstance, directly or indirectly, arising out of or attributable

to general economic or political events or circumstances; or conditions generally affecting the industries in which the person operates;

“licence” means a retail supplier licence issued by the Board to a person to sell renewable low-impact electricity;

“licence holder” means a person issued a licence by the Board;

“marketing” means any activity pertaining to the sale of renewable low-impact electricity for the purpose of soliciting or inducing a customer to enter into a contract with a retail supplier, including providing an offer for the customer’s consideration, and includes in-person communication, direct mail communication, electronic communication, or telephone communication with customers, advertising, and any other means by which a retail supplier or its salespersons interact with a customer for the purpose of solicitation;

“NS Power” means Nova Scotia Power Incorporated;

“point of interconnection” has the same meaning as in the Standard Generator Interconnection Procedures and Generator Interconnection Agreement;

“premises” means the building or portion of a building that is provided with electricity through a single meter;

“rate” means the amount of money on a ¢/kilowatt-hour basis, plus any fees or charges, to be paid by a customer;

“rate comparison” means the electricity rate comparison information in the form approved from time to time by the Board pursuant to Section 47 of these regulations that shows the rate offered by the retail supplier, the current rate charged by NS Power at the time of marketing, and any other information that the Board may require;

“regulations” means the *Board Electricity Retailers Regulations (Nova Scotia)* enacted under the Act;

“renewable low-impact electricity” has the same meaning as in the *Renewable Electricity Regulations*;

“renewable low-impact electricity generation facility” has the same meaning as in the *Renewable Electricity Regulations*;

“renewable low-impact electricity generator” has the same meaning as in the *Renewable Electricity Regulations*;

“retail supplier” has the same meaning as under the Act;

“salesperson” means a person who is employed by or otherwise conducts marketing on behalf of a licence holder, or makes representations to a customer on behalf of a licence holder, for the purpose of effecting sales of renewable low-impact electricity or entering into a contract with a customer;

“small-volume customer” means a customer that qualifies for the domestic service or small general tariffs who has a contract with a licence holder for a single premises, and, for clarity, the customer is considered a small-volume customer for each contract with a licence holder that is for a single premises that qualifies for the domestic service or small general tariffs;

“telemarketing” means marketing conducted by a licence holder using the telephone, but excludes the initiation of a direct mail transaction by a customer using the telephone;

“top-up rate” means the rate charged by NS Power to the licence holder as the energy charge under the energy balancing services tariff for non-renewable electricity supplied by NS Power to a customer.

Interpretation

- 3
- (1) Where a word or phrase is defined in these regulations or the Act, other parts of speech and grammatical forms of the word or phrase have a corresponding meaning.
 - (2) Headings are for convenience only and do not affect the interpretation of these regulations.
 - (3) Words importing the singular include the plural and vice versa. Words importing a gender include any gender.
 - (4) Where there is a reference to a number of days between two events in these regulations, the days shall be counted by excluding the day the first event happens and including the day the second event happens.
 - (5) The words “include” or “including” are not used, nor are they to be interpreted, as words of limitation.

Requirement for Retail Supplier Licence

- 4
- In accordance with Section 3D of the Act, any person who acts or purports to act as a retail supplier shall hold a valid licence issued by the Board.

Application for Retail Supplier Licence

- 5
- (1) An application for a licence shall be in the form attached (Appendix “A”) and shall be accompanied by the following:
 - (a) a cheque in the required amount of \$7 500 payable to the Board;
 - (b) an irrevocable letter of credit from a recognized financial institution in the amount of \$200 000 payable to the Board to secure performance and anticipated financial obligations of the proposed licence holder, or equivalent financial instrument in the same amount payable to the Board if such substitution is approved by the Board;
 - (c) if the applicant is a company, proof of registration under the *Corporations Registration Act*, R.S.N.S. 1989, c. 101;
 - (d) full legal name, address, phone, facsimile, and e-mail contact information of any partner(s) or parent company(s) or organization(s);
 - (e) a listing of any company or organization principals with applicable titles (proprietor, partner, officer, director or controlling shareholder);
 - (f) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to conduct a credit review, in accordance with standard business practices;

