

# 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. 114/2005**

Made: June 2, 2005

Filed: June 3, 2005

## Residential and Resource Property Taxation Assessment Regulations

Order in Council 2005-214 dated June 2, 2005  
Amendment to regulations made by the Governor in Council  
pursuant to Section 179 of the *Assessment Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated April 18, 2005, and pursuant to Section 179 of Chapter 23 of the Revised Statutes of Nova Scotia, 1989, the *Assessment Act*, is pleased to amend the *Residential and Resource Property Taxation Assessment Regulations*, N.S. Reg. 219/2004, made by the Governor in Council by Order in Council 2004-415 dated October 28, 2004, to clarify terms, set the taxation base years and provide taxation relief for certain condominium owners, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 2, 2005.

**Schedule "A"**

**Amendment to the *Residential and Resource Property Taxation Assessment Regulations*  
made by the Governor in Council pursuant to Section 179  
of Chapter 23 of the Revised Statutes of Nova Scotia, 1989,  
the *Assessment Act***

- 1 Section 3 of the *Residential and Resource Property Taxation Assessment Regulations*, N.S. Reg. 219/2004, made by the Governor in Council by Order in Council 2004-415 dated October 28, 2004, is
  - (a) renumbered as subsection 3(1); and
  - (b) amended by adding the following subsection immediately after subsection (1):
    - (2) A condominium that is owner occupied is prescribed as a class of residential property to which Section 45A of the Act applies.
- 2 Section 6 of the regulations is amended by
  - (a) adding "of the Act" immediately after "Section 45A";
  - (b) striking out the period at the end of clause (d) and substituting a semi-colon; and
  - (c) adding the following clause immediately after clause (d):
    - (e) 10% for the municipal taxation year 2006-2007.
- 3 Section 7 of the regulations is amended by striking out "2005-2006" and substituting "2001-2002".
- 4 Section 8 of the regulations is amended by repealing clause (a) and substituting the following clause:
  - (a) in the form of certification as set out in Form 3;
- 5 Clause 8(c) of the regulations is amended by striking out "November" and substituting "September".

- 6 Form 3 of the regulations is amended by
- (a) adding “and hereby certify” immediately after “notice” in the first paragraph;
  - (b) adding “the” immediately after “Province of Nova Scotia as of” in clause (a); and
  - (c) striking out “and a copy of their Nova Scotia Health Card is attached as proof of residency. **(Do not send original.)**” at the end of clause (b) and substituting a period.
- 

**N.S. Reg. 115/2005**

Made: June 2, 2005

Filed: June 3, 2005

## Residential Tenancies Regulations

Order in Council 2005-215 dated June 2, 2005  
Amendment to regulations made by the Governor in Council  
pursuant to Sections 5 and 26 of the *Residential Tenancies Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 11, 2005, and pursuant to Sections 5 and 26 of Chapter 401 of the Revised Statutes of Nova Scotia, 1989, the *Residential Tenancies Act*, is pleased to amend the *Residential Tenancies Regulations*, N.S. Reg. 190/89, made by the Governor in Council by Order in Council 89-1118 dated September 26, 1989, to remedy a number of identified deficiencies in the regulations in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 2, 2005.

**Schedule “A”**

**Amendment to the *Residential Tenancies Regulations*  
made by the Governor in Council pursuant to Sections 5 and 26 of  
Chapter 401 of the Revised Statutes of Nova Scotia, 1989,  
the *Residential Tenancies Act***

- 1 Subsection 1(1) of the *Residential Tenancies Regulations*, N.S. Reg. 190/89, made by the Governor in Council by Order in Council 89-1118 dated September 26, 1989, is amended by adding the following clause immediately after clause (a):
  - (aa) “public sale” means a sale of property with notice to the general public, and includes a sale by classified advertisement;
- 2 Section 24 of the regulations is repealed and the following Section substituted:

**Disposing of abandoned personal property**

- 24 (1)** The Director may, in writing, authorize a landlord to dispose of abandoned personal property that has an estimated value of \$500 or less by any method convenient to the landlord, if 60 days have elapsed since Form “A” was filed with the Director and mailed to the tenant or the tenant’s next of kin.

- (2) The Director may, in writing, authorize a landlord to sell abandoned personal property that has an estimated value over \$500, except mobile homes, through a public sale or a public auction, if 60 days have elapsed since Form "A" was filed with the Director and mailed to the tenant or the tenant's next of kin.
- (3) A landlord may immediately dispose of abandoned personal property that the landlord considers to be unsanitary or unsafe to store, and within 10 days of the date that the property is disposed of, must file Form "A" with the Director and mail a copy of Form "A" to the tenant or the tenant's next of kin.

#### **Disposing of abandoned mobile homes**

- 24A (1)** The Director may, in writing, authorize the landlord to sell abandoned personal property that consists of a mobile home through a public auction, if 60 days have elapsed since Form "A" was filed with the Director and mailed to the tenant or the tenant's next of kin.
- (2) Before authorizing the sale of a mobile home in accordance with subsection (1), the Director shall require that a landlord provide proof satisfactory to the Director that no security interests are held against the mobile home.

