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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. 368/2008

Made: September 3, 2008

Filed: September 3, 2008

Tariff of Fees and Expenses

Order in Council 2008-453 dated September 3, 2008
Regulations made by the Governor in Council
pursuant to Section 174 of the *Elections Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Elections Act* dated May 30, 2008, and on the recommendation of the Chief Electoral Officer, and pursuant to Section 174 of Chapter 140 of the Revised Statutes of Nova Scotia, 1989, the *Elections Act*, is pleased, effective on and after September 3, 2008, to:

- (a) repeal the tariff of fees and expenses, N.S. Reg. 72/2006, made by the Governor in Council by Order in Council 2006-240 dated May 12, 2006; and
- (b) approve the new tariff of fees and expenses in the form set out in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Tariff of Fees and Expenses
made by the Governor in Council pursuant to
Section 174 of Chapter 140 of the Revised Statutes
of Nova Scotia, 1989, the *Elections Act***

Citation

1 These regulations may be cited as the *Tariff of Fees and Expenses*.

Definitions

2 In these regulations,

- (a) "Act" means the *Elections Act*;
- (b) "certificate to vote" means a certificate in the prescribed form that is provided to a person who registers as an elector at an advance poll, a special poll, on ordinary polling day or at the returning office on a day before ordinary polling day;
- (c) "voter information card" means a card in the prescribed form that contains an elector's name, mailing address and location of polling station.

Returning Office Core Staff**Returning officer between elections**

- 3 (1)** The Chief Electoral Officer may pay a returning officer an annual fee for standard duties provided by the returning officer between elections up to a maximum of. \$514.50
- (2)** An annual fee under subsection (1) is paid at the sole discretion of the Chief Electoral Officer and any payment may be prorated at the sole discretion of the Chief Electoral Officer.

- (3) In addition to an annual fee paid to a returning officer under subsection (1), the Chief Electoral Officer may pay a returning officer a fee for services provided between elections that are beyond the standard duties of a returning officer of, per hour \$21.00
- (4) For the purposes of subsection (3), the Chief Electoral Officer determines whether services provided by a returning officer are beyond the standard duties of a returning officer.
- (5) The fee for a returning officer to store election documents, supplies and equipment between elections, when the returning officer is directed by the Chief Electoral Officer to store election documents, supplies and equipment, is, per month \$51.45
- (6) The fee for services provided by a returning officer conducting an enumeration and/or confirmation for an entire electoral district between elections is \$3087.00 plus \$0.17 per elector who is enumerated or confirmed.

Returning officer during an election

- 4 (1) The fee for services provided by a returning officer during an election, including receiving the candidates' election expenses and political contributions disclosure reports, is
- (a) if a poll is held \$5075.00 plus \$0.17 per name on the official list of electors and \$0.17 per name for names added to the official list by certificates to vote; or
- (b) if no poll is held, 50% of the amount payable under clause (a).
- (2) The fee for services provided by a returning officer conducting an enumeration and/or confirmation for an entire electoral district during an election is \$3087.00
- (3) If there are more than 34 days between the date of the writ and the date of ordinary polling day, the Chief Electoral Officer may pay a returning officer a fee for services performed during each day beyond the 34th day of, per hour \$21.00
- (4) The fee for services provided by a returning officer who attends a recount is, per day \$147.00
- (5) A returning officer who is responsible for an assistant returning officer in a second headquarters may be paid a fee at the discretion of the Chief Electoral Officer to supervise that assistant returning officer up to a maximum of \$500.00

Returning office[r] attendance at courses and meetings

- 5 (1) The fee for a returning officer who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$147.00
- (2) A returning officer who is required to attend training or a meeting in accordance with subsection (1) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (1), of, per day \$147.00

Assistant returning officer between elections

- 6 (1) The Chief Electoral Officer may pay an assistant returning officer an annual fee for standard duties provided by an assistant returning officer between elections up to a maximum of \$514.50

- (2) An annual fee paid under subsection (1) is paid at the sole discretion of the Chief Electoral Officer and any payment may be prorated at the sole discretion of the Chief Electoral Officer.
- (3) In addition to an annual fee paid to an assistant returning officer, the Chief Electoral Officer may pay an assistant returning officer a fee for services provided between elections that are beyond the standard duties of an assistant returning officer of, per hour \$21.00
- (4) The fee for services provided by an assistant returning officer when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district between elections is \$3087.00 plus \$0.17 per elector who is enumerated or confirmed.

Assistant returning officer during an election

- 7 (1) The fee for services provided by an assistant returning officer during an election is,
- (a) if a poll is held \$5075.00 plus \$0.17 per name on the official list of electors and \$0.17 per name for names added to the official list by certificates to vote; or
 - (b) if no poll is held, 50% of the amount payable under clause (a).
- (2) If there are more than 34 days between the date of the writ and the date of ordinary polling day, the Chief Electoral Officer may pay an assistant returning officer a fee for services performed during each day beyond the 34th day of, per hour \$21.00
 - (3) The fee for services provided by an assistant returning officer when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district during an election is \$3087.00

Assistant returning officer attendance at courses and meetings

- 8 (1) The fee for an assistant returning officer who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$147.00
- (2) An assistant returning officer who is required to attend training or a meeting in accordance with subsection (1) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (1), of, per day \$147.00

Election clerk between elections

- 9 The fee for services provided by an election clerk between elections when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district, if the Chief Electoral Officer considers their services necessary, is \$2032.28 plus \$0.12 per elector who is enumerated or confirmed.

Election clerk during an election

- 10 (1) The fee for services provided by an election clerk during an election is,
- (a) if a poll is held \$3352.50 plus \$0.12 per name on the official list of electors and \$0.12 per name for names added to the official list by certificates to vote; or
 - (b) if no poll is held, 50% of the amount payable under clause (a).

- (2) The fee for services provided by an election clerk when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district during an election is \$2032.28
- (3) If there are more than 34 days between the date of the writ and the date of ordinary polling day, the Chief Electoral Officer may pay an election clerk a fee for services performed during each day beyond the 34th day of, per hour \$16.50
- (4) The fee for services provided by an election clerk who attends a recount is, per day \$125.00

Election clerk attendance at courses and meeting

- 11 (1) The fee for an election clerk who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$125.00
- (2) An election clerk who is required to attend training or a meeting in accordance with subsection (1) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (1), of, per day \$125.00

Assistant election clerk between elections

- 12 The fee for services provided by an assistant election clerk between elections when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district, if the Chief Electoral Officer considers their services necessary, is \$2032.28 plus \$0.12 per elector who is enumerated or confirmed.

Assistant election clerk during an election

- 13 (1) The fee for services provided by an assistant election clerk during an election is,
 - (a) if a poll is held \$3352.50 plus \$0.12 per name on the official list of electors and \$0.12 per name for names added to the official list by certificates to vote; or
 - (b) if no poll is held, 50% of the amount payable under clause (a).
- (2) The fee for an assistant election clerk acting as a revision assistant and presiding officer for write-in ballots is \$514.50
- (3) The fee for services provided by an assistant election clerk when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district during an election is . . . \$2032.28
- (4) If there are more than 34 days between the date of the writ and the date of ordinary polling day, the Chief Electoral Officer may pay an assistant election clerk a fee for services performed during each day beyond the 34th day of, per hour \$16.50

Assistant election clerk attendance at courses and meetings

- 14 (1) The fee for an assistant election clerk who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$125.00
- (2) An assistant election clerk who is required to attend training or a meeting in accordance with subsection (1) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (1), of, per day \$125.00

Revision assistant and presiding officer for write-in ballots between elections

- 15** The fee for services provided by a revision assistant and presiding officer for write-in ballots between elections when the returning officer is conducting an enumeration and/or confirmation for an entire electoral district, if the Chief Electoral Officer considers their services necessary, is \$1672.13 plus \$0.12 per elector who is enumerated or confirmed.

Revision assistant and presiding officer for write-in ballots during an election

- 16 (1)** The fee for services provided by a revision assistant and presiding officer for write-in ballots during an election is,
- (a) if a poll is held \$3045.00 plus \$0.12 per name on the official list of electors and \$0.12 per name for names added to the official list by certificate to vote; or
- (b) if no poll is held, 50% of the amount payable under clause (a).
- (2)** The fee for services provided by a revision assistant and presiding officer when the returning officer is conducting an enumeration and/or confirmation for write-in ballots for an entire electoral district during an election is \$1672.13
- (3)** If there are more than 34 days between the date of the writ and the date of ordinary polling day, the Chief Electoral Officer may pay a revision assistant and presiding officer for write-in ballots a fee for services performed during each day beyond the 34th day of, per hour \$15.75

Revision assistant and presiding officer for write-in ballots attendance at courses and meetings

- 17 (1)** The fee for a revision assistant and presiding officer for write-in ballots who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$125.00
- (2)** A revision assistant and presiding officer for write-in ballots who is required to attend training or a meeting in accordance with subsection (1) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (1), of, per day \$125.00

Returning office casual staff write-in ballot coordinator

- 18 (1)** The fee for all services provided by a person appointed by a returning officer to coordinate write-in ballots outside of the returning office headquarters is, per hour \$15.00
- (2)** The fee for a write-in ballot coordinator to attend and receive instructions and training from a returning officer is \$60.00
- (3)** The fee for a write-in ballot coordinator who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$105.00
- (4)** A write-in ballot coordinator who is required to attend training or a meeting in accordance with subsection (3) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (3), of, per day \$105.00

Data entry and processing

- 19 (1)** The fee for all services provided by a person appointed by a returning officer to provide data processing services, as directed by the returning officer, the election clerk or the revision assistant and presiding officer for write-in ballots, is, per hour \$13.63

- (2) The fee for all services provided by a person to enter elector information from certificates to vote completed on ordinary polling day onto the list of electors, when directed by the Chief Electoral Officer, is, per certificate \$0.68
- (3) The fee for all services provided by a person to cross off the names of electors who have voted on ordinary polling day from the list of electors, when directed by the Chief Electoral Officer, is, per name \$0.019
- (4) The fee for all services provided by a person to enter corrections from voter information cards returned to the returning officer by the deputy returning officers at the advance poll and the polls on ordinary polling day onto the list of electors, when directed by the Chief Electoral Officer, is, per card \$0.34

Clerical office work

- 20 The fee for all services provided by a person appointed by a returning officer, with the approval of the Chief Electoral Officer, to perform clerical office duties, as determined by the returning officer, is, per hour. \$11.00

Presiding officers (special poll)

- 21 (1) The fee for all services provided by a presiding officer for a special poll is \$663.00
- (2) The fee for a presiding officer for a special poll to attend and receive instructions and training from a returning officer is \$36.02
- (3) The fee for a presiding officer for a special poll to attend and count the votes on ordinary polling day is \$30.00

Deputy presiding officers (special poll)

- 22 (1) The fee for all services provided by a deputy presiding officer for a special poll is \$561.00
- (2) The fee for a deputy presiding officer for a special poll to attend and receive instructions and training from a returning officer is \$36.02
- (3) The fee for a deputy presiding officer for a special poll to attend and count the votes on ordinary polling day is \$30.00

Deputy presiding officer (write-in ballot on ordinary polling day)

- 23 (1) The fee for services of a deputy presiding officer to verify the declaration envelopes and count the ballots on ordinary polling day, as directed by a returning officer, is, per hour \$13.00
- (2) The fee for services of a deputy presiding officer to attend and receive instructions and training from a returning officer is \$36.02

Returning Office Field Staff**Enumerators**

- 24 (1) The fee for all services provided by an enumerator is \$128.63 plus, for each elector or address properly added to, confirmed on or removed from the enumerator's index sheets,
- (a) \$0.72 per name for an urban polling division; or

(b) \$0.93 per name for a rural polling division.

- (2) For the purposes of subsection (1), the Chief Electoral Officer determines whether a polling division is urban or rural.
- (3) The fee for an enumerator to attend and receive instructions and training from a returning officer is \$51.45

Revising agents

- 25 (1) The fee for all services provided by a revising agent is \$128.63 plus \$0.84 per name for each elector or address properly added to, confirmed on or removed from the revising agent’s index sheets.
- (2) The fee for a revising agent to attend and receive instructions and training from a returning officer is \$51.45

Information officers

- 26 (1) The fee for all services by a person appointed by a returning officer to provide specific information to electors, when directed by the Chief Electoral Officer, is \$171.88
- (2) The fee for an information officer to attend and receive instructions and training from a returning officer is \$55.00
- (3) The fee for an information officer who, at the direction of the Chief Electoral Officer, attends a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer is, per day \$96.25
- (4) An information officer who is required to attend training or a meeting in accordance with subsection (1) is entitled to a fee for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (b) [(3)], of, per day \$96.25

Supervising deputy returning officers

- 27 (1) The fee for all services provided by a supervising deputy returning officer is \$171.88
- (2) The fee for a supervising deputy returning officer to attend and receive instructions and training from a returning officer is \$36.02

Deputy returning officers

- 28 (1) The fee for all services provided by a deputy returning officer for an advance poll is \$312.00
- (2) The fee for a deputy returning officer for an advance poll to attend and count the votes on ordinary polling day is \$30.00
- (3) The fee for all services provided by a deputy returning officer for an ordinary poll, including counting the ballots, is \$162.50
- (4) The fee for all services provided by a deputy returning officer for a mobile poll on ordinary polling day, including counting the ballots, is, per hour \$13.00
- (5) The fee for a deputy returning officer to attend and receive instructions and training from a returning officer is \$36.02

- (6) The fee for a deputy returning officer who, at the direction of a returning officer, acts as a polling day revision assistant and adds electors who complete a certificate to vote to the list of electors, including attending to receive instructions and training from a returning officer, is \$30.87 in addition to any applicable fees set out in subsections (3), (4) and (5).

Poll clerks

- 29 (1) The fee for all services provided by a poll clerk for an advance poll is \$264.00
- (2) The fee for a poll clerk for an advance poll to attend and count the votes on ordinary polling day is \$30.00
- (3) The fee for all services provided by a poll clerk for an ordinary poll, including counting the ballots, is \$137.50
- (4) The fee for all services provided by a poll clerk for a mobile poll on ordinary polling day, including counting the ballots, is, per hour \$11.00
- (5) The fee for a poll clerk to attend and receive instructions and training from a returning officer is \$36.02
- (6) The fee for a poll clerk who assists a deputy returning officer who is acting as a polling day revision assistant and adds electors who complete a certificate to vote to the list of electors on ordinary polling day, including attending to receive instructions from a returning officer, is \$30.87 in addition to any applicable fees in subsections (3), (4) and (5).

Polling day revision assistants

- 30 (1) The fee for all services provided by a polling day revision assistant for an advance poll is . . \$312.00
- (2) The fee for all services provided by a polling day revision assistant for an ordinary poll is . . \$162.50
- (3) The fee for a polling day revision assistant to attend and receive instructions and training from a returning officer is. \$36.02

Standby deputy returning officer and poll clerks

- 31 (1) The fee for a standby deputy returning officer or standby poll clerk to attend and receive instructions and training from a returning officer is \$36.02
- (2) The fee for a standby deputy returning officer or standby poll clerk to be available on ordinary polling day in case their services are required is \$36.02

Constables

- 32 (1) The fee for all services provided by a constable at an ordinary poll, an advance poll or the returning office headquarters is, per hour \$11.00
- (2) If ~~the services of~~ a uniformed peace officer is required as a constable, with the prior approval of the Chief Electoral Officer, the fee for their services is the actual and reasonable costs of their services, supported by invoices.

Ballot box collectors

- 33 The fee for all services provided by a person appointed by a returning officer to collect ballot boxes following the close of the polls is, per hour \$11.00

Electors called as witnesses

- 34** (1) The fee for services of an elector who, at the request of a returning officer, witnesses an official addition of the votes at the returning office headquarters in which no candidate is present or represented is \$36.02
- (2) The fee for services of an elector who, at the request of a deputy returning officer, presiding officer or returning officer witnesses a count of the votes at a polling station in which there are no candidate's agents present is \$27.45
- (3) The fee for services of an elector who, at the request of a returning officer, witnesses a verification and count of the votes for a write-in ballot when there are no candidate's agents present is, per hour \$9.75

Authorized Expenses**Allowances for travel, meals and accommodations**

- 35** (1) Subject to the limits in subsection (3) for specified individuals, the Chief Electoral Officer may authorize an allowance to be paid to any individual included in these regulations for travel, meal and accommodation expenses.
- (2) A claim for an allowance under this Section must be supported by a statement of expenses, and the allowance must be in accordance with the travel policy governing public servants of the Province.
- (3) The following individuals may be paid only the allowances specified:
- (a) returning office core staff may be paid a kilometrage allowance for
- (i) travel necessary to attend a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer,
- (ii) travel on business-related purposes within their electoral district when directed by the Chief Electoral Officer,
- (iii) the actual distance traveled for 1 return trip from their place of residence to the returning office headquarters and back to their place of residence, supported by a GIS-based map that calculates distance, as approved by the Chief Electoral Officer, once per day during a typical election period of 34 days when travel to the returning office headquarters is required and undertaken;
- (b) returning office core staff may be paid meal allowances for expenses incurred
- (i) while attending a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer,
- (ii) within a typical election period to a maximum of \$324.00
- (c) an information officer may be paid kilometrage and meal allowances for expenses incurred while attending a course on election procedure, computer training or a meeting arranged by the Chief Electoral Officer;
- (d) a write-in ballot coordinator may be paid kilometrage and meal allowances for expenses as approved by the Chief Electoral Officer;

- (e) a revising agent may be paid a kilometrage allowance to a maximum of \$102.90
- (f) a ballot box collector may be paid a kilometrage allowance for travel necessary to collect ballot boxes following the close of the polls, to a maximum of \$51.45

Use of building as a polling station

- 36** (1) For polling locations with 1 ordinary polling station, the fee for the use of a building, or part of a building, including fuel, lights, cleaning services and furniture is \$154.35
- (2) For polling locations with 2 or more ordinary polling stations, the fee for the use of a building, or part of a building, including fuel, lights, cleaning services and furniture is, per polling station \$82.32
- (3) For an advance polling location, the fee for the use of a building or part of a building, including fuel, lights, cleaning services and furniture, for the 2 days that the advance poll is open and the counting of the votes on ordinary polling day is \$308.70
- (4) For [a] polling location with a mobile polling station, the fee for the use of a building or part of a building, including fuel, lights, cleaning services and furniture is \$82.32

Headquarters of returning officers

- 37** (1) The fee for the rental, in accordance with the policies of the Chief Electoral Officer, of an office as a headquarters for a returning officer during an election is the amount reasonably and actually paid, supported by a signed lease in the form prescribed by the Chief Electoral Officer.
- (2) If the Chief Electoral Officer approves the rental of an office as a headquarters for a returning officer between elections to perform services at the request of the Chief Electoral Officer, or before a writ of election is issued to secure space for a headquarters, the fee for the rental, in accordance with the policies of the Chief Electoral Officer, is the amount reasonably and actually paid, supported by a signed lease in the form prescribed by the Chief Electoral Officer.
- (3) If the Chief Electoral Officer approves the use of the residence of a returning officer as a headquarters, the fee for the use of the residence is \$500.00
- (4) If the Chief Electoral Officer approves the use of the business premises of a returning officer as a headquarters, the fee for the use of the business premises is \$500.00

Office supplies, equipment and rental of premises

- 38** The fee for office supplies and equipment, rental of premises for training, and other expenses necessary in conducting an election is the amount actually and reasonably spent, supported by receipts.

