

Royal Gazette

Part II Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 320/2008

Made: July 9, 2008

Filed: July 9, 2008

Proclamation, S. 5, S.N.S. 2008, c. 24

Order in Council 2008-371 dated July 9, 2008

Proclamation made by the Governor in Council

pursuant to Section 5 of

An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 18, 2008, and pursuant to Section 5 of Chapter 24 of the Acts of 2008, *An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act*, is pleased to order and declare by proclamation that Chapter 24 of the Acts of 2008, *An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act*, do come into force on and not before July 9, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 5 of Chapter 24 of the Acts of 2008, *An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act*, it is enacted as follows:

- 5 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 24 of the Acts of 2008, *An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act*, do come into force on and not before July 9, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 24 of the Acts of 2008, *An Act to Amend Chapter 300 of the Revised Statutes, 1989, the Municipal Elections Act*, do come into force on and not before July 9, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 9th day of July in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 321/2008

Made: July 9, 2008

Filed: July 9, 2008

Proclamation, S. 29, S.N.S. 2007, c. 45 and S. 12, S.N.S. 2008, c. 21

Order in Council 2008-373 dated July 9, 2008
Proclamation made by the Governor in Council
pursuant to Section 29 of
An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
and pursuant to Section 12 of
An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated June 26, 2008, and pursuant to Section 29 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, Section 12 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 19 and 25 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act* and Sections 10 and 11 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before July 9, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 29 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act* and Section 12 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, it is enacted as follows:

- 29 This Act comes into force on such day as the Governor in Council orders and declares by proclamation; and
- 12 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 19 and 25 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act* and Sections 10 and 11 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act* do come into force on and not before July 9, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 19 and 25 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, and Sections 10 and 11 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before July 9, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 9th day of July in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 322/2008

Made: July 9, 2008

Filed: July 14, 2008

Municipal Government Act Rules

Order dated July 9, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 12 of the *Utility and Review Board Act*

Order**NSUARB****Nova Scotia Utility and Review Board****In the Matter of the *Utility and Review Board Act*****- and -****in the Matter of a Motion to Amend the
*Municipal Government Act Rules***

Before: Peter W. Gurnham, Q.C., Chair
Margaret A.M. Shears, Q.C., Vice-chair
David J. Almon, Member
Roland A. Deveau, Member
Wayne D. Cochrane, Q.C., Member
Kulvinder Dhillon, P. Eng., Member
Murray E. Doehler, C.A., P. Eng., Member
Dawna J. Ring, Q.C., Member
John A. Morash, C.A., Member

Order

Whereas the Nova Scotia Utility and Review Board by Resolution in writing made on the 9th day of July, 2008, passed a motion to amend the *Municipal Government Act Rules* to implement the provisions of an Act to Amend Chapter 18 of the Acts of 1998, the *Municipal Government Act*, S.N.S. 2008, c. 25.

It is hereby ordered that the *Municipal Government Act Rules* made pursuant to Section 12 of the *Utility and Review Board Act*, S.N.S. 1992, c. 11, with respect to applications under the *Municipal Government Act* are amended as set out in Appendix "A" to this Order.

It is further ordered that the effective date for the amendment to the *Rules* be the date of proclamation of the amendments to the *Municipal Government Act*.

Dated at Halifax, Nova Scotia, this 9th day of July, 2008.

Sgd.: *Elaine Wagner*
Clerk of the Board

Appendix "A"
Nova Scotia Utility and Review Board
Rules of Practice and Procedure
Respecting *Municipal Government Act* Proceedings

1 These Rules are made pursuant to **Section 12** of the *Utility and Review Board Act* and apply to appeals and applications under the *Municipal Government Act*.

Short title and object

2 (1) These Rules may be cited as the *Municipal Government Act Rules*.

(2) The object of these Rules is to secure the just, speedy and economic determination of every appeal or application.

Definitions

3 In these Rules:

- (a) "Act" means the *Municipal Government Act*;
- (b) "agent" means a person who has been lawfully authorized to act on behalf of an Applicant or an Appellant;
- (c) "Board" means the Nova Scotia Utility and Review Board;
- (d) "Clerk" means the Clerk of the Board;
- (e) "decision" includes a refusal, failure or neglect to make the decision sought;
- (f) "holiday" means Saturday or a holiday as defined in the *Interpretation Act*, s. 7(1)(j);
- (g) "person" includes an unincorporated organization, a corporation and the heirs, executors, administrators or other legal representatives of a person;
- (h) "proceeding" includes any application, appeal, matter or thing that the Board has jurisdiction to hear or determine under the Act;
- (i) "written evidence" includes reports, documents, letters, appraisals, hard copies of overhead projection sheets, calculations and other data which a party intends to present as evidence at the hearing or pre-hearing;
- (j) "visual evidence" includes photographs, maps, audio tapes, videos, charts, models, overlays and computer-generated images which a party intends to present as evidence at the hearing or pre-hearing.

General

- 4 (1)** Where procedures are not provided for in these Rules or in an enactment, the Board may do whatever is necessary and permitted by law to enable it to effectively and completely adjudicate on the matter before it.
- (2)** The Board may dispense with, amend, vary or supplement, with or without a hearing, all or part of these Rules at any time by making a procedural order, if it is satisfied that the special circumstances of the appeal or application so require, or it is in the public interest to do so.

- (3) The Board may make directions on procedure and procedural orders which shall govern the conduct of a specific appeal or application.
- (4) The Board may extend or abridge the time fixed by these Rules or otherwise fixed by the Board, and may do so of its own initiative or in response to a motion by any party whether or not the motion to extend or abridge the time is made after the time so fixed has expired.
- (5) Unless otherwise specified, where these Rules or a Board order make reference to the number of days between two events, not expressed to be clear days, the number of days shall be calculated by excluding the day on which the first event happens and including the day on which the second event happens. If the last day falls on a day the Board offices are closed, the time shall automatically be extended to the next business day.
- (6) No appeal or application before the Board shall be defeated or affected by any technical objection or by any objection based upon defects in form or procedure.

Filing of notice of appeal, application or other documents

- 5 (1) Any Notice of Appeal, application or other document to be filed with the Board shall be filed with the Clerk.
- (2) A Notice of Appeal or application shall be in writing and shall be signed by the Appellant, the Applicant, or the agent or solicitor acting on their behalf.
 - (3) Any document to be filed with the Board, including a Notice of Appeal or application, shall be filed with the Clerk by any of the following methods:
 - (a) delivering a copy to the Clerk at the Board's office;
 - (b) mailing a copy to the Clerk;
 - (c) transmitting a copy to the Clerk via fax or e-mail; or
 - (d) such other manner as the Board may determine.
 - (4) A Notice of Appeal under the Act must be filed with the Board within 14 days after the date prescribed in s. 249 of the Act, except when the 14th day falls on a holiday, in which case the Notice of Appeal must be filed with the Board on the next day that is not a holiday. (The date of filing of a Notice of Appeal has been interpreted as the date, up to midnight, that the document is actually received by the Board (not the date it is sent), and that the Board has no power to grant extensions).
 - (5) All documents filed shall be date stamped by the Board and any document, other than a Notice of Appeal or other document the filing of which is required by the Act, filed with the Board after 4:00 p.m. or on a holiday shall be considered to have been filed on the next working day.
 - (6) In all cases where documentary evidence is offered, the Board, in lieu of requiring the originals thereof to be filed, may accept true copies of such evidence or such parts of the same as may be relevant, or may require such evidence to be transcribed as part of the record.
 - (7) When a document is filed with or served on the Board by e-mail transmission, a hard copy or fax of the document shall be provided to the Board within three days thereafter.
 - (8) When a document is filed with or served on the Board by e-mail transmission or fax, the sender shall obtain an acknowledgement from the Clerk of its receipt.

Service of documents

- 6 (1) Where any document is required to be served on another person, service shall be effected by any of the following methods:
- (a) personal service upon the person;
 - (b) delivering a copy to the person's proper address;
 - (c) sending a copy by ordinary mail addressed to the person at his or her proper address;
 - (d) transmitting a copy to the person via fax or e-mail, where the person has provided a fax number or e-mail address; or
 - (e) such other manner as the Board may determine.
- (2) Where a person has indicated that he or she shall be represented by an agent or counsel, service of a document, including a Notice of Appeal, shall be effected upon that person's agent or counsel by any of the methods listed in subsection (1).
- (3) Service of any document, including a Notice of Appeal or application, may be proved by affidavit, oral testimony, or both.
- (4) When a document is served on a person by e-mail transmission, a hard copy or fax of the document shall be provided within a reasonable period thereafter if requested by the recipient.