#### **Accounting of sale of abandoned property**

- 24B** Within 10 days of the date of a sale or auction of a tenant's abandoned personal property, a landlord must file an accounting of sale in Form "B" with the Director for any abandoned personal property that is sold.

- 3 Section 28 of the regulations is repealed and following Section is substituted:

#### **Increasing operating expenses**

- 28** The Director shall consider the following projected increases:

(a) maintenance of common areas, including playgrounds	4%
(b) property taxes	3%
(c) electricity	2%
(d) insurance	5%
(e) water and sewer	5%

- 4 Form "A" of the regulations is amended by

- (a) adding "after storing them for 60 days" immediately after "landlord requests permission to dispose of them"; and
- (b) adding "[ ] The goods include an abandoned mobile home." on the line immediately below "[ ] The goods are of an estimated value over \$500.00 - landlord will store them for 60 days."

- 5 Form "B" of the regulations is amended by

- (a) striking out "(from page 2)";
- (b) striking out "Auctioneer's costs" and substituting "Sale costs (specify)"; and

- (c) striking out “Amount awarded by the Board” and substituting “Amount awarded to landlord by order of the Director or order of the Small Claims Court”.
- 6 Form “D” of the regulations is amended under the heading “IMPORTANT INFORMATION” by
- (a) striking out “If you do not respond to the Application or do not attend the hearing” and substituting “If you do not attend the hearing”; and
- (b) striking out “You may respond to the Application by calling me at \_\_\_\_\_; by sending a written response by mail to \_\_\_\_\_; by fax to (902) \_\_\_\_\_; or by e-mail to \_\_\_\_\_.” and substituting “You may inquire about this Application by contacting me by telephone at \_\_\_\_\_ or by fax at \_\_\_\_\_.”.
- 7 Form “G” of the regulations is amended by striking out “19 \_\_\_\_” wherever it appears and substituting “20 \_\_\_\_”.
- 8 Form “H” of the regulations is amended by
- (a) adding a comma immediately after “served in person” in Section 5;
- (b) striking out “19 \_\_\_\_” wherever it appears in Section 6 and substituting “20 \_\_\_\_”;
- (c) striking out “from year to year [ \_ ], from month to month [ \_ ], from week to week [ \_ ]” in Section 6 and substituting the following:
- “ [ \_ ] from year to year  
 [ \_ ] from month to month  
 [ \_ ] from week to week  
 (check one)”;
- (d) adding “[ \_ ] facilities to separate recyclables, organics and refuse” in Section 9 immediately below  
 “[ \_ ] parking: # of spaces # \_\_\_\_ space # \_\_\_\_”;
- (e) adding “not to exceed \$ \_\_\_\_\_” immediately after “Returned cheque charges” in Section 9;
- (f) adding “not to exceed \$ \_\_\_\_\_” immediately after “Locked out charges/keys” in Section 9; and
- (g) adding “[ \_ ] Separation of recyclables, organics and refuse” immediately below “[ \_ ] Tenant Insurance” in Section 9;
- (h) repealing Section 15 and substituting the following Section:
- 15** All notices to quit for a tenancy other than a fixed term shall be given in writing in accordance with the following table.

Type of Tenancy	Notice by Tenant	Notice by Landlord
<input type="checkbox"/> Mobile Home Lot	at least 1 full month before the end of the tenancy	at least 6 full months before the end of the tenancy

Type of Tenancy	Notice by Tenant	Notice by Landlord
<input type="checkbox"/> Yearly	at least 3 full months before the anniversary date	at least 3 full months before the anniversary date
<input type="checkbox"/> Monthly	at least 1 full month before the end of any month	at least 3 full months before the end of any month
<input type="checkbox"/> Weekly	at least 1 full week before the end of any week	at least 4 full weeks before the end of any week

If a tenant has security of tenure, the landlord must apply to the Director for the notice to quit.

### **N.S. Reg. 116/2005**

Made: June 9, 2005

Filed: June 10, 2005

#### Bear Harvesting Regulations

Order in Council 2005-235 dated June 9, 2005  
 Amendment to regulations made by the Governor in Council  
 pursuant to Section 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 18, 2005, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Bear Harvesting Regulations*, N.S. Reg. 60/88, made by the Governor in Council by Order in Council 88-349 dated March 29, 1988, to extend the bear snaring season, to clarify the type of snare which may be used, and to eliminate the bear license fee for seniors, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 9, 2005.