Printing allowance

- 39** (1) The fees for the printing and binding or stitching of ballot papers for a special poll are,
- (a) for the first 1000 ballot papers \$236.67
 - (b) for each additional 1000 ballot papers after the first 1000 \$54.54
- (2) The fees for the printing, numbering and binding or stitching of ballot papers for an advance or ordinary poll are,
- (a) for the first 6000 ballot papers \$617.40

- (b) for each additional 1000 ballot papers after the first 6000 \$72.03

Printing allowance for voter information card

40 (1) The fees for creating voter information cards are,

- (a) to prepare a voter information card template for each electoral district \$128.63
- (b) for overprinting the voter information cards for an electoral district, per poll \$30.87
- (2) The fee for printing an elector's name and mailing address directly on the voter information card, per card, is \$0.021
- (3) If the printer cannot print an elector's name or mailing address directly on the voter information card, the fees for supplying, printing and affixing labels containing this information directly on the voter information card are,
- (a) for the first 6000 cards \$282.98
- (b) for each additional card \$0.047

Audit fees

41 (1) The fee for reimbursement of an official agent of a candidate for the expenses of an audit required by Section 191 of the Act is

- (a) the actual cost of the audit to a maximum of \$450.00
- or
- (b) 2% of the candidate's actual election expenses to a maximum of \$750.00
- (2) Despite subsection (1), if a candidate's election expenses are less than \$150.00, the fee for reimbursement of the official agent of the candidate for the expenses of an audit required by Section 191 of the Act is the actual cost of the audit to a maximum of \$200.00

Bookkeeping services for an electoral district association

42 (1) At the discretion of the Chief Electoral Officer, the Chief Electoral Officer may reimburse an electoral district association for the actual costs incurred by the electoral district association in a calendar year for the services of an independent bookkeeper, including accounting software as approved in advance by the Chief Electoral Officer, to a maximum annual reimbursement, excluding HST, of \$350.00

- (2) To be eligible for a reimbursement under subsection (1), an electoral district association must include all the bookkeeper's invoices, including dates worked and hourly rate charged, and the receipt for purchase of any accounting software, with its request for reimbursement.
- (3) A bookkeeper engaged by an electoral district association must be independent of the electoral district association and, for greater certainty, bookkeeping services provided by any of the following individuals are not eligible for reimbursement:
- (a) a member of the electoral district association;
- (b) a director or officer of the electoral district association;

- (c) a chief financial officer for any of the following:
 - (i) a candidate,
 - (ii) an electoral district association,
 - (iii) a recognized party;
 - (d) any individual involved in raising, spending or having custody of money or property of a candidate, electoral district association or recognized party.
- (4) To be eligible for reimbursement under this Section, an electoral district association must be in good standing with the Chief Electoral Officer and have filed all reports, documents and information required by law.
- (5) Reimbursement under this Section is paid by the Chief Electoral Officer in June and December of each calendar year.

Consumer price index

- 43 (1) If there is an increase in the annual Consumer Price Index of the Province in any calendar year after these regulations come into force, the fees paid under these regulations increase on January 1 of the next year to reflect the increase in the Consumer Price Index in the previous year.
- (2) The increase referred to in subsection (1) does not apply to the fees and allowances set out in subsection 32(2) and Sections 35, 37 and 38.
- (3) Beginning in the first year the fees set out in subsection 10(4) or Section 11, 14 or 17 are equal to or less than 7 times the hourly rate paid to the applicable position, subsection (1) applies to that subsection or Section from that year forward.
- (4) On or before March 1 of any year in which the fees increase in accordance with subsection (1), the Chief Electoral Officer must publish the fees to be paid for that year on the Elections Nova Scotia website.

N.S. Reg. 369/2008

Made: September 3, 2008

Filed: September 3, 2008

Political Contributions Disclosure Regulations

Order in Council 2008-454 dated September 3, 2008

Regulations made by the Governor in Council

pursuant to Sections 21 and 32 of the *Members and Public Employees Disclosure Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Elections Act* dated April 9, 2008, and on the recommendation of the Chief Electoral Officer, and pursuant to Sections 21 and 32 of Chapter 4 of the Acts of 1991, the *Members and Public Employees Disclosure Act*, is pleased, effective on and after September 3, 2008, to

- (a) repeal the *Political Contributions Disclosure Regulations*, N.S. Reg. 5/2003, made by the Governor in Council by Order in Council 2003-4 dated January 16, 2003; and

- (b) approve the making of new regulations respecting disclosure of political contributions in the form set out in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting Disclosure of Political Contributions made by
the Governor in Council pursuant to Sections 21 and 32
of Chapter 4 of the Statutes of Nova Scotia, 1991,
the *Members and Public Employees Disclosure Act***

Citation

1 These regulations may be cited as the *Political Contributions Disclosure Regulations*.

Definitions for regulations

2 In these regulations,

- (a) “Act” means the *Members and Public Employees Disclosure Act*;
- (b) “annual statement of political contributions” means the disclosure statement required by Section 14 of the Act;
- (c) “audit” means an examination and verification of financial statements, accounting records and supporting documents by an independent public accountant to obtain reasonable assurance of whether the financial statements are free of material misstatement, and includes all of the following:
 - (i) examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements,
 - (ii) assessing the accounting principles used and significant estimates made in the financial statements,
 - (iii) evaluating the overall financial statement presentation;
- (d) “audited financial statement” means “audited financial statements respecting all moneys or funds held by or in trust for the party as of the date this Section comes into force” and “audited financial statements respecting all moneys or funds held by or in trust for the party at the end of the fiscal year” as defined in subsection 3(5)[(4)];
- (e) “candidate officially nominated” means a person who has been officially nominated as a candidate under Section 69 of the *Elections Act*;
- (f) “donation in kind” means goods, services or property provided by an individual or organization eligible to make a contribution under the Act for the benefit of a candidate, electoral district association or recognized party but does not include any of the following:
 - (i) personal services or the use of a vehicle volunteered by a person and not provided as part of that person’s work in the service of an employer,
 - (ii) the services of a person who acts as an official agent of a candidate,

- (iii) the services of a person who acts as an official agent or officer of an electoral district association or recognized party or provides legal counsel to an electoral district association or recognized party;
- (g) “during an election” means during an election as defined in the *Elections Act*;
- (h) “fair market value” means the amount that goods, services or property would sell for in an open market between a willing buyer and a willing seller who are
 - (i) knowledgeable, informed and prudent,
 - (ii) acting independently of each other;
- (i) “held assets” means funds or assets held in trust for a recognized party before July 11, 1991, and includes income earned on those funds or assets;
- (j) “immediate family” means the spouse, parents, and children of a person;
- (k) “leadership contestant” means an individual who is campaigning to become the leader of a recognized party;
- (l) “net profit” means the amount equal to the difference between the selling price of goods, services or property and the greater of the following:
 - (i) the actual cost of the goods, services or property,
 - (ii) the fair market value of the goods, services or property at the time the goods, services or property are acquired;
- (m) “nomination candidate” means an individual who is campaigning to become a recognized party’s candidate for election in an electoral district;
- (n) “prescribed form” means a form prescribed by the Chief Electoral Officer under Section 190 of the *Elections Act* or a form prescribed in these regulations;
- (o) “public accountant” means a public accountant licensed under the *Public Accountants Act*;
- (p) “review engagement” means an examination of the financial reports of an electoral district association by an independent public accountant to obtain reasonable assurance of whether the financial information reported is plausible and whether there is any reason to believe that the financial report is not, in all material respects, in accordance with generally accepted accounting principles, and consists primarily of the following:
 - (i) enquiry,
 - (ii) analytical procedures,
 - (iii) discussion related to information supplied by the electoral district association;
- (q) “transfer” means a transfer of services, money or other property made without consideration in accordance with Section 24.

Definitions for Act

- 3 (1)** In subsection 14B(1) of the Act, “ordinarily resident” means ordinarily resident as defined in the *Elections Act*.
- (2)** In subsection 21A(5) of the Act, “partial fiscal year” means the period from January 1, 2007, to March 31, 2007, inclusive.
- (3)** In the definition of “contributions” in clause 8(b) of the Act and in these regulations, “services, money or other property” does not include any of the following:
- (a)** goods or services produced or provided by voluntary, unpaid labour;
 - (b)** an annual membership fee paid to an electoral district association or a recognized party, if all of the following conditions are met:
 - (i)** the fee does not exceed \$25 in total per calendar year,
 - (ii)** no one individual pays membership fees for more than the individual’s immediate family,
 - (iii)** the electoral district association or recognized party that receives the fee maintains a current membership list;
 - (c)** money received at a meeting held on behalf of a candidate, electoral district association or recognized party in response to a general solicitation of money from persons in attendance if all of the following conditions are met:
 - (i)** no individual gives more than \$25,
 - (ii)** the date of the meeting, number of attendees and gross amount received are recorded by the official agent in the manner prescribed in these regulations;
 - (d)** a fee paid by a participant for a fundraising event held on behalf of a candidate, electoral district association or recognized party if the fee paid by the participant, minus the value of the benefit received by the participant, is \$50 or less;
 - (e)** the net profit derived from the sale or auction of goods, services or property sold or auctioned on behalf of a candidate, electoral district association or recognized party to an individual or organization at a fundraising event if the net profit derived from the sale or auction of the goods, services or property is \$50 or less;
 - (f)** a donation in kind provided for the benefit of a candidate, electoral district association or recognized party if all of the following conditions are met:
 - (i)** the fair market value of the donation in kind is \$50 or less,
 - (ii)** the individual or organization has not already made previous donations in kind with a total value exceeding \$50 in accordance with subsection 19(6).
- (4)** In Section 21C of the Act, “audited financial statements respecting all moneys or funds held by or in trust for the party as of the date this Section comes into force” and “audited financial statements respecting all moneys or funds held by or in trust for the party at the end of the fiscal year” means

the audited financial statements of a recognized party prepared by an independent public accountant following an audit respecting all money or funds held by or in trust for the party as of the applicable date and includes, but is not limited to, statements of

- (a) all income, on a gross basis, of the recognized party during the reporting period before related or associated expenses are deducted;
- (b) all contributions and transfers received by the recognized party during the reporting period,
- (c) all expenses and transfers made by the recognized party during the reporting period;
- (d) all loans payable and receivable;
- (e) all assets and liabilities of the recognized party.

Related corporations

4 A corporation is related to another corporation for the purpose of subsection 14B(3) of the Act if the following conditions are met:

- (a) for a corporation other than a society incorporated under the *Societies Act*, the beneficial ownership of shares representing at least 50% of the issued and outstanding voting shares of both corporations are held, directly or indirectly, by 1 of the following:
 - (i) the same corporation,
 - (ii) the same individual,
 - (iii) 1 or more individuals who are members of the same immediate family;
- (b) for a society incorporated under the *Societies Act*, the majority of directors of both societies are the same individuals.

Forms include schedules

5 The forms set out in these regulations are prescribed for use under the Act and each form includes the schedules to that form.

Forms for reporting annual statements of political contributions

6 (1) An annual statement of political contributions must be in the following applicable form:

- (a) for a candidate, Form 2, Candidate's Financial Statements and Supporting Schedules;
 - (b) for a recognized party, Form 3, Recognized Party's Financial Statements and Supporting Schedules;
 - (c) for an electoral district association, Form 4, Electoral District Association's Financial Statements and Supporting Schedules.
- (2)** Form 3, Recognized Party's Financial Statements and Supporting Schedules must be submitted electronically.
- (3)** Form 2, Candidate's Financial Statements and Supporting Schedules and Form 4, Electoral District Association's Financial Statements and Supporting Schedules must be submitted electronically or in hard copy.

Form for reporting candidate information

- 7 (1) When a candidate appoints an official agent, the candidate must immediately advise the designated person in writing of all of the following using Form 1, Candidate Information:
- (a) the name, address and telephone number of the official agent;
 - (b) the name, address and telephone number of the candidate's auditor;
 - (c) the name of the financial institution in which all money, including contributions to the candidate, is to be deposited;
 - (d) the account number of the account into which all money, including contributions to the candidate, is to be deposited.
- (2) An individual who becomes a candidate within the meaning of paragraph 3(d)(i)(A) of the *Elections Act* after an election in which the individual was already a candidate must deliver a new Form 1 in accordance with subsection (1).
- (3) If any of the information provided by a candidate in Form 1 changes, the candidate must deliver an amended Form 1 updating all the information required by subsection (1) to the designated person.
- (4) An individual who is a candidate within the meaning of paragraph 3(d)(i)(A) of the *Elections Act* must not accept contributions until the candidate delivers Form 1 to the designated person.

Form for reporting fundraising event revenue and expenses

- 8 A candidate, electoral district association or recognized party that is seeking approval from the designated person of the calculation of the total fees paid by all participants in a fundraising event minus the benefits received by those participants, must deliver a Form 5, Statement of Fundraising Event Revenue and Expenses to the designated person in accordance with Section 22.

Filing Candidate's Financial Statements and Supporting Schedules

- 9 (1) A Candidate's Financial Statements and Supporting Schedules in Form 2 must be filed at the same time and place the official agent files the candidate's report of election expenses and tax receipt reconciliation form under the *Elections Act*.
- (2) The reporting period for a Candidate's Financial Statements and Supporting Schedules filed under subsection (1) begins on January 1 of the calendar year in which the election is held and ends 30 days after ordinary polling day.
- (3) A Candidate's Financial Statements and Supporting Schedules in Form 2 for an individual who is a candidate within the meaning paragraph 3(d)(i)(A) of the *Elections Act* during any part of a calendar year must be filed for each period that begins with the declaration of the individual as a candidate and ends with the ~~earlier~~ [earliest] of all of the following:
- (a) the date on which the individual ceases to be a candidate, in which case it must be filed no later than 90 days after the date the individual ceases to be a candidate;
 - (b) an election or by-election in the candidate's electoral district, in which case it must be filed at the same time and place the official agent files the candidate's report of election expenses and tax receipt reconciliation form under the *Elections Act*;
 - (c) the end of the calendar year, in which case it must be filed no later than March 31 of the year immediately after the calendar year to which the statements refer.

Filing Recognized Party's Financial Statements and Supporting Schedules

- 10** (1) Except as provided in subsection (2) for Schedule C-2 to Form 3, a Recognized Party's Candidate's Financial Statements and Supporting Schedules in Form 3 must be filed on or before April 30 of the year immediately after the calendar year to which the statements refer.
- (2) Schedule C-2 to Form 3, detailing transfers made to a candidate or electoral district association during an election, must be filed at the same time the official agent files the recognized party's report of election expenses under subsection 184(1) of the *Elections Act*.

Filing Electoral District Association's Financial Statements and Supporting Schedules

- 11** (1) Except as otherwise provided in subsections (2) and (3), an Electoral District Association's Financial Statements and Supporting Schedules in Form 4 must be filed on or before March 31 of the year immediately after the calendar year to which the statements refer.
- (2) An electoral district association that is required to provide a review engagement report under Section 26, must file its Electoral District Association's Financial Statements and Supporting Schedules in Form 4 on or before April 30 immediately after the calendar year to which the statements refer.
- (3) Schedule C-2 to Form 4, detailing transfers made to a candidate or recognized party during an election, must be filed no later than 120 days after the date fixed for the return of the writ of election.
- (4) A copy of a bank statement as at December 31 for each account identified in the electoral district association's registration under the *Elections Act*, must be included with Form 612, Annual Report of Electoral District Association, required under subsection 177C(2) of the *Election Act*.

When contributions may be accepted

- 12** (1) The official agent of a recognized party and the official agent of an electoral district association may accept contributions at any time.
- (2) The official agent of a candidate officially nominated may accept contributions from the time the candidate delivers Form 1 to the earlier of the following:
- (a) the time the individual ceases to be a candidate;
 - (b) the end of ordinary polling day of the first election or by-election in the candidate's electoral district following their declaration as a candidate.

Official agent to exercise due diligence

- 13** An official agent must exercise due diligence to ensure that contributions are recorded and disclosed in accordance with Part II of the Act and these regulations.

Method of recording contributions

- 14** (1) The information recorded by an official agent under Section 11 of the Act and these regulations must be recorded in a single ledger.
- (2) The ledger used to record information under subsection (1) may be in the form of an electronic record.
- (3) Contributions recorded by an official agent must be recorded on a cumulative basis for the purpose of the limit in subsection 14B(2) of the Act.