- (g) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to consult with all law enforcement agencies and obtain copies of any records pertaining to criminal convictions for which a pardon has not been granted, records of discharge, and records of outstanding criminal charges, such consents to release all such agencies, their members, and employees from any and all actions, claims and demands, loss, or injury which may result from the disclosure of information provided by them;
 - (h) audited financial statements covering the two immediately preceding fiscal years or, if the applicant has been formed within the preceding twelve months and audited financial statements are not available for at least one year, pro forma financial statements signed by the proprietor, partner, officer, director, or controlling shareholder of the applicant may be substituted. If audited financial statements are not available, unaudited financial statements may be accepted at the discretion of the Board;
 - (i) the compliance plan including copies of the contractual arrangements with renewable low-impact electricity generators and copies of the certification required in Section 17. If contractual arrangements have not been executed, then a letter of intent from a renewable low-impact electricity generator to enter into a contract for renewable low-impact electricity supply may be accepted at the discretion of the Board;
 - (j) a written description of the applicant's business background and experience relating to electricity retailing;
 - (k) a written description of the applicant's general plans with respect to electricity retailing; and
 - (l) any other information which may be deemed necessary by the Board.
- (2) Any variance from the requirements set out in subsection 5(1) shall be formally requested from and approved by the Board prior to an application being submitted.

Term of licence

- 6 A licence shall have no expiration date but a licence holder shall be required to file annual statements as specified in Section 22 to confirm the accuracy of information previously filed with the Board regarding that licence holder or provide advice of any changes.

Transfer or assignment of licence

- 7 (1) A licence may not be transferred or assigned without the written consent of the Board.
- (2) A licence holder shall furnish the Board with any information requested by the Board in support of the proposed transfer or assignment of the licence.
- (3) The fee for the transfer or assignment of a licence is \$7 500.
- (4) The Board may waive the fee set out in subsection 7(3) at its discretion.
- (5) A licence holder shall inform NS Power of any application to the Board to transfer or assign a licence.

Fees and costs

- 8 (1) As set out in clause 5(1)(a), the fee for a licence application and first year of operation is \$7 500 with annual filing fees of \$1 500 in each successive year.

- (2) Fees are payable to the Board when the application for licence or annual statement as specified in Section 22 is filed with the Board.
- (3) Costs relating to processing, investigations, infractions, inquiries, or enforcement activities which are incurred by the Board and exceed the fees received from a licence holder shall be reimbursed to the Board by the licence holder involved.

Terms and Conditions of Licences

- 9 It shall be a term and condition of a licence that a licence holder shall be subject to and comply with
- (a) the market rules, tariffs, and procedures approved by the Board;
 - (b) the Act, the *Renewable Electricity Regulations*, and these regulations;
 - (c) the code of conduct approved by the Board pursuant to Section 27;
 - (d) any applicable directives, rules, or orders of the Board; and
 - (e) any direction by the Board for payment of any costs reasonably incurred related to hearing complaints or alleged infractions.

Compliance period

- 10 (1) In each compliance period, a licence holder's total purchases or, in the case of a licence holder that is also a generator, total generation of renewable low-impact electricity at the point of interconnection that is not sold behind-the-meter, or combination of purchases and generation, shall equal or exceed the licence holder's total sales of renewable low-impact electricity plus transmission and distribution losses.
- (2) If a force majeure has affected or is affecting the retail supplier's ability to supply renewable low-impact electricity to its customers, a retail supplier may apply to the Board to modify or exempt the retail supplier from its obligations under subsection (1).
- (3) An order of the Board under subsection (2) approving a modification or exemption of a retail supplier's obligations must require the retail supplier to advise the Board when the force majeure has ended and may be subject to such other terms and conditions as the Board considers appropriate.
- (3) In an application under subsection (2), or at any point after approving a modification or exemption of a retail supplier's obligations, the Board may require the retail supplier to demonstrate that
- (a) the act, event or circumstance affecting the retail supplier's ability to supply renewable low-impact electricity to its customers is curable within a reasonable time; or
 - (b) an alternate supply of renewable low-impact electricity will be available to its customers within a reasonable time;

failing which, the Board may impose any or all of the remedies in Section 43.