### **Schedule "A"**

**Amendment to the *Bear Harvesting Regulations*  
 made by the Governor in Council  
 pursuant to subsection 113(1) of Chapter 504 of  
 the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Clause 2(b) of the *Bear Harvesting Regulations*, N.S. Reg. 60/88, made by the Governor in Council by Order in Council 88-349 dated March 29, 1988, is repealed.
- 2 Section 2 of the regulations is further amended by adding the following clause immediately after clause 2(e):
  - (ea) "cable foot snare" means a cable that is at least 4.75 mm in diameter and is capable of being set to catch and hold a bear by 1 leg only and other devices that assist in placing a loop of the cable around the leg of the bear;
- 3 Section 3 of the regulations is renumbered as subsection 3(1) and the following subsection added immediately after subsection (1):

- (2) Despite clauses (1)(a) and (1)(b), the Minister may issue a Resident Bear Hunting Stamp or a Resident Bear Snaring Stamp at no charge to a resident who is 65 years of age or older and shows proof of age and residency.
  - 4 Section 6 of the regulations is amended by striking out “10<sup>th</sup> day of October to the 7<sup>th</sup> day of November” and substituting “October 1 to November 7”.
  - 5 Clause 10(1)(a) of the regulations is amended by striking out “an aldrich type” and substituting “a cable”.
- 

**N.S. Reg. 117/2005 to 118/2005**

Made: June 9, 2005

Filed: June 10, 2005

Deer Registration Station Regulations and  
Deer Hunting Regulations

Order in Council 2005-236 dated June 9, 2005

Repeal of regulations and amendment to regulations made by the Governor in Council  
pursuant to Section 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 18, 2005, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased, effective on and after June 9, 2005, to

- (a) repeal the *Deer Registration Station Regulations*, N.S. Reg. 92/89, made by Order in Council 89-745 dated June 27, 1989; and **[N.S. Reg. 117/2005]**
- (b) amend the *Deer Hunting Regulations*, N.S. Reg. 59/88, made by the Governor in Council by Order in Council 88-348 dated March 29, 1988, to expand Deer Management Zone 2A to include Tancook Island, to allow for better distribution of antlerless deer hunting stamps in each Deer Management Zone, and to add provisions about deer registration in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation.

**N.S. Reg. 118/2005**

Deer Hunting Regulations

**Schedule “A”****Amendment to the *Deer Hunting Regulations*  
made by the Governor in Council pursuant to  
subsection 113(1) of Chapter 504 of the  
Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Deer Hunting Regulations*, N.S. Reg. 59/88, made by the Governor in Council by Order in Council 88-348 dated March 29, 1988, is repealed and the following Section substituted:
  - 2 In these regulations,
    - (a) “Act” means the *Wildlife Act*;

- (b) “antlered deer” means a deer having an antler extending not less than 7.62 cm in length from the head of the deer;
- (c) “Antlerless Deer Hunting Stamp” means a stamp issued by the Department that when affixed to a Deer Hunting Licence, confers on the holder the privilege of hunting an antlerless deer in the specified Deer Management Zone;
- (d) “base licence” means a base licence as defined in the *General Wildlife Regulations* made under the Act.
- (e) “Bonus Deer Hunting Stamp” means a stamp issued by the Department that when affixed to a Deer Hunting Licence, confers on the holder the privilege of hunting an additional antlered or antlerless deer in the specified Deer Management Zone.
- (f) “Bowhunter Hunting Certificate” means a certificate issued under the *Hunter Education, Safety and Training Regulations* made under the Act or an equivalent certificate issued by another province or state;
- (g) “Bowhunter Stamp” means a stamp issued by the Department that when affixed to a Deer Hunting Licence, confers on the holder the privilege of hunting deer during the special open season for bow hunting deer;
- (h) “Deer Hunting Licence” means a valid base licence which has affixed to it a valid Deer Hunting Stamp, a tag and any other stamp or tag required pursuant to the Act or regulations for the hunting of deer;
- (i) “Deer Hunting Stamp” means a stamp issued by the Department that, when affixed to a valid base licence, confers on the holder the privilege of hunting deer in accordance with the Act and regulations;
- (j) “deer hunting tag” means the detachable tag affixed to a Deer Hunting Licence as part of the licence;
- (k) “Deer Management Zone” means an area of the Province described in Schedule “A” to these regulations.
- (l) “deer registration agent” means a person appointed by the Minister under Section 14 to be in charge of a deer registration station and includes an employee or person under the supervision of the person;
- (m) “deer registration confirmation number” means a unique number provided electronically by the Department when a deer is registered under the Deer Registration Program;
- (n) “Deer Registration Certificate” means
  - (i) a certificate on the reverse side of a Deer Hunting Licence completed by a deer registration agent in accordance with Section 20, or
  - (ii) a Deer Hunting Licence and detached deer hunting tag on which a deer registration confirmation number has been permanently recorded in accordance with Section 21;



- (o) “Deer Registration Program” means a method established by the Minister to allow a person to register via the Internet any deer killed during any open season for hunting deer, in accordance with Section 21;
- (p) “deer registration station” means a deer registration station established by the Minister under Section 13 for the purpose of registering any deer killed during any open season for hunting deer;
- (q) “Department” means the Department of Natural Resources;
- (r) “Firearm Hunting Certificate” means a certificate issued under the *Hunter Education, Safety and Training Regulations* made under the Act or an equivalent certificate issued by another province or state;
- (s) “Minister” means the Minister of Natural Resources;
- (t) “storage permit” means a permit issued under these regulations permitting the holder of the permit to store the meat of a deer during the closed season for deer.