Financial institution located in Province

15 A financial institution in which money, including contributions, is deposited on behalf of a candidate, electoral district association or recognized party must be located in the Province.

Accounts for contributions at financial institutions

- 16** (1) All money accepted on behalf of a candidate must be deposited into a single account established at the financial institution identified to the designated person in Form 1.
- (2) All money accepted on behalf of an electoral district association must be deposited into a single account established at the financial institution identified to the Chief Electoral Officer under clause 177C(1)(c) of the *Elections Act*.
- (3) All money accepted on behalf of a recognized party must be deposited into 1 or more accounts established at the financial institution identified to the Chief Electoral Officer under clause 177(3)(i) of the *Elections Act*.

Deadline for closing account for receiving money on behalf of candidate

17 An account established at a financial institution to receive money on behalf of a candidate must be closed no later than the time by which the candidate is required to report disposal of excess contributions under Section 192 of the *Elections Act*.

Recording deposited contributions

- 18** (1) A candidate, electoral district association or recognized party must be recorded as the recipient of any contributions deposited into an account established on behalf of the candidate, electoral district association or recognized party.
- (2) Only 1 official agent is permitted to record a contribution.

Donations in kind

- 19** (1) The value of a donation in kind contribution is the fair market value of the goods, services or property at the time they are provided and, except as excluded by subclause 3(3)(f)(ii), the contribution must be attributed to the individual or organization that provided the goods, services or property.
- (2) An individual or organization who provides goods, services or property directly to participants in a fundraising event held on behalf of a candidate, electoral district association or recognized party without compensation is deemed to have made a donation in kind contribution to the candidate, electoral district association or recognized party and the contribution is valued at the fair market value of the goods, services or property at the time they are provided to the participants.
- (3) A self-employed individual who normally sells or otherwise charges for services and provides those services to a candidate, electoral district association or recognized party is deemed to have made a donation in kind contribution to the candidate, electoral district association or recognized party and the contribution is valued at the regular fee or amount that the self-employed individual would normally charge for the services.
- (4) An individual or organization who sells goods, services or property to a candidate, electoral district association or recognized party at an amount less than fair market value is deemed to have made a donation in kind contribution to the candidate, electoral district association or recognized party and the contribution is valued at the difference between the fair market value of the goods, services or property at the time they were sold and the price paid by the candidate, electoral district association or recognized party for the goods, services or property.

- (5) An individual or organization who provides compensation to another individual for that individual's services to a candidate, electoral district association or recognized party is deemed to have made a donation in kind contribution to the candidate, electoral [district] association or recognized party and the value of the contribution is the amount of compensation paid to the individual who provided the services.
- (6) An individual's or organization's donations in kind that total more than \$50 in a calendar year must be disclosed under Section 14 of the Act.
- (7) A candidate or recognized party must not accept a donation in kind contrary to subsection 175(3) of the *Elections Act*.

Gifts to contributors

20 A candidate, electoral district association or recognized party may give a gift of nominal value to a contributor and the gift is not considered a benefit to the contributor if

- (a) the fair market value of the gift is no more than the lesser of the following:
 - (i) 10% of the contribution made,
 - (ii) \$10; and
- (b) the gift is not provided in the form of cash or a gift certificate.

Tax receipts

21 (1) A tax receipt may be issued by the official agent of a candidate officially nominated in the prescribed form, from the time the candidate is officially nominated to 30 days after ordinary polling day, for any of the following:

- (a) the actual amount of a monetary contribution received between the time the candidate was officially nominated and the end of ordinary polling day;
 - (b) the price paid by a participant less the benefit received by that participant, for a fundraising event held by a candidate if
 - (i) Form 5, Statement of Fundraising Event Revenue and Expenses is delivered in accordance with Section 8 no later than 30 days after the date the fundraising event is held, and
 - (ii) the calculation of total fees paid by all participants less the benefits received by those participants has been approved by the designated person.
- (2)** A tax receipt may be issued only in the prescribed form by the official agent of a recognized party, at any time, for any of the following:
- (a) the actual amount of a monetary contribution received on behalf of the recognized party;
 - (b) the price paid by a participant less the benefit received by that participant, for a fundraising event held by a recognized party if
 - (i) Form 5, Statement of Fundraising Event Revenue and Expenses is delivered in accordance with Section 8 no later than the earlier of the following dates:

- (A) that date that is 120 days after the date the fundraising event was held,
- (B) March 31 following the calendar year in which the fundraising event was held,
- (ii) the calculation of total fees paid by all participants less the benefits received by those participants has been approved by the designated person;
- (c) the price paid by a participant less the benefit received by that participant, for a fundraising event held by an electoral district association if
 - (i) Form 5, Statement of Fundraising Event Revenue and Expenses is delivered in accordance with Section 8 no later than the earlier of the following dates:
 - (A) the date that is 120 days after the date the fundraising event was held,
 - (B) March 31 following the calendar year in which the fundraising event was held,
 - (ii) the calculation of total fees paid by all participants less the benefits received by those participants has been approved by the designated person.
- (3) Except as provided in Section 23 for partnerships, a tax receipt may only be issued in the name of the individual or organization that made the contribution.
- (4) An electoral district association may not issue tax receipts.
- (5) A tax receipt may not be issued for any of the following:
 - (a) amounts exempt under subsection 3(3);
 - (b) a contribution realized from the sale or auction of goods, services or property;
 - (c) a donation in kind contribution;
 - (d) loan contributions under subsections 14E(2), (3) or (4) of the Act;
 - (e) money contributed to a recognized party by a nomination candidate or a leadership contestant or fees paid to a recognized party by a leadership contestant that are contributions under Section 28.

Sale of goods, services or property

- 22** (1) A net profit of more than \$50 that is derived from the sale or auction of goods, services or property sold on behalf of a candidate, electoral district association or recognized party is a contribution attributable to the individual or organization that purchased the goods, services or property from the candidate, electoral district association or recognized party.
- (2) If the total amount paid by an individual or organization for a fundraising event held on behalf of a candidate, electoral district association or recognized party, minus the value of the benefit received by the individual or organization, is more than \$50, the amount of the fees paid that exceeds the benefits received is a contribution to the candidate, electoral district association or recognized party and the contribution is attributable to the individual or organization that paid the fees.

- (3) Despite the exclusion in clause 3(3)(d), if the total amount paid by an individual or organization for a fundraising event less the benefit received by the individual or organization is less than \$50, the official agent of a candidate, electoral district association or recognized party may elect to record the amount paid less the value of the benefit received as a contribution.
- (4) If an official agent elects to record a contribution under subsection (3), the official agent must do the same for all participants in the fundraising event.
- (5) An amount recorded as a contribution under subsection (3) must be added to other contributions made by the same individual or organization in accordance with subsection 14(3).

Contributions by partnerships

- 23** (1) Effective January 1, 2009, a partnership may make a contribution in the name of the partnership or in the names of individual partners but must, at the time the contribution is made, advise the official agent to whom and in what amount the contribution is to be attributed.
- (2) An official agent of a candidate or a recognized party cannot issue a tax receipt for a contribution made in the name of [a] partnership.

Transfers of money or property

- 24** (1) Except as otherwise provided in this Section, a recognized party and any of its electoral district associations and candidates may transfer services, money or property between one another and the transferred services, money or property are not considered to be contributions but must be recorded in the annual statement of political contributions of the recognized party, electoral district association and candidate.
- (2) A fund or trust established for the benefit of a recognized party may not transfer money or property to a candidate or an electoral district association.
- (3) An electoral district association may not transfer services, money or property to another electoral district association or a candidate other than the candidate in the electoral district.
- (4) A candidate may not transfer services, money or property to another candidate or an electoral district association other than the electoral district association in the electoral district in which they are a candidate.
- (5) An electoral district association may not transfer services or property to a candidate or recognized party if the services or property would qualify as election expenses under clause 3(i) of the *Elections Act* if purchased by the candidate or recognized party.
- (6) A candidate, electoral district association or recognized party must not accept, as a transfer, services, money or property from any of the following:
- (a) a federal political party;
 - (b) a federal constituency association;
 - (c) a federal candidate;
 - (d) a political party in another province or territory;
 - (e) an electoral district association in another province or territory;

- (f) a candidate in another province or territory.

Audit of annual statement of political contributions

- 25 (1)** Schedules B-1 through B-4 to Form 2, Candidate's Financial Statements and Supporting Schedules must be audited by a public accountant in any of the following circumstances:
- (a) the statement is submitted on behalf of an individual who is a candidate within the meaning of paragraph 3(d)(i)(A) of the *Elections Act*, and the total contributions are more than \$5000 for the reporting period;
 - (b) the statement is submitted on behalf of a candidate officially nominated.
- (2)** Schedules B-1 through B-5 to Form 3, Recognized Party's Financial Statements and Supporting Schedules must be audited by a public accountant.
- (3)** Schedules B-1 through B-4 to Form 4, Electoral District Association's Candidate's Financial Statements and Supporting Schedules must be audited by a public accountant if the total contributions are more than \$5000 for the reporting period.

Review engagement of electoral district associations

- 26** Effective January 1, 2009, an electoral district association that has total contributions and other income, excluding transfers, of more than \$20,000 in any calendar year being reported must include a review engagement report prepared by an independent public accountant in their Electoral District Association's Financial Statements and Supporting Schedules in Form 4 filed under Section 11.

Recognized party's held assets

- 27 (1)** A recognized party's held assets must be kept apart from other funds of the recognized party and the funds that a recognized party intends to use for the operations of the recognized party must be disbursed from a separate bank account.
- (2)** The official agent and chief financial officer for a recognized party must complete Schedule F (Held Assets of Recognized Party) to Form 3, Recognized Party's Financial Statements and Supporting Schedules, and include all of the following information regarding their held assets account:
- (a) all deposits into the account, including
 - (i) the date of the deposit,
 - (ii) the amount of the deposit, and
 - (iii) the source of the deposit;
 - (b) all disbursements or withdrawals from the account, including
 - (i) the date of the disbursement or withdrawal,
 - (ii) the amount of the disbursement or withdrawal,
 - (iii) the purpose of the disbursement or withdrawal, and
 - (iv) the person or account who received the disbursement or withdrawal.

- (3) The information provided for a recognized party under subsection (2) must be sufficient to satisfy the designated person that the held assets were used only for the operations of the recognized party and were not used during an election for any election purpose.

Money or property from nomination candidates and leadership contestants

- 28** (1) Money or property conveyed by a nomination candidate or leadership contestant to a recognized party is deemed to be a contribution to the recognized party and must be disclosed under Section 14 of the Act.
- (2) The contributions in subsection (1) must be attributed on a proportionate basis to the individuals and organizations that gave money or property to the nomination candidate or leadership contestant.
 - (3) The total amount contributed to a recognized party under subsection (1) must not exceed the sum of all of the following:
 - (a) the amount of any money or value of any property given to a nomination candidate or leadership contestant that would have been permitted as contributions to a recognized party if they were made directly to the recognized party;
 - (b) the amount of any money or value of any property received from an electoral district association or recognized party by a nomination candidate or leadership contestant.
 - (4) Money or property from a nomination candidate or leadership contestant must not be accepted by another candidate or an electoral district association.
 - (5) The amount by which the total of fees charged by a recognized party to leadership contestants exceeds the total cost of holding the leadership convention is deemed to be a contribution to the recognized party and the contribution must be attributed on a proportionate basis to the individuals and organizations that gave money or property to the leadership contestants.

Persons who may not audit financial statements

- 29** None of the following individuals may audit any of the financial statements or forms required by the Act or these regulations:
- (a) returning officer;
 - (b) election clerk;
 - (c) candidate;
 - (d) chief financial officer for any of the following:
 - (i) candidate,
 - (ii) electoral district association,
 - (iii) recognized party;
 - (e) any person involved in the raising, spending or custody of money or property of a candidate, electoral district association or recognized party.

Date payments on loans made as contributions

30 A loan that is a contribution under subsection 14E(3) or (4) of the Act is attributed as of the effective date of the original loan agreement and treated as if the contribution were made on that date.

Bank prime rate

- 31** (1) In subsection 14E(2) of the Act and this Section, “bank prime rate” means the prime business rate published by the Bank of Canada.
- (2) For the purpose of a loan referred to in subsection 14E(2) of the Act, the bank prime rate is the bank prime rate at the time the rate of interest on the loan is fixed.
- (3) The designated person must publish the bank prime rate on the Elections Nova Scotia website and update the bank prime rate whenever it changes.

Publication of recognized party’s audited financial statements

32 For the purpose of Section 21C of the Act, a recognized party’s audited financial statements are published when all of the following are done:

- (a) they are produced and made readily available to the public free of charge;
- (b) they are distributed using the recognized party’s website;
- (c) an original is provided to the designated person.

Acceptance of annual and audited statements by designated person

- 33** (1) The designated person must accept any annual statements of political contributions in Form 2, 3 or 4 if the designated person is satisfied that the information contained in the forms meets the requirements of the Act and these regulations.
- (2) The designated person must return any Form 2, 3, or 4 that is not accepted to the candidate, electoral district association or recognized party who filed it, and give details of why the information contained in the form does not meet the requirements of the Act or these regulations.
- (3) A candidate, electoral district association or recognized party whose Form 2, 3, or 4 is not accepted by the designated person must file any new or further material or information required by the designated person to bring the content of Form 2, 3, or 4 within the requirements of the Act and these regulations.
- (4) The designated person must accept a recognized party’s audited financial statements if the designated person is satisfied that the audited financial statements meet the requirements of the Act and these regulations.
- (5) The designated person must return any audited financial statements that are not accepted to the recognized party, and give details of why the audited financial statements do not meet the requirements of the Act and these regulations.
- (6) A recognized party whose audited financial statements are rejected must provide any new or further material or information required by the designated person to bring the audited financial statements within the requirements of the Act and these regulations.

Inspection of records

34 (1) The designated person may conduct inspections of the records of candidates, electoral district associations and recognized parties that relate or may relate to any of the following:

- (a) information that is or should be in any statements or forms required to be filed with the designated person under the Act and these regulations;
 - (b) information that shows the basis for any calculation that has been made in order to determine the amount of a contribution;
 - (c) any information other than the information required under clause (a) or (b) that is required to be filed with the designated person under the Act and these regulations.
- (2) On reasonable notice at any reasonable time, the designated person, or a representative of the designated person, may visit the premises of a candidate, electoral district association or recognized party to inspect their records and make copies of their records.

Auditor's access to records

35 An auditor appointed by a candidate, electoral district association or recognized party must be given access at all reasonable times to all records, documents, books, accounts and vouchers of an official agent of the candidate, electoral district association or recognized party and is entitled to require any information and explanations that the auditor considers necessary to enable the auditor to report as required.

Transitional rules for 2007 calendar year

- 36** (1) For the calendar year 2007, the contributions received between January 1, 2007, and March 2, 2007, and the contributions received between March 3, 2007, and December 31, 2007, must be listed separately on an annual statement of political contributions, and the portion of the statement relating to contributions received between March 3, 2007, and December 31, 2007, must be prepared and the corresponding prescribed forms completed in accordance with these regulations.
- (2) For the calendar year 2007, the audited financial statements respecting all moneys or funds held by or in trust for the party at the end of the fiscal year must include the period from March 3, 2007, to December 31, 2007.
- (3) On the effective date of these regulations, the official agent of an electoral district association must file a copy of the electoral district association's bank statement that reflects all bank balances of the electoral district association as of March 3, 2007.
- (4) For the calendar year 2007, Schedule F (Held Assets of a Recognized Party) to Form 3, Recognized Party's Financial Statements and Supporting Schedules must include the period from March 3, 2007, to December 31, 2007.

Form 1
Candidate Information
Members and Public Employees Disclosure Act

Reporting Period: from January 1 to December 31, 20__.

Note: This Form must be filed by a candidate in order to accept political contributions. A candidate officially nominated must appoint an auditor. All other candidates must appoint an auditor if total contributions are more than \$5000 for the reporting period.

Full name of candidate: _____
 Electoral district: _____
 Party affiliation (if any): _____

Candidate:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Official Agent:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Auditor:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Financial Institution to be used as a depository for contributions:

<i>Institution and Branch Location</i>	
<i>Mailing Address</i>	
<i>Account Number</i>	

I confirm the information contained in this form for the purpose of Part II of the *Members and Public Employees Disclosure Act* and the *Political Contributions Disclosure Regulations*.

Dated at _____, Nova Scotia, _____, 20__.

 Signature of Candidate

Form 2
Candidate's Financial Statements and Supporting Schedules
Members and Public Employees Disclosure Act

Reporting period from _____ to December 31, 20__ (non-election year)

or

Reporting period from January 1 to _____, 20__ (election year)

Note: Schedules B-1 through B-4 for a candidate officially nominated must be audited. Schedules B-1 through B-4 for all other candidates must be audited if total contributions are more than \$5000 for the reporting period.

Full name of candidate: _____
 Electoral district: _____
 Party affiliation (if any): _____

Official Agent:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Auditor:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Declaration

I, the undersigned Official Agent, hereby file with the designated person a completed Form 2, *Candidate's Financial Statements and Supporting Schedules*, along with an Auditor's Report from an independent public accountant.

I declare that to the best of my knowledge and belief that the information contained in the form is complete, true and correct and in compliance with the *Members and Public Employees Disclosure Act* and the *Political Contributions Disclosure Regulations*.

Dated at _____, Nova Scotia, _____, 20__.