Confidential documents

- 7 (1) Subject to subsection (2), all documents filed in respect of an appeal or application shall be placed on the public record.
- (2) A party may request that all or any part of the document be held in confidence by the Board, which request shall be placed on the public record.
- (3) The burden of satisfying the Board that a document should be held in confidence is on the party claiming confidentiality.
- (4) Any request for confidentiality shall:
- (a) include a summary of the nature of the information in the document;
 - (b) state:
 - (i) the reasons for the request, including the details of the nature and extent of the specific harm that would result if the document were publicly disclosed, and
 - (ii) any objection to placing an abridged version of the document on the public record, and the reasons for such an objection; and
 - (c) be filed with the Board and served on the parties.
- (5) Where a party has made a request under subsection (2), the document shall be held in confidence unless the Board orders otherwise.
- (6) A party may object to a request for confidentiality by filing an objection and serving the objection on the parties.

- (7) An objection shall state the reasons:
 - (a) why the party requires disclosure of the document; and
 - (b) why disclosure would be in the public interest.
- (8) The party claiming confidentiality will have an opportunity to reply to any objection.
- (9) The Board may decide the issue with or without a hearing. Where the Board holds a hearing, the Board may direct that the hearing be held in the absence of the public.
- (10) In ruling on a request for confidentiality the Board shall consider:
 - (a) whether the document may disclose matters involving public security;
 - (b) whether the document may disclose sensitive financial, commercial or personal matters in relation to which the desirability of avoiding disclosure in the interest of any person affected outweighs the desirability of adhering to the principle that documents be available to the public; or
 - (c) such other matters as the Board deems appropriate.
- (11) The Board may:
 - (a) order that the document be held in confidence by the Board;
 - (b) order that the document be placed on the public record;
 - (c) order that an abridged version of the document be placed on the public record;
 - (d) order that the document be made available to a party to the proceeding, who has a good faith interest in accessing the confidential information and who would not otherwise be in conflict of interest, on such terms as the Board considers appropriate, including the signing of a confidentiality undertaking in a form approved by the Board;
 - (e) order that the document be withdrawn; and
 - (f) make any other order the Board may deem to be in the public interest.
- (12) Where the Board rejects a claim for confidentiality, the party claiming confidentiality may, within seven (7) days of receiving the Board's ruling, or such other time as the Board may allow, notify the Board in writing that:
 - (a) if the party has filed an appeal or application, the appeal or application is withdrawn; or
 - (b) if the party is an intervenor, the intervention is withdrawn.
- (13) Where a party provides written notice to the Board pursuant to subsection (12), if the document is on file with the Board, the Board shall immediately return the documents for which confidentiality was claimed.

Amendment of documents

- 8 Subject to subsection (2), a document received by the Board may be amended at any time with leave of the Board.

9 A Notice of Appeal may not be amended for the purpose of adding Appellants.

Admission of facts

10 (1) The parties to any proceeding before the Board may, by admission in writing filed with the Board, agree upon the facts or any of the facts involved therein, which admission, if filed, shall be regarded and used as evidence at the hearing.

(2) The Board may require such additional evidence as it may deem necessary.

Preliminary hearings

11 (1) In any appeal or application, the Board may, on its own initiative or at the request of any party, hold a preliminary hearing to deal with any matter that may aid in the disposition of the hearing, including to:

- (a) consider any preliminary motion for an order dismissing the appeal or application on the grounds that the Board lacks jurisdiction to hear the appeal or application, that an appellant is not an aggrieved person, that a Notice of Appeal was filed too late, or for other reasons that may appear;
- (b) determine any question as to the admissibility of any evidence;
- (c) clarify or simplify the issues;
- (d) consider the necessity or desirability of an amendment to the Notice of Appeal, application, or any other document;
- (e) consider the participation by interested persons;
- (f) consider a request for access to information in the custody or control of any party;
- (g) consider the possibility of obtaining agreements to facts and to documents that will avoid unnecessary proof;
- (h) fix dates for the hearing and for any procedural steps to be completed by the parties;
- (i) make any directions for the pre-filing of witness lists or expert witness statements and reports (except as otherwise provided for in these Rules), or direct further disclosure where necessary;
- (j) determine issues of confidentiality, including any need to hold a part of the hearing in the absence of the public, or to seal documents.

(2) Unless otherwise ordered by the Board, it shall not be necessary to give notice of a preliminary hearing by advertisement in a newspaper.

(3) Following the preliminary hearing, the Board may make an order giving such directions as the Board deems advisable.

(4) The Board member who presides at a preliminary hearing shall not be deemed to be seized of the appeal or application, and any subsequent hearing related to the appeal or application may be heard by that member or any other member.

(5) Where a party intends to request dismissal of an appeal or application pursuant to subsection (1)(a) herein, the party shall seek a preliminary hearing to deal with the issue.

- (6) Where a party requests a preliminary hearing to seek an order, including an order relating to subsection (1)(a), and intends to present written or visual evidence at that preliminary hearing in support of the granting of that order, the party shall provide a copy of such evidence to any other party and to the Board, not less than five business days before the preliminary hearing. Any other party, who intends to present written or visual evidence at the preliminary hearing, shall provide a copy of such evidence to all other parties, and to the Board, not less than one business day prior to the preliminary hearing.
- (7) Notwithstanding subsection (6), where a preliminary hearing is convened to determine whether an appellant is an aggrieved person, the person seeking standing as an aggrieved person shall first file the written or visual evidence sought to be relied upon at the preliminary hearing.

Disclosure of evidence before hearing**12** Subject to Rule 13,

- (1) An Appellant, or a party who filed an application, who intends to present written or visual evidence at a hearing shall provide a copy of such evidence to all other parties and to the Board, as directed by the Hearing Order referred to in Rule 14(4).
- (2) Any other party who intends to present written or visual evidence at a hearing shall provide a copy of such evidence to all other parties and to the Board, as directed by the Hearing Order referred to in Rule 14(4).
- (3) Evidence so disclosed will be considered to be evidence before the Board, unless a party objects.

Disclosure of expert reports**13** Notwithstanding Rule 12,

- (1) Unless a copy of a report containing the full opinion of an expert, including the essential facts on which the opinion is based, a summary of the expert's qualifications, and a summary of the grounds for each opinion expressed, has been served on each party and filed with the Board, as directed by the Hearing Order referred to in Rule 14(4), the evidence of the expert shall not be admissible at the hearing without leave of the Board.
- (2) If the report of an expert does not comply with the requirements of subsection (1), the Board may, on the application of another party, make an order requiring the party providing the report to comply with that subsection.
- (3) Where a copy of the report has been filed and delivered as provided in subsection (1), the expert shall be required to attend at the hearing unless all other parties give notice that they do not require the attendance of the expert at the hearing, which notice shall be given as soon as is reasonably possible.

Hearing date

- 14** (1) The Clerk, in consultation with the parties, shall attempt to set a date for the hearing of the appeal or application.
- (2) Where the parties cannot reach agreement as to a date, the Chair shall set a date for the hearing.
- (3) The Clerk shall notify the parties of the date of the hearing.
- (4) The Board may issue a Hearing Order setting the date for the hearing and containing directions on disclosure and procedure.

Hearings

- 15** (1) Hearings may be conducted in an informal manner and need not follow the strict rules of practice and procedure required in a court of law.
- (2) The Board may, at its discretion, conduct a hearing or preliminary hearing in person, in writing or by teleconference, video conference or by any other electronic means.
- (3) At the hearing of an appeal or application, the Appellant or Applicant shall present its evidence first, and after the evidence of all other parties is given, shall have the right to reply.
- (4) A party may call and examine witnesses, cross-examine opposing witnesses and present arguments and submissions.
- (5) The Board may receive in evidence any statement, document, information or matter that, in the opinion of the Board, may assist it to deal with the matter before the Board whether or not the statement, document, information or matter is given or produced under oath or would be admissible as evidence in a court of law.
- (6) A party may be represented before the Board by counsel or an agent.
- (7) A hearing may be adjourned from time to time by the Board on reasonable grounds on its own motion or at the request of any party.
- (8) The Board, whenever it deems it desirable, may require briefs to be filed by the parties within such time as the Board may prescribe.