2 Section 4A of the regulations is amended by repealing subsections (4) and (5) and substituting the following subsection:

- (4) The Minister may, on an annual basis, determine the number of Antlerless Deer Hunting Stamps and Bonus Deer Hunting Stamps to be issued in each Deer Management Zone to persons chosen from among the total number of valid applications for the available number of stamps in each Deer Management Zone.

2 Section 8 of the regulations is amended by

- (a) striking out “tag which forms part of the licence” in clause (1)(a) and substituting “deer hunting tag”;
- (b) striking out “tag” in subsections (2), (3) and (4) and substituting “deer hunting tag”;
- (c) striking out “at a deer registration station” in subsection (2) and substituting “in accordance with these regulations”; and
- (b) striking out “provided the holder stays with the deer at all times while it is being transported to a deer registration station” in subsection (3) and substituting “if, before the deer is registered, the holder stays with the deer at all times while it is being transported”.

3 Subsection 10(1) of the regulations is amended by

- (a) striking out clause (a) and substituting the following clause:
  - (a) the Deer Hunting License is stamped, sealed or marked with the deer registration confirmation number; and
- (b) striking out “in accordance with the *Deer Registration Station Regulations*” in clause (b).

4 The regulations are further amended by adding the following Sections immediately after Section 12:

## Deer Registration Stations and Agents

### Deer registration stations

- 13 (1) The Minister may establish deer registration stations at various locations throughout the Province.
- (2) The Minister must issue a public list or notice to identify the location of deer registration stations in each county of the Province.
- (3) The Department must supply all materials, equipment and signs to be used in a deer registration station.

### Appointment of deer registration agents

- 14 (1) The Minister must appoint a deer registration agent for each deer registration station.
- (2) A deer registration agent's appointment is for 1 year from the date of the appointment and, unless the appointee is notified otherwise by the Minister, renews automatically each year.

### Stamp or seal issued for deer registration station

- 15 (1) The Minister must issue a uniquely numbered seal or stamp to each deer registration agent appointed under subsection 14(1) to be used in registering deer at their deer registration station.
- (2) A deer registration agent is responsible for the safe custody of a seal or stamp issued to them and must immediately report the theft or disappearance of the seal or stamp to the Department.

### Deer registration agent's reports and records

- 16 (1) A deer registration agent must record any information and complete any reports required by the Minister.
- (2) A deer registration agent must, at the Minister's request, complete and forward or make available for pick-up any forms and reports required by the Minister.

### Revocation of appointment of deer registration agent

- 17 (1) The Minister may at any time by verbal or written notice revoke the appointment of a deer registration agent.
- (2) A deer registration agent whose appointment has been revoked must immediately deliver to the Minister
- (a) all materials, equipment and signs provided by the Department under subsection 13(3); and
- (b) the seal or stamp issued to them under subsection 15(1).
- (3) A person must not to continue to act as a deer registration agent after their appointment has been revoked.

## Registering Deer

### Duty to register deer within 24 hours

- 18** A person who kills a deer during an open season for hunting deer must, within 24 hours of killing the deer or within 24 hours after leaving a camp used by that person to hunt deer,
- (a) present the deer for registration at a deer registration station; or
  - (b) register the deer under the Deer Registration Program.

### Prohibitions on registration

- 19** (1) A person must not present a deer for registration in their name that the person did not kill.
- (2) A person who kills a deer must not permit another person to present the deer for registration at a deer registration station.

### Registering deer at deer registration station

- 20** (1) A person who kills a deer may have the deer registered at a deer registration station by
- (a) personally presenting the deer for registration along with their Deer Hunting Licence and detached deer hunting tag;
  - (b) signing or initialling a deer registration form indicating their agreement with the information recorded by the deer registration agent; and
  - (c) paying an administration fee of \$1.00.
- (2) When registering a deer at a deer registration station, a deer registration agent must
- (a) only register deer that are accompanied by a Deer Hunting Licence completed in accordance with subsection 8(1) and tagged in accordance with Section 8;
  - (b) use a deer registration form prescribed by the Minister to register a deer lawfully presented for registration at a deer registration station;
  - (c) complete the certificate on the reverse side of a Deer Hunting Licence that is lawfully presented on registration;
  - (d) apply the seal or stamp issued for the station to a Deer Hunting Licence and detached deer hunting tag lawfully presented on registration so that they are clearly and distinctly marked and return them to the person registering the deer;
  - (e) immediately report a violation of these regulations to the Department or the Royal Canadian Mounted Police.
- (3) A deer registration agent must not knowingly
- (a) register a deer that has been unlawfully killed; or
  - (b) register a deer presented by a person who did not kill it.

**Deer Registration Program**

- 21** A person who kills a deer may register the deer through the Deer Registration Program by
- (a) submitting all information required by the Minister to register the deer in the manner the Minister may direct; and
  - (b) permanently recording the deer registration confirmation number on the person's detached deer hunting tag and on the card that is part of the person's base licence.

