

NOVA SCOTIA SECURITIES COMMISSION

GUIDELINES & PROTOCOL FOR HEARINGS VIA VIDEOCONFERENCING

Note: As of October 2020, the Commission will be using MS Teams videoconferencing for its hearings. Please review the updated Guidelines and Protocols below.

Note: References to “hearing(s)” in this document includes all matters to be heard by a panel of Commission members, including pre-hearing conferences, motions, and enforcement hearings.

Access to the Commission Hearing

1. Outlook Invitation – Participants, including panel members, will be sent an invitation for the Commission hearing through Outlook at least two days before the date of the scheduled hearing matter via videoconferencing.
2. The invitation will contain a link to the Commission hearing via [MS Teams](#) videoconferencing. Click on the “[Join Microsoft Teams Meeting](#)” link to access the hearing.
3. To join a meeting, the invitee can simply open the email or the calendar item and click on “[Join Microsoft Teams Meeting](#)”. The invitee will be redirected to a page where they will have to make a choice: “[Open the Teams app](#)” (Teams desktop application if it is installed) or “[Join on the web](#)” (no download required).
4. The Outlook invitation also includes a telephone number and conference ID# to be used as a backup in the event that a participant is unable to connect via the link or there are technical difficulties during the hearing by videoconference.
5. Advance Testing - All participants should test their access in advance of the hearing date to ensure they are able to connect, test their camera and microphone configuration settings, address any security restrictions on their systems, and familiarize themselves with the video and audio settings and how to leave the hearing. To arrange a test, please contact the Secretary to the Commission at jane.anderson@novascotia.ca .
6. Access on Hearing Day. External participants may have to wait in a virtual lobby until the Secretary provides access to the hearing. The Secretary will enable access to the [MS Teams](#) technology 15 minutes before the scheduled start time of the hearing. The parties are strongly encouraged to connect early to ensure any technological issues are addressed prior to the scheduled start time, and to ensure access prior to the panel.
7. Do not use public WiFi to access the hearing. If possible, connect to the hearing via a network rather than WiFi which may affect the speed of the technology.

Hearing Etiquette

1. Business attire is required.
2. Participants should be in an appropriate, well-lit and private setting, with steps taken to reduce the risk of interruptions.
3. The background should be as neutral as possible – Artificial digital backgrounds should be avoided as they may affect the speed of the technology.
4. Devices used to connect to the hearing should be placed on a stable surface (not held) and positioned at eye-level or slightly above eye-level so that participants are directly facing the camera. Note: Eye contact is achieved by looking at the camera on your computer rather than looking at the participants on the screen.
5. Participants should not move away from the screen or turn their video off during the hearing without permission from the Chair of the panel.
6. To minimize background noise, a headset or earphones should be used when possible.
7. Participants should close all applications on their computer that are not needed for the hearing and should mute all notifications, such as phones, emails, texts, etc.
8. There should be no eating during the hearing. Parties may have water, coffee or tea available but nothing else.
9. Unless addressing the panel, or otherwise requested to speak, all participants should have their microphones muted.
10. The panel should be addressed in the same manner as if the hearing is being held in the Commission's hearing room.
11. Participants should speak one at a time. Speak slowly and pause when necessary as there may be video lag.
12. If a participant wishes to speak, they should type in the Chat Section (at the left of the screen) that they wish to speak. This will notify the panel (and everyone attending the hearing) that the speaker wishes to speak.
13. Be mindful that your video is on and be wary of unwanted facial expressions.

Public Access

1. For public hearings, notice of the hearing by videoconferencing will be posted on the Commission's website, including instructions that members of the public wishing to attend the hearing should contact the Commission's Communications Co-ordinator at NSSCinquiries@novascotia.ca who will forward the [MS Teams](#) link to them. This will ensure the Panel knows the names of the individuals attending each matter since their names may not necessarily appear when they connect to the hearing.

At the start of the Hearing

The panel Chair will advise of the following housekeeping matters at the start of the hearing:

1. Recording of the hearing (audio, visual or otherwise) or the taking of photos or screen captures by any participants, the media or the public is strictly prohibited. Saving copies of any documents shared during the hearing by the media or the public is strictly prohibited (copies of public documents may be requested from the Secretary in the ordinary course).
2. Participants' microphones should be muted when the participant is not speaking.
3. If a participant wishes to speak, they should click on the "Raise your hand" icon (at the top right of the screen) this will alert other participants that they wish to speak.
4. How private or sensitive information will be referred to or protected during the hearing.
5. Any other directions by the panel.

Breakout Sessions

1. Counsel should plan in advance on how to communicate with their clients and co-counsel privately during the hearing through a separate communication channel (ie. via email or text messaging, etc.). Do not use the chat function of the video platform because such communications may be seen by others during the hearing.
2. The panel will be provided with a separate meeting link accessible only by the panel members (and the Secretary) for any panel deliberations during a recess. Panel members just need to click on the "Join Microsoft Teams Meeting" link in the "Panel Deliberations Meeting" Outlook appointment to access the separate meeting. For panel deliberations, panel members should disconnect from the hearing using the **red handset icon** first (this will enable the other participants to remain in the hearing) and then rejoin the hearing using the "Join Microsoft Teams Meeting" link in the hearing Outlook appointment after their deliberations are over.

Issuing Orders at the End of a Hearing

In the event that the panel wishes to issue an order during the hearing, the Chair of the panel should read the order out loud for the record. The Chair of the panel should also advise that (i) because the hearing is being conducted remotely, the panel members will each confirm orally for the record that they are signing the order, (ii) the panel members will each orally authorize the Secretary to insert their electronic, conformed signature in an electronic version of the order for the purposes of it being issued, and (iii) each panel member will forward their copy of the originally signed order to the Secretary following the hearing.

Technological Problems

In the event of technical problems that occur during the hearing, a participant should alert the panel immediately. The participant can then dial-in to the hearing using the telephone number and conference ID# set out in the Outlook appointment.