Informal settlement conference

- 16** (1) The Board may, on its own motion or at the request of any party, hold an Informal Settlement Conference in relation to any appeal or application.
- (2) An Informal Settlement Conference will be presided over by a Board member (the “Presiding Board Member”), and shall be subject to the following provisions:
- (a) participation by a party is voluntary;
- (b) the parties may attend the Informal Settlement Conference with, or without, legal counsel; or
- (c) when a party is represented by legal counsel, however, that legal counsel must, unless the Board otherwise directs, participate in the Informal Settlement Conference.
- (3) In the course of the Informal Settlement Conference, the Presiding Board Member may offer opinions to the parties about the likely outcome, in the view of that member, if the appeal or application proceeds to a hearing on the merits, and alternative procedures which may be available to the parties.
- (4) The Informal Settlement Conference will be confidential. Any information or documents provided or exchanged during the Conference, and any suggestion for resolution of the issues, or any offer to settle, made during the Conference, shall remain confidential, and not be disclosed in evidence in the present or any subsequent proceeding, nor be placed in the Board file, unless the party who provided the information or document, or who made the suggestion or offer, consents to such disclosure and to the manner of such disclosure.

- (5) Any notes made by the Presiding Board Member during the Informal Settlement Conference will remain confidential, and will not be released to any person or admitted into evidence in any proceeding.
- (6) The Presiding Board Member may not participate in the hearing of the appeal or application, unless otherwise requested by all parties involved in the Informal Settlement Conference.
- (7)
 - (a) An agreement between the parties may, depending upon the circumstances of the particular proceeding, and the nature of the proceeding itself, include:
 - (i) withdrawal of an appeal or application,
 - (ii) withdrawal of opposition to an appeal or application,
 - (iii) agreement between the parties as to certain facts,
 - (iv) agreement between the parties that certain issues are to be included, or excluded, from the hearing on the merits, or
 - (v) such other agreement between the parties as the Board finds acceptable;
 - (b) If, as a result of the Informal Settlement Conference, the parties are able to reach agreement with respect to certain matters, but not with respect to others, the Presiding Board Member may prepare a statement summarizing the points of agreement and disagreement, which will be distributed to the parties, and thereafter (with the consent of the parties) placed in the Board file for the information of the Board member or members who may eventually conduct a hearing on the merits with respect to the remaining issues.
- (8) If, as a result of the Informal Settlement Conference, an agreement is reached between the parties with respect to all or any of the issues, procedural or substantive, in the appeal or application, and the parties agree that an order of the Board may be appropriate in relation to that agreement, then the Presiding Board Member may take appropriate action, including:
 - (i) making an order to implement any matter agreed upon between the parties;
 - (ii) holding a hearing, with the consent of all parties, immediately or otherwise; or
 - (iii) scheduling a hearing, with the consent of all parties, to be held by another Board member, to consider any issues relating to the public interest or requirements of the governing legislation, including notice to possible intervenors, before issuing any order which implements such agreement.

Audio and video recording of hearings

- 17 (1) Audio and video recording of an oral or electronic hearing which is open to the public may be permitted on conditions the Board considers appropriate.
- (2) The Board may refuse to permit the recording of all or any part of an oral or electronic hearing if, in the opinion of the Board, such coverage would inhibit specific witnesses or disrupt the proceeding in any way.
- (3) Where recording is allowed, the following shall apply unless otherwise directed by the Board:
 - (a) only equipment which does not produce distracting sound or light shall be used;

- (b) where possible, existing audio systems present in the hearing room shall be used;
- (c) media personnel shall not move about while the hearing is in progress; and
- (d) equipment shall be positioned unobtrusively before the hearing begins and shall not be relocated while the hearing is in progress.

Subpoenas

- 18** (1) At the request of a party, the Board may issue a subpoena, which shall be signed by the Clerk and sealed with the Board's seal.
- (2) A subpoena issued pursuant to subsection (1) shall be issued in the form prescribed by the Board and may set out the names of any number of persons required to appear before the Board.
- (3) No person served with a subpoena is required to appear before the Board pursuant to the subpoena unless the person has been paid or tendered conduct money in an amount sufficient to cover the person's reasonable fees and traveling expenses as fixed by the Board from time to time.
- (4) A subpoena shall be served personally on the person to whom it is directed at least two clear business days before the date on which the person is to appear.

Destruction of exhibits

- 19** (1) A person who has submitted exhibits to the Board may request that the Board return the exhibits.
- (2) The Board, at the end of six months from the date of the final order in the proceedings, provided no appeal or judicial review has been commenced within that time, may return requested exhibits and may destroy any remaining exhibits.

Costs

20 Costs shall be governed by the Board's **Cost Rules** and **Section 250A(6)** and **(7)** of the Act.

Planning appeals

- 21** (1) A planning appeal to the Board under **Section 247** of the Act shall be by notice in writing and shall contain:
- (a) the name of the Appellant;
 - (b) the name of the person making the decision;
 - (c) the date of the decision;
 - (d) the date that public notification of the decision was given; or the date on which written notice of the decision was received; or the date on which the decision is deemed to have been refused;
 - (e) a brief summary of the decision or a copy of the decision;
 - (f) the address of the Appellant or the name and address of an individual upon whom documents or notices relating to the appeal may be served;
 - (g) a phone number at which the Appellant or the individual referred to in paragraph (f) may be reached during normal business hours and a fax number, if available;

- (h) reasons for appealing.
- (2) A Notice of Appeal may be in Form A (for an appeal from the decision of a municipal council) or Form B (for an appeal from the decision of a development officer).
- 22 (1) A Notice of Appeal shall be accompanied by the written undertaking of the Appellant, his solicitor, or his agent, agreeing to pay the costs of advertising the Notice of Public Hearing for the appeal, and agreeing to keep the list of names and addresses of assessed owners, which will be provided, confidential, and not to disclose it to any person, nor use it for any purpose, not related to the planning appeal.
- (2) Where a Notice of Appeal filed with the Board is not accompanied by the required written undertaking, the Board may extend the time for filing such undertaking, provided however that such extension of the time shall not exceed 7 days from the date of filing the Notice of Appeal.
- (3) Failure by the Appellant, his solicitor, or his agent to file the written undertaking shall not preclude the Board from setting the appeal down for hearing, advertising the Notice of Public Hearing, and thereafter recovering the cost of such advertisement from the Appellant.
- 23 When more than one Notice of Appeal is filed with the Board, arising out of the same decision, or affecting the same matter, the Board may require the several Appellants, or their solicitors or agents, to file a joint undertaking agreeing to pay the cost of advertising a Notice of Public Hearing, and agreeing to keep the list of names and addresses of assessed owners, which will be provided, confidential, and not to disclose it to any person, nor use it for any purpose, not related to the planning appeal.
- 24 (1) Pursuant to s. 250A(1) of the Act, the municipality which is responsible for the decision which is the subject of the appeal shall, within 14 business days of being notified by the Board of the filing of the Notice of Appeal, file with the Clerk and with any other party, the complete Appeal Record and the relevant Municipal Planning Strategy, Land Use By-law, Zoning By-law, Subdivision By-law or Subdivision Regulations.
- (2) An Appeal Record shall consist of the following:
- (a) a table of contents;
 - (b) the application;
 - (c) the decision under appeal;
 - (d) a copy of the advertisements for any public hearing held relating to the subject of the appeal;
 - (e) a copy of the minutes of any public hearing respecting the subject of the appeal;
 - (f) a copy of the minutes of any council meeting at which the subject of the appeal was discussed;
 - (g) a copy of any report, letter, submission, recommendation or other matter respecting the subject of the appeal which was submitted to or was considered by council or the Development Officer, excluding any legal opinion prepared for the municipality for which privilege is claimed;
 - (h) a copy of the publication of the notice of the decision; or a copy of the written notice which was sent to the Applicant.
- (3) The pages of the Appeal Record shall be numbered.