**Proof of Registration****Deer hunting tag for registered deer**

- 22** (1) After a deer is registered and until it is prepared for consumption, the completed deer hunting tag must be
- (a) attached to the deer carcass; or
  - (b) kept in the possession of a person who stays with the deer at all times while it is being transported.
- (2) A person must not process a deer carcass for consumption unless the person has the completed deer hunting tag of the person who killed the deer showing that the deer has been registered in accordance with these regulations.

**Taxidermist to have proof of registration**

- 23** A taxidermist must not take possession of a deer or any part of a deer unless the taxidermist has seen proof that the deer is registered in accordance with these regulations and records the registration information.

**Unregistered Deer****Possession of unregistered deer**

- 24** A person must not possess or transport an unregistered carcass of a deer killed by another person.

- 5 Schedule "A" to the regulations is amended by striking out the description of Deer Management Zone 2A and substituting the following description:

**Deer Management Zone 2A** includes certain lands within Lunenburg and Queens Counties, Nova Scotia and are more particularly described as follows:

**Beginning** at a point on the centerline of the East River, Lunenburg County, where it intersects with the northern most edge of the multi-line power transmission corridor running from Halifax County to Queens County and being approximately 1 km south of Whistler lake; **thence**, southwesterly along the northern most edge of the said power transmission corridor to an angle point where the power transmission corridor separates into 2 lines; **thence**, following the north branch of the said transmission corridor southwesterly, passing the Gold River Indian Reserve to the north, continuing on past Lower New Cornwall to an angle point about 1 km west of the LaHave River near Cookville; **thence**, southerly, along the western edge of the said corridor, to a juncture point with the transmission line running westerly from Maitland; **thence**, southwesterly along the northern edge of the said transmission corridor, passing to the north of Wiles Lake and Lapland, and extending to the western bank of the Medway River; **thence**, southeasterly, downstream following the western bank of the Medway River and the western shoreline of Medway Harbour to a point

on the ordinary high water mark (OHWM) east of the navigation light at Medway Head; **thence**, northeasterly in a straight line to a point on the OHWM of the most southerly part of Toby Island; **thence**, northeasterly in a straight line to a point on the OHWM of the most southerly part of Cape LaHave Islands at Cape LaHave Point; **thence**, northeasterly in a straight line to a point on the OHWM of the most eastern point of West Ironbound Island; **thence**, northeasterly in a straight line to a point on the OHWM of the most eastern point of Cross Island; **thence**, northeasterly in a straight line to a point on the OHWM of the most eastern point of Big Duck Island; **thence**, northeasterly in a straight line to a point on the OHWM of the most eastern point of East Ironbound Island; **thence**, northwesterly in a straight line to a point on the OHWM of the most northeasterly point of Little Tancook Island; **thence**, northwesterly in a straight line to the mid point of the mouth of East River Bay northwest from East River Point; **thence**, northeasterly in a straight line to a point at the centerline of the mouth of East River; **thence**, northerly following the centerline of East River **to the point of beginning**, together with all inland and offshore islands.

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**N.S. Reg. 119/2005**

Made: June 9, 2005

Filed: June 10, 2005

General Wildlife Regulations

Order in Council 2005-237 dated June 9, 2005  
Amendment to regulations made by the Governor in Council  
pursuant to Section 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 18, 2005, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *General Wildlife Regulations*, N.S. Reg. 205/87, made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, to increase the cost of a habitat conservation stamp and make a number of housekeeping amendments, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 9, 2005.

**Schedule "A"**

**Amendment to the *General Wildlife Regulations*  
made by the Governor in Council pursuant to subsection 113(1) of  
Chapter 504 of the Revised Statutes of Nova Scotia, 1989,  
the *Wildlife Act***

- 1 Section 2 of the *General Wildlife Regulations*, N.S. Reg. 205/87, made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, is renumbered as subsection (1) and amended by adding "In these regulations" immediately before clause (a).
- 2 Section 2 of the regulations is further amended by adding the following subsection immediately after subsection (1):
  - (2) Except when a dog is being trained or used to hunt wildlife as permitted by the Act and the regulations made under the Act, "unaccompanied" in clause 41(1)(b) of the Act means
    - (a) not under the immediate control of the owner or handler; and

- (b) not within sight of the owner or handler.
- 3 Subsection 3A(2) of the regulations is amended by striking out “\$2.00” and substituting “\$3.00”.
- 4 The regulations are further amended by repealing Section 4 and substituting the following Section:
- 4 The affirmation or oath required for a conservation officer by subsection 9(1) of the Act must be
- (a) in a form approved by the Minister; and
- (b) taken in writing before a commissioner of oaths or notary public and sent to the Minister.
- 5 Section 11 of the regulations is amended by
- (a) adding “hunt or” immediately before “discharge” in subsection (2); and
- (b) striking out “(1)” and substituting “(2)” in subsection (4).
- 

**N.S. Reg. 120/2005**

Made: June 9, 2005

Filed: June 10, 2005

## Dog Hunting and Training Regulations

Order in Council 2005-238 dated June 9, 2005  
Amendment to regulations made by the Governor in Council  
pursuant to Section 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 18, 2005, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Dog Hunting and Training Regulations*, N.S. Reg. 209/87, made by the Governor in Council by Order in Council 87-1185 dated September 29, 1987, to remove voltage restrictions on lights used for hunting raccoon, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 9, 2005.

