

BANK OF NOVA SCOTIA /
Form F-X
February 06, 2012

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM F-X

APPOINTMENT OF AGENT FOR SERVICE OF PROCESS AND UNDERTAKING

A. Name of issuer or person filing (Filer): **THE BANK OF NOVA SCOTIA**

B. (1) This is [check one]

an original filing for the Filer

an amended filing for the Filer

(2) Check the following box if you are filing the Form F-X in paper in accordance with Regulation S-T Rule 101(b)(9)

C. Identify the filing in conjunction with which this Form is being filed:

Name of registrant	THE BANK OF NOVA SCOTIA
Form type	Form F-9
File Number (if known)	333-179383
Filed by	THE BANK OF NOVA SCOTIA
Date Filed (if filed concurrently, so indicate)	February 3, 2012 (filed concurrently)

D. The Filer is incorporated or organized under the laws of

Canada

and has its principal place of business at

Edgar Filing: BANK OF NOVA SCOTIA / - Form F-X

44 King St. West,

Scotia Plaza, 8th Floor

Toronto, Ontario

Canada M5H 1H1

Telephone: (416) 866-3672

- E. The Filer designates and appoints William R. Ebbels, Vice President, USA Regional Head of Operations, The Bank of Nova Scotia (the Agent), located at:

The Bank of Nova Scotia

One Liberty Plaza, 25th Floor

New York, NY 10006

Telephone: (212) 225-5000

as the agent of the Filer upon whom may be served any process, pleadings, subpoenas, or other papers in:

- (a) any investigation or administrative proceeding conducted by the Commission; and

- (b) any civil suit or action brought against the Filer or to which the Filer has been joined as defendant or respondent, in any appropriate court in any place subject to the jurisdiction of any state or of the United States or of any of its territories or possessions or of the District of Columbia, where the investigation, proceeding or cause of action arises out of or relates to or concerns any offering made or purported to be made in connection with the securities registered or qualified by the Filer on Form F-9 on February 3, 2012 or any purchases or sales of any security in connection therewith. The Filer stipulates and agrees that any such civil suit or action or administrative proceeding may be commenced by the service of process upon, and that service of an administrative subpoena shall be effected by service upon such agent for service of process, and that service as aforesaid shall be taken and held in all courts and administrative tribunals to be valid and binding as if personal service thereof had been made.
- F. The Filer stipulates and agrees to appoint a successor agent for service of process and file an amended Form F-X if the Filer discharges the Agent or the Agent is unwilling or unable to accept service on behalf of the Filer at any time until six years have elapsed from the date the issuer of the securities to which such Forms and Schedules relate has ceased reporting under the Exchange Act. The Filer further undertakes to advise the Commission promptly of any change to the Agent's name or address during the applicable period by amendment of this Form, referencing the file number of the relevant form in conjunction with which the amendment is being filed.
- G. The Filer undertakes to make available, in person or by telephone, representatives to respond to inquiries made by the Commission staff, and to furnish promptly, when requested to do so by the Commission staff, information relating to the Form F-9; the securities to which the Form F-9 relates; and the transactions in such securities.

[Signature page follows]

The Filer certifies that it has duly caused this power of attorney, consent, stipulation and agreement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of Toronto, Country of Canada this 3rd day of February, 2012.

THE BANK OF NOVA SCOTIA

By: /s/ Ian A. Berry
Name: Ian A. Berry

Title: Managing Director & Head

Funding & Liquidity Management

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This statement has been signed by the following person in the capacity and on the date indicated.

As Agent for Service of Process for

The Bank of Nova Scotia

By: /s/ William R. Ebbels
Name: William R. Ebbels

Title: Vice President, USA Regional Head of
Operations, The Bank of Nova Scotia

Date: February 3, 2012