- (4) Nothing in this section shall be deemed to prejudice the right of any party to inspect and obtain copies of any documents prior to the time that the Appeal Record is to be filed.
 - (5) In the case of an appeal from a decision of the Provincial Director of Planning or a Provincial Development Officer, the Appeal Record shall be prepared and filed by the Provincial Director of Planning or the Provincial Development Officer who made the decision.
- 25
- (1) Upon receipt of the Notice of Appeal, the Clerk shall schedule a preliminary hearing to be held within 14 business days.
 - (2) The Clerk shall publish in the newspaper a Notice of Public Hearing advising the public that a Notice of Appeal has been filed with the Board, and advising that any aggrieved person has the right to intervene and participate in the public hearing.
 - (3) Upon receipt of a list of assessed owners from the Clerk, the Appellant shall, within three business days, serve a copy of the Notice of Public Hearing on all assessed owners of land within a distance of 500 feet of the property which is the subject of the appeal.
 - (4) The Board may require the Appellant to serve such other persons as the Board determines with a copy of the Notice of Public Hearing.
 - (5) Any aggrieved person wishing to intervene in the public hearing shall file a notice with the Board advising of his or her intention to participate in the hearing.
- 26
- (1) Pursuant to **s. 250A(2)** of the Act, a hearing must begin within 45 days from the filing of the Appeal Record unless the Board determines that it is necessary for the interests of justice for the hearing to begin at some later time or unless all the parties agree that the hearing may begin at some later time.
 - (2) In the event that the Board directs the filing of post-hearing written submissions, such submissions must be filed with the Board, pursuant to **s. 250A(5)** of the Act, within 14 days after the close of the hearing unless the Board determines that it is necessary for the interests of justice for such submissions to be submitted at some later time or unless all the parties agree that the submissions may be filed at some later time.
 - (3) Pursuant to **s. 250A(3)** of the Act, the Board shall render its decision within 60 days after the close of submissions by the parties, unless the Board otherwise states at the close of the hearing or unless it is necessary for the interests of justice.

Municipal boundaries

- 27 (1) An application under **Section 368 or 369** of the Act by a municipality which has been divided into polling districts shall contain the following information:
- (a) a list of the polling districts in the municipality and the number of councillors elected from each;
 - (b) a brief description of each polling district, including the names of the larger communities, its geographic size, any relevant geographic features, and any factors which establish a particular community of interest in the polling district;
 - (c) the latest available population statistics for the municipality and for each polling district;
 - (d) a table which shows the following information from the most recent municipal election:
 - (i) the number of electors in each polling district,

- (ii) the total number of electors in the municipality,
 - (iii) the percentage of the total number of electors in each polling district,
 - (iv) the average number of electors per councillor for the municipality,
 - (v) the number of electors per councillor for each polling district, and the number by which it exceeds or is less than the average number of electors per councillor,
 - (vi) the number expressed as a percentage by which the number of electors per councillor in each polling district exceeds or is less than the average number of electors per councillor;
- (2) Where the application is to confirm the number and boundaries of the existing polling districts and the number of councillors to be elected therefrom, it shall contain the reasons why the status quo should continue.
 - (3) Where the application is to change the number or boundaries of the polling districts or the number of councillors elected therefrom, or both, it shall contain an outline of the proposed changes, reasons for the changes, a table similar to that referred to in subsection (1)(d) which shows an estimate of the elector statistics which will result if the change is approved.
 - (4) The application shall be signed by the mayor/warden and the clerk of the municipality and shall be accompanied by a copy of the resolution of council authorizing or directing the making of the application, certified by the Clerk of the municipality to be a true copy of the resolution.
 - (5) An application may be in Form C.
- 28 (1) An application under **Section 368** or **369** of the Act by a town which has not been divided into wards or polling districts shall contain the following information:
- (a) the number of councillors;
 - (b) the geographic size of the town;
 - (c) the latest available population statistics for the town;
 - (d) the total number of electors in the most recent municipal election.
- (2) Where the application is to confirm the number of councillors, it shall contain the reasons why the status quo should continue.
 - (3) Where the application is to change the number of councillors, it shall contain an outline of the proposed changes and the reasons for the proposed changes.
 - (4) The application shall be signed by the mayor and the clerk of the town and shall be accompanied by a copy of the resolution of council authorizing or directing the making of the application, certified by the Clerk of the town to be a true copy of the resolution.
 - (5) An application may be in Form D.
- 29 (1) Every application shall be accompanied by:
- (a) a copy of any advertisement soliciting input from the public in conducting the study;

- (b) a copy of the Minutes of any council meeting and public hearing respecting the study or application;
- (c) a map showing the boundaries of the existing polling districts;
- (d) a description of the boundaries of the existing polling districts;
- (e) where the application is to change the number or boundaries of the polling districts, a map showing the boundaries of the proposed polling districts and a description of the boundaries of the proposed polling districts;
- (f) such additional information as Council determines.

(2) Where an application under **Section 358** (amalgamation or annexation), **Section 368** (polling districts), **Section 368** (incorporation of a town) or **Section 394** (dissolution of a town) of the Act is made by a party other than a municipality or a town, the application shall contain, to the extent possible, the information outlined in Rules 27, 28 and 29(1) above, including Forms C and D, depending upon the nature of the application.

30 These **Municipal Government Act Rules** shall take effect upon proclamation of an *Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, S.N.S. 2008, c. 25, and shall only apply to appeals filed on or after the said proclamation date.

These **Municipal Government Act Rules** were made by the Nova Scotia Utility and Review Board at a Board meeting held on the 9th day of July, 2008 and replace and ~~supercede~~ [supersede] other outstanding **Municipal Government Act Rules**.

signed: *Elaine Wagner*
 Clerk of the Board

Form A

NSUARB-

Nova Scotia Utility and Review Board

In the matter of: An Appeal under **Section 247** of the *Municipal Government Act*

Notice of Planning Appeal

Take notice that _____
 (State Name(s) of Person(s) Appealing)

appeal from a decision made by _____
 (Municipal Council)

on _____ respecting property located at _____
 (date)

in the County of _____, which decision states (or attach a copy of the decision):

Notice of the decision was published in the newspaper on _____
 (date)

Section 250(1) of the *Municipal Government Act* provides that an aggrieved person or an applicant may only appeal on the grounds that the decision “does not reasonably carry out the intent of the municipal planning strategy”.

Specify each policy of the MPS which you allege council has not reasonably carried out the intent of and briefly describe how they have failed to do so: _____

(Attach additional pages if necessary)

Dated at _____, Nova Scotia this ____ day of _____, _____.

Appellant, Solicitor or Agent

Mailing Address:

(Street)

(City, Province)

(Postal Code)

Home Phone: _____
Work Phone: _____
Fax Number: _____
E-Mail Address: _____

Undertaking

The Appellant(s) hereby agrees to pay the costs of any advertising of the Notice of Public Hearing for the Appeal, and further undertakes to keep the list of names and addresses of assessed owners, which will be provided, confidential, and not disclose it to any person, nor use it for any purpose, not related to this planning appeal.

(Signature)

Form B

NSUARB-

Nova Scotia Utility and Review Board

In the matter of: An Appeal under **Section 247** of the *Municipal Government Act*

Notice of Planning Appeal

Take notice that _____
(State Name(s) of Person(s) Appealing)

appeal from a decision made by _____
(Name of Development Officer)

on _____ respecting property located at _____
(date)

in the County of _____, which decision states (or attach a copy of the decision):

Written notice of the decision was received on _____
(date)

Section 250(2) of the *Municipal Government Act* provides that an applicant may only appeal a refusal to issue a development permit on the grounds that the decision of the development officer does not comply with the land-use by-law or a development agreement.

Describe how the decision of the development officer fails to comply with the land-use by-law or the development agreement: _____

(Attach additional pages if necessary)

Dated at _____, Nova Scotia this ____ day of _____, _____.

Appellant, Solicitor or Agent

Mailing Address:

(Street)

(City, Province)

(Postal Code)

Home Phone: _____
Work Phone: _____
Fax Number: _____
E-Mail Address: _____

Undertaking

The Appellant(s) hereby agrees to pay the costs of any advertising of the Notice of Public Hearing for the Appeal, and further undertakes to keep the list of names and addresses of assessed owners, which will be provided, confidential, and not disclose it to any person, nor use it for any purpose, not related to this planning appeal.