**Schedule “A”**

**Amendment to the *Dog Hunting and Training Regulations*  
made by the Governor in Council  
pursuant to subsection 113(1) of Chapter 504 of  
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 7(2) of the *Dog Hunting and Training Regulations*, N.S. Reg. 209/87, made by the Governor in Council by Order in Council 87-1185 dated September 29, 1987, is repealed and the following subsection substituted:

- (2) A person who holds a valid Raccoon Dog Night Hunting Permit may use or possess a light of any voltage while taking, hunting, killing or attempting to take, hunt, or kill a raccoon at night in a wildlife habitat in accordance with these regulations provided the source of energy for the light is not part of the electrical system of a vehicle.

**N.S. Reg. 121/2005**

Made: June 9, 2005

Filed: June 10, 2005

## Registration of Motorcycles Regulations

Order in Council 2005-247 dated June 9, 2005  
Regulations made by the Minister of Service Nova Scotia and Municipal Relations  
and approved by the Governor in Council  
pursuant to Sections 10 and 38 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 26, 2005, and pursuant to Sections 10 and 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve of regulations respecting the registration of motorcycles made by the Minister of Service Nova Scotia and Municipal Relations, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 9, 2005.

**Schedule "A"**

**In the Matter of Sections 10 and 38 of Chapter 293 of the  
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

- and -

**In the Matter of New Regulations Respecting the Registration of Motorcycles**

**Order**

I, Barry Barnet, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Sections 10 and 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby make regulations respecting the registration of motorcycles in the form set forth in the attached, effective on and after the date they are approved by the Governor in Council.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, May 26, 2005.

Sgd: *Barry Barnet*  
Honourable Barry Barnet  
Minister of Service Nova Scotia and  
Municipal Relations

**Regulations Respecting Registration of Motorcycles  
made by the Minister of Service Nova Scotia and Municipal Relations,  
pursuant to Sections 10 and 38 of Chapter 293  
of the Revised Statutes of Nova Scotia, 1989,  
the *Motor Vehicle Act***

**Citation**

1 These regulations may be cited as the *Registration of Motorcycles Regulations*.

**Definitions**

2 In these regulations,

- (a) “Act” means the *Motor Vehicle Act*;
- (b) “motorcycle” means a motorcycle as defined in clause 2(ac) of the Act;
- (c) “motorcycle number plate” means a number plate issued under the Act and these regulations;
- (d) “permit” means a registration document as described in subsection 16(1) of the Act;
- (e) “validation sticker” means a sticker issued for a motorcycle in accordance with the regulations respecting identification and proof of registration made under the Act.

**Description of motorcycle number plate**

3 A motorcycle number plate will be in general accordance with the number plate depicted in Appendix A and will

- (a) measure 10.16 cm in width by 17.78 cm in length;
- (b) have a silver-white background;
- (c) display the words “NOVA SCOTIA” at the top, in blue lettering; and
- (d) display a registration number in the middle, in blue lettering.

**Application for registration**

4 An application for registration of a motorcycle must be made on the form prescribed by the Registrar and must be submitted to the Registrar with the application fee prescribed for a motorcycle permit in the regulations respecting documents and services fees made under the Act.

**Refusal to register or renew**

5 The Registrar may refuse to register a motorcycle or renew a motorcycle registration in any of the following circumstances:

- (a) the application for registration is not complete;
- (b) the prescribed fee is not submitted with the application for registration;
- (c) the Registrar determines that the application for registration contains a false statement or false information;
- (d) the applicant does not give proof of adequate insurance for the motorcycle;
- (e) the Registrar is otherwise not satisfied that the motorcycle will be operated safely.

**Registration period and renewal**

6 (1) A validation sticker expires

- (a) at 11:59 p.m. on December 31 of the calendar year in which registration is made, when payment for the registration occurs between January 1 and October 31 of that calendar year;



- (b) at 11:59 p.m. on December 31 of the calendar year following the calendar year in which registration is made, when payment for the registration occurs between November 1 and December 31 of the calendar year in which registration is made.
- (2) An application for renewal of a motorcycle registration under subsection 21(3) of the Act must be made on the form prescribed by the Registrar and must be submitted to the Registrar with the fee prescribed for renewal of a motorcycle permit.
- (3) A motorcycle that does not have a current validation sticker affixed to its number plate is deemed to be not registered.

**Revocation of a motorcycle registration**

- 7 (1) The Registrar may revoke the registration of a motorcycle in any of the following circumstances:
- (a) the Registrar determines that the application for registration of the motorcycle, or for renewal of the registration of the motorcycle, contains a false statement or false information;
  - (b) the Registrar determines that the motorcycle is not adequately insured;
  - (c) the Registrar is otherwise not satisfied that the motorcycle will be operated safely.
- (2) If the Registrar revokes the registration of a motorcycle, the Registrar must suspend or cancel the permit and motorcycle number plate issued for the motorcycle.
  - (3) The registered owner of a motorcycle whose registration is revoked must immediately return the permit and motorcycle number plate for the motorcycle to the Registrar.