- 11 A licence holder shall provide a compliance plan to the Board no later than 60 days prior to the start of each compliance period that details for the coming compliance period
- (a) the sales plan showing the forecasts of the sales of renewable low-impact electricity, including numbers of customers differentiated by NS Power's rate classes and forecasts of sales by

customer, but not including any behind-the-meter sales;

- (b) forecasts of renewable low-impact electricity purchases from renewable low-impact electricity generators at the point of interconnection;
- (c) copies of any contractual arrangements with renewable low-impact electricity generators demonstrating that the licence holder has secured a sufficient supply to meet its forecasts in (b);
- (d) copies of the certification required in subsection 17(1) from each renewable low-impact electricity generator that the licence holder contracts with;
- (e) copies of the certification required in subsection 17(2) from each renewable low-impact electricity generation facility that the licence holder owns or operates;
- (f) forecasts of renewable low-impact electricity generation at the point of interconnection if the licence holder owns or operates a renewable low-impact electricity generation facility, net of any behind-the-meter sales; and
- (g) forecasts of transmission and distribution losses

such that the requirements set out in Section 10 are met.

- 12 The Board shall review the licence holder's compliance plan in order to be satisfied that the licence holder can reasonably be expected to meet its obligations as set out in Section 10.
- 13 If a licence holder has not procured or generated sufficient renewable low-impact electricity to meet its obligations as set out in Section 10, the licence holder shall refund to each of its customers or former customers, on a pro-rata basis based on each customer's consumption of renewable low-impact electricity, the difference between the licence holder's blended rate and 90% of the weighted average top-up rate over the compliance period, multiplied by the volume of electricity that the licence holder is deficient in meeting its obligations to each customer as set out in Section 10. For greater certainty, the refund to each customer is to be calculated as the licence holder's blended rate less 90% of the weighted average top-up rate over the compliance period, multiplied by the net deficit which is the total kilowatt-hour sales net of behind-the-meter sales, plus transmission and distribution losses, less the number of kilowatt hours that the licence holder purchased or generated at the point of interconnection net of behind-the-meter sales, during the compliance period, pro-rated by the number of kilowatt-hours used by each customer during the compliance period. If the licence holder's blended rate less 90% of the weighted average top-up rate over the compliance period is equal to or less than zero, no refund is due to the customer.
- 14 The Board may require a licence holder to provide an update of the compliance plan at any time.
- 15 The Board may require a licence holder to amend its compliance plan or provide additional information if the compliance plan is not reasonable in the Board's opinion.
- 16 A licence holder that fails to provide a satisfactory
 - (a) compliance plan as set out in Section 11;
 - (b) update to the compliance plan as set out in Section 14; or
 - (c) amended compliance plan as set out in Section 15

may have its licence suspended or cancelled as set out in Section 19.

Certification of renewable low-impact electricity

- 17 (1)** A licence holder that purchases renewable low-impact electricity from a renewable low-impact electricity generator shall obtain proof of certification from the renewable low-impact electricity generator.
- (2)** A licence holder that generates renewable low-impact electricity at a renewable low-impact electricity generation facility owned or operated by the licence holder shall obtain certification.

Inquiry respecting compliance with regulations

- 18** The Board may appoint or direct any duly qualified person to make an inquiry and report upon a licence holder's compliance with these regulations, and may also direct by whom, and in what proportion, the costs and expenses incurred in making the inquiry and report shall be paid, and may fix the amount of the costs and expenses.

Licence Suspension, Cancellation, and Reinstatement

Suspension or cancellation

- 19** The Board may cancel or suspend a licence if it determines that the licence holder has contravened the Act, these regulations, the code of conduct, or its licence.
- 20** A licence holder whose licence is suspended may no longer conduct marketing to customers.

Reinstatement

- 21** A licence holder may apply for reinstatement of a licence that was suspended as set out in Section 19 if it provides any or all of
- (a) a plan, satisfactory to the Board, to address and correct contraventions of the Act, these regulations, the code of conduct, or its licence and prevent future contraventions;
 - (b) a compliance plan satisfactory to the Board; or
 - (c) any other information requested by the Board
- as directed by the Board.

