



**Part II
Regulations under the Regulations Act**

Printed by the Queen's Printer

Halifax, Nova Scotia	Vol. 26, No. 17	August 23, 2002	
	Contents		
Act		Reg. No.	Page
Assessment Act			
Natural Gas Transmission Pipeline Assessment Regulations ..		103/2002	316
Education Act			
Governor in Council Education Act Regulations			
- Amendment		102/2002	315
Freedom of Information and Protection of Privacy Act			
Freedom of Information and Protection of Privacy Regulations - Amendment		101/2002	314
Theatres and Amusements Act			
Theatres and Amusements Regulations - Amendment		104/2002	321

NOW AVAILABLE

The second issue of the 2002 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, is now available from the Office of the Registrar of Regulations. For information or subscriptions please call (902) 424-6723 or visit our website at <www.gov.ns.ca/just/regulations/cd>.

N.S. Reg. 101/2002
Made: August 1, 2002
Filed: August 7, 2002

Freedom of Information and
Protection of Privacy Regulations

Order in Council 2002-351 made August 1, 2002
Amendment to regulations made by the Governor in Council
pursuant to Section 49
of the *Freedom of Information and Protection of Privacy Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated June 27, 2002, and pursuant to Section 49 of the Acts of 1993, the *Freedom of Information and Protection of Privacy Act*, is pleased to amend the *Freedom of Information and Protection of Privacy Regulations* made by the Governor in Council by Order in Council 94-537 dated June 28, 1994, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 4, 2002.

Schedule "A"

Amendments to the *Freedom of Information and Protection of Privacy Regulations* made by the Governor in Council pursuant to Section 49 of Chapter 5 of the Acts of 1993, the *Freedom of Information and Protection of Privacy Act*

Section 6 of the *Freedom of Information and Protection of Privacy Regulations* made by the Governor in Council by Order in Council 94-537 dated June 28, 1994, is amended by

- (a) striking out "after the first two hours" in clause (3)(a); and
- (b) adding the following subsection immediately following subsection (9):
 - (10) The fee prescribed for the purpose of subsection 32(4) of the Act is \$25.00.

N.S. Reg. 102/2002
Made: August 1, 2002
Filed: August 7, 2002
Governor in Council Education Act Regulations

Order in Council 2002-355 made August 1, 2002
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated July 12, 2002, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations* made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 1, 2002.

Schedule "A"

Amendments to the *Governor in Council Education Act Regulations* made by the Governor in Council pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*

The *Governor in Council Education Act Regulations* made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, are amended by

- (a) striking out "District" in subsections 61(6) and (7) and substituting "Regional"; and
- (b) adding the following Section immediately after Section 61:

Modification of consultation responsibilities - Southwest Regional School Board Pilot

- 62 (1)** Clause 10E(2)(m) of the Act, in respect of its application to the director of education of the South Shore District School Board and the director of education of the Tri-county District School Board, is modified by adding a provision that the directors of education shall participate on a committee established by the Minister for the purpose of monitoring and facilitating the carrying out by the Chief Executive Officer and the directors of education of their respective responsibilities pursuant to the Act and these regulations.
- (2)** Clause 10I(2)(i) of the Act, in respect of its application to the Chief Executive Officer of the Southwest Regional School Board, is modified by adding a provision that the Chief Executive Officer shall participate on a joint committee established by the Minister for the purpose of monitoring and facilitating the carrying out by the Chief Executive Officer and the directors of education of their respective responsibilities pursuant to the Act and these regulations.

N.S. Reg. 103/2002
Made: August 1, 2002
Filed: August 7, 2002
Natural Gas Transmission Pipeline Assessment Regulations

Order in Council 2002-356 made August 1, 2002
Regulations made by the Governor in Council
pursuant to Section 179 of the *Assessment Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 25, 2002, and pursuant to Section 179 of Chapter 23 of the Revised Statutes of Nova Scotia, 1989, the *Assessment Act*, is pleased to make regulations respecting the property assessment valuation of natural gas transmission pipelines in the form attached to and forming part of the report and recommendation as Schedule "A".

