

## **SCHEDULE “B” – NON- REGULATORY BUSINESS POLICY**

### **AUTHORITY**

The statutory mandate of the Technical Standards and Safety Authority (the Corporation) are the objects of the Corporation as set out in subsections 3.6 (1) to (6) of the Act.

Under subsection 3.6 (7) of the Act the Minister has the authority to create additional objects (set out in subsections 3.6 (1) to (7) of the Act) permitting the Corporation to undertake non-regulatory business, that is business in addition to the Corporation’s statutory mandated business.

### **POLICY**

The Corporation will only enter into non-regulatory business arrangements that promote and enhance public safety and are consistent with its vision and mission. It will operate in compliance with the principles outlined in this Policy. The Corporation will ensure that all its employees are aware of and act in compliance with this policy.

### **POLICY PRINCIPLES**

- Commitment to Core Responsibilities and Regulatory Integrity: The Corporation will continue at all times to conduct itself in a manner that maintains its ability to effectively, with high standards of integrity and in a non-conflicted manner, deliver its statutory mandate.
- Fair Business Practices: The Corporation will not use its authority as a regulator to create an unfair business advantage.
- Fair Competition: The Corporation may ensure that all contracts, agreements or understandings are consistent with competition law.
- Financial Independence: The Corporation will deliver non-regulatory business services that enhance safety and revenues generally to the benefit – but never to the detriment – of its regulatory responsibilities. The Corporation will ensure independent financial management and reporting of non-regulatory business services.

### **COMPLIANCE**

The Corporation will submit to the Minister a statement for each non-regulatory business arrangement confirming that it will not negatively impact its statutory mandate and is consistent with the principles of this policy. This statement shall be provided to the Minister within ten (10) business days of entering into or bidding on a legally binding contract that is authorized under the objects outlined in Schedule A to the Memorandum of Understanding between the Minister and the Corporation (MOU).

The statement shall contain the duration and parties of each contract, and the nature of the work.

Where the Corporation intends to enter into an agreement that is not covered by the objects outlined in Schedule A to the MOU, it shall provide the Minister with a statement regarding the proposed new business (with supporting material) necessary to review the proposal, and shall request that the Minister add an additional object permitting the new

business. The Minister will respond to the Corporation's request within ten (10) business days of receiving the information.

Where the Corporation intends to engage in an activity that is authorized by object "D", as ordered by the Minister and as outlined in Schedule "A" paragraph 4, the Corporation shall not engage in the proposed activity unless, in addition to the statement regarding the new proposed business, it provides to the Minister an analysis that demonstrates how the proposed activity will benefit and assist a business in Ontario.

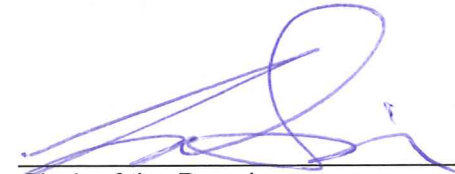
The Corporation will communicate its Non-Regulatory Business Policy to its stakeholders to ensure a broad base of understanding. The Corporation will monitor its business development activities to ensure this policy is being consistently applied.

The Corporation will implement this policy so as to ensure appropriate treatment of confidential information, proper disclosure of the Corporation's role, and decision-making that is fair and sound.

The Corporation will engage a third party to conduct an annual review of compliance with this Policy. In addition a summary of findings of the review will be made available to the public, including posting on the Corporation's website.

Technical Standards and Safety Authority

Ministry of Consumer Services



Chair of the Board  
George Irwin



The Honourable Margaret R. Best  
Minister of Consumer Services

Date: Jan 17/2012

Date: Jan. 4/2012