 Signature of Official Agent

**Form 2: Schedule A-1
Candidate's Statement of Assets, Liabilities and Surplus**

Candidate name: _____
 Recognized party: _____

Assets:

100	Cash	\$	_____	
110	Accounts receivable		_____	
	Other assets (provide details)			
130	_____		_____	
140	_____		_____	
190	Total assets (total lines 100 to 140)	\$		_____

Liabilities:

200	Accounts payable	\$	_____	
210	Overdraft/line of credit		_____	
	Other liabilities (provide details)			
220	_____		_____	
240	Loans payable		_____	← from Sch. E line 810
260	Total liabilities (total lines 200 to 240)	\$		_____
Surplus/(deficit):				
275	Surplus/(deficit)	\$	_____	← from Sch. A-2 line 490
290	Total liabilities and surplus (add line 260 and line 275)	\$		_____

**Form 2: Schedule A-2
Candidate's Statement of Income, Expense and Transfers**

Candidate name: _____
 Recognized party: _____

Income and transfers:

300	Contributions	\$ _____	←	from Sch. B-1 line 500
310	Transfers from recognized party	_____	←	from Sch. C-1 line 600
320	Transfers from electoral district association	_____	←	from Sch. C-1 line 610
330	Fundraising revenue	_____	←	from Sch. D line 770
335	Election expense reimbursement	_____		
	Other income (provide details)	_____		
380	_____	_____		
390	Total income and transfers (total lines 300 to 380)	\$ _____		

Expenses and transfers:

400	Non-election expenses	\$ _____		
410	Election expenses	_____	←	from Form 601 Part III
420	Transfers to recognized party	_____	←	from Sch. C-2 line 630
430	Transfers to electoral district association	_____	←	from Sch. C-2 line 640
435	Fundraising expenses	_____	←	from Sch. D line 780
	Other expenses (provide details)	_____		
445	_____	_____		
460	Total expenses and transfers (total lines 400 to 445)	\$ _____		
490	Total surplus/(deficit) (line 390 minus line 460)	\$ _____		

to Sch. A-1 line 275

**Form 2: Schedule B-1
Candidate's Annual Statement of Political Contributions
Monetary Contributions**

Candidate name: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
Total of all monetary contributions under \$50.00 not individually disclosed						\$
Type of contributor: (I) Individual (C) Corporation (U) Union (S) Society				Line 500	Total	\$
				carry total to Sch. A-2 line 300		

**Form 2: Schedule B-2
Candidate's Annual Statement of Political Contributions
Fundraising Contributions**

Candidate name: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
						\$
Type of contributor: (I) Individual (C) Corporation (U) Union (S) Society				Line 510	Total	\$

**Form 2: Schedule B-3
Candidate's Annual Statement of Political Contributions
Donation in Kind Contributions**

Candidate name: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
						\$
Type of contributor: (I) Individual (C) Corporation (U) Union (S) Society				Line 520	Total	\$

**Form 2: Schedule B-4
Candidate's Annual Statement of Political Contributions
Loan Contributions**

Candidate name: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Nova Scotia civic address	Community	Postal code	Amount
					\$
				Line 530	Total \$

**Form 2: Schedule C-1
Candidate's Statement of Transfers Received**

Candidate name: _____
 Recognized party: _____

Date of transfer	Name of transferring entity	Amount transferred from recognized party	Amount transferred from electoral district association
		\$	\$
	Totals	\$	\$
		Line 600	Line 610
		to Sch. A-2 Line 310	to Sch. A-2 Line 320

**Form 2: Schedule E
Candidate's Statement of Loans**

Candidate name: _____
 Recognized party: _____

Part A - Loans Payable

						Calculation of interest benefit		
						A	B	C
Date of loan	Full name and mailing address of lender/guarantor	Original amount of loan	Loan balance outstanding	Loan interest rate	Bank prime interest rate	Interest amount at bank prime	Actual interest at loan interest rate	Interest benefit (contribution) C = A - B
		\$	\$					\$
Totals			\$					\$
			Line 810	← carry total of line 810 to Sch A-1 line 240 Disclose loan interest benefit or loan deemed to be contribution on Sch. B-4.				Line 820

Form 3
Recognized Party's Financial Statements and Supporting Schedules
Members and Public Employees Disclosure Act

Reporting Period: January 1 to December 31, 20__

Name of recognized party: _____

Official Agent:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Auditor:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Declaration

We, the undersigned Official Agent and Chief Financial Officer, hereby file with the designated person a completed Form 3, *Recognized Party's Financial Statements and Supporting Schedules*. We have attached a copy of our audited financial statements for the reporting period pursuant to subsection 21C(2) of the *Members and Public Employees Disclosure Act*.

We declare to the best of our knowledge and belief that the information contained in this form and the attached audited financial statements are complete, true and correct and in compliance with the *Members and Public Employees Disclosure Act* and the *Political Contributions Disclosure Regulations*.

Dated at _____, Nova Scotia, _____, 20__.

 Signature of Official Agent

 Signature of Chief Financial Officer

Form 3: Schedule A-1
Recognized Party's Statement of Assets, Liabilities and Surplus

Recognized party: _____

Assets:

100	Cash	\$	_____	
110	Accounts receivable		_____	
120	Prepaid expense		_____	
125	Loans receivable		_____	← from Sch. E line 800
	Other current assets (provide details)		_____	
130	_____		_____	
140	_____		_____	
150	Fixed assets (net of depreciation)		_____	
160	Investments		_____	
	Other long term assets (provide details)		_____	
170	_____		_____	
180	_____		_____	
190	Total assets (total lines 100 to 180)			\$ _____

Liabilities:

200	Accounts payable	\$	_____	
210	Overdraft/line of credit		_____	
	Other short-term liabilities		_____	
220	_____		_____	
240	Loans payable		_____	← from Sch. E line 810
	Other long-term liabilities (provide details)		_____	
250	_____		_____	
260	Total liabilities (total lines 200 to 250)			\$ _____

Surplus/(deficit):

270	Surplus/(deficit) beginning of year	\$	_____	
275	Surplus/(deficit) for year		_____	
280	Surplus/(deficit) end of year (total lines 270 to 275)			\$ _____
290	Total liabilities and surplus (total line 260 and line 280)			\$ _____

Form 3: Schedule A-2
Recognized Party's Statement of Income, Expense and Transfers

Recognized party: _____

Income and transfers:

300	Monetary contributions	\$ _____	←	from Sch. B-1 line 500
310	Contributions from nomination contestants and leadership candidates	_____	←	from Sch. B-5 line 540
320	Transfers from electoral district associations	_____	←	from Sch. C-1 line 600
330	Transfers from nominated candidates	_____	←	from Sch. C-1 line 610
340	Transfers from funds or trusts	_____		
350	Fundraising income	_____	←	from Sch. D line 770
360	Membership fees	_____		
370	Interest and investment income	_____		
	Other income (provide details)	_____		
380	_____	_____		
385	Public funding	_____		
390	Total income and transfers (total lines 300 to 385)	\$ _____		

Expenses and transfers:

400	Expenses (non-election period)	\$ _____	←	from Sch. A-3 line 949
410	Expenses (election period)	_____	←	from Sch. A-4 line 970
420	Transfers to electoral district associations	_____	←	from Sch. C-2 line 620
430	Transfers to nominated candidate	_____	←	from Sch. C-2 line 630
440	Nomination candidate and leadership contestant expense	_____		
450	Fundraising expenses	_____	←	from Sch. D line 780
460	Transfers to funds or trusts	_____		
470	Total expenses and transfers (total lines 400 to 460)	\$ _____		
490	Total surplus/(deficit) (line 390 minus line 470)	\$ _____		
				to Sch. A-1 line 275

**Form 3: Schedule A-3
Recognized Party's Schedule of Expenses (non-election period)**

Recognized party: _____

900	Advertising	\$	
901	Posters, pamphlets, promotional materials		
902	Depreciation and amortization		
903	Furniture and equipment rental		
904	Gifts to contributors		
905	Honoraria and salaries		
906	Interest and bank charges		
907	Legal and audit fees		
908	Meeting space		
909	Office		
910	Office supplies and postage		
	Other professional services (provide details)		
911	_____		
912	Polling		
913	Signs		
914	Transportation, accommodation and meals		
915	Telephone		
	Other expenses (provide details)		
916	_____		
917	_____		
949	Total expenses (total lines 900 to 917)	\$	

to Sch. A-2 line 400

**Form 3: Schedule A-4
Recognized Party's Schedule of Expenses (election period)**

Use a separate Schedule A-4 for each electoral event in the reporting period.

Recognized party: _____
 Ordinary polling day: _____

951	Advertising	\$	_____	
952	Posters, pamphlets, promotional materials		_____	
953	Depreciation and amortization		_____	
955	Furniture and equipment rental		_____	
956	Honoraria and salaries		_____	
957	Interest and bank charges		_____	
958	Legal and audit fees		_____	
959	Meeting space		_____	
960	Office (rent, utilities, taxes)		_____	
961	Office supplies and postage		_____	
	Other professional services (provide details)		_____	
962	_____		_____	
963	Polling		_____	
964	Signs		_____	
965	Transportation, accommodation and meals		_____	
966	Telephone		_____	
967	Leader's expenses		_____	
	Other expenses (provide details)		_____	
968	_____		_____	
970	Total expenses (total lines 951 to 968)	\$	_____	to Sch. A-2 line 400
980	Election expenses from previous periods ¹		_____	
990	Total election expenses	\$	_____	equals Form 603 line 7

1. Include cost of expenditures for literature, objects or materials of advertising nature used during the election that were recorded as expenses in previous accounting periods. The sum of election expenses reported on line 970 for the "election period" and expenses reported on line 980 must equal total election expenses reported under the *Elections Act* on Form 603.

**Form 3: Schedule B-1
Recognized Party's Annual Statement of Political Contributions
Monetary Contributions**

Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
Total of all monetary contributions under \$50.00 not individually disclosed						\$
Type of contributor: (I) Individual (C) Corporation (U) Union (S) Society						Line 500 Total \$
						carry total to Sch. A-2 line 300

**Form 3: Schedule B-2
Recognized Party's Annual Statement of Political Contributions
Fundraising Contributions**

Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
						\$
Type of contributor:				Line 510	Total	\$

- (I) Individual
- (C) Corporation
- (U) Union
- (S) Society

**Form 3: Schedule B-5
Recognized Party's Annual Statement of Political Contributions
Nomination Candidates or Leadership Contestants**

Recognized party: _____

Nomination candidate or leadership contestant name: _____

All fields must be completed for each contribution.

						A	B
Last name of individual or full business name	First name	Civic address	Community	Prov.	Postal code	Amount contributed to nomination candidate or leadership contestant	Prorated amount transferred to party
Total of contributions under \$50.00 not requiring disclosure							
					Total		
Instructions: 1) Use a separate copy of schedule for each nomination candidate or leadership contestant reported. 2) Only include contributions in column A that meet the contribution requirements of the Act.						column A equals 100% of allowable contributions received by candidate or contestant	Line 540
							Prorate amount in column A carry to Sch. A-2 line 310

**Form 3: Schedule E
Recognized Party's Statement of Loans**

Recognized party: _____

Part A - Loans Receivable

Date of loan	Full name of borrower	Original amount of loan	Amount of loan outstanding	Loan interest rate
		\$	\$	
Total			\$	
			Line 800	← carry total to Sch. A-1 line 125

Part B - Loans Payable

						Calculation of interest benefit		
						A	B	C
Date of loan	Full name and mailing address of lender/guarantor	Original amount of loan	Loan balance outstanding	Loan interest rate	Bank prime interest rate	Interest amount at bank prime	Actual interest at loan interest rate	Interest benefit (contribution) C = A - B
		\$	\$					\$
Totals			\$					\$
			Line 810	←	carry total of line 810 to Sch A-1 line 240 Disclose loan interest benefit or loan deemed to be contribution on Sch. B-4.	→		Line 820

**Form 3: Schedule F
Held Assets of a Recognized Party**

Recognized party: _____

Part 1 - Deposits to held asset disbursement account

Date	Source	Amount
		\$
Total		\$

Part 2 - Disbursements from held asset disbursement account

Date	Payee	Purpose	Amount
			\$
Total			\$

Part 3 - Reconciliation of held assets disbursement account

Opening balance at _____, 20____.	
Add: deposits from Part 1	\$ _____
Subtract: disbursements from Part 2	\$ _____
Closing balance at _____, 20____.	\$ _____
Change in investment value of held assets during reporting	\$ _____

Declaration

We, the undersigned certify that the information contained in this Form is a true and accurate listing of the changes in the held assets account, including additions to and disbursements from the account.

All held assets were used in accordance with Section 21 of the *Members and Public Employees Disclosure Act* and no held assets were used for election purposes or advertising as prohibited by subsections 21B(2) and 21B(3) of the *Members and Public Employees Disclosure Act*.

Dated at _____, Nova Scotia, _____, 20____.

Signature of Official Agent

Signature of Chief Financial Officer

Form 4
Electoral District Association's Financial Statements and
Supporting Schedules
Members and Public Employees Disclosure Act

Reporting Period: January 1 to December 31, 20__

Electoral district: _____
 Recognized party: _____

Official Agent:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Auditor:

<i>Name</i>	<i>Mailing Address</i>	<i>Telephone #</i>

Declaration

We, the undersigned hereby file with the designated person a completed Form 4, *Electoral District Association's Financial Statements and Supporting Schedules*. We have also attached an Auditor's Report if disclosed political contributions exceed \$5,000 in the reporting period and a Review Engagement Report if total income, excluding transfers, exceeds \$20,000 in the reporting period.

We declare that to the best of our knowledge and belief the information contained in this form is complete, true and correct and in compliance with the *Members and Public Employees Disclosure Act* and the *Political Contributions Disclosure Regulations*.

Dated at _____, Nova Scotia, _____, 20__.

 Signature of Official Agent

 Signature of President

**Form 4: Schedule A-1
Electoral District Association's Statement of Assets, Liabilities and Surplus**

Electoral district: _____
 Recognized party: _____

Assets:

100	Cash	\$	_____	
110	Accounts receivable		_____	
120	Prepaid expense		_____	
125	Loans receivable		_____	← from Sch. E line 800
	Other current assets (provide details)		_____	
130	_____		_____	
150	Fixed assets		_____	
160	Investments		_____	
	Other long-term assets (provide details)		_____	
170	_____		_____	
190	Total assets (total lines 100 to 170)			\$ _____

Liabilities:

200	Accounts payable	\$	_____	
210	Overdraft/line of credit		_____	
	Other liabilities (provide details)		_____	
220	_____		_____	
230	_____		_____	
240	Loans payable		_____	← from Sch. E line 810
260	Total liabilities (total lines 200 to 240)	\$		_____

Surplus:

270	Surplus/(deficit) beginning of year	\$	_____	
275	Surplus/(deficit) for year		_____	← from Sch. A-2 line 490
280	Surplus/(deficit) end of year (total lines 270 to 275)	\$	_____	
290	Total liabilities and surplus (total line 260 and line 280)			\$ _____

**Form 4: Schedule A-2
Electoral District Association's Statement of Income, Expense and Transfers**

Electoral district: _____
 Recognized party: _____

Income and transfers:

300	Monetary contributions	\$	_____	↕	from Sch. B-1 line
310	Transfers from recognized party		_____	↕	from Sch. C-1 line 600
320	Transfers from nominated candidate		_____	↕	from Sch. C-1 line
350	Fundraising income		_____	↕	from Sch. D line 770
360	Membership fees		_____		
370	Interest and investment income		_____		
	Other income (provide details)		_____		
380			_____		
390	Total income and transfers (total lines 300 to 380)	\$	_____		

Expenses and transfers:

400	Expenses	\$	_____	↕	from Sch. A-3 line 949
420	Transfers to recognized party		_____	↕	from Sch. C-2 line 630
430	Transfers to nominated candidate		_____	↕	from Sch. C-2 line 640
440	Nomination candidate and leadership contestant expense		_____		
450	Fundraising expense		_____	↕	from Sch. D line 780
460	Total expenses and transfers (total lines 400 to 440)	\$	_____		
490	Total surplus/(deficit) (line 390 minus line 460)	\$	_____		

Form 4: Schedule A-3
Electoral District Association's Schedule of Expenses

Electoral district:
Recognized party:

Table with 3 columns: Line number, Description, and Amount. Rows include Advertising, Posters, Depreciation, Furniture rental, Gifts, Honoraria, Interest, Legal fees, Meeting space, Office expenses, Polling, Signs, Transportation, Telephone, and Total expenses.

\$
to Sch. A-2 line 400

**Form 4: Schedule B-1
Electoral District Association's Annual Statement of Political Contributions
Monetary Contributions**

Electoral district: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
Total of all monetary contributions under \$50.00 not individually disclosed						\$
Type of contributor: (I) Individual (C) Corporation (U) Union (S) Society				Line 500	Total	\$
carry total to Sch. A-2 line 300						

**Form 4: Schedule B-2
Electoral District Association's Annual Statement of Political Contributions
Fundraising Contributions**

Electoral district: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
						\$
Type of contributor:				Line 510	Total	\$

- (I) Individual
- (C) Corporation
- (U) Union
- (S) Society

**Form 4: Schedule B-3
Electoral District Association's Annual Statement of Political Contributions
Donation in Kind Contributions**

Electoral district: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
						\$
Type of contributor: (I) Individual (C) Corporation (U) Union (S) Society				Line 520	Total	\$

**Form 4: Schedule B-4
Electoral District Association's Annual Statement of Political Contributions
Loan Contributions**

Electoral district: _____
 Recognized party: _____

All fields must be completed for each contribution.