In the matter of the *Natural Gas Transmission Pipeline Assessment Regulations* made pursuant to Sections 179 and 179A of the *Assessment Act*

- and -

In the matter of a base cost and depreciation rate prescribed pursuant to Section 179A of the *Assessment Act* by the Minister of Service Nova Scotia and Municipal Relations for the purpose of Section 32A of the *Assessment Act*

ORDER

I, Angus MacIsaac, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 179A of Chapter 23 of the Revised Statutes of Nova Scotia, 1989, the *Assessment Act*, do hereby prescribe that the base cost and depreciation rate for the purpose of Section 32A of the Act shall be as set forth in Sections 3 to 6 of, and Schedule A to, the *Natural Gas Transmission Pipeline Assessment Regulations* set out in Schedule "A", attached.

This Order shall be effective on and after the making by the Governor in Council of the *Natural Gas Transmission Pipeline Assessment Regulations* set out in Schedule "A", attached.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, June 25, 2002.

Sgd. *Angus MacIsaac*
Honourable Angus MacIsaac
Minister of Service Nova Scotia and Municipal Relations

Schedule “A”

Regulations Respecting the Property Assessment Valuation of Natural Gas Transmission Pipelines made by the Minister of Service Nova Scotia and Municipal Relations and the Governor in Council pursuant to Sections 179 and 179A of Chapter 23 of the Revised Statutes of Nova Scotia, 1989, the *Assessment Act*

Citation

1 These regulations may be cited as the *Natural Gas Transmission Pipeline Assessment Regulations*.

Definitions

2 In these regulations,

- (a) “Act” means the *Assessment Act*;
- (b) “actual cost” means the actual cost of a pipeline or part thereof accepted by the NEB as the cost of the pipeline;
- (c) “NEB” means National Energy Board (Canada);
- (d) “pipeline” means a natural gas transmission pipeline under the jurisdiction of the NEB and includes the natural gas liquids pipeline between Goldboro, Guysborough County, and Richmond County; and
- (e) “total accumulated depreciation” means an amount calculated pursuant to subsection 6(4) and allowed as a deduction in the determination of the assessed value of a pipeline in accordance with these regulations.

Assessed value of pipeline

- 3 (1)** The assessed value of a pipeline, including the value of any associated easements or other rights in real property, constructed and installed prior to January 1, 2000, is
- (a) the base cost per metre for each class of pipe in the pipeline as set out in Schedule A, multiplied by the length of the pipe;
- less
- (b) total accumulated depreciation,
- provided that the assessed value shall never be less than one half of the value determined pursuant to clause (a).
- (2)** The assessed value of a pipeline, including the value of any associated easements or other rights in real property, constructed and installed after January 1, 2000, is
- (a) the base cost per metre of each class of pipe in the pipeline as set out in Schedule A, multiplied by the length of the pipe, increased or decreased by the percentage change in the Nelson-Farrar Index of pipeline construction costs between January 1, 2000, and the date the construction and installation of the pipeline is complete;
- less

- (b) total accumulated depreciation,

provided that the assessed value shall never be less than one half of the value determined pursuant to clause (a).

- (3)** Where a pipeline is constructed and installed after January 1, 2000, in the same right of way as a pre-existing pipeline, the assessed value of the pipeline, including the value of any associated easements or other rights in real property, is

- (a) 75% of the base cost per metre of each class of pipe in the pipeline as set out in Schedule A, multiplied by the length of the pipe, increased or decreased by the percentage change in the Nelson-Farrar Index of pipeline construction costs between January 1, 2000, and the date the construction and installation of the pipeline is complete;

less

- (b) total accumulated depreciation,

provided that the assessed value shall never be less than one half of the value determined pursuant to clause (a).

Calculation of base cost for pipe of different size

- 4** If the size of a pipe does not match a class of pipe set out in Schedule A, the base cost per metre for purposes of Section 3 for that pipe shall be obtained by interpolation or extrapolation, if possible, and if interpolation or extrapolation is not possible, the base cost is the actual cost of constructing and installing the pipeline, exclusive of Harmonized Sales Tax.

Assessed value of compression stations, custody transfer stations and other appurtenances

- 5 (1)** The assessed value of that portion of a pipeline made up of compression stations is
- (a) 75% of the actual cost of the compression stations;
- less
- (b) total accumulated depreciation,
- provided that the assessed value shall never be less than one half of the value determined pursuant to clause (a).
- (2)** The assessed value of that portion of a pipeline made up of custody transfer stations and all other assessable appurtenances of the pipeline is
- (a) the actual cost of the custody transfer stations and other appurtenances;
- less
- (b) total accumulated depreciation,
- provided that the assessed value shall never be less than one half of the value determined pursuant to clause (a).