Reporting

Annual licensing reporting

- 22** A licence holder shall provide the following information, as applicable, to the Board no earlier than 60 days and no later than 30 days prior to the anniversary of the licence:
- (a) proof of registration under the *Corporations Registration Act*, R.S.N.S. 1989, c. 101;
 - (b) any changes to the full legal name, address, phone, facsimile, and e-mail contact information of any partner(s) or parent company(s) or organization(s), or confirmation that no changes have occurred;
 - (c) any changes to the listing of the company or organization principals with applicable titles (proprietor, partner, officer, director, or controlling shareholder) from the previous year's filing, or confirmation that no changes have occurred;

- (d) audited financial statements for the most recently completed fiscal year. If audited financial statements are not available, unaudited financial statements may be provided at the discretion of the Board; and
- (e) any other information which may be requested by the Board.

Compliance reporting

- 23** (1) A licence holder shall demonstrate to the Board that the licence holder's total purchases or, in the case of a licence holder that is also a renewable low-impact electricity generator, total generation of renewable low-impact electricity, or combination of purchases and generation, equals or exceeds the licence holder's obligations as set out in Section 10 after taking into account transmission and distribution losses.
- (2) Within 30 days following the end of each compliance period, a licence holder shall provide the following information to the Board for the compliance period most recently completed:
- (a) total, in kilowatt-hours, of all renewable low-impact electricity sales to its customers;
 - (b) total number of customers under contract, differentiated by NS Power's rate classes;
 - (c) total purchases of renewable low-impact electricity from renewable low-impact electricity generators at the point of interconnection;
 - (d) copies of the written confirmation from the renewable low-impact electricity generators documenting quantities of renewable low-impact electricity purchased by the licence holder;
 - (e) total generation of renewable low-impact electricity from renewable low-impact electricity generation facilities owned or operated by the licence holder at the point of interconnection;
 - (f) transmission and distribution losses;
 - (g) a reconciliation of the net surplus or deficit of renewable low-impact electricity sales with respect to renewable low-impact electricity purchases, generation, or combination of purchases and generation, and transmission and distribution losses;
 - (h) total, in kilowatt-hours, of all renewable low-impact electricity sales to its customers during any periods in which the Board has found an act, event or circumstance to be a force majeure; and
 - (i) total, in kilowatt-hours, of all electricity sales other than renewable low-impact electricity sales to its customers during any periods in which the Board has found an act, event or circumstance to be a force majeure.
- (3) Where a licence holder generates and sells renewable low-impact electricity behind-the-meter, the licence holder shall not include behind-the-meter sales in the required information set out in subsection 23(2).
- (4) Where a net deficit exists as set out in clause 23(2)(g), the licence holder shall provide confirmation to the Board that it has refunded its customers pursuant to Section 13 within 30 days of the end of the compliance period.
- 24** The Board may request additional information from a licence holder at any time.

- 25** The Board, or its delegate, may, upon notification to a licence holder, enter a licence holder's place of business in order to inspect the accounts of the licence holder and the licence holder shall furnish such assistance as the Board or its delegate may reasonably require.

Transfer Requests

- 26** A licence holder shall not make a request to NS Power to transfer a customer to the licence holder's supply unless that customer has agreed to a contract with the licence holder and the licence holder has complied with all the provisions of these regulations and the code of conduct when marketing and communicating with that customer.

Sales and Marketing Practices

Code of conduct

- 27** (1) The Board shall approve a code of conduct that shall apply to the marketing activities of licence holders.
- (2) The code of conduct may specify
- (a) the fair marketing practices that are to be followed by the licence holder or its salespersons when marketing renewable low-impact electricity to customers;
 - (b) requirements for Board approval of marketing materials and telemarketing scripts;
 - (c) requirements for salesperson identification;
 - (d) requirements for testimonials;
 - (e) requirements for marketing and execution of contracts;
 - (f) training and product knowledge requirements for licence holders and their salespersons; and
 - (g) any other requirements the Board deems necessary.
- (3) A licence holder and its salespersons shall adhere to the code of conduct which has been approved by the Board.

Contracts

Contracting parties

- 28** (1) A contract for the supply of renewable low-impact electricity to a premises may only be made with the account holder for that premises. Where a licence holder enters into a contract to supply more than one premises, the contract must be entered into with the account holder for each affected premises.
- (2) No contract is valid unless it is made in accordance with subsection 28(1) herein.

Governing laws

- 29** All contracts shall be governed by the laws of the Province of Nova Scotia and shall contain a statement to that effect.

