

**To: All Retailers of Regulated Petroleum Products**  
**Re.: Regulations respecting the wholesale price and retail mark-up**  
**Date: 24 July 2013**

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**The decision whether to opt out of the regulations respecting wholesale price and retail mark-ups is an important one unique to each individual business. It is recommended that you seek professional advice about the impact of this decision on your business.**

**Notification Requirement - Sections 7 and 8 of the *Petroleum Products Pricing Regulations***

Whether or not you are opting out of regulations respecting the wholesale price and retail mark-up, you must provide notification of your decision to the Minister and to your wholesaler or wholesaler retailer.

You must:

- Send a signed Statement of Retailer form to the Minister at the address below (keep a photocopy for yourself).
- Send a copy of your contract with your wholesaler or wholesaler-retailer to the Minister at the address below.
- Send a signed copy of the Statement of Retailer form to your wholesaler or wholesaler-retailer. It is recommended you send this by registered mail or courier.

These must be provided no later than 30 days after your existing contract expires if you hold an existing contract with a wholesaler or wholesaler-retailer, or no later than 30 days after you are issued a motive fuel retailer's approval under the *Environment Act* if you do not hold an existing contract with a wholesaler or wholesaler-retailer.

The original Statement of Retailer with required signatures should be sent, together with a copy of your contract, by registered mail or courier to:

Service Nova Scotia and Municipal Relations  
Petroleum Product Price Regulation  
Consumer and Business Programs  
8th Floor South, Maritime Centre  
PO Box 1003  
Halifax, N.S. B3J 2X1

### **Not Opting Out**

If you opt to remain under the regulations respecting wholesale price and retail mark-up, you agree to accept the fixed wholesale price and regulated retail mark-up on regulated petroleum products you sell. The current retail mark-up on regulated self service products is 4.8 to 6.6 cents per litre and a minimum of 4.8 cents per litre on regulated full-service products. The current maximum retail mark-up on regulated full service products varies. It is set so that the maximum retail price may not be greater than 999.99 cents per litre. Retail mark-ups are set by the Nova Scotia Utility and Review Board and are subject to change by the Board.

### **Opting Out**

If you opt out of the regulations respecting wholesale price and retail mark-up you must make an arrangement with your wholesaler on wholesale price and retail mark up.

### **Points of Note**

- Nothing in the regulations prevents a retailer and a wholesaler from entering into a new agreement respecting compensation, regardless of the option a retailer selects.
- It is important to note that no agreement takes precedence over or exempts a retailer from regulations that set the minimum and maximum retail price for sale of regulated petroleum products to a consumer. You must charge a retail price between the regulated minimum and maximum retail price for a petroleum product.
- You should be aware that the Nova Scotia Utility and Review Board have responsibility for setting the wholesale margin and retail mark-up among other things. This means the current wholesale margins of 6.65 cents per litre + transportation allowance and retail mark-up of 4.8 – 6.6 cents per litre may change at the discretion of the Board.

If you require additional clarification please feel free to contact Dale Madill at 424-5051 or Mary Archibald at 424-0760.

**Statement of Retailer**  
*Petroleum Products Pricing Regulations*

Please choose one:

- Pursuant to Section 8 of the *Petroleum Products Pricing Regulations* I have decided not to opt out of the regulations with respect to the wholesale price and retail mark-up of a petroleum product. I accept the wholesale price and retail mark-up as established under Sections 17 and 18 of the Regulations. The current retail mark-up for regulated self service products is 4.8 to 6.6 cents per litre and a minimum of 4.8 cents per litre on regulated full-service products. Retail mark-ups are set by the Nova Scotia Utility and Review Board and are subject to change by the Board.
- Pursuant to Section 7 of the *Petroleum Products Pricing Regulations* I have decided to opt out of the regulations with respect to the wholesale price and retail mark-up of a petroleum product. A copy of my contract with my wholesaler or wholesaler-retailer is attached to this form.

I recognize that I must comply with Section 10 of the *Petroleum Products Pricing Regulations* respecting the price to be charged to a consumer for a petroleum product, regardless of whether I have decided to opt out of the regulations with respect to the wholesale price and retail mark-up.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
on \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
**Signature of Witness**

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Signature of authorized representative of retailer**

\_\_\_\_\_  
Name of authorized representative (please print)

\_\_\_\_\_  
Legal business name of retailer

\_\_\_\_\_  
Address

\_\_\_\_\_  
City Province Postal Code

\_\_\_\_\_  
Telephone number

**Wholesaler or Wholesaler-Retailer:** Pursuant to subsections 7(3) and 8(3) of the *Petroleum Products Pricing Regulations*, you are required to acknowledge receipt of this form by signing below and returning the form to the Minister not later than 15 days after receipt of this form.

\_\_\_\_\_  
**Signature of Witness**

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Signature of authorized representative of wholesaler**

\_\_\_\_\_  
Name of authorized representative (please print)

\_\_\_\_\_  
Legal business name of wholesaler

\_\_\_\_\_  
Address

\_\_\_\_\_  
City Province Postal Code

\_\_\_\_\_  
Telephone number

PLEASE RETAIN A COPY FOR YOUR RECORDS