

# SCHEDULE “K” – NON- REGULATORY BUSINESS POLICY

## Technical Standards and Safety Authority

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### 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 (7) of the Act.

Under subsection 3.6 (7) of the Act the Minister has the authority to create additional objects. This Schedule authorizes the Corporation to undertake non-regulatory business, that is, business in addition to the Corporation’s Statutory Mandate.

### Policy

The Corporation will only enter into non-regulatory business arrangements that promote and enhance public safety and are consistent with its objects, 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 deliver its Statutory Mandate, with high standards of integrity and in a non-conflicted manner.
- Fair Business Practices: The Corporation will not use its authority as a regulator to create an unfair business advantage.
- Fair Competition: The Corporation will ensure that all contracts, agreements or understandings are consistent with competition law.
- Financial Independence: The Corporation will only deliver non-regulatory business services that enhance public safety and generate revenues generally to the benefit – and never to the detriment – of its regulatory responsibilities. The Corporation will ensure independent financial reporting of non-regulatory business services.

### Compliance

The Corporation will submit to the following to the Minister:

- Annual statements, no later than May 31 of each year, outlining all non-regulatory

business arrangements conducted within Ontario during the Corporation's previous fiscal year; and

- A statement for each non-regulatory business arrangement conducted outside of Ontario. The Corporation shall make reasonable efforts to provide this statement to the Minister a minimum of ten (10) business days prior to entering into or bidding on a legally binding contract but no later than ten (10) business days after entering into a legally binding contract.

The statement(s) shall contain:

- confirmation that the service will not negatively impact the Corporation's statutory mandate;
- confirmation that the service is consistent with the principles of this policy;
- confirmation that the service is authorized under the Corporation's objects;
- the parties of the arrangement; and
- the nature and duration of the work.

Where the Corporation engages in an activity authorized by paragraph 3 of Schedule "A" (Additional Objects of the Corporation), where the work is conducted outside of Ontario, the Corporation must include in the statement described above an analysis that demonstrates how the activity benefits a business in Ontario.

The Corporation will communicate this policy to its stakeholders and authorization holders 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 to ensure appropriate treatment of confidential information, proper disclosure of the Corporation's role, and decision-making that is fair and sound.

Upon request of the Minister, the Corporation will engage a third party to conduct a review of compliance with this policy. In addition, the Corporation shall make a summary of findings of the review available to the public, including by posting on the Corporation's website.

## **REQUEST FOR NEW OBJECTS**

Where the Corporation intends to enter into an agreement that is not covered by its existing objects outlined in Schedule "A", it shall provide the Minister with a proposal regarding the proposed new non-regulatory 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 forty-five (45) calendar days.

**Technical Standards and Safety  
Authority**

**As originally signed by RJ Falconi**

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Chair of the Board

Date: April, 25, 2022

**Her Majesty the Queen in right of  
Ontario**

**As originally signed by The Honourable  
Minister Ross Romano**

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Minister of Government and  
Consumer Services

Date: April 28, 2022