Contracting requirements

- 30** A contract takes effect and a licence holder is bound by its terms when,

- (a) for door-to-door transactions or direct mail transactions, a copy of the contract, signed by the account holder, is received by the licence holder or its salesperson;
- (b) for telemarketing sales, the account holder agrees to the terms and conditions of the contract while on the telephone with the licence holder; and
- (c) for electronic communication sales, the account holder agrees to the terms and conditions of the contract through electronic communication.

Contract assignment

- 31** A licence holder shall not assign, sell, or otherwise transfer the administration of a contract with a customer to another person unless that person holds a licence issued under Section 3D of the Act.
- 32** Within 60 days after an assignment, sale, or transfer of the administration of a contract, the new licence holder shall send to any affected customers a notice of assignment, which includes the new licence holder's address for service, its e-mail address, and telephone and facsimile numbers.
- 33** A licence holder shall notify the Board of any assignment, sale, or transfer of a contract within 10 days after the assignment, sale or transfer.
- 34** A licence holder shall notify NS Power prior to any assignment, sale, or transfer of a contract taking effect.

Records Retention**Retention of information**

- 35** A licence holder shall keep the following information for as long as the licence holder is licensed by the Board plus one additional year:
- (a) a list of salespersons who act or who have acted for the licence holder and the dates of their employment or engagement;
 - (b) a list of all of the licence holder's customers who have entered into contracts; and
 - (c) a log of cancellation requests, including premises to which the cancellation applies, the account holder's name, the date of the notification of cancellation, and the name and identification number of the representative who accepted the request for cancellation.
- 36** For each customer that has entered into a contract with a licence holder, the licence holder shall retain the following information throughout the duration of the contract and for a period of one year after completion or termination of the contract:
- (a) for contracts agreed to in person or as a result of a door-to-door transaction or a direct mail transaction, a copy of the complete contract bearing the customer's signature;
 - (b) for contracts agreed to as a result of a telemarketing transaction, a copy of the agreed-to contract and the complete recording of the telephone call between the customer and the licence holder;
 - (c) for contracts agreed to through electronic communication, a copy of the agreed-to contract and the electronic record evidencing the customer's agreement to the contract;
 - (d) where a customer cancels a contract over the telephone, the complete recording of the

telephone call between the customer and the licence holder;

- (e) where a customer cancels a contract using written or electronic communication, written or electronic evidence of the communication from the customer requesting the cancellation;
- (f) billing records; and
- (g) evidence of small-volume customer contract verification required by Section 51, which shall be the complete recording of verification if performed over the telephone or the electronic record of verification if performed using electronic communication.

37 A licence holder shall, on the request of the Board, provide to the Board any of the information required to be kept under Section 35, 36, or 54.

Dispute Resolution Process

38 A customer, NS Power, or any person may make a complaint to the licence holder or the Board in respect of the conduct of the licence holder, the conduct of the licence holder's salespersons, the contract, and any other matter relating to the Act, these regulations, the code of conduct, or the licence.

- 39 (1) If a complaint under Section 38 is first made to the licence holder, the licence holder shall promptly and in good faith investigate the complaint and take all appropriate and necessary steps to resolve the complaint.
- (2) If the complaint is not resolved to the satisfaction of the complainant, the licence holder shall inform the complainant that the complaint may be made to the Board and provide the complainant with the telephone number, mailing address, and e-mail address of the Board.

40 Where the Board receives a complaint pursuant to Section 38 the Board may

- (a) dismiss the complaint if the Board is satisfied that the complaint is trivial or vexatious, or that there is insufficient or no evidence of a contravention of the Act, these regulations, the code of conduct, or the licence;
- (b) further investigate the complaint and assist in the resolution of the complaint between the complainant and the licence holder; or
- (c) require a written or oral hearing of the complaint.

41 (1) Where the Board receives information that a licence holder or its salesperson may have contravened the Act, these regulations, the code of conduct, or its licence, the Board may initiate a written or oral inquiry into the licence holder's or its salesperson's activities and require the licence holder to provide such information or furnish such documents as the Board may request, and produce such officers, directors, employees, and agents to testify as the Board may request.

(2) The procedure for a written or oral inquiry shall be established by an order of the Board.

42 Following a complaint hearing or inquiry process, the Board shall determine if the licence holder or its salesperson or both have contravened the Act, these regulations, the code of conduct, or its licence.