(Signature)

Form C

NSUARB

Nova Scotia Utility and Review Board

IN THE MATTER OF: An **application** pursuant to **section 368 or 369** of the *Municipal Government Act*,

The Council of the Municipality of
makes application to the Nova Scotia Utility and Review Board to

- confirm the number and boundaries of polling districts
- confirm the number of councillors
- alter the number and boundaries of polling districts
- alter the number of councillors

- 1 There are at present _____ polling districts in the Municipality and _____ Councillors.
- 2 The following is a brief outline of each polling district in the Municipality, including the names of the larger communities, the geographic size, any relevant geographic features, and any factors which establish a particular community of interest in the polling district:

Polling District 1:

- 3 The latest population statistics for the Municipality are as follows:

Polling District

Population

TOTAL:

- 4 The following table shows the results from the last municipal election which was held on

_____/_____/_____
m d y

Polling District	Number of Electors	% of Total Electors	Variation from the Average Number of Voters	
			#	%

Total Number of Electors:
Total Number of Councillors:
Average Number of Electors per Councillor:

5 The number and boundaries of the polling districts and the number of councillors elected therefrom should be confirmed for the following reasons:

OR

- 5 a) The following changes to the number and boundaries of the polling districts and the number of councillors to be elected therefrom are proposed:
- b) The reasons for these proposed changes are as follows:
- c) The following table shows an estimate of the voter statistics which will result if the changes are approved by the Board:

Polling District	Number of Electors	% of Total Electors	Variation from the Average Number of Voters	
			#	%

Total Number of Electors:
 Total Number of Councillors:
 Average Number of Electors per Councillor:

Dated at _____)
 County of _____)
 this ____ day of _____,)
 _____)
)
)
)
 _____ Mayor / Warden
 _____ Clerk

Form D

NSUARB

Nova Scotia Utility and Review Board

In the matter of: An application pursuant to section 368 or 369 of the *Municipal Government Act* for use by TOWNS which do not have polling districts or wards

The Council of the Town of _____ makes application to the Nova Scotia Utility and Review Board to

- confirm the number of councillors
- alter the number of councillors

- 1 There are at present _____ Councillors in the town.
- 2 The geographic size of the town is _____
- 3 The latest population statistics for the town are _____
- 4 The number of electors from the last municipal election which was held on _____ are _____
month day year
- 5 The number of councillors elected should be confirmed for the following reasons:

OR

- 5 a) The following changes to the number of councillors to be elected are proposed:
- b) The reasons for these proposed changes are as follows:

Dated at _____)
 County of _____)
 this _____ day of _____,)
 _____)
)
)
)
)

 Mayor

 Clerk

N.S. Reg. 323/2008

Made: July 10, 2008

Filed: July 14, 2008

Municipal Elections Act Forms

Order dated July 10, 2008
amendment made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 167 of the *Municipal Elections Act*

In the Matter of Section 167 of the *Municipal Elections Act***- and -****In the Matter of an amendment to the Regulations Respecting
*Municipal Elections Act Forms*****Order**

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations, pursuant to Section 167 of Chapter 300 of the Revised Statutes of Nova Scotia, 1989, the *Municipal Elections Act*, hereby amend the regulations prescribing *Municipal Elections Act* forms, N.S. Reg. 87/97 [84/97], made by the Minister of Housing and Municipal Affairs on July 2, 1997, and approved by the Governor in Council by Order in Council 97-469 dated July 15, 1997, in the manner set forth in the attached Schedule "A", effective on and after the date of this order.

Made at Halifax, Nova Scotia, on July 10th, 2008.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"**Amendment to the Regulations Prescribing *Municipal Elections Act* Forms
Made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 167 of Chapter 300 of the Revised Statutes
of Nova Scotia, 1989, the *Municipal Elections Act***

The regulations prescribing *Municipal Elections Act* forms, N.S. Reg. 87/97 [84/97], approved by the Governor in Council by Order in Council 97-469 dated July 15, 1997, are amended by

- (a) repealing Form 11A and substituting Form 11A as attached;
- (b) repealing Form 11C and substituting Form 11C as attached;
- (c) repealing Form 20 and substituting Form 20 as attached;
- (d) repealing Form 23A;
- (e) repealing Form 30 and substituting Form 30 as attached;
- (f) repealing Form 31A and substituting Form 31A as attached.

Form 11A
Section 44
Nomination Paper

(District Member, Regional School Board, District No. _____)

We, the qualified electors whose names appear on the final list of electors of the Town/Municipality/Regional Municipality of _____, nominate _____

(name)

of _____ include
(civic address) (postal code)

mailing address if different than civic address _____
(mailing address (if necessary))

as a candidate for the office of member of the regional school board for the election to be held on the _____ day of _____, _____.

Name (please print) Civic Address Municipality

Signature

Name (please print) Civic Address Municipality

Signature

Name (please print) Civic Address Municipality

Signature

Name (please print) Civic Address Municipality

Signature

Name (please print) Civic Address Municipality

Signature

(Note: these electors must be qualified to vote at the election of the school board candidate.)

Note: Nomination forms are open for inspection by the public once signed by the Returning Officer.

.....

**Consent and Oath or
Affirmation of Candidate**

I solemnly swear (or affirm) that:

1. I (He/She), _____, consent(s) to the nomination.
(name as it should appear on the ballot paper)
2. I am (He/She is) a Canadian citizen.
3. I am (He/She is) of the full age of eighteen years.
4. I have (He/She has) been ordinarily resident in the school region for a period of six months preceding nomination day, and continue(s) to so reside.
5. I have (He/She has) not been convicted of any corrupt practice or bribery under the *Municipal Elections Act* within the ten years preceding nomination day.
6. I have (He/She has) not been convicted of an offence referred to in Section 46 of the *Education Act*.
7. I have (He/She has) read the sections of the *Municipal Elections Act* and the *Education Act* related to persons disqualified to vote, to be nominated or to serve on a school board and none of the reasons for disqualification listed in those sections apply to me (him/her).
8. I (He/She) will accept the office of district member of the Regional School Board if elected.
9. I appoint (He/She) appoints _____ of _____ as my (his/her) official agent under the *Municipal Elections Act*.

Sworn (or affirmed) at _____
in the County of _____
this _____ day of _____,
_____, before me

(see Section 146)

Candidate (or Agent if authorized
and the authorization is attached)

Receipt

Received from the above-named candidate or from his/her agent on his/her behalf a completed nomination paper and the sum of _____ in legal tender or a certified cheque or money order made payable to the Town/Municipality/Regional Municipality of _____ as a deposit pursuant to the *Municipal Elections Act*.

Dated at _____ this _____ day of _____.

Returning Officer

Form 11C

Section 44

Section 42A, Education Act
Nomination Paper

(African Nova Scotian Member of Regional School Board)

We, the qualified electors whose names appear on the final list of electors for the municipality shown opposite each name, nominate: _____ of _____,
(name) *(civic address)*
_____, _____, include mailing address if different than civic address _____
(postal code)

_____ as a candidate for the office of African Nova Scotian
(mailing address (if necessary))
member of the Regional School Board for the election to be held on the ___ day of _____, ____ .

(Note: Nominators to sign below and also to sign "Statement of Nominators".)

Note: Nomination forms are open for inspection by the public once signed by the Returning Officer.

Name (please print)	Civic Address	Municipality
_____	_____	_____
		_____ Signature

Name (please print)	Civic Address	Municipality
_____	_____	_____
		_____ Signature

Name (please print)	Civic Address	Municipality
_____	_____	_____
		_____ Signature

Name (please print)	Civic Address	Municipality
_____	_____	_____
		_____ Signature

Name (please print)	Civic Address	Municipality
_____	_____	_____
		_____ Signature

(Note: these electors must be qualified to vote at the election of the school board member.)

Statement of Nominators

Under the *Education Act*, only an “African Nova Scotian elector” may nominate a candidate for election as the African Nova Scotian member of a school board.

Under the *Education Act*, an “African Nova Scotian elector” is defined to mean a person who is qualified to vote in an election of a school board AND

- (a) who is an African Nova Scotian or a black person, OR
- (b) who is the parent of an African Nova Scotian or a black person.

I state that I am an “African Nova Scotian elector” within the meaning of this definition.

Name (Please Print)

Signature

Name (Please Print)

Signature

Name (Please Print)

Signature

Name (Please Print)

Signature

Name (Please Print)

Signature

Consent and Oath or Affirmation of Candidate

I swear (or solemnly affirm) that:

1. I (He/She), _____, consent(s) to the nomination.
(name as it should appear on the ballot paper)
2. I am (He/She is) a Canadian citizen.
3. I am (He/She is) of the full age of eighteen years.
4. I have (He/She has) been ordinarily resident in the School Region for a period of six months preceding nomination day, and continue(s) to so reside.
5. Under the *Education Act* an “African Nova Scotian” is defined to mean a person who is an African Nova Scotian or a black person. I state that I am an “African Nova Scotian” within the meaning of this definition.
6. I have (He/She has) not been convicted of any corrupt practice or bribery under the *Municipal Elections Act* within the ten years preceding nomination day.

Form 20
Section 73
Transfer Certificate
(Polling District)

I certify that the voter named below is entitled under Section 73 of the *Municipal Elections Act* to a transfer certificate permitting him/her to transfer his/her vote from Polling Station Number _____ in Polling District Number _____ to Polling Station Number _____ in Polling District Number _____, and I grant this certificate so authorizing him/her to vote for the election of

(specify mayor, councillor(s), regional school board member(s), CSAP, plebiscite)

Name of Elector

Address

Dated this _____ day of _____, _____.