Calculation of total accumulated depreciation

- 6 (1) The depreciation of a pipeline shall be calculated annually as of December 1.
- (2) Only a pipeline that has been in service for at least 1 full year as of the depreciation calculation date referred to in subsection (1) shall be allowed a deduction for depreciation.
- (3) “In service” in subsection (2) means in operation for purposes of the NEB, regardless of when natural gas was first transmitted through the pipeline for commercial purposes.
- (4) Total accumulated depreciation shall be calculated as
- (a) the depreciation for the previous year, if any;
- plus
- (b) the amount obtained by multiplying the assessed value of the pipeline determined pursuant to these regulations as of December 1 of the current year by a depreciation rate of 4% or such other depreciation rate as may be stipulated by the NEB for the applicable pipeline pursuant to toll orders issued by the NEB.

Taxation years to which assessments apply

- 7 The assessments determined pursuant to these regulations apply for the municipal taxation year commencing April 1, 1999, and subsequent municipal taxation years.

Business occupancy assessment extra

- 8 (1) A business occupancy assessment as required by Section 11 of the Act with respect to a pipeline is additional to the pipeline assessment required by Section 32A of the Act and these regulations, and the business occupancy assessment shall be calculated by reference to the pipeline assessment.
- (2) For greater certainty, business occupancy assessment does not apply to compression stations and custody transfer stations.

Schedule A**Pipeline Base Cost by Class**

Class	Size*	Base Cost Per Metre
1	152 mm	\$390.00
2	203 mm	\$431.00
3	304 mm	\$634.00
4	406 mm	\$714.00
5	508 mm	\$789.00
6	609 mm	\$863.00
7	762 mm	\$976.00
8	914 mm	\$1088.00

*“Size” means the nominal outside diameter of each class of pipe.

N.S. Reg. 104 /2002
Made: August 1, 2002
Filed: August 7, 2002
Theatres and Amusements Regulations

Order in Council 2002-360 made August 1, 2002
Amendment to regulations made by the Governor in Council
pursuant to Sections 4, 9 and 11
of the *Theatres and Amusements Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated November 23, 2001, and pursuant to Sections 4, 9 and 11 of Chapter 466 of the Revised Statutes of Nova Scotia, 1989, the *Theatres and Amusements Act*, is pleased to amend the regulations respecting theatres and amusements made by the Governor in Council on February 2, 1956, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 1, 2001.

Schedule "A"

Amendments to the *Theatres and Amusements Regulations* made by the Governor in Council pursuant to Sections 4, 9 and 11 of Chapter 466 of the Revised Statutes of Nova Scotia, 1989, the *Theatres and Amusements Act*

- 1 Section 6 of the regulations respecting theatres and amusements made by the Governor in Council on February 2, 1956, is amended by
 - (a) repealing subsection (1) and substituting the following subsection:
 - (1) In this Section,
 - (a) "race track" means any place at which horse racing or harness racing is conducted and pari-mutuel betting is permitted;
 - (b) "track operator" means a person who owns or operates a race track in the Province and who is in any manner the custodian or depository of money staked or deposited in the making of a bet upon a horse race or a harness race being run at any race track, either live or simulcast, whether such bets are made directly with the track operator or through an agent of the track operator.
 - (b) repealing subsection (4) and substituting the following subsection:
 - (4) Every person betting under the system known as pari-mutuel shall pay an amusement tax equal to 11% of the money deposited with the track operator or an agent of a track operator at the time of the making of the bet.
- and

- (c) repealing subsection (5) and substituting the following subsection:
 - (5) Every track operator
 - (a) shall collect the tax referred to in subsection (4) by deducting the amount of the tax from the money deposited for the making of a bet before recording or applying the remainder in the making of the bet;
 - (b) shall keep such records and make such reports as may be prescribed by the Alcohol and Gaming Authority;
 - (c) where so authorized by the Minister, may retain all or a portion of the tax so collected; and
 - (d) where so required by the Minister, remit to the Minister all or any portion of the tax so collected.