43 If the Board determines that the licence holder or its salespersons have contravened the Act, these regulations, the code of conduct, or its licence, the Board may impose any or all of the following remedies for each contravention

- (a) reprimand the licence holder;
 - (b) cancel a contract, with or without fees, penalties or other charges;
 - (c) require the licence holder to provide a plan, satisfactory to the Board, to address and correct contraventions of the Act, these regulations, the code of conduct, or its licence, and prevent future contraventions;
 - (d) instruct the licence holder to advise the customer or any group of customers affected in a similar manner that they may cancel their contract without fees, penalties or other charges and be returned to NS Power-supply;
 - (e) suspend or cancel the licence as set out in Section 19;
 - (f) publish the Board's findings in respect of the contravention and the nature of the remedies imposed; and
 - (g) such further and other remedies as are available to the Board pursuant to applicable laws.
- 44 (1)** The Board may award costs to or against a licence holder or a complainant in connection with the dispute resolution.
- (2)** The Board may require a licence holder or the complainant, or both, to pay all or a portion of the Board's costs in connection with the dispute resolution.

Requirements For Small-Volume Customers

Marketing to small-volume customers

45 When marketing to small-volume customers, a licence holder shall

- (a) only use the form of contract which is approved for use by the Board;
- (b) for door-to-door transactions, direct mail transactions, or electronic communication transactions, provide a disclosure statement and rate comparison to the customer as set out in Sections 46 and 47 in advance of the customer agreeing to a contract and shall afford the customer sufficient time to review and understand the disclosure statement and rate comparison prior to the customer signing or agreeing to a contract; or
- (c) for telemarketing transactions, read to the customer the disclosure statement and rate comparison as set out in Sections 46 and 47 and obtain the customer's agreement that the customer understands the disclosure statement and rate comparison.

Disclosure statement

46 The disclosure statement that is provided to a small-volume customer shall be approved by the Board.

Rate comparison

47 The rate comparison that is provided to a small-volume customer shall be in a form approved by the Board.

Small-volume customer contract requirements

48 No contract is valid unless the small-volume customer has signed or agreed to the disclosure statement and the rate comparison.

- 49** A licence holder shall not enter into a contract with a small-volume customer that has a term in excess of five (5) years.
- 50 (1)** A contract with a small-volume customer shall state that the contract is not valid unless
- (a) the customer signs the disclosure statement and rate comparison or, in the case of a telemarketing transaction or electronic communication transaction, the customer confirms that he understands and confirms the disclosure statement and rate comparison before the customer enters into the contract;
 - (b) the customer signs or agrees to the contract; and
 - (c) the licence holder provides a signed or agreed-to copy of the disclosure statement, rate comparison, and contract to the customer by mail, facsimile, electronic communication, or in person.
- (2)** A contract with a small-volume customer shall include a provision that states the contract is valid only if the contract has been verified as required in Section 51.
- (3)** A contract with a small-volume customer shall include a provision that the customer may cancel the contract without cost or penalty if a contract presently exists for the same premises, except where the existing contract is to expire on or before the commencement of the new contract.
- (4)** A contract with a small-volume customer shall include a provision that the customer may cancel the contract without penalty or charge if the retail supplier was not licensed by the Board or the licence was suspended at the time the contract was entered into.

Contract verification

- 51** A contract with a small-volume customer shall be verified as set out in Sections 52 and 53 in order for the contract to be valid.

Who may verify a contract

- 52** A contract with a small-volume customer verified by telephone may be verified only by an individual who
- (a) does not receive any remuneration or other compensation or benefit that is determined, directly or indirectly, by reference to the number of contracts verified or the percentage of contracts that are verified; and
 - (b) has successfully completed such training for persons who verify contracts as may be required by the code of conduct, any order, or any rule issued or made by the Board.

Verification process for small-volume customer contracts

- 53 (1)** A contract with a small-volume customer shall be verified
- (a) by telephone or by electronic communication; and
 - (b) only with the account holder for the premises.
- (2)** The telephone script used by the person verifying the contract shall be approved by the Board in advance.
- (3)** The form of electronic communication used to verify the contract shall be approved by the Board in advance.