Last name of individual or full business name	First name	Nova Scotia civic address	Community	Postal code	Amount
					\$
			Line 530	Total	\$

**Form 4: Schedule E
Electoral District Association's Statement of Loans**

Electoral district: _____

Recognized party: _____

Part A - Loans Receivable

Date of loan	Full name of borrower	Original amount of loan	Amount of loan outstanding	Loan interest rate
		\$	\$	
Total			\$	
			Line 800	← carry total to Sch. A-1 line 125

Part B - Loans Payable

						Calculation of interest benefit			
						A	B	C	
Date of loan	Full name and mailing address of lender/guarantor	Original amount of loan	Loan balance outstanding	Loan interest rate	Bank prime interest rate	Interest amount at bank prime	Actual interest at loan interest rate	Interest benefit (contribution) C = A - B	
		\$	\$					\$	
Totals		\$						\$	
		Line 810	←	carry total of line 810 to Sch A-1 line 240 Disclose loan interest benefit or loan deemed to be contribution on Sch. B-4.				→	Line 820

Form 5
Statement of Fundraising Event Revenue and Expenses

Name of filing entity: _____
 Date of fundraising event: _____
 Description of fundraising event: _____
 Name of electoral district association (if statement is being filed by a recognized party on behalf of an electoral district association): _____

Revenue:

Description	Number of tickets	Ticket class	Ticket price	Revenue
			\$	\$
Total attendees:			Total revenue	\$

Expenses:

Payee name and description of purchase	Amount
	\$
Attach receipts for all expenses	Total \$

Calculation of tax receipt amounts

Total benefit received per class of ticket		\$	
Complete separate row for each ticket class	Fee per ticket class	Benefit	Amount of tax receipt
	\$	\$	\$

List of participants

Last name of individual or full business name	First name	Type	Nova Scotia civic address	Community	Postal code	Amount
						\$
Type of contributor:						Total
(I)	Individual					\$
(C)	Corporation					
(U)	Union					
(S)	Society					

By checking the box, I have elected to record as contributions amounts where the fee paid by a participant less the benefit received by the participant is less than \$50.00 in accordance with subsection 22(3) of the *Political Contributions Disclosure Regulations*.

Declaration

I, the undersigned Official Agent, hereby file with the designated person a completed Form 5, Statement of Fundraising Event Revenue and Expenses.

I declare to the best of our knowledge and belief that the information contained in this Form is complete, true and correct and if the calculation contained herein is approved. [sic]

Dated at _____, Nova Scotia, _____, 20__.

Signature of Official Agent

Office of the Chief Electoral Officer	
Approved: _____	_____
Date	Signature of Chief Electoral Officer
Upon approval of the calculation of revenue and expenses contained in this form tax receipts may be issued in accordance with law.	

N.S. Reg. 370/2008

Made: June 6, 2008

Filed: September 4, 2008

Civil Procedure Rules, Rule 81: Reciprocal Enforcement

Order dated June 6, 2008
made by the Judges of the Supreme Court
pursuant to Section 12 of the *Reciprocal Enforcement of Judgments Act*

Part 21 - Certificates**Certificates for most Rules of Supreme Court**

I, Joseph P. Kennedy, Chief Justice of the Supreme Court of Nova Scotia, certify that on June 6, 2008 a majority of the judges of the Supreme Court of Nova Scotia made the following Rules attached to this certificate, under the following legislation, to come into effect on January 1, 2009:

Rule 63–Supreme Conviction Appeal,
and Rule 64–Prerogative Writ

Criminal Code

Rule 69–Controverted Election

Controverted Elections Act

Rule 81–Reciprocal Enforcement
[N.S. Reg. 370/2008]

Reciprocal Enforcement of Judgments Act

these Rules, except 63, 64, 69, 81,
Part 13–Family Proceedings,
Part 18–Proceedings in the Court of Appeal,
and Rule 65–Application to Reduce Parole Ineligibility

Judicature Act

Signed June 6, 2008

Sgd.: *Joseph P. Kennedy*
Joseph P. Kennedy
Chief Justice of the Supreme Court of Nova Scotia

Rule 81 - Reciprocal Enforcement**Scope of Rule 81**

- 81.01** (1) This Rule is made under, and provides procedures complementary to those in, the *Reciprocal Enforcement of Judgments Act*.
- (2) This Rule does not affect enforcement, outside of the Act, of an order made by a court in another province or one of the territories, or of a non-penal order made by a foreign judicial authority.
- (3) These Rules apply to an application for registration, and for enforcement of a registered judgment, unless a Rule is inconsistent with a provision in the Act or this Rule.

Application for registration

- 81.02** A person who obtains a judgment in a reciprocating state and wishes to apply for registration of the judgment under the *Reciprocal Enforcement of Judgments Act* may start the application in one of the following ways:

- (a) for an *ex parte* registration under subsection 3(2) of the Act, by filing an *ex parte* application as provided for in Rule 5–Application;
- (b) for registration on notice under the Act, by filing a notice of application as provided for in Rule 5–Application.

Notice after *ex parte* registration

- 81.03** (1) The notice of registration required by the *Reciprocal Enforcement of Judgments Act* to be served after *ex parte* registration may be served in the same manner as notice of a proceeding is given under Rule 31–Notice.
- (2) The notice of registration must contain the standard heading, be entitled “Notice of *Ex Parte* Registration”, be addressed to the judgment debtor, be dated and signed, and include all of the following:
- (a) a statement that a judgment obtained against the judgment debtor in the reciprocating state is registered in Nova Scotia and may be enforced as a judgment of the court;
 - (b) details of the judgment;
 - (c) details of the order for registration;
 - (d) a statement of the judgment debtor’s right to make a motion to set aside the registration, the grounds in subsection 3(5) of the *Reciprocal Enforcement of Judgments Act*, and the time provided in the Act within which the motion must be made;
 - (e) the address designated by the judgment creditor in the *ex parte* application;
 - (f) a statement that a document delivered to the designated address is considered received by the judgment creditor on delivery.
 - (g) an acknowledgement of the effect of delivery to the designated address and a statement that further contact information is available from the prothonotary.
- (5)* The notice of registration may be in Form 81.03.

[*Note: numbering as in original.]

Motion to set aside

- 81.04** A judgment debtor who wishes to set aside an *ex parte* registration may make a motion in the proceeding started by the judgment creditor.

Enforcement

- 81.05** (1) A judgment creditor who registers a judgment may make a motion for an order to enforce the judgment under Rule 78–Order, or Rule 79–Enforcement by Execution Order.
- (2) An execution order to enforce a judgment registered by *ex parte* order must allow for the notice period required by clause 6(a) of the *Reciprocal Enforcement of Judgments Act*.

N.S. Reg. 371/2008

Made: August 28, 2008

Filed: September 5, 2008

Prescribed Petroleum Products Prices

Order dated August 28, 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 August 21, 2008, which prescribed prices August 22, 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 August 29, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 28, 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 August 29, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	81.3
Mid-grade unleaded gasoline	84.3
Premium unleaded gasoline	87.3
Ultra low-sulfur diesel oil	90.7

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	113.1	4.0	5.5	4.0	999.9	132.3	134.0	132.3	999.9
Mid-Grade Unleaded	116.1	4.0	5.5	4.0	999.9	135.7	137.4	135.7	999.9
Premium Unleaded	119.1	4.0	5.5	4.0	999.9	139.1	140.8	139.1	999.9
Ultra Low-Sulfur Diesel	116.4	4.0	5.5	4.0	999.9	136.1	137.7	136.1	999.9
Zone 2									
Regular Unleaded	113.5	4.0	5.5	4.0	999.9	132.8	134.5	132.8	999.9
Mid-Grade Unleaded	116.5	4.0	5.5	4.0	999.9	136.2	137.9	136.2	999.9
Premium Unleaded	119.5	4.0	5.5	4.0	999.9	139.6	141.3	139.6	999.9
Ultra Low-Sulfur Diesel	116.8	4.0	5.5	4.0	999.9	136.5	138.2	136.5	999.9
Zone 3									
Regular Unleaded	114.0	4.0	5.5	4.0	999.9	133.3	135.0	133.3	999.9
Mid-Grade Unleaded	117.0	4.0	5.5	4.0	999.9	136.7	138.4	136.7	999.9
Premium Unleaded	120.0	4.0	5.5	4.0	999.9	140.1	141.8	140.1	999.9
Ultra Low-Sulfur Diesel	117.3	4.0	5.5	4.0	999.9	137.1	138.8	137.1	999.9
Zone 4									
Regular Unleaded	114.0	4.0	5.5	4.0	999.9	133.3	135.0	133.3	999.9
Mid-Grade Unleaded	117.0	4.0	5.5	4.0	999.9	136.7	138.4	136.7	999.9
Premium Unleaded	120.0	4.0	5.5	4.0	999.9	140.1	141.8	140.1	999.9
Ultra Low-Sulfur Diesel	117.3	4.0	5.5	4.0	999.9	137.1	138.8	137.1	999.9
Zone 5									
Regular Unleaded	114.0	4.0	5.5	4.0	999.9	133.3	135.0	133.3	999.9
Mid-Grade Unleaded	117.0	4.0	5.5	4.0	999.9	136.7	138.4	136.7	999.9
Premium Unleaded	120.0	4.0	5.5	4.0	999.9	140.1	141.8	140.1	999.9
Ultra Low-Sulfur Diesel	117.3	4.0	5.5	4.0	999.9	137.1	138.8	137.1	999.9

Zone 6									
Regular Unleaded	114.8	4.0	5.5	4.0	999.9	134.2	135.9	134.2	999.9
Mid-Grade Unleaded	117.8	4.0	5.5	4.0	999.9	137.6	139.3	137.6	999.9
Premium Unleaded	120.8	4.0	5.5	4.0	999.9	141.0	142.7	141.0	999.9
Ultra Low-Sulfur Diesel	118.1	4.0	5.5	4.0	999.9	138.0	139.7	138.0	999.9

N.S. Reg. 372/2008

Made: September 4, 2008

Filed: September 8, 2008

Prescribed Petroleum Products Prices

Order dated September 4, 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 August 28, 2008, which prescribed prices August 29, 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 September 5, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on September 4, 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 September 5, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	81.3
Mid-grade unleaded gasoline	84.3
Premium unleaded gasoline	87.3
Ultra low-sulfur diesel oil	88.0

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
	Fixed Wholesale Price (excludes GST)	Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
		Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	113.1	4.0	5.5	4.0	999.9	132.3	134.0	132.3	999.9
Mid-Grade Unleaded	116.1	4.0	5.5	4.0	999.9	135.7	137.4	135.7	999.9
Premium Unleaded	119.1	4.0	5.5	4.0	999.9	139.1	140.8	139.1	999.9
Ultra Low-Sulfur Diesel	113.7	4.0	5.5	4.0	999.9	133.0	134.7	133.0	999.9
Zone 2									
Regular Unleaded	113.5	4.0	5.5	4.0	999.9	132.8	134.5	132.8	999.9
Mid-Grade Unleaded	116.5	4.0	5.5	4.0	999.9	136.2	137.9	136.2	999.9
Premium Unleaded	119.5	4.0	5.5	4.0	999.9	139.6	141.3	139.6	999.9
Ultra Low-Sulfur Diesel	114.1	4.0	5.5	4.0	999.9	133.5	135.1	133.5	999.9
Zone 3									
Regular Unleaded	114.0	4.0	5.5	4.0	999.9	133.3	135.0	133.3	999.9
Mid-Grade Unleaded	117.0	4.0	5.5	4.0	999.9	136.7	138.4	136.7	999.9
Premium Unleaded	120.0	4.0	5.5	4.0	999.9	140.1	141.8	140.1	999.9
Ultra Low-Sulfur Diesel	114.6	4.0	5.5	4.0	999.9	134.0	135.7	134.0	999.9
Zone 4									
Regular Unleaded	114.0	4.0	5.5	4.0	999.9	133.3	135.0	133.3	999.9
Mid-Grade Unleaded	117.0	4.0	5.5	4.0	999.9	136.7	138.4	136.7	999.9
Premium Unleaded	120.0	4.0	5.5	4.0	999.9	140.1	141.8	140.1	999.9
Ultra Low-Sulfur Diesel	114.6	4.0	5.5	4.0	999.9	134.0	135.7	134.0	999.9
Zone 5									
Regular Unleaded	114.0	4.0	5.5	4.0	999.9	133.3	135.0	133.3	999.9
Mid-Grade Unleaded	117.0	4.0	5.5	4.0	999.9	136.7	138.4	136.7	999.9
Premium Unleaded	120.0	4.0	5.5	4.0	999.9	140.1	141.8	140.1	999.9
Ultra Low-Sulfur Diesel	114.6	4.0	5.5	4.0	999.9	134.0	135.7	134.0	999.9

Zone 6									
Regular Unleaded	114.8	4.0	5.5	4.0	999.9	134.2	135.9	134.2	999.9
Mid-Grade Unleaded	117.8	4.0	5.5	4.0	999.9	137.6	139.3	137.6	999.9
Premium Unleaded	120.8	4.0	5.5	4.0	999.9	141.0	142.7	141.0	999.9
Ultra Low-Sulfur Diesel	115.4	4.0	5.5	4.0	999.9	134.9	136.6	134.9	999.9

N.S. Reg. 373/2008

Made: September 2, 2008

Filed: September 9, 2008

Ministerial Education Act Regulations

Order dated September 2, 2008
Amendment to regulations made by the Minister of Education
pursuant to Section 145 of the *Education Act*

**In the matter of Section 145 of Chapter 1 of the Acts of 1995-96,
the *Education Act***

-and-

**In the matter of an amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education pursuant to
Section 145 of the *Education Act***

Order

I, Karen Casey, Minister of Education for the Province of Nova Scotia, pursuant to Section 145 of Chapter 1 of the Acts of 1995-96, the *Education Act*, hereby amend the *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education on June 24, 1997, respecting definition of senior staff and administrative structure for senior staff for certain school boards, in the manner set forth in Schedule A.

Dated and made at Halifax, Nova Scotia, September 2, 2008.

Sgd.: *Karen Casey*
Honourable Karen Casey
Minister of Education

Schedule A

**Amendment to the *Ministerial Education Act Regulations*
Respecting Definition of Senior Staff and Administrative Structure
for Senior Staff for Certain School Boards
made by the Minister of Education pursuant to Section 145 of
Chapter 1 of the Acts of 1995-96, the *Education Act***

- 1 The *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education on June 24, 1997, are amended by striking out “the South Shore Regional School Board and” in Section 63.
- 2 Subsection 64(1) of the regulations is repealed.

- 3 Subsection 66(2) of the regulations is amended by striking out “the South Shore Regional School Board and”.
 - 4 Subsection 66(3) of the regulations is repealed.
-

N.S. Reg. 374/2008

Made: August 29, 2008

Filed: September 9, 2008

Ministerial Education Act Regulations

Order dated August 29, 2008
Amendment to regulations made by the Minister of Education
pursuant to Section 145 of the *Education Act*

**In the matter of Section 145 of Chapter 1 of the Acts of 1995-96,
the *Education Act***

- and -

**In the matter of an amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education pursuant to
Section 145 of the *Education Act***

Order

I, Karen Casey, Minister of Education for the Province of Nova Scotia, pursuant to Section 145 of Chapter 1 of the Acts of 1995-96, the *Education Act*, hereby amend the *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education on June 24, 1997, in the manner set forth in Schedule “A”, effective on and after September 1, 2008.

Dated and made at Halifax, Nova Scotia, August 29, 2008.

Sgd.: *Karen Casey*
Karen Casey
Minister of Education

Schedule “A”

**Amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education under Section 145 of
Chapter 1 of the Acts of 1995-96, the *Education Act***

The *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education on June 24, 1997, are amended by repealing Section 47 and its heading and substituting the following heading and Section:

Provincial school code of conduct policy respecting the discipline of students

- 47 (1)** This Section constitutes the provincial policy respecting the discipline of students referred to in clause 145(1)(h) of the Act, and the policy shall be known as the Provincial School Code of Conduct Policy.