Returning Officer or
Assistant Returning Officer

Note: Complete in Triplicate

Form 30
Section 94
Record of Poll

Order of Voting	No. on List of Electors/ Certificate of Eligibility	Name of Elector (Family Name First)	Address of Elector	Use a Check Mark													
				Voted for Mayor	Voted for Councillor	Voted for District Member Regional School Board	Voted for CSAP	Voted for African Nova Scotian Member, Regional School Board	Voted for Other	Sworn or Affirmed	Refused to Swear or Affirm	Transfer	Added	By Proxy	Remarks (e.g. form of oath taken)		

Form 31A

Section 98

**Oath or Affirmation of Elector Not on List of Electors
for Use When Elector Can Vote Only for
Regional School Board**

I swear (or solemnly affirm) that:

1. On this date I actually reside in Polling Division Number _____ of the Town/ Municipality/Regional Municipality of _____.
2. I have been ordinarily resident in the school region in which my polling division is located for a period of three months immediately preceding ordinary polling day in this election.
3. I have not voted before in this election at any other polling place and will not do so or attempt to do so.
4. I am a Canadian citizen and of the full age of eighteen years, or will be on ordinary polling day.
5. I am not the returning officer, a person serving a sentence in a penal or reform institution, or a person convicted of bribery under the *Municipal Elections Act* in the six years preceding ordinary polling day.

Name of Elector (Please Print)	Address of Elector	Elector's Date of Birth	Signature of Elector	Consents to name being added to Voters List*
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(* write yes or no)

Sworn (or affirmed) at _____
in the County of _____
this ____ day of _____, _____, before me

Deputy Returning Officer

The Voters List may be used in future municipal, provincial or federal elections.

(Date of Birth will be removed from final list of electors.)

N.S. Reg. 324/2008

Made: July 15, 2008

Filed: July 15, 2008

Proclamation, S. 3, S.N.S. 2008, c. 9

Order in Council 2008-377 dated July 15, 2008

Proclamation made by the Governor in Council

pursuant to Section 3 of

An Act to Declare Queens Soil to be the Provincial Soil of Nova Scotia

The Governor in Council on the report and recommendation of the Premier of Nova Scotia dated June 26, 2008, and pursuant to Section 3 of Chapter 9 of the Acts of 2008, *An Act to Declare Queens Soil to be the Provincial Soil of Nova Scotia*, is pleased to order and declare by proclamation that Chapter 9 of the Acts of 2008, *An Act to Declare Queens Soil to be the Provincial Soil of Nova Scotia*, do come into force on and not before July 15, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 9 of the Acts of 2008, *An Act to Declare Queens Soil to be the Provincial Soil of Nova Scotia*, it is enacted as follows:

- 3** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 9 of the Acts of 2008, *An Act to Declare Queens Soil to be the Provincial Soil of Nova Scotia*, do come into force on and not before July 15, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 9 of the Acts of 2008, *An Act to Declare Queens Soil to be the Provincial Soil of Nova Scotia*, do come into force on and not before July 15, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 15th day of July in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 325/2008

Made: July 15, 2008

Filed: July 15, 2008

Proclamation, S. 44(1), S.N.S. 2007, c. 9

Order in Council 2008-378 dated July 15, 2008
Proclamation made by the Governor in Council
pursuant to subsection 44(1) of the
Financial Measures (2007) Act

The Governor in Council on the report and recommendation of the Minister of Health and the Minister of Community Services dated June 19, 2008, and pursuant to subsection (1) of Section 44 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 11 and 12 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, which amends Chapter 203 of the Revised Statutes, 1989, the *Homes for Special Care Act*, do come into force on and not before July 15, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by subsection 44(1) of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, it is enacted as follows:

- 44 (1)** This Act, except Sections 4 to 7, 13 to 19, 21, 23, 25 to 27, 29, 30, 33 to 37, 39 and 41 to 43, come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 11 and 12 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, which amends Chapter 203 of the Revised Statutes, 1989, the *Homes for Special Care Act*, do come into force on and not before July 15, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 11 and 12 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, which amends Chapter 203 of the Revised Statutes, 1989, the *Homes for Special Care Act*, do come into force on and not before July 15, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 15th day of July in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 326/2008

Made: July 15, 2008

Filed: July 15, 2008

Proclamation, S. 3, S.N.S. 2008, c. 29

Order in Council 2008-379 dated July 15, 2008

Proclamation made by the Governor in Council

pursuant to Section 3 of

An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Seniors

The Governor in Council on the report and recommendation of the Minister of Seniors dated June 26, 2008, and pursuant to Section 3 of Chapter 29 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Seniors*, is pleased to order and declare by proclamation that Chapter 29 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Seniors*, do come into force on and not before July 15, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 29 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Seniors*, it is enacted as follows:

- 3 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 29 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Seniors*, do come into force on and not before July 15, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 29 of the Acts of 2009, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Seniors*, do come into force on and not before July 15, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 15th day of July in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 327/2008

Made: July 15, 2008

Filed: July 15, 2008

Employment Support and Income Assistance Regulations

Order in Council 2008-380 dated July 15, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated June 24, 2008, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, to increase the personal allowance for income assistance recipients in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 1, 2008.

Schedule "A"

**Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council under Section 21 of
Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act***

The *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, are amended by striking out the table immediately following the heading "Personal Allowance" in Appendix "A" and substituting the following table:

Adult	Dependent Child (under age 18)	Dependent Child (age 18 to 20 inclusive)
\$208	\$133	\$208

N.S. Reg. 328/2008

Made: July 15, 2008

Filed: July 15, 2008

Proclamation, S. 3, S.N.S. 2008, c. 30

Order in Council 2008-382 dated July 15, 2008

Proclamation made by the Governor in Council

pursuant to Section 3 of

*An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act,
Respecting Labour and Workforce Development*

The Governor in Council on the report and recommendation of the Minister of Labour and Workforce Development dated June 24, 2008, and pursuant to Section 3 of Chapter 30 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Labour and Workforce Development*, is pleased to order and declare by proclamation that Chapter 30 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Labour and Workforce Development*, do come into force on and not before July 15, 2008.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 30 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Labour and Workforce Development*, it is enacted as follows:

- 3** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 30 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Labour and Workforce Development*, do come into force on and not before July 15, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 30 of the Acts of 2008, *An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act, Respecting Labour and Workforce Development*, do come into force on and not before July 15, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 15th day of July in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 329/2008

Made: July 15, 2008

Filed: July 17, 2008

Electoral Districts and Number of Members for the Conseil scolaire acadien provincial

Order dated July 15, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act*

English Version

Order

NSUARB-SB-07-04

Nova Scotia Utility and Review Board

In the Matter of the *Education Act*

- and -

In the matter of an application by the **Conseil scolaire acadien provincial** to confirm the number of members and the boundaries of the electoral districts.

Before: Roland A. Deveau, Member

O r d e r

An application having been made by the **Conseil scolaire acadien provincial** pursuant to s. 43 of the *Education Act*, and the Board having issued its decision on July 15, 2008;

It is hereby ordered:

1. That the number of members for the Conseil scolaire acadien provincial is set at 17;
2. That the number of electoral districts in the school region of the Conseil scolaire acadien provincial is set at 9;
3. The electoral districts of Argyle, Clare and Halifax will each elect three members; the electoral districts of Inverness and Richmond will each elect two members and the electoral districts of Antigonish, Greenwood, South Shore and Victoria-Cape Breton will each elect one member. The members in those districts with more than one member will be elected "at large";

4. That the descriptions of the boundaries of the 9 electoral districts shall be as outlined in Schedule "A";

And it is further ordered that all provisions of the *Education Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of school board members in the year 2008 will be complied with as if the above-noted changes had been made on the first day of March 2008, but for all other purposes such changes shall take effect on the first day of the first meeting of the School Board after the election of school board members for the year 2008.

Dated at Halifax, Nova Scotia, this 15th day of July, 2008.

Sgd.: *Elaine Wagner*
Clerk of the Board

Schedule "A"

Conseil scolaire acadien provincial Electoral Districts/2008

Electoral District of Argyle is comprised of the Municipality of the District of Argyle, the Municipality of the District of Yarmouth, the Town of Yarmouth, the Municipality of the District of Barrington, the Town of Clarke's Harbour, the Municipality of the District of Shelburne, the Town of Shelburne and the Town of Lockeport.

Electoral District of Clare is comprised of the Municipality of the District of Clare, the Municipality of the District of Digby and the Town of Digby.

Electoral District of Halifax is comprised of the Halifax Regional Municipality.

