

**HOW TO FILE A NOTICE OF CONTEST  
TO A CYBER-BULLYING APPLICATION (ADULT)  
IN THE SUPREME COURT OF NOVA SCOTIA**

1. Practice Memorandum No. 13 ( PM No.13) allows a person who is the victim of cyber-bullying to apply for a cyber-protection order about cyber-bullying.

**Alternate Resolution:** The complaint may not need to go to court. **CyberSCAN can help to resolve the issues.** A person who wishes to start a cyber-bullying proceeding in court should contact **CyberSCAN** if they have not already done so. They can be reached at <https://novascotia.ca/cyberscan/> or call (855) 702-8324.

2. A person contesting a cyber-protection order must file a Notice of Contest (Cyber-protection Chambers Application) [Form 5.03 is also found in PM No.13] as a Respondent.

There is no court filing fee for a Notice of Contest (Chambers Application).

3. The Notice of Contest (Cyber-protection Chambers Application) once filed with the court becomes official indication of the Respondent's desire to contest the application.

4. Carefully read the Notice of Contest (Cyber-protection Chambers Application) and complete the document with your own information as follows:

- a) a statement indicating which of the material facts in the applicant's grounds are admitted, which are denied, and which are neither admitted nor denied,
- b) a concise statement of the grounds relied on by you to contest the application, including material facts you seek to establish and a reference to legislation relied on by you in advancing your position,
- c) a listing of each affidavit relied on by you,
- d) your contact information.

5. A Respondent must file the following documents **no more than 5 days\*** after the date the application was received (served) in accordance with Civil Procedure Rule 5.06(2):

- a) Notice of Contest (Cyber-protection Chambers Application) [Form 5.03 is also found in PM No.13]
- b) Affidavit in support of application (Form 39.08 is found in PM No.13)

6. A copy of the Notice of Contest (Cyber-protection Chambers Application) must be delivered (notified in accordance with Civil Procedure Rule 31.02) to the Applicant as soon as possible and **no more than 5 days\*** after the date the application was received (served) in accordance with Civil Procedure Rule 31.15.

- a) Additionally, a copy of the affidavit outlined in **5** above must be delivered to the Applicant in the same timeframe, in accordance with Civil Procedure Rule 31.15.

b) Delivery is made to the Applicant's designated address, in accordance with Civil Procedure Rule 31.15.

7. A Respondent must file a Brief of Law (2 copies) and deliver a copy to each of the Respondents, **no less than 2 days\*** before the day the application is to be heard in accordance with Civil Procedure Rules 5.06(2) and 31.15.

\* **NOTE:** Days are calculated in accordance with Civil Procedure Rule 94 – the days counted are those between the two events and the following days are **not included** in the period of days: the day of service or delivery, the day of the hearing, Saturdays, Sundays or any weekday that the Prothonotary's office is closed.

Further information is available on

- the **CyberScan** Website:  
<https://novascotia.ca/cyberscan/>
- Booklet: What you need to know about the *Intimate Images & Cyber-Protection Act*  
<https://novascotia.ca/cyberscan/documents/What%20You%20Need%20To%20Know%20about%20the%20Intimate%20Images%20and%20Cyber-Protection%20Act.pdf>
- Nova Scotia Supreme Court Practice Memorandum No. 13  
[#13 Intimate Images and Cyber-Protection | Supreme Court of Nova Scotia Practice Memorandums/Notes de pratique de la Cour suprême de la Nouvelle-Écosse | Nova Scotia Courts \(lexum.com\)](#)

May 2023