(2) In this Section, the following definitions apply:

“disruptive behaviour” means student behaviour that disrupts the learning climate of the school, endangers the well-being of others or damages school property, but does not include severely disruptive behaviour, and includes all of the following:

- (i) chronic minor offences,
- (ii) smoking,
- (iii) profanity,
- (iii) disrespect or insubordination,
- (iv) failure to obey instructions,
- (v) forging notes or excuses,
- (vi) non-attendance or poor attendance in school or specific classes,
- (vii) loitering in school,
- (viii) petty stealing,
- (viii) shoving, pushing or scuffling;
- (ix) any other behaviours that are disruptive or that may create a safety hazard;

“in-school suspension” means a consequence imposed on a student by a principal in accordance with ~~clause~~ [subsection] (7);

“regional school code of conduct policy” means a student-discipline policy established by a school board pursuant to clause 64(2)(r) of the Act;

“provincial school code of conduct” means the code of conduct established by the Minister;

“school” means a public school and includes an école acadienne;

“school code of conduct” means a code of conduct established by a school in accordance with ~~clause~~ [subsection] (8);

“severely disruptive behaviour” means student behaviour that significantly disrupts the learning climate of the school, endangers the well-being of others or damages school property, and includes all of the following:

- (i) vandalism,
- (ii) disruptions to school operations,
- (iii) verbal abuse,
- (iv) racism or discriminatory behaviour,
- (v) sexual harassment or assault,
- (vi) sexual misconduct, sexual abuse or physical abuse,
- (vii) physical violence,
- (viii) bullying,
- (ix) use or possession of weapons,

- (x) illegal activity.
- (3) In establishing or reviewing its regional school code of conduct policy, a school board shall establish a regional school code of conduct committee.
- (4) A regional school code of conduct committee shall be composed of representatives of school advisory councils, students, teachers, parents and principals.
- (5) A school board shall review its regional school code of conduct policy at least once every 5 years.
- (6) A regional school code of conduct policy shall be based on the following principles:
 - (a) student learning is maximized in positive, inviting and safe school environments where all members of the school community demonstrate appropriate standards of behaviour consistent with the principles of respect, responsibility and rights;
 - (b) proactive, positive and preventative approaches to managing student behaviour are necessary to establish and maintain school environments that are conducive to both teaching and learning;
 - (c) immediate action or intervention must be taken to manage disruptive behaviour and severely disruptive behaviour when it occurs;
 - (d) all of the following interventions or consequences for disruptive behaviour and severely disruptive behaviour are prohibited:
 - (i) corporal punishment,
 - (ii) attributing collective responsibility, including group punishment,
 - (iii) course withdrawal by the principal for non-attendance or poor attendance,
 - (iv) reducing or not awarding marks or assigning extra school work, projects or assessments.
- (7) A regional school code of conduct policy shall [be] consistent with the provincial student discipline school code of conduct policy as prescribed in this Section, and include all of the following:
 - (a) a statement of the roles and responsibilities of students, principals, teachers, parents, the school board and other members of the school community;
 - (b) specific strategies to achieve desired student behaviour, including all of the following:
 - (i) subject to clause (6)(d), interventions or consequences for disruptive behaviour or severely disruptive behaviour that are reasonable, fair, consistent and appropriately timed and that take into consideration
 - (A) the student's age, stage of development and any special needs of the student, and
 - (B) the severity and frequency of the disruptive behaviour or severely disruptive behaviour,
 - (ii) a range of actions and consequences that may be taken by the principal, teacher and school board in response to disruptive behaviour and severely disruptive behaviour,

- (iii) the use of in-school suspensions provided that:
 - (A) the student can continue the student's school work in a classroom in the school designated by the principal for in-school suspensions,
 - (B) a teacher or principal is present to supervise the student,
 - (C) the principal notifies the student, the student's parents and teachers of the reasons for the in-school suspension, as soon as reasonably possible,
 - (iv) the use of suspensions, other than in-school suspensions, shall be in accordance with sections 122 to 126 of the Act.
 - (c) standards of behaviour expected of students and members of the school community, including standards for demonstrating respect for their own rights, property and safety and, in particular, including standards for all of the following:
 - (i) demonstrating respect for the diversity of students and members of the school community regardless of their race, culture, ethnicity, religion, gender, sexual orientation, age or ability,
 - (ii) using socially acceptable language and gestures,
 - (iii) avoiding all forms of intimidation, harassment, racism and discrimination,
 - (iv) school dress,
 - (v) taking reasonable care in using school property or the property of others,
 - (vi) demonstrating respect for the roles and responsibilities of students, principals, teachers, parents and the school board,
 - (vii) positive and safe behaviour, including prohibition of violent acts and the use or possession of weapons and alcohol, drugs and other intoxicants,
 - (viii) demonstrating respect for the learning environment of the school and the classroom and school activities and events;
 - (d) a process to be used by a school for monitoring, reporting and collecting data on disruptive behaviour and severely disruptive behaviour that has resulted in a teacher referring a student to the principal, and on the interventions or consequences resulting from those behaviours, on an individual student basis and on an aggregate student basis;
 - (e) a process that gives a student or a student's parent a reasonable opportunity to respond to an alleged breach of the school code of conduct, the regional school code of conduct or the Provincial School Code of Conduct and to respond to the interventions or consequences resulting from the breach.
- (8) A regional school code of conduct policy shall require each of the school board's school principals to do all of the following:

- (a) establish a written school code of conduct that is consistent with the Provincial School Code of Conduct Policy, the provincial school code of conduct and the regional school code of conduct policy and that
 - (i) includes a statement of the educational objectives for students and standards of behaviour expected of students and members of the school community,
 - (ii) includes descriptions of disruptive behaviour and severely disruptive behaviour and the consequences for those behaviours,
 - (iii) provides for reinforcing appropriate student behaviours;
 - (b) review the school code of conduct at least once every 5 years;
 - (c) in establishing or reviewing a school code of conduct, require the school principal to establish a school code of conduct committee composed of representatives from the school advisory council, students, teachers and parents and, in the principal's discretion, additional appropriate persons including representatives from support staff or other appropriate bodies.
- (9) A school board shall provide for the distribution of the regional school code of conduct policy to its schools, teachers, parents and students and require that each principal provide a copy of the school code of conduct to each of its students and provide copies upon request to a teacher or parent.

N.S. Reg. 375/2008

Made: September 9, 2008

Filed: September 9, 2008

Hunter Education, Safety and Training Regulations

Order in Council 2008-457 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated July 25, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Hunter Education, Safety and Training Regulations*, N.S. Reg. 208/87, made by the Governor in Council by Order in Council 87-1184 dated September 29, 1987, to permit hunting with crossbows under certain circumstances and provide for safety training of nuisance wildlife operators, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule "A"

**Amendment to the *Hunter Education, Safety 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***

- 1 Section 2 of the *Hunter Education, Safety and Training Regulations*, N.S. Reg. 208/87, made by the Governor in Council by Order in Council 87-1184 dated September 29, 1987, is amended by

- (a) adding the following clause immediately after clause (b):
 - (ba) “crossbow” means a crossbow as defined in the *Firearm and Bow Regulations* made under the Act;
 - (b) repealing clause (g) and substituting the following clause:
 - (g) “hunter education course” means a course relating to any of the following that is approved by the Department and includes education, training and safety components:
 - (i) firearms,
 - (ii) bows,
 - (iii) crossbows,
 - (iv) fur harvesting,
 - (v) nuisance wildlife control;
- 2 (1) Subsection 6(2) of the regulations is amended by striking out “the hunter education” and substituting “a hunter education”.
- (2) Subsection 6(2) of the regulations is further amended by striking out “or fur harvesting” in clause (b) and substituting “crossbows, fur harvesting or nuisance wildlife control”.
- 3 Subsection 7(1) of the regulations is amended by striking out “the hunter education” and substituting “a hunter education”.
- 4 Subsection 7(5) of the regulations is repealed and the following subsection substituted:
- (5) If the Minister is satisfied that special circumstances exist preventing a person from taking the examination referred to in subsection (4), the Minister may authorize an instructor to conduct an oral examination of the person, and the person is deemed to have successfully completed the hunter education course if the person demonstrates to the satisfaction of the instructor that they are qualified to do any of the following, as required for the course they are examined for:
- (a) hunt with a firearm;
 - (b) hunt with a bow;
 - (c) hunt with a crossbow;
 - (d) be a fur harvester;
 - (e) be a nuisance wildlife operator.
- 5 Subsection 8(1) is repealed and the following subsection substituted:
- (1) The Minister may certify that a person is qualified to do any of the following:
- (a) hunt with a firearm;
 - (b) hunt with a bow;
 - (c) hunt with a crossbow;

- (d) be a fur harvester;
 - (e) be a nuisance wildlife operator.
- 6 Subsection 8(2) of the regulations is amended by striking out the period at the end of clause (e) and adding a semicolon, and adding the following clause immediately after clause (e):
- (f) for certification to hunt with a crossbow under clause (1)(c), until October 1, 2012, the person
 - (i) is qualified to hunt with a firearm and a bow in the Province or certified to hunt with a crossbow in another jurisdiction, or
 - (ii) produces proof satisfactory to the Department that they have hunted with a crossbow in another jurisdiction in the 5 years immediately before their application to be certified.
- 7 Section 12 of the regulations is amended by adding the following clause immediately after clause (c):
- (d) a crossbow, unless the person has been certified to hunt with a crossbow under Section 8.
-

N.S. Reg. 376/2008

Made: September 9, 2008

Filed: September 9, 2008

Firearm and Bow Regulations

Order in Council 2008-458 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated July 25, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Firearm and Bow Regulations*, N.S. Reg. 144/89, made by the Governor in Council by Order in Council 89-837 dated July 18, 1989, to make a housekeeping change regarding the definition of “disabled person” and a further housekeeping change to the period during which a rifle of any calibre may be used to hunt other harvestable wildlife and to enable the taking of deer with a crossbow during the general open season for hunting deer, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule “A”

**Amendment to the *Firearm and Bow 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 *Firearm and Bow Regulations*, N.S. Reg. 144/89, made by the Governor in Council by Order in Council 89-837 dated July 18, 1989, is amended by
- (a) adding “, other than as part of a crossbow,” immediately after “in a drawn position” in clause (b);

- (b) adding the following clause immediately after clause (d):
 - (da) “crossbow” means a tool for projecting arrows or bolts that consists of a bow fixed across a stock with a groove for an arrow or bolt and a mechanism for holding and releasing the bowstring;
 - (c) repealing clause (f) and substituting the following clause:
 - (f) “encased” means a weapon that is secured in accordance with 1 of the following:
 - (i) it is in a case that is properly fastened,
 - (ii) it is completely wrapped in a material that is securely tied around the weapon,
 - (iii) it is in the locked compartment of a vehicle and the contents of the compartment are not accessible to the occupant of the vehicle from inside the vehicle,
 - (iv) for a firearm, it is rendered inoperable by attaching a trigger lock to the firearm,
 - (v) for a crossbow or bow, it is rendered inoperable by disassembling the weapon or by attaching a lock to the weapon;
 - (d) adding “, a crossbow” immediately after “a firearm” in clause (j);
 - (e) striking out “firearm or bow” in clause (k) and substituting “weapon”.
- 2 Section 3 of the regulations is amended by
- (a) adding “or” at the end of clause (c); and
 - (b) repealing clause (d).
- 3 Section 4 of the regulations is amended by
- (a) adding the following clause immediately after clause (2)(a):
 - (ab) During the general open season for hunting deer specified in the *Deer Hunting Regulations* made under the Act, a person may possess a crossbow with a minimum draw weight of 150 pounds or 68 kg and bolts with heads measuring more than 2.2 cm in diameter when hunting deer.
 - (b) adding “crossbow,” immediately after “firearm,” in subsection (4).
- 4 Clause 6(1)(c) of the regulations is amended by striking out “February” and substituting “March”.
- 5 Subsections 8(1) and (2) of the regulations are amended by striking out “firearm or bow” wherever it appears and substituting “weapon”.
- 6 Clause 8(4)(a) of the regulations is amended by striking out “firearm or bow” and substituting “weapon”.
- 7 Subsection 9(1) of the regulations is amended by striking out “Despite the definition of “disabled person” in the *General Wildlife Regulations*, for the purposes of these regulations, “disabled person” also means” and substituting “In these regulations, “disabled person” means”.

- 8 Subsection 9(8) of the regulations is amended by striking out “firearm or bow” and substituting “weapon”.
 - 9 Subsection 9(9) of the regulations is amended by striking out “firearm” wherever it appears and substituting “weapon”.
 - 10 Subsection 11(3) of the regulations is amended by striking out “shot or bow” and substituting “shot, a crossbow or a bow”.
 - 11 Subsection 11(5) of the regulations is amended by striking out “firearm or bow” and substituting “weapon”.
 - 12 Subsections 12(1) and (2) of the regulations are amended by striking out “firearm or bow” and substituting “weapon”.
-

N.S. Reg. 377/2008

Made: September 9, 2008

Filed: September 9, 2008

Guide Regulations

Order in Council 2008-459 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated July 25, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Guide Regulations*, N.S. Reg. 206/87, made by the Governor in Council by Order in Council 87-1182 dated September 29, 1987, to make a housekeeping change regarding the fee for obtaining a Registered Hunting Guide Licence and to lower the age at which a person may take a guide competency test, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule “A”

**Amendment to the *Guide Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Clause 3(1)(a) of the *Guide Regulations*, N.S. Reg. 206/87, made by the Governor in Council by Order in Council 87-1182 dated September 29, 1987, is amended by adding “a Registered Hunting Guide Licence,” immediately after “a Registered Fishing Guide Licence,”.
- 2 Subsection 7(3) of the regulations is amended by striking out “the age of nineteen years” and substituting “16 years old”.

N.S. Reg. 378/2008

Made: September 9, 2008

Filed: September 9, 2008

Fur Harvesting Regulations

Order in Council 2008-460 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated July 25, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Fur Harvesting Regulations*, N.S. Reg. 165/87, made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, to allow fur harvesters to appoint partners to set and check traps, to increase the bag limits for beaver and to update the list of approved body-gripping traps, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule "A"

**Amendment to the *Fur 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 Section 2 of the *Fur Harvesting Regulations*, N.S. Reg. 165/87, made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, is amended by adding the following clause immediately after clause (l):
 - (la) "TIN" means a unique trap identification number issued by the Department to a person who holds a valid Fur Harvester's Licence;
- 2 Subsection 3(2) of the regulations is repealed and the following subsection substituted:
 - (2) A resident who is under 19 years old may set and tend traps as an apprentice and possess a furbearing animal if
 - (a) the person is identified in writing to the Department as an apprentice to a person who is 19 years old or older and holds a valid Fur Harvester's Licence; and
 - (b) while trapping or snaring, the person is under the immediate supervision of the person they are an apprentice to.
- 3 Clause 9(2)(a) of the regulations is amended by
 - (a) striking out "20" in subclause (i) and substituting "30";
 - (b) striking out "14" in subclause (ii) and substituting "20";
 - (c) striking out "11" in subclause (iii) and substituting "20"; and
 - (d) striking out "9" in subclause (iv) and substituting "20".

- 4 Subsection 10(1) of the regulations is amended by striking out “an otter” and substituting “a bobcat”.
- 5 Subsection 11(3) of the regulations is amended by adding “snares set completely under ice,” immediately after “box traps,”.
- 6 Subsection 11(19) of the regulations is amended by striking out “the unique trap identification number issued to that person by the Department” and substituting “their TIN”.
- 7 The regulations are amended by adding the following Section immediately after Section 11:

Trapping with partner

11A (1) In this Section, “partner” means a person who is trapping in partnership with another person in accordance with this Section.

(2) To trap in partnership under these regulations, a person who holds a valid Fur Harvester’s Licence must notify the Department in writing that the person is trapping in partnership with 1 or more holders of valid Fur Harvester’s Licences named in the notice.

(3) A person may set and tend traps marked with a partner’s TIN.

- 8 The regulations are further amended by repealing the Schedule A and substituting the attached Schedule A.

Schedule A

**List of Approved Body-Gripping Traps
(Certified under the Canadian Trap Certification Program and Approved for use as Killing Traps for
Beaver, Muskrat, Fisher and Raccoon in Nova Scotia)**

Beaver	
<u>Body-gripping traps approved for use underwater and on land:</u>	
Bélisle Classic 330	Sauvageau 2001-11
Bélisle Super X 280	Species-Specific 330 Dislocator Half Magnum
Bélisle Super X 330	Species-Specific 440 Dislocator Half Magnum
B.M.I. 330 Body Gripper	Woodstream Oneida Victor Conibear 280
Bridger 330	Woodstream Oneida Victor Conibear 330
LDL C280	
LDL C330	
Rudy 280	
Rudy 330	
<u>Body-gripping traps approved for use on land only:</u>	
Sauvageau 1000-11F	
LDL C330 Magnum	
<u>Body-gripping traps approved for use underwater only:</u>	
Duke 330	B.M.I. 280 Body Gripper
LDL C280 Magnum	Sauvageau 2001-8

Fisher	
<u>Body-gripping traps approved for use on land:</u>	
Bélisle Super X 120	LDL C160 Magnum
Bélisle Super X 160	LDL C220 Magnum
Bélisle Super X 220	Sauvageau 2001-5
Rudy 120 Magnum	Sauvageau 2001-6
Rudy 160 Plus	Sauvageau 2001-7
Koro #2	Sauvageau 2001-8
Raccoon	
<u>Body-gripping traps approved for use on land:</u>	
Bélisle Classic 220	Northwood 155
Bélisle Super X 160	Rudy 160
Bélisle Super X 220	Rudy 220
Bélisle Super X 280	Rudy 160 Plus
B.M.I. 160 Body Gripper	Sauvageau 2001-6
B.M.I. 220 Body Gripper	Sauvageau 2001-7
B.M.I. 280 Body Gripper	Sauvageau 2001-8
Bridger 160	B.M.I. 280 Magnum Body Gripper
Bridger 220	Species-Specific 220 Dislocator Half Magnum
Duke 220	Woodstream Oneida Victor Conibear 160
LDL C160	Woodstream Oneida Victor Conibear 220
LDL C220	Duke 160
LDL C220 Magnum	
LDL C280 Magnum	
Muskrat	
<u>Body-gripping traps approved for use on land:</u>	
Bélisle Super X 120	Rudy 120 Magnum
B.M.I. 120	Sauvageau 2001-5
B.M.I. 120 Magnum	Sauvageau C120 Magnum
B.M.I. 126 Magnum	Sauvageau C120 "Reverse Bend"
Bridger 120	Triple M
Duke 120	Woodstream Oneida Victor Conibear 110
Koro Muskrat	Woodstream Oneida Victor Conibear 120
LDL B120 Magnum	

N.S. Reg. 379/2008

Made: September 9, 2008

Filed: September 9, 2008

Bear Harvesting Regulations

Order in Council 2008-461 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated July 25, 2008, and pursuant to subsection 113(1) 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 snaring season so that it is consistent with the closing of the general open season for hunting deer, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

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 Section 6 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 amended by striking out "the October 1 to November 7 in any year" and substituting "October 1 to the date specified for the end of the general open season for hunting deer in the *Deer Hunting Regulations* made under the Act".
- 2 Subsection 8(4) of the regulations is amended by striking out "No" and substituting "Except as provided in Section 8A for snaring bear in partnership, no".
- 3 The regulations are amended by adding the following Section immediately after Section 8:

Snaring bear with partner

8A (1) In this Section, "partner" means a person snaring bear in partnership with another person in accordance with this Section.

- (2) To snare bear in partnership, a person who holds a valid Resident Bear Snaring Licence must notify the Department in writing that they are snaring bear in partnership with another holder of a valid Resident Bear Snaring Licence named in the notice.
- (3) A person may tend bear snares set by their partner.
- (4) A person tending their partner's snares must
 - (a) carry their partner's Resident Bear Snaring Licence with them while tending the snares; and
 - (b) complete the necessary tagging requirements on behalf of their partner in accordance with these regulations.

N.S. Reg. 380/2008

Made: September 9, 2008

Filed: September 9, 2008

Moose Hunting Regulations

Order in Council 2008-462 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated July 25, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Moose Hunting Regulations*, N.S. Reg. 90/88, made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, to lower the minimum age for companion moose hunters to 16 and make a housekeeping change to correct a misnumbered provision, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule "A"

**Amendment to the *Moose 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 4A of the *Moose Hunting Regulations*, N.S. Reg. 90/88, made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, and added by N.S. Reg. 231/2007, Order in Council 2001-231 dated April 20, 2007, to provide for moose hunting stamps for special fundraising events is renumbered as Section 4B.
- 2 Clause 4A(1)(a) is amended by striking out "18" and substituting "16".