Electoral District of Inverness is comprised of the Municipality of the County of Inverness.

Electoral District of Richmond is comprised of the Municipality of the County of Richmond and the Town of Port Hawkesbury.

Electoral District of Antigonish is comprised of the Municipality of the County of Antigonish, the Municipality of the District of Guysborough, the Municipality of the District of St. Mary's, the Municipality of the County of Pictou, the Municipality of the County of Colchester, the Municipality of the County of Cumberland, the Municipality of the District of East Hants and the Towns of Antigonish, Canso, Mulgrave, Pictou, New Glasgow, Stellarton, Westville, Trenton, Truro, Amherst, Springhill, Oxford, Parrsboro and Stewiacke.

Electoral District of Greenwood is comprised of the Municipality of the County of Annapolis, the Municipality of the County of Kings, the Municipality of the District of West Hants and the Towns of Windsor, Hantsport, Wolfville, Kentville, Berwick, Middleton, Bridgetown, and Annapolis Royal.

Electoral District of Victoria-Cape Breton is comprised of the Municipality of the County of Victoria and the Cape Breton Regional Municipality.

Electoral District of South Shore is comprised of the Region of Queens Municipality, the Municipality of the District of Lunenburg, the Municipality of the District of Chester, and the Towns of Lunenburg, Bridgewater and Mahone Bay.

version française

Ordonnance

NSUARB-SB-07-04

Nova Scotia Utility and Review Board

Référence : *La Loi Sur L'éducation*

- et -

Référence : Requête par le **Conseil scolaire acadien provincial** pour confirmer le nombre de commissaires et pour déterminer les limites des circonscriptions électorales.

Devant : Roland A. Deveau, membre

O r d o n n a n c e

Le **Conseil scolaire acadien provincial** ayant présentée une demande en vertu de l'article 43 de la *Loi sur l'éducation* et la Commission ayant rendue sa décision le 15 juillet 2008;

Il est par les présentes ordonné :

1. Que le nombre de commissaires du Conseil scolaire acadien provincial soit fixé à 17;
2. Que le nombre de circonscriptions électorales dans la région scolaire du Conseil scolaire acadien provincial soit fixé à 9;
3. Que les circonscriptions électorales d'Argyle, de Clare et d'Halifax élisent chacune trois commissaires; que les circonscriptions électorales d'Inverness et de Richmond élisent chacune deux commissaires, et que les circonscriptions électorales d'Antigonish, de Greenwood, de la Rive-Sud et de Victoria-Cap-Breton élisent chacune un commissaire. Dans les circonscriptions comptant plus d'un commissaire, ces commissaires seront élus « au suffrage universel »;
4. Que les limites des 9 circonscriptions électorales soient celles indiquées à l'Annexe "A";

Il est de plus ordonné que toutes les dispositions de la *Loi sur l'éducation*, de la *Loi sur les élections municipales* et de toutes autres lois de la province de Nouvelle-Écosse applicables à la préparation et à la tenue d'élections de commissaires de commissions scolaires en 2008 soient respectées comme si les modifications mentionnées ci-dessus avaient été faites le 1er jour de mars 2008. À tous autres égards, ces modifications entreront en vigueur le premier jour de la première réunion de la commission scolaire suivant l'élection des commissaires pour l'année 2008.

Donné à Halifax, Nouvelle-Écosse, ce 15ième jour de juillet 2008.

sgd.: *Elaine Wagner*
Greffier de la *Nova Scotia Utility and Review Board*

Annexe «A»

**Conseil scolaire acadien provincial
Circonscriptions électorales – 2008**

La **circonscription électorale d'Argyle** comprend : la municipalité de District of Argyle, la municipalité de District of Yarmouth, la ville de Yarmouth, la municipalité de District of Barrington, la ville de Clarke's Harbour, la municipalité de District of Shelburne, la ville de Shelburne et la ville de Lockeport.

La **circonscription électorale de Clare** comprend : la municipalité de District of Clare, la municipalité de District of Digby et la ville de Digby.

La **circonscription électorale d'Halifax** comprend la municipalité régionale d'Halifax.

La **circonscription électorale d'Inverness** comprend la municipalité de County of Inverness.

La **circonscription électorale de Richmond** comprend la municipalité de County of Richmond et la ville de Port Hawkesbury.

La **circonscription électorale d'Antigonish** comprend la municipalité de County of Antigonish, la municipalité de District of Guysborough, la municipalité de District of St. Mary's, la municipalité de County of Pictou, la municipalité de County of Colchester, la municipalité de County of Cumberland, la municipalité de District of East Hants et les villes d'Antigonish, Canso, ~~Mulgrave~~ [Mulgrave], Pictou, New Glasgow, Stellarton, Westville, Trenton, Truro, Amherst, Springhill, Oxford, Parrsboro et Stewiacke.

La **circonscription électorale de Greenwood** comprend la municipalité de County of Annapolis, la municipalité de County of Kings, la municipalité de District of West Hants et les villes de Windsor, Hantsport, Wolfville, Kentville, Berwick, Middleton, Bridgetown, et Annapolis Royal.

La **circonscription électorale de Victoria-Cap-Breton** comprend la municipalité de County of Victoria et la municipalité régional du Cap-Breton.

La **circonscription électorale de la Rive-Sud** comprend la municipalité de Region of Queens, la municipalité de District of Lunenburg, la municipalité de District of Chester, et les villes de Lunenburg, Bridgewater et Mahone Bay.

N.S. Reg. 330/2008

Made: June 18, 2008

Filed: July 17, 2008

Electoral Districts and Number of Members Order for the Chignecto-Central Regional School Board

Order dated June 18, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act*

Order**NSUARB-SB-08-04****Nova Scotia Utility and Review Board****in the Matter of the *Education Act***

- and -

In the matter of an application by the **Chignecto-Central Regional School Board** to confirm the number of electoral districts and the number of school board members at 15 and to amend the boundaries of the electoral districts.

Before: Murray E. Doehler, CA, P.Eng., Member**O r d e r**

An application having been made by the Chignecto-Central Regional School Board pursuant to s. 43 of the *Education Act* and the Board having issued its decision on June 17, 2008;

IT IS HEREBY ORDERED that the application is approved as follows:

1. The number of electoral districts for the Chignecto-Central Regional School Board is confirmed at 15, each electing one member;
2. The number of members for the Chignecto-Central Regional School Board is confirmed at 15;
3. The proposed boundaries of the electoral districts are approved; and
4. The descriptions of the electoral districts are set out in Schedule "A", attached to and forming part of this Order;

And it is further ordered that all provisions of the *Education Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of school board members in the year 2008 will be complied with as if the above-noted changes had been made on the first day of March 2008, but for all other purposes such changes shall take effect on the first day of the first meeting of the School Board after the election of school board members for the year 2008.

Dated at Halifax, Nova Scotia this 18th day of June, 2008.

Sgd.: *Elaine Wagner*
Clerk of the Board

Schedule "A"**Chignecto-Central Regional School Board**

Electoral District 1 is comprised of the Town of Amherst.

Electoral District 2 is comprised of Polling Districts 1, 2, 7, 8, 9 and 10 of the Municipality of the County of Cumberland; and the Town of Parrsboro.

Electoral District 3 is comprised of Polling Districts 3, 4 and 7 of the Municipality of the County of Cumberland; the Town of Springhill and the Town of Oxford.

Electoral District 4 is comprised of Polling Districts 5 and 6 of the Municipality of the County of Cumberland; and Polling Districts 7 and 8 of the Municipality of the County of Colchester.

Electoral District 5 is comprised of Polling Districts 3, 4, 5 and 6 of the Municipality of the County of Pictou; and the Town of Pictou.

Electoral District 6 is comprised of Polling Districts 1, 6 and 11 of the Municipality of the County of Colchester.

Electoral District 7 is comprised of the Town of Truro.

Electoral District 8 is comprised of Polling Districts 3, 4 and 5 of the Municipality of the County of Colchester; and Town of Stewiacke.

Electoral District 9 is comprised of Polling Districts 2, 9 and 10 of the Municipality of the County of Colchester.

Electoral District 10 is comprised of Polling Districts 4, 5, 6, 8, 11, 12 and 13 of the Municipality of the District of East Hants.

Electoral District 11 is comprised of Polling Districts 1, 2, 3, 7, 9 and 10 of the Municipality of East Hants.

Electoral District 12 is comprised of the Town of New Glasgow.

Electoral District 13 is comprised of the Town of Stellarton and the Town of Westville.