**Appendix A**  
**Depiction of Motorcycle Number Plate**



**N.S. Reg. 122/2005 to 125/2005**

Made: June 9, 2005

Filed: June 10, 2005

Specially Numbered Plates Regulations, Number Plates Regulations,  
Personalized Number Plates Regulations and Documents and Services Fees

Order in Council 2005-248 dated June 9, 2005

Repeal of regulations and amendment to regulations made by the Governor in Council and  
Regulations made by the Minister of Service Nova Scotia and Municipal Relations  
and approved by the Governor in Council  
pursuant to Sections 10 and 38 and subsections 19(1), 302(1), and 304(1)  
of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 26, 2005, is pleased, effective on and after June 9, 2005:

- (a) pursuant to subsection 304(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, to repeal the regulations respecting specially numbered plates, N.S. Reg. 68/71, made by the Governor in Council by Order in Council 71-1238 dated December 15, 1971;  
**[N.S. Reg. 122/2005]**
- (b) pursuant to subsections 19(1) and 304(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, to amend clause 1(a) of the regulations respecting number plates, N.S. Reg. 173/95, made by the Governor in Council by Order in Council 95-864 dated November 21, 1995, by striking out “firefighter plates, personalized plates or antique plates” and replacing it with “firefighter plates or antique plates or a vehicle to bear personalized plates, other than a motorcycle”;  
**[N.S. Reg. 123/2005]**
- (c) pursuant to Sections 10 and 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, to approve new regulations respecting personalized number plates made by the Minister of Service Nova Scotia and Municipal Relations in the form set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (d) pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, to amend the regulations respecting documents and services fees, N.S. Reg. 89/2004, made by the Governor in Council by Order in Council 2004-38 dated March 30, 2004, by adding a fee for the replacement of a personalized motorcycle plate, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation.

**N.S. Reg. 124/2005**

## Personalized Number Plates Regulations

**Schedule "A"**

**In the matter of Sections 10 and 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

**- and -**

**In the matter of regulations respecting personalized number plates**

**Order**

I, Barry Barnet, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Sections 10 and 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby make regulations respecting personalized number plates in the form set forth in the attached, effective on and after the date they are approved by the Governor in Council.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, May 26, 2005.

Sgd: *Barry Barnet*  
Honourable Barry Barnet  
Minister of Service Nova Scotia and  
Municipal Relations

**Regulations Respecting Personalized Number Plates  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Sections 10 and 38 of Chapter 293 of  
the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

**Citation**

**1** These regulations may be cited as the *Personalized Number Plates Regulations*.

**Definitions**

**2** In these regulations,

- (a) "Act" means the *Motor Vehicle Act*;
- (b) "bus" means a bus as defined in clause 2(d) of the Act;
- (c) "camper" means a Class 1, 2, 3 or 4 camper as defined in subsection 3(1) of the *Registration Fees for Campers Regulations* made under the Act;
- (d) "commercial motor vehicle" means a motor vehicle as defined in clause 2(g) of the Act;
- (e) "motorcycle" means a motor vehicle as defined in clause 2(ac) of the Act;
- (f) "passenger vehicle" means a Passenger Class 1, 2 or 3 passenger motor vehicle as defined in Section 1 of the regulations respecting registration fees for passenger motor vehicles;

- (g) “personalized number plate” means a number plate as described in Section 7.

### **Types of motor vehicles**

**3** Personalized plates may be used for all of the following types of motor vehicles:

- (a) a bus with a registered weight of 5000 kg or less;
- (b) a camper;
- (c) a motorcycle;
- (d) a commercial motor vehicle with a registered weight of 5000 kg or less, other than an ambulance or a hearse;
- (e) a passenger vehicle.

### **Application for personalized number plates**

- 4** (1) An application for personalized number plates must be made on the form prescribed by the Registrar and must be submitted to the Registrar with the application fee prescribed for personalized number plates in the regulations respecting documents and services fees made under the Act.
- (2) A person may apply for personalized number plates without registering a motor vehicle, but personalized number plates that are not used for vehicle registration must not be attached to a motor vehicle.

### **Refusal to issue personalized number plates**

**5** The Registrar may refuse to issue personalized number plates to an applicant in any of the following circumstances:

- (a) the application is not in accordance with Section 4;
- (b) the application contains a false statement or false information;
- (c) the plate designation selected by the applicant
  - (i) has been previously issued,
  - (ii) contains characters other than numerals, letters and spaces,
  - (iii) contains a combination of characters assigned to other types of number plates,
  - (iv) in the opinion of the Registrar, contains a combination of characters that expresses or implies a word, phrase or idea that is or may be considered offensive or not in good taste, or
  - (v) in the opinion of the Registrar, contains a combination of characters that states or suggests an official authority or is otherwise potentially misleading;
- (d) the plate designation selected by the applicant is composed of a sequence that contains more or less numerals, letters and spaces than required by
  - (i) for a motorcycle, subclause 7(1)(d), or

- (ii) for a bus, camper, commercial motor vehicle or passenger vehicle, subclause 7(2)(e);
- (e) the Registrar is not satisfied that the personalized number plates as applied for should be issued to the applicant.