N.S. Reg. 381/2008

Made: September 9, 2008

Filed: September 9, 2008

Fur Buyers, Hide Dealers and Taxidermists Regulations

Order in Council 2008-463 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated August 20, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Fur Buyers, Hide Dealers and Taxidermists Regulations*, N.S. Reg. 207/87, made by the Governor in Council by Order in Council 87-1183 dated September 29, 1987, by repealing subsection 3(7), as a housekeeping change to make the regulations consistent with changes made to the *General Wildlife Regulations*, effective on and after September 9, 2008.

N.S. Reg. 382/2008

Made: September 9, 2008

Filed: September 9, 2008

Deer Hunting Regulations

Order in Council 2008-464 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated August 20, 2008, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to 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 increase the harvest of antlerless deer in Zone 2A, and to enable the hunting of deer with crossbows during the general open season for hunting deer, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

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 Subsection 2(1) 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 amended by adding the following clause immediately after clause (g):
 - (ga) "crossbow" means a crossbow as defined in the *Firearm and Bow Regulations* made under the Act;
- 2 Subsection 4(1) of the regulations is amended by adding ", crossbow" immediately after "firearm".
- 3 Subsection 4(2) of the regulations is amended by adding ", crossbow" immediately after "firearm".
- 4 Clause 4(4)(b) of the regulations is amended by adding ", crossbow" immediately after "firearm".
- 5 The regulations are further amended by repealing subsection 4A(4) 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 and may determine whether the stamps will be issued
 - (a) to persons chosen from among the total number of valid applications for the available number of stamps in a Deer Management Zone; or
 - (b) for Bonus Deer Hunting Stamps issued for Deer Management Zone 2A authorizing the taking of 1 additional antlerless deer in the zone during the same calendar year, to persons who meet all of the following criteria:
 - (i) they have taken an antlerless deer in Zone 2A in accordance with the Act and the regulations made under the Act, either

- (A) as a holder of an Antlerless Deer Hunting Stamp for Zone 2A, or
 - (B) during the special open season for bowhunting deer, and
- (ii) they have registered the deer referred to in paragraph (i)(A) or (B) in accordance with these regulations.
- 6 The regulations are further amended by adding the following subsection immediately after subsection 5A(1):
- (1A)** Despite subsection (1), a person who holds a valid Deer Hunting Licence for Zone 2A may take 1 antlerless deer in Zone 2A during the special open season for bowhunting deer, in accordance with the Act and the regulations made under the Act, without an Antlerless Deer Hunting Stamp or Bonus Deer Hunting Stamp.

N.S. Reg. 383/2008

Made: September 9, 2008

Filed: September 9, 2008

General Wildlife Regulations

Order in Council 2008-465 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated August 20, 2008, and pursuant to subsection 113(1) 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 remove snapping turtle from the list of wildlife available for harvest, change the date for the expiry of a base licence, amend the fee for a replacement licence, allow a person with a bear snaring licence to use a firearm at night to dispatch a bear in a foot snare, and make general housekeeping changes, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule "A"

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

- 1 Subsection 2(1) 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 amended by adding the following clause immediately after clause (b):

(ba) "crossbow" means a crossbow as defined in the *Firearm and Bow Regulations* made under the Act;

- 3* Clause 3(2)(d) of the regulations is repealed.

[*Note: numbering as in original.]

- 4 Subsection 3(8) of the regulations is amended by
- (a) striking out “; and” at the end of clause (c) and substituting a period; and
 - (b) repealing clause (d).
- 5 Section 3A of the regulations is amended by striking out “14” in subsection (1) and substituting “31”.
- 6 Subsection 3B(1) of the regulations is repealed and the following subsection substituted:
- 3B** On receiving proof from an applicant that a licence issued under the Act or regulations is lost, destroyed or needs to be replaced for any reason, the Department may issue a replacement licence for an amount that is the lesser of the following:
- (a) \$5.00;
 - (b) the fee charged for the original licence.
- 7 Section 3C of the regulations is amended by adding the following subsection immediately after subsection (1):
- (1A)** A non-resident must hold a Wildlife Resources Card before they may be issued any of the following:
- (a) a Fur Buyer Licence, Hide Dealer Licence or Taxidermist Licence issued under the *Fur Buyers, Hide Dealers and Taxidermists Regulations* made under the Act;
 - (b) a Nuisance Wildlife Operator’s Licence, Falconry Permit or Falconry Breeding Permit issued under these regulations;
 - (c) a registered guide licence issued under the *Guide Regulations* made under the Act;
 - (d) a pheasant shooting preserve operator’s licence issued under the *Pheasant Shooting Preserve Regulations* made under the Act.
- 8 Subsection 3C(4) of the regulations is amended by
- (a) striking out “resident” and substituting “person”; and
 - (b) striking out “hunting” in clauses (b) and (c) and substituting “engaged in any licensed or permitted activities for which a Wildlife Resources Card is required”.
- 9 Subsection 3C(5) of the regulations is amended by adding “crossbow,” immediately after “bow,”.
- 10 Subsection 5(9) of the regulations is amended by
- (a) adding “and” at the end of clause (b);
 - (b) striking out “; and” at the end of clause (c) and substituting a period; and
 - (c) repealing clause (d).
- 11 Subsection 5(10) of the regulations is repealed and the following subsection substituted:

- (10) A Nuisance Wildlife Operator's Licence expires annually on March 31 and is renewable on or before the expiry date if the applicant for renewal has complied with all requirements of the Act and regulations respecting nuisance wildlife while holding a Nuisance Wildlife Operator's Licence.
- 12 Clause 5(11)(c) of the regulations is amended by striking out "expiration" and substituting "issuance".
- 13 Section 5 of the regulations is further amended by adding the following subsection:
- (11A) The fee for a Nuisance Wildlife Operator's Licence or renewal of a Nuisance Wildlife Operator's Licence is \$5.44.
- 14 Subsection 11(2) of the regulations is repealed and the following subsection substituted:
- (2) No person shall hunt or discharge a firearm, crossbow or bow between one-half hour after sunset and one-half hour before sunrise other than a person who
- (a) holds a permit authorizing them to do so; or
- (b) holds a valid Fur Harvester's Licence or a valid Bear Snaring Licence and is killing an animal in a trap or snare.

N.S. Reg. 384/2008

Made: September 9, 2008

Filed: September 9, 2008

Proclamation, S. 4, S.N.S. 2008, c. 20

Order in Council 2008-466 dated September 9, 2008

Proclamation made by the Governor in Council

pursuant to Section 4 of

An Act to Amend Chapter 249 of the Revised Statutes, 1989, the Land Surveyors Act

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated August 26, 2008, and pursuant to Section 4 of Chapter 20 of the Acts of 2008, *An Act to Amend Chapter 249 of the Revised Statutes, 1989, the Land Surveyors Act*, is pleased to order and declare by proclamation that Chapter 20 of the Acts of 2008, *An Act to Amend Chapter 249 of the Revised Statutes, 1989, the Land Surveyors Act*, do come into force on and not before September 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 4 of Chapter 20 of the Acts of 2008, *An Act to Amend Chapter 249 of the Revised Statutes, 1989, the Land Surveyors Act*, it is enacted as follows:

- 4 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 20 of the Acts of 2008, *An Act to Amend Chapter 249 of the Revised Statutes, 1989, the Land Surveyors Act*, do come into force on and not before September 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 20 of the Acts of 2008, *An Act to Amend Chapter 249 of the Revised Statutes, 1989, the Land Surveyors Act*, do come into force on and not before September 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 September 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. 385/2008

Made: September 9, 2008

Filed: September 9, 2008

Governor in Council Education Act Regulations

Order in Council 2008-468 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated August 28, 2008, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, to provide for the availability of tuition support for special needs students, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 9, 2008.

Schedule "A"

**Amendment to the *Governor in Council Education Act Regulations*
made by the Governor in Council pursuant to
Section 146 of Chapter 1 of the Acts of 1996-96,
the *Education Act***

- 1 Subsection 70(1) of the *Governor in Council Education Act Regulations*, N.S. Reg. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, is amended by striking out "on or before March 1 before the school year for which the funding unit is requested begins," immediately after "Reviewer".
- 2 The regulations are further amended by striking out "on or before January 31 before the school year for which the supplement is requested begins" immediately after "Minister" in subsection 73(1).
- 3 (1) Subsection 74(2) of the regulations is repealed and the following subsection substituted:
 - (2) A funding unit and a supplement may provide tuition support funding for no more than 4 consecutive years.
- (2) Subsection 74(3) of the regulations is repealed.
- (3) Subsection 74(4) of the regulations is repealed and the following subsection substituted:
 - (4) A funded student must re-apply for a funding unit and supplement under Sections 70 and 73 each year of the 2nd, 3rd and 4th year of funding availability under subsection (2).
- (4) Section 74 is further amended by adding the following subsection immediately after subsection (4):
 - (5) For greater certainty, a funding unit or a supplement for a 4th year of funding may be granted for the 2008-2009 school year.

N.S. Reg. 386/2008

Made: September 9, 2008

Filed: September 9, 2008

Automobile Insurance Prohibited Risk-Classification Factors Regulations

Order in Council 2008-472 dated September 9, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 159 of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister assigned responsibility for the *Insurance Act* dated August 29, 2008, and pursuant to Section 159 of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased to amend the *Automobile Insurance Prohibited Risk-Classification Factors Regulations*, N.S. Reg. 183/2003, made by the Governor in Council by Order in Council 2003-458 dated October 31, 2003, to require an insurer to notify an insured under certain circumstances when claims are received, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation effective on and after November 1, 2008.

Schedule "A"

Amendment to the
Automobile Insurance Prohibited Risk-Classification Factors Regulations
made by the Governor in Council pursuant to Section 159 of
Chapter 231 of the Revised Statutes of Nova Scotia, 1989,
the *Insurance Act*

The *Automobile Insurance Prohibited Risk-Classification Factors Regulations*, N.S. Reg. 183/2003, made by the Governor in Council by Order in Council 2003-458 dated October 31, 2003, are amended by adding the following Section immediately after Section 3:

- 3A (1)** An insurer that receives a claim from a person who is or alleges to be entitled to recover from an insured covered by a motor vehicle liability policy must inform the insured in writing of the receipt of the claim.
- (2)** An insurer that makes a payment on behalf of an insured under a contract evidenced by a motor vehicle liability policy to a person making a claim must inform the named insured in writing of the total amount paid with respect to the claim.

N.S. Reg. 387/2008

Made: September 9, 2008

Filed: September 9, 2008

Mandatory Filing of Automobile Insurance Rates Regulations

Order in Council 2008-473 dated September 9, 2008
Regulations made by the Governor in Council
pursuant to Sections 16AA and 159 of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister assigned responsibility for the *Insurance Act* dated July 31, 2008, and pursuant to Sections 16AA and 159 of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased to make new regulations respecting mandatory

filing of automobile insurance rates in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 1, 2008.

Schedule “A”

**Regulations Respecting Mandatory Filing of Automobile Insurance Rates
made by the Governor in Council under Sections 16AA and 159 of
Chapter 231 of the Revised Statutes of Nova Scotia, 1989,
the *Insurance Act***

Citation

1 These regulations may be cited as the *Mandatory Filing of Automobile Insurance Rates Regulations*.

Definitions

2 In these regulations,

- (a) “Act” means the *Insurance Act*;
- (b) “application” means an application to the Board by an insurer for approval of the insurer’s risk-classification system and rates, in accordance with Section 155G of the Act and any guidelines issued by the Board;
- (c) “Board” means the Board as defined in Section 3 of the Act;
- (d) “date of filing” of an application means the date on which the application is received by the Board;
- (e) “date of last approval” means the date of approval of the most recent successful application filed by an insurer with the Board;
- (f) “date of last filing” means the date of filing of the most recent successful application filed by an insurer with the Board.

Insurer’s duty to file application

- 3 (1) Except as provided in Section 4 for an initial application under these regulations, an insurer offering automobile insurance in Nova Scotia must file an application
- (a) for private passenger vehicle insurance, within 24 months of its date of last filing with respect to private passenger vehicle insurance;
 - (b) for commercial vehicle insurance, within 36 months of its date of last filing with respect to commercial vehicle insurance; and
 - (c) for insurance for any other vehicles, within 36 months of its date of last filing with respect to insurance for those vehicles.
- (2) If the Board refuses to approve an application, the insurer must file another application within 30 days of the date on which the Board mails written notification of refusal to the insurer, and the insurer must make reasonable efforts to address the factors identified by the Board in its decision to refuse approval.

Transition application deadlines

- 4 (1) An insurer must file its initial application under these regulations in accordance with a schedule of filing dates published on the Board's website for that purpose.
- (2) The earliest date that the Board may require an insurer to file an initial application under these regulations is 3 months after the date these regulations become effective.
- (3) In scheduling filing dates under subsection (1), the Board must, if reasonably practical, ensure that insurers with the oldest dates of last approval are given earlier filing dates than insurers with more recent dates of last approval.

Extension of filing date in exceptional circumstances

- 5 At the request of an insurer, the Board may grant an extension for filing an application under subsection 3(1) or 4(1) if the insurer demonstrates to the satisfaction of the Board that exceptional circumstances prevent the insurer from meeting the prescribed deadlines, and if the Board is satisfied that an extension would not be contrary to the public interest.

N.S. Reg. 388/2008

Made: September 9, 2008

Filed: September 10, 2008

Degree-Granting Institution Authorizing Regulations

Order dated September 9, 2008
Regulations made by the Minister of Education
pursuant to Section 8 of the *Degree Granting Act*

**In the matter of Section 8 of Chapter 123 of the Revised Statutes
of Nova Scotia, 1989, the *Degree Granting Act***

- and -

**In the matter of regulations respecting the authorizing
of degree-granting institutions**

Order

I, Karen Casey, Minister of Education for the Province of Nova Scotia, pursuant to Section 8 of Chapter 123 of the Revised Acts [Statutes] of Nova Scotia, 1989, the *Degree Granting Act*, hereby make the *Degree-Granting Institution Authorizing Regulations* set out in Schedule "A" attached hereto.

Dated and made at Halifax, Nova Scotia, September 9, 2008.

Sgd.: *Karen Casey*
Honourable Karen Casey
Minister of Education

Schedule "A"**Regulations Respecting the Authorizing of Degree-Granting Institutions
made by the Minister of Education pursuant to Section 8 of Chapter 123
of the Revised Statutes of Nova Scotia, 1989,
the *Degree Granting Act*****Citation**

1 These regulations may be cited as the *Degree-Granting Institution Authorizing Regulations*.

Application

2 These regulations apply to every institution that must be authorized by the Governor in Council under Section 4 of the Act to grant degrees.

Definitions

3 In these regulations,

- (a) "Act" means the *Degree Granting Act*;
- (b) "applicant" means an institution applying for an authorization or a renewal of an authorization, as the context requires;
- (c) "authorization" means an authorization to grant degrees issued by the Governor in Council under Section 4 of the Act;
- (d) "authorized institution" means an institution authorized by the Governor in Council under Section 4 of the Act to grant degrees;
- (e) "entry scores" means the final marks achieved by a student on graduation from high school;
- (f) "program" of an authorized institution means a program of post-secondary instruction offered by the authorized institution that leads to a degree.

Authorization terms and conditions

4 (1) It is a term and condition of every authorization that the authorized institution

- (a) must not initiate, modify or alter any program or portion of a program without written approval of the Minister;
- (b) must maintain sufficient financial resources to support its programs;
- (c) must comply with the Act and these regulations.

(2) If the Minister determines that an authorized institution has failed to comply with the terms and conditions of its authorization, the Minister must report the matter immediately to the Governor in Council and may recommend revocation of its authorization.

Applying for authorization

5 An applicant for an authorization must submit the following to the Minister, in a form acceptable to the Minister:

- (a) its mission statement and academic goals;

- (b) the academic and administrative policies, and governance and organizational structure;
- (c) the names, addresses, telephone numbers and resumés of the applicant's corporate officers;
- (d) the address of the applicant's proposed business location, a description of the facilities and written confirmation from the applicant certifying that for its proposed use the facilities comply with the laws of Nova Scotia;
- (e) proof that the applicant is a company in good standing and registered to do business in Nova Scotia and registered with the Canada Revenue Agency;
- (f) a 5-year business plan, marketing plan and growth strategy with cost and revenue projections to cover a 5-year period, including the financial resources available to support the delivery of each program offered;
- (g) copies of the applicant's financial statements for up to 3 years before the date of application, audited by an independent licensed chartered accountant who is a member of the Canadian Institute of Chartered Accountants or a chartered accountant whose qualifications are equivalent;
- (h) a statement of all of the applicant's debts and liabilities;
- (i) details of the administrative resources and faculty complement to support the delivery of each program offered;
- (j) details of the information services, physical infrastructure and technological infrastructure to support the delivery of each program offered;
- (k) details of the student services provided by the applicant, including counselling, residential accommodations and student aid;
- (l) student records and transcript policies and standards;
- (m) the objectives, learner outcomes and curricular structure for each program offered;
- (n) the degree credential to be awarded for each program offered;
- (o) if programs relate to a particular industry, details of any advisory group of employers and practitioners from within the industry who have provided advice on program design and marketplace requirements;
- (p) details of each program's development, including the involvement of peers and experts external to the institution in the development of the program;
- (q) demonstration of the need and the student demand for each program, including, if a similar program is currently offered in Nova Scotia, the rationale for introducing the program;
- (r) an application fee of \$500 payable to the Minister of Finance;
- (s) the review fees determined under subsection 6(3).