Electoral District 14 is comprised of Polling Districts 2, 7, 9 and 10 of the Municipality of the County of Pictou; and the Town of Trenton.

Electoral District 15 is comprised of Polling Districts 1, 8, 11, 12, 13 and 14 of the Municipality of the County of Pictou.

N.S. Reg. 331/2008

Made: July 10, 2008

Filed: July 17, 2008

Prescribed Petroleum Products Prices

Order dated July 10, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

Order

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated July 3, 2008, which prescribed prices July 4, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on July 11, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on July 10, 2008.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 11, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	90.0
Mid-grade unleaded gasoline	93.0
Premium unleaded gasoline	96.0
Ultra low-sulfur diesel oil	106.9

**Table 2: Fixed Wholesale Prices, Retail Mark-ups and
Retail Prices for Regulated Petroleum Products**
(cents/litre)

		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	121.8	4.0	5.5	4.0	999.9	142.2	143.8	142.2	999.9
Mid-Grade Unleaded	124.8	4.0	5.5	4.0	999.9	145.5	147.2	145.5	999.9
Premium Unleaded	127.8	4.0	5.5	4.0	999.9	148.9	150.6	148.9	999.9
Ultra Low-Sulfur Diesel	132.6	4.0	5.5	4.0	999.9	154.4	156.1	154.4	999.9
Zone 2									
Regular Unleaded	122.2	4.0	5.5	4.0	999.9	142.6	144.3	142.6	999.9
Mid-Grade Unleaded	125.2	4.0	5.5	4.0	999.9	146.0	147.7	146.0	999.9
Premium Unleaded	128.2	4.0	5.5	4.0	999.9	149.4	151.1	149.4	999.9
Ultra Low-Sulfur Diesel	133.0	4.0	5.5	4.0	999.9	154.8	156.5	154.8	999.9
Zone 3									
Regular Unleaded	122.7	4.0	5.5	4.0	999.9	143.2	144.9	143.2	999.9
Mid-Grade Unleaded	125.7	4.0	5.5	4.0	999.9	146.6	148.3	146.6	999.9
Premium Unleaded	128.7	4.0	5.5	4.0	999.9	150.0	151.6	150.0	999.9
Ultra Low-Sulfur Diesel	133.5	4.0	5.5	4.0	999.9	155.4	157.1	155.4	999.9
Zone 4									
Regular Unleaded	122.7	4.0	5.5	4.0	999.9	143.2	144.9	143.2	999.9
Mid-Grade Unleaded	125.7	4.0	5.5	4.0	999.9	146.6	148.3	146.6	999.9
Premium Unleaded	128.7	4.0	5.5	4.0	999.9	150.0	151.6	150.0	999.9
Ultra Low-Sulfur Diesel	133.5	4.0	5.5	4.0	999.9	155.4	157.1	155.4	999.9
Zone 5									
Regular Unleaded	122.7	4.0	5.5	4.0	999.9	143.2	144.9	143.2	999.9
Mid-Grade Unleaded	125.7	4.0	5.5	4.0	999.9	146.6	148.3	146.6	999.9
Premium Unleaded	128.7	4.0	5.5	4.0	999.9	150.0	151.6	150.0	999.9
Ultra Low-Sulfur Diesel	133.5	4.0	5.5	4.0	999.9	155.4	157.1	155.4	999.9
Zone 6									
Regular Unleaded	123.5	4.0	5.5	4.0	999.9	144.1	145.8	144.1	999.9
Mid-Grade Unleaded	126.5	4.0	5.5	4.0	999.9	147.5	149.2	147.5	999.9
Premium Unleaded	129.5	4.0	5.5	4.0	999.9	150.9	152.6	150.9	999.9
Ultra Low-Sulfur Diesel	134.3	4.0	5.5	4.0	999.9	156.3	158.0	156.3	999.9

N.S. Reg. 332/2008

Made: June 27, 2008

Approved: July 15, 2008

Filed: July 18, 2008

Bulk Haulage Regulations

Order dated July 15, 2008
made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on June 27, 2008, amended the *Bulk Haulage Regulations* in the manner set out in the manner attached to this certificate as Schedule "A", effective on and after August 1, 2008.

Dated and signed at Truro, Nova Scotia July 15, 2008.

Sgd.: *Esben Arnfast*/for
Brian Cameron
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, July 15, 2008.

Sgd.: *E. A. Crouse*
Elizabeth A. Crouse
Acting General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Clause 7(a) of the *Bulk Haulage Regulations* made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on August 13, 2002, is amended by

- (a) striking out "Bedford Transport Limited" and substituting "Farmers Co-Operative Dairy Limited";
- (b) striking out "\$2.260" directly opposite "Farmers Co-Operative Dairy Limited" and substituting "\$2.630";
- (c) striking out "\$3.149" directly opposite "Scotsburn Co-operative Services Limited" and substituting "\$3.430";
- (d) striking out "\$1.696" directly opposite "Fisher Transport Limited" and substituting "\$1.590";

- (e) striking out “\$2.640” directly opposite “Winterthur Farm - Rudolph Burghardt” and substituting “\$2.820”;
 - (f) striking out “1.850” directly opposite “Cook’s Dairy Farm Limited” and substituting “\$2.000”.
-

N.S. Reg. 333/2008

Made: July 17, 2008

Filed: July 22, 2008

Prescribed Petroleum Products Prices

Order dated July 17, 2008

made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

Order

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated July 10, 2008, which prescribed prices July 11, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule “A”.

This Order is effective on and after 12:01 a.m. on July 18, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on July 17, 2008.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 18, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	88.3
Mid-grade unleaded gasoline	91.3
Premium unleaded gasoline	94.3
Ultra low-sulfur diesel oil	106.9

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	120.1	4.0	5.5	4.0	999.9	140.2	141.9	140.2	999.9
Mid-Grade Unleaded	123.1	4.0	5.5	4.0	999.9	143.6	145.3	143.6	999.9
Premium Unleaded	126.1	4.0	5.5	4.0	999.9	147.0	148.7	147.0	999.9
Ultra Low-Sulfur Diesel	132.6	4.0	5.5	4.0	999.9	154.4	156.1	154.4	999.9
Zone 2									
Regular Unleaded	120.5	4.0	5.5	4.0	999.9	140.7	142.4	140.7	999.9
Mid-Grade Unleaded	123.5	4.0	5.5	4.0	999.9	144.1	145.8	144.1	999.9
Premium Unleaded	126.5	4.0	5.5	4.0	999.9	147.5	149.2	147.5	999.9
Ultra Low-Sulfur Diesel	133.0	4.0	5.5	4.0	999.9	154.8	156.5	154.8	999.9
Zone 3									
Regular Unleaded	121.0	4.0	5.5	4.0	999.9	141.3	142.9	141.3	999.9
Mid-Grade Unleaded	124.0	4.0	5.5	4.0	999.9	144.6	146.3	144.6	999.9
Premium Unleaded	127.0	4.0	5.5	4.0	999.9	148.0	149.7	148.0	999.9
Ultra Low-Sulfur Diesel	133.5	4.0	5.5	4.0	999.9	155.4	157.1	155.4	999.9
Zone 4									
Regular Unleaded	121.0	4.0	5.5	4.0	999.9	141.3	142.9	141.3	999.9
Mid-Grade Unleaded	124.0	4.0	5.5	4.0	999.9	144.6	146.3	144.6	999.9
Premium Unleaded	127.0	4.0	5.5	4.0	999.9	148.0	149.7	148.0	999.9
Ultra Low-Sulfur Diesel	133.5	4.0	5.5	4.0	999.9	155.4	157.1	155.4	999.9
Zone 5									
Regular Unleaded	121.0	4.0	5.5	4.0	999.9	141.3	142.9	141.3	999.9
Mid-Grade Unleaded	124.0	4.0	5.5	4.0	999.9	144.6	146.3	144.6	999.9
Premium Unleaded	127.0	4.0	5.5	4.0	999.9	148.0	149.7	148.0	999.9
Ultra Low-Sulfur Diesel	133.5	4.0	5.5	4.0	999.9	155.4	157.1	155.4	999.9

Zone 6									
Regular Unleaded	121.8	4.0	5.5	4.0	999.9	142.2	143.8	142.2	999.9
Mid-Grade Unleaded	124.8	4.0	5.5	4.0	999.9	145.5	147.2	145.5	999.9
Premium Unleaded	127.8	4.0	5.5	4.0	999.9	148.9	150.6	148.9	999.9
Ultra Low-Sulfur Diesel	134.3	4.0	5.5	4.0	999.9	156.3	158.0	156.3	999.9