- (4) The person verifying the contract by telephone shall comply with the code of conduct, any order, or any rule issued or made by the Board relating to the verification procedure.
- (5) The person verifying the contract by telephone shall make a recording of the telephone call and advise the customer that the telephone call is being recorded.
- (6) A contract may be verified no earlier than the 10th day and no later than the 21st day after the day on which the contract takes effect in accordance with Section 30.
- (7) The person verifying the contract shall not proceed with the verification process and shall advise the customer and the licence holder of the reason for not proceeding if, at any time during the verification process, the person verifying the contract
 - (a) is advised by the customer of an act or omission that appears to be an unfair practice of the licence holder;
 - (b) is advised that the customer did not receive a copy of the contract, the disclosure statement, or the rate comparison; or
 - (c) has reasonable grounds for believing that the licence holder has committed an unfair practice, whether at the time of soliciting, negotiating or entering into the contract or after.

Records retention

- 54** For each small-volume customer that has entered into a contract with a licence holder, the licence holder shall retain the following information, in addition to the information as set out in Section 36, throughout the duration of the contract and for a period of one year after completion or termination of the contract:
- (a) in respect of a contract resulting from a door-to-door transaction or a direct mail transaction, copies of the disclosure statement and rate comparison bearing the customer's signature;
 - (b) in respect of a contract resulting from electronic communication,
 - (i) copies of the confirmed disclosure statement and the confirmed rate comparison; and
 - (ii) the electronic record evidencing the customer's confirmation of the disclosure statement and rate comparison; and
 - (c) the telephone recording or the electronic communication verifying the contract.

Cancellation of contracts

- 55** A small-volume customer may unconditionally, and without any cancellation fees, penalties or charges, cancel the contract at any time from the date of entering into the contract until 30 days after the date of the first bill for renewable low-impact electricity under the contract, provided the customer is obligated to pay the licence holder for all renewable low-impact electricity consumed until the customer is transferred to bundled-supply.
- 56** A contract with a small-volume customer automatically terminates and the customer is not subject to any cancellation fees, penalties or charges if the customer sells or permanently moves from the premises to which renewable low-impact electricity is supplied under the contract.
- 57** A small-volume customer may unconditionally, and without any cancellation fees, penalties or charges, cancel the contract if the licence holder is found by the Board to be in violation of the Act, these regulations, the code of conduct, or its licence when marketing to the customer or in the course of

fulfilling its obligations under the contract.

- 58** A small-volume customer may cancel the contract at any time in accordance with the cancellation provisions contained within the contract.
- 59** A small-volume customer may give a notice of cancellation of a contract in any of the following ways:
- (a) by telephone;
 - (b) by ordinary or registered mail to the address specified in the contract;
 - (c) in person;
 - (d) by facsimile to the facsimile number specified in the contract; or
 - (e) by electronic communication to the e-mail address provided in the contract.
- 60 (1)** A notice of cancellation in respect of a contract with a small-volume customer is deemed to be given to the licence holder on the date of
- (a) receipt by the licence holder of the telephone call from the small-volume customer cancelling the contract;
 - (b) the electronic date stamp of the e-mail from the small-volume customer cancelling the contract;
 - (c) the transmittal of the notice from the small-volume customer cancelling the contract, if the notice is sent by facsimile;
 - (d) the day that is five days after the postmark on the letter from the small-volume customer cancelling the contract, if the notice is sent by ordinary mail; or
 - (e) the delivery to the licence holder of the notice from the small-volume customer cancelling the contract, if the notice is delivered in person or sent by registered mail.
- (2)** The cancellation of a contract with a small-volume customer becomes effective when NS Power transfers the customer to bundled-supply.
- 61** A licence holder shall inform NS Power within 2 business days of a small-volume customer cancelling their contract with the licence holder.
- 62** If a small-volume customer cancels a contract, the licence holder shall promptly provide written confirmation of the cancellation to the customer.

Prohibition on contract aggregation

- 63** In contracting with a customer in respect of two or three premises that qualify for the domestic or small general tariffs, a licence holder
- (a) may not aggregate the premises into a single contract, and
 - (b) must enter into a separate contract for each premises and the customer will be a small-volume customer for each contract.