Program and institutional review

- 6 (1) An applicant must undergo a program and institutional review conducted by the Minister or, at the request of the Minister, by the Maritime Provinces Higher Education Commission or another body that the Minister approves.
- (2) An applicant that achieves acceptable program and institutional reviews may be recommended by the Minister for an authorization.
- (3) The fee for each program review and institutional review under this Section is calculated at the rate of \$55 per hour for each hour required in conducting the reviews and is payable to the Minister of Finance.

Authorization expiry date

- 7 An authorization expires 5 years after the date it is issued, unless earlier revoked by the Governor in Council.

Authorization is non-transferable

- 8 An authorized institution may not assign or transfer its authorization.

Change in control deemed to be assignment or transfer

- 9 (1) In this Section, “change in control” of an authorized institution means
- (a) a sale or other disposition of more than 50% of the voting shares in the capital stock of the authorized institution;
 - (b) if the authorized institution is a partnership, any change of partners.
- (2) A change in control of an authorized institution is deemed to be an assignment or transfer of the authorized institution’s authorization.

Renewal of authorization

- 10 (1) An application for renewal of an authorization by an authorized institution must be submitted to the Minister at least 180 days before the expiry date of its authorization, in the form prescribed by the Minister, and must be accompanied by all of the following:
- (a) the authorized institution’s current mission statement and academic goals;
 - (b) the names, addresses, telephone numbers and resumés of the authorized institution’s current corporate officers;
 - (c) the authorized institution’s current governance and organizational structure;
 - (d) a 5-year business plan, marketing plan and growth strategy with cost and revenue projections to cover a 5-year period, including the financial resources available to support the delivery of each program offered by the authorized institution;
 - (e) a copy of the most recent quality assurance review conducted under Section 13 for each program offered by the applicant;
 - (f) a summary of all of the following information for the period since the last authorization was granted or last renewed:
 - (i) the entry scores for students in all programs,

- (ii) the annual student enrolment numbers for all programs,
- (iii) the academic averages of students in all programs,
- (iv) a list of the permanent residences of all students;
- (g) any outstanding information specified in Sections 20, 21, 22 and 23;
- (h) the application fee prescribed in clause 5(r);
- (i) any additional information the Minister requests.

Revoked authorization

10 An institution whose authorization is revoked may not apply for another authorization for at least 1 year after the revocation date and the application must be made in accordance with the requirements in Section 5.

Security

- 11 (1)** No later than 90 days after the date an authorization or a renewal of an authorization is granted, and before the authorized institution collects any fees from students, the authorized institution must deposit with the Minister a surety bond in a form and on terms acceptable to the Minister.
- (2)** A surety bond deposited under subsection (1) must be in an amount equal to the greater of \$200 000 and
- (a) the product of the number of students enrolled in the institution multiplied by the tuition and other fees per student for the current academic year; or
 - (b) for an institution that has not previously been authorized, the product of the number of student places multiplied by the tuition and other fees per student for the current academic year.
- (3)** If, in the Minister's opinion, an authorized institution has failed to fully deliver a program for which a student contract has been entered into, the Minister may require the institution to
- (a) refund tuition and other fees paid by a student;
 - (b) make up the deficiency in the program; or
 - (c) forfeit its surety bond.
- (4)** A student who has a claim against an authorized institution for its failure to fully deliver a program as described in subsection (3) may make a claim by notifying the Minister in writing no later than 60 days after the failure.
- (5)** If the aggregate of all claims made against the security accessed under subsection (3) exceeds the amount recovered under the security, the claimants must be paid on a proportional basis.
- (6)** An authorized institution's surety bond must continue in force and remain on deposit for at least 1 year following the expiry or revocation of the institution's authorization.
- (7)** An authorized institution must give the Minister at least 90 days' notice before it terminates its surety bond.

- (8) If an authorized institution's surety bond is terminated and the surety bond has not been forfeited, the Minister must, no earlier than 1 year after the date the authorization expires or is revoked, deliver the surety bond to the principal of the surety bond.
- (9) If a surety bond has been forfeited and the Minister has not received notice in writing of any claim against the proceeds of the surety bond or any part that remains in the Minister's hands within 3 years of the forfeiture, the Minister may pay the proceeds of the surety bond, or any part remaining, to the principal of the surety bond, after first deducting the amount of any expenses that have been incurred in connection with any claims or otherwise relating to the expiration or revocation of the authorization for the authorized institution in respect of whose actions the bond was conditioned.

Authorization and security required before collecting fees

12 An institution must not collect any tuition or other fees for a program offered by the institution unless

- (a) an authorization has been granted to the institution that will be in effect for the duration of the program; and
- (b) the security required by Section 11 is in place.

Academic quality assurance review

13 Annually, within 90 days of its fiscal year end, an authorized institution must conduct an internal quality assurance review to ensure the academic quality of its programs, consisting of

- (a) a program review using criteria determined by the Minister and in a form acceptable to the Minister; and
- (b) an institutional review using criteria determined by the Minister and in a form acceptable to the Minister.

Prerequisites for entering program

14 Subject to Section 15, an authorized institution must not admit a person to any of its programs unless the person has done at least 1 of the following:

- (a) successfully completed grade 12;
- (b) passed the grade 12 equivalency GED tests;
- (c) achieved academic upgrading level 4;
- (d) completed a standardized test verifying grade 12 level.

Student contracts

15 (1) An authorized institution must not permit a person to begin a course of study in any of its programs until the person enters into a student contract with the authorized institution.

- (2) Before a person enters into a student contract, the authorized institution must give the person all of the following information and documents:
 - (a) the total cost to the person, indicating separately the tuition fee for the current academic session and other fees associated with the program;
 - (b) a copy of the institution's policies, rules and regulations, including the tuition refund policy, the complaint resolution policy, and the payment schedule.

- (3) A student contract must contain at least the following information:
- (a) the name, address, telephone number and fax number of the authorized institution;
 - (b) the name, address and telephone number of the student;
 - (c) the name of the program;
 - (d) a statement that the student has received the information and documents required by subsection (2);
 - (e) the start date and anticipated end date of the program;
 - (f) a payment schedule for tuition and other related fees for the current academic session;
 - (g) a statement that the student has been advised of the prerequisites for admission to the program and that the student meets those prerequisites;
 - (h) a statement that the student contract is subject to the Act and these regulations;
 - (i) the date the student contract is entered into;
 - (j) the signature of the student;
 - (k) a statement that the institution will issue a degree to the student on successful completion of the program;
 - (l) the tuition refund policy.
- (4) An authorized institution must ensure that a student is given a fully executed original of their student contract before the start date of the program.

When student contract cancelled

- 16 (1) A student contract is deemed to be cancelled when
- (a) the authorized institution dismisses the student pursuant to its policies; or
 - (b) the student withdraws from the program contracted for.
- (2) For the purposes of clause (1)(b), a student is considered to have withdrawn from a program
- (a) if the student has not attended any classes or submitted any assignments for 4 consecutive weeks, or
 - (b) the student has notified the authorized institution in writing of their withdrawal.
- (3) A refund by an authorized institution of a tuition or other fee may be made only in accordance with these regulations and the authorized institution's tuition refund policy contained in the student contract.

Student registration fee

- 17 (1) Subject to subsection (2), an authorized institution may charge a non-refundable registration fee for each program in an amount of no more than 5% of the tuition, to a maximum of \$250.

- (2) A registration fee paid by a person accepted into a program must be credited to the tuition fee for the program in which the person is enrolled.

Tuition fees payment

- 18 (1) No authorized institution may require payment of tuition fees for programs during an academic year in fewer than 2 reasonably equal instalments.
- (2) For each academic year, the dates on which the tuition instalments become due must be fixed so that they fall approximately at the beginning of each equal portion of the duration of the academic year.

When authorized institution must refund amounts paid

- 19 An authorized institution must refund to a student all amounts paid to the institution by or on behalf of the student if, at the time the student contract was entered into,
- (a) the institution did not have an authorization;
 - (b) the program contracted for had not been reviewed and found acceptable under Section 6.

Academic records and reporting

- 20 (1) An authorized institution must keep a record of each of the following:
- (a) the number of student enrolments and withdrawals for all programs;
 - (b) the transcript of each student;
 - (c) the permanent residence of each student;
 - (d) the results of each annual quality assurance review required by Section 13.
- (2) Annually, and no later than 90 days after the end of its fiscal year, an authorized institution must give the Minister a summary of the records kept under subsection (1).

Student records

- 21 (1) An authorized institution must keep a file for each of its students that includes all of the following:
- (a) the student's application forms and entry scores;
 - (b) the student's transcripts;
 - (c) the student's contact information, including permanent and local address, telephone number and emergency contacts;
 - (d) records of complaints;
 - (e) the student's payment records;
 - (f) correspondence to and from the student;
 - (g) copies of degrees granted by the authorized institution to the student;
 - (h) a copy of the student's contract for each program.

- (2) An authorized institution must keep a student file for at least 5 years after the student has completed or left the program in which the student was enrolled, except that transcripts and copies of degrees granted must be kept for 25 years after the student has completed or left the program.
- (3) On closure of an authorized institution, the authorized institution must immediately forward to the Minister the remaining original student files and any other information that the Minister requests.

Participation in surveys

22 At the Minister's request, an authorized institution must participate in any survey or similar information-gathering exercise that the Minister considers appropriate.

Financial reporting

- 23 (1) Annually, and no later than 90 days after the end of its fiscal year, an authorized institution must give the Minister a copy of its audited financial statements for the previous fiscal year, prepared by an independent auditor who is a licensed chartered accountant or a chartered accountant whose qualifications are considered to be equivalent by the Canadian Institute of Chartered Accountants.
- (2) In addition to annual financial statements, an authorized institution must give the Minister any financial information that the Minister requests, in a form satisfactory to the Minister.

Complaint resolution policy

- 24 (1) An authorized institution must have a complaint resolution policy to ensure the proper and efficient resolution of all student complaints.
- (2) A copy of the complaint resolution policy must be forwarded to the Minister on request.
- (3) A complaint resolution policy must set out all of the following:
- (a) the procedure for making and receiving a complaint;
 - (b) the official to whom a complaint must be given;
 - (c) the process to be followed when a complaint is received;
 - (d) the manner in which a complaint and the resolution of the complaint must be recorded.
- (4) An institution must maintain a record of all complaints received and the resolution of those complaints, and must make the record available to the Minister for inspection on request.

Mediation

- 25 (1) If a student and an authorized institution have been unable to resolve a dispute on their own, the student or the institution may, with the consent of the other party, apply to the Minister to appoint a mediator by filing written notice setting out the details of the dispute with both the Minister and the other party.
- (2) If the Minister appoints a mediator, the mediator must try to assist the parties to settle the dispute that is the subject of the mediation.
- (3) Evidence arising from anything said, evidence of anything said or evidence of an admission or communication made in the course of mediation under this Section is not admissible in any action or proceeding, except with the consent of the mediator, the student and the institution.

- (4) The costs associated with appointing and retaining a mediator will be split evenly between the Minister, the authorized institution and the student.

No limits on rights

- 26 Nothing in these regulations may be construed as limiting in any way the rights and remedies that a student otherwise has with respect to an institution's breach of a student contract.

Access to Act and regulations

- 27 An authorized institution must place a copy of the Act and these regulations in a prominent place at the entrance of the institution.

Display of information

- 28 An authorized institution must display the authorization of the institution at the entrance to the institution and, if the authorized institution has an Internet site, on the Internet site home page, where it can be readily observed by its students and the public.

Notice

- 29 Notice required by these regulations must be in writing and by
- (a) mail, postage prepaid; or
 - (b) courier or other means of hand delivery.

N.S. Reg. 389/2008

Made: September 16, 2008

Filed: September 16, 2008

Proclamation, S. 7, S.N.S. 2008, c. 6

Order in Council 2008-481 dated September 16, 2008
Proclamation made by the Governor in Council
pursuant to Section 7 of the
North American Labor Cooperation Agreement Implementation Act

The Governor in Council on the report and recommendation of the Minister of Labour and Workforce Development dated August 20, 2008, and pursuant to Section 7 of Chapter 6 of the Acts of 2008, the *North American Labor Cooperation Agreement Implementation Act*, is pleased to order and declare by proclamation that Chapter 6 of the Acts of 2008 the *North American Labor Cooperation Agreement Implementation Act*, do come into force on and not before September 16, 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 7 of Chapter 6 of the Acts of 2008, the *North American Labor Cooperation Agreement Implementation Act*, it is enacted as follows:

- 7 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 6 of the Acts of 2008, the *North American Labor Cooperation Agreement Implementation Act*, do come into force on and not before September 16, 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 6 of the Acts of 2008, the *North American Labor Cooperation Agreement Implementation Act*, do come into force on and not before September 16, 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 16th day of September 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. 390/2008

Made: September 16, 2008

Filed: September 16, 2008

Trust and Loan Companies Regulations

Order in Council 2008-483 dated September 16, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 276 of the *Trust and Loan Companies Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated August 27, 2008, and pursuant to Section 276 of Chapter 7 of the Acts of 1991, the *Trust and Loan Companies Act*, is pleased to amend the *Trust and Loan Companies Regulations*, N.S. Reg. 18/92, made by the Governor in Council by Order in Council 92-62 dated January 21, 1992, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 16, 2008.

Schedule "A"

**Amendments to the *Trust and Loan Companies Regulations*
made by the Governor in Council under
Section 276 of Chapter 7 of the Acts of 1991,
the *Trust and Loan Companies Act***

- 1 Part II of the *Trust and Loan Companies Regulations*, N.S. Reg. 18/92, made by the Governor in Council by Order in Council 92-62 dated January 21, 1992, is repealed.
- 2 Part XXI of the regulations is amended by:
 - (a) repealing Schedule 1 - Fees;
 - (b) striking out "application fee" in ~~subsection~~ [subclause] 10(i) of Part III of Form 1 - Application for the Issue of Letters Patent to Incorporate a Trust or Loan Company and substituting "tax for filing and processing an application"; and
 - (c) striking out "application fee" in ~~subsection~~ [subclause] 17(i) of Part III of Form 2 - Application Licence, Change of Licence, Amendment of Terms, Conditions and Restrictions of Licence and the Issue of Supplementary Letters Patent and substituting "tax for filing and processing an application".

N.S. Reg. 391/2008

Made: September 16, 2008

Filed: September 16, 2008

Schedule of Fees for Documents and Services

Order in Council 2008-484 dated September 16, 2008
Amendment to 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 August 19, 2008, 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 schedule of fees for documents and services, N.S. Reg. 187/2008, determined by the Governor in Council by Order in Council 2008-176 dated March 31, 2008, to add the fee for an interlock license, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 30, 2008.

Schedule “A”

**Amendment to the Schedule of Fees for Documents and Services
determined 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. 187/2008, determined by the Governor in Council by Order in Council 2008-176 dated March 31, 2008, is amended by adding the following item immediately before the item for “duplicate permit, license, certificate of registration”:

Interlock license\$30.00

N.S. Reg. 392/2008

Made: September 11, 2008

Filed: September 16, 2008

Prescribed Petroleum Products Prices

Order dated September 11, 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 September 4, 2008, which prescribed prices September 5, 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 September 12, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on September 11, 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 September 12, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	80.3
Mid-grade unleaded gasoline	83.3
Premium unleaded gasoline	86.3
Ultra low-sulfur diesel oil	83.8

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	112.1	4.0	5.5	4.0	999.9	131.2	132.9	131.2	999.9
Mid-Grade Unleaded	115.1	4.0	5.5	4.0	999.9	134.6	136.3	134.6	999.9
Premium Unleaded	118.1	4.0	5.5	4.0	999.9	138.0	139.7	138.0	999.9
Ultra Low-Sulfur Diesel	109.5	4.0	5.5	4.0	999.9	128.3	130.0	128.3	999.9
Zone 2									
Regular Unleaded	112.5	4.0	5.5	4.0	999.9	131.6	133.3	131.6	999.9
Mid-Grade Unleaded	115.5	4.0	5.5	4.0	999.9	135.0	136.7	135.0	999.9
Premium Unleaded	118.5	4.0	5.5	4.0	999.9	138.4	140.1	138.4	999.9
Ultra Low-Sulfur Diesel	109.9	4.0	5.5	4.0	999.9	128.7	130.4	128.7	999.9
Zone 3									
Regular Unleaded	113.0	4.0	5.5	4.0	999.9	132.2	133.9	132.2	999.9
Mid-Grade Unleaded	116.0	4.0	5.5	4.0	999.9	135.6	137.3	135.6	999.9
Premium Unleaded	119.9	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Ultra Low-Sulfur Diesel	110.4	4.0	5.5	4.0	999.9	129.3	131.0	129.3	999.9
Zone 4									
Regular Unleaded	113.0	4.0	5.5	4.0	999.9	132.2	133.9	132.2	999.9
Mid-Grade Unleaded	116.0	4.0	5.5	4.0	999.9	135.6	137.3	135.6	999.9
Premium Unleaded	119.9	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Ultra Low-Sulfur Diesel	110.4	4.0	5.5	4.0	999.9	129.3	131.0	129.3	999.9
Zone 5									
Regular Unleaded	113.0	4.0	5.5	4.0	999.9	132.2	133.9	132.2	999.9
Mid-Grade Unleaded	116.0	4.0	5.5	4.0	999.9	135.6	137.3	135.6	999.9
Premium Unleaded	119.9	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Ultra Low-Sulfur Diesel	110.4	4.0	5.5	4.0	999.9	129.3	131.0	129.3	999.9

Zone 6									
Regular Unleaded	113.8	4.0	5.5	4.0	999.9	133.1	134.8	133.1	999.9
Mid-Grade Unleaded	116.8	4.0	5.5	4.0	999.9	136.5	138.2	136.5	999.9
Premium Unleaded	119.8	4.0	5.5	4.0	999.9	139.9	141.6	139.9	999.9
Ultra Low-Sulfur Diesel	111.2	4.0	5.5	4.0	999.9	130.2	131.9	130.2	999.9