**Issuance of personalized number plates**

6 If the Registrar does not refuse to issue personalized number plates to an applicant under Section 5, the Registrar must issue to the applicant personalized number plates that bear the plate designation selected by the applicant.

**Description of personalized number plates**

- 7 (1) A personalized number plate for a motorcycle must meet all of the following requirements:
- (a) measure 10.16 cm in width by 17.78 cm in length;
  - (b) bear a silver-white field;
  - (c) bear the words "NOVA SCOTIA" at the top, in blue lettering;
  - (d) bear a plate designation, selected by the applicant and approved by the Registrar, composed of a sequence of at least 2 and no more than 6 numerals and letters, in blue lettering, with or without spaces between the numerals and letters;
- (2) A personalized number plate for a bus, camper, commercial motor vehicle or passenger vehicle must meet all of the following requirements:
- (a) measure 15.24 cm in width by 30.48 cm in length;
  - (b) bear a depiction of the Bluenose on a silver-white field;
  - (c) bear the words "NOVA SCOTIA" at the top, in blue lettering;
  - (d) bear the words "CANADA'S OCEAN PLAYGROUND" at the bottom, in blue lettering;
  - (e) bear a plate designation, selected by the applicant and approved by the Registrar, composed of a sequence of at least 2 and no more than 7 numerals and letters, in blue lettering, with or without spaces between the numerals and letters.

**Recalling personalized number plate**

8 The Registrar may recall a personalized number plate for any reason set out in clause 5(c).

**Registration expiry dates for vehicles bearing personalized number plates**

- 9 (1) The registration for a motor cycle that is registered with a personalized number plate expires
- (a) if the initial registration is made with a personalized number plate,
    - (i) at 11:59 p.m. on December 31 of the calendar year in which the registration is made, if payment for the initial registration occurs between January 1 and October 1 of that calendar year, or

- (ii) at 11:59 p.m. on December 31 of the calendar year following the calendar year in which the registration is made, if payment for the initial registration occurs between November 1 and December 31 of the year in which registration is made;
  - (b) if an existing number plate is replaced with a personalized number plate, at 11:59 p.m. on the date on which the current validation sticker attached to the existing number plate expires.
- (2) The registration for a bus, camper, commercial motor vehicle or passenger vehicle that is registered with a personalized number plate expires
- (a) if the initial registration is made with a personalized number plate, in the following calendar year at 11:59 p.m. on the last day of the month in which payment for the initial registration occurred;
  - (b) if an existing number plate is replaced with a personalized number plate, at 11:59 p.m. on the date on which the current validation sticker attached to the existing number plate expires.

**N.S. Reg. 125/2005**

## Documents and Services Fees

**Schedule "B"**

**Amendment to the Schedule of Fees for Documents and Services  
made by the Governor in Council pursuant to subsection 302(1) of  
Chapter 293 of the Revised Statutes of Nova Scotia, 1989,  
the *Motor Vehicle Act***

The schedule of fees for documents and services, N.S. Reg. 89/2004, made by the Governor in Council by Order in Council 2004-138 dated March 30, 2004, is amended by striking out the following item:

## Personalized number plates:

initial application .....	\$75.00
annual retention (payable with registration renewal fee) .....	\$21.00
duplicate or replacement plate .....	\$21.00/set

and substituting the following item:

## Personalized number plates:

initial application .....	\$75.00
annual retention (payable with registration renewal fee) .....	\$21.00
duplicate or replacement plate (other than motorcycle) .....	\$21.00/set
replacement plate for motorcycle .....	\$16.00

**N.S. Reg. 126/2005**

Made: June 9, 2005

Filed: June 10, 2005

Documents and Services Fees

Order in Council 2005-249 dated June 9, 2005  
 Regulations made by the Governor in Council  
 pursuant to subsection 302(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 26, 2005, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting documents and services fees, N.S. Reg. 89/2004, made by the Governor in Council by Order in Council 2004-138 dated March 30, 2004, to update the table of fees by removing the fees that are effective until April 30, 2004, and reducing the current fees for Class 5, 6 and 8 driver's licences in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 9, 2005.

**Schedule "A"**

**Amendment to the regulations respecting documents and services fees  
 made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the  
 Revised Statues of Nova Scotia, 1989, the *Motor Vehicle Act***

The regulations respecting documents and services fees, N.S. Reg. 89/2004, are amended by striking out the table after the item "Fee for a driver's license—set out below opposite applicable class in column for period of time for which license is valid:" and substituting the following table:

<b>Driver's License Class</b>	<b>1 Year</b>	<b>5 Year</b>
1	\$15.00	\$75.00
2	\$14.00	\$70.00
3	\$13.00	\$65.00
4	\$12.00	\$60.00
5	\$11.00	\$54.00
6	\$11.00	\$54.00
8	\$10.00	\$48.00