Prohibition on contract renewals

- 64** (1) A contract with a small-volume customer may not be renewed or extended. A new contract may be entered into between a small-volume customer and a licence holder.
- (2) A contract with a small-volume customer may be terminated prior to the expiration of its term with the consent of the parties and a new contract may be entered into immediately after the termination. All of the provisions of these regulations, except as provided in Section 55, apply in respect of the new contract.
- (3) If a contract is terminated early and a new contract is entered into in accordance with subsection (2), the small-volume customer may cancel the new contract at any time from the date of entering into the new contract until 30 days after the date of the first bill for renewable low-impact electricity under the new contract. The maximum fee, charge or penalty that a licence holder may charge the small-volume customer is the cancellation fee as determined under the former contract at the time of its cancellation.
- (4) If a contract is terminated early and a new contract is entered into in accordance with subsection (2), the maximum fee, charge or penalty that a licence holder may charge the small-volume customer who cancels the new contract in accordance with Section 58 after the 30-day period referred to in subsection (3) is the cancellation fee as determined under the new contract.

Notice of contract expiry

- 65** No earlier than four (4) months and no later than three (3) months prior to the contract expiry, the licence holder shall notify the small-volume customer of the contract expiry date. At this time, the licence holder may offer a new contract to start after expiry of the current contract.

Appendix "A"

Board Electricity Retailers Regulations (Nova Scotia)
Application for a Retail Supplier Licence

1. By: _____
Full legal name of the company or organization making this application

Business location address in Nova Scotia

Mailing address (if different from above)

2. Contact Information:

Contact person: _____

Telephone number: _____

Fax number: _____

Email address: _____

Web site: _____

3. Required Documentation and Fee

Subsection 5(1) of the *Board Electricity Retailers Regulations (Nova Scotia)* requires all of the following documentation be attached to this application unless a variance is formally requested and approved by the Board prior to an application being submitted:

- (a) a cheque in the required amount of \$7 500 payable to the Board;
- (b) an irrevocable letter of credit from a recognized financial institution in the amount of \$200 000 payable to the Board to secure performance and anticipated financial obligations of the proposed licence holder, or an equivalent financial instrument in the same amount payable to the Board if such substitution is approved by the Board;
- (c) if the applicant is a company, proof of registration under the *Corporations Registration Act*, R.S.N.S. 1989, c. 101;
- (d) full legal name, address, phone, facsimile, and e-mail contact information of any partner(s) or parent company(s) or organization(s);
- (e) a listing of any company or organization principals with applicable titles (proprietor, partner, officer, director or controlling shareholder);
- (f) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to conduct a credit review, in accordance with standard business practices;
- (g) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to consult with all law enforcement agencies and obtain copies of any records pertaining to criminal convictions for which a pardon has not been granted, records of discharge, and records of outstanding criminal charges, such consents to release all such agencies, their members, and employees from any and all actions, claims and demands, loss, or injury which may result from the disclosure of information provided by them;
- (h) audited financial statements covering the two immediately preceding fiscal years or, if the applicant has been formed within the preceding twelve months and audited financial statements are not available for at least one year, pro forma financial statements signed by the proprietor, partner, officer, director, or controlling shareholder of the applicant may be substituted. If audited financial statements are not available, unaudited financial statements may be accepted at the discretion of the Board;
- (i) the compliance plan including copies of the contractual arrangements with renewable low-impact electricity generators and copies of the certification required in Section 17. If contractual arrangements have not been executed, then a letter of intent from a renewable low-impact electricity generator to enter into a contract for renewable low-impact electricity supply may be accepted at the discretion of the Board;
- (j) a written description of the applicant's business background and experience relating to electricity retailing;
- (k) a written description of the applicant's general plans with respect to electricity retailing;
- (l) rate comparison the applicant intends to use with the disclosure statement; and
- (m) any other information which may be deemed necessary by the Board.

4. The information provided in making this application in accordance with the *Board Electricity Retailers Regulations (Nova Scotia)* is accurate and complete to the best of our knowledge.

Signed in the Province of _____ this ____ of _____ 20____.

Signature

Signature

Print Name

Print Name

Print Title

Print Title

Note:

This Application must

- (1) provide, in full detail, all information required by the *Board Electricity Retailers Regulations (Nova Scotia)* using attachments as necessary; and
- (2) be signed by two (2) officers of the applying company or organization.

Any variance from the requirements set out above must be formally requested from, and approved by, the Board prior to an application being submitted.