



Part II
Regulations under the Regulations Act

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

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

N.S. Reg. 195/2019

Made: November 27, 2019

Filed: November 27, 2019

Employment Support and Income Assistance Regulations—replacement

Order in Council 2019-333 dated November 27, 2019

Repeal of regulations and regulations made by the Governor in Council
pursuant to Section 21 of Chapter 27 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated October 8, 2019, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased, effective on and after January 1, 2020, to

- (a) repeal the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by [the] Governor in Council by Order in Council 2001-138 dated March 23, 2001; and
- (b) make new regulations respecting employment support and income assistance for persons in need in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

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

Citation

1 These regulations may be cited as the *Employment Support and Income Assistance Regulations*.

Definitions

2 In these regulations,

“Act” means the *Employment Support and Income Assistance Act*;

“allowed”, in relation to an amount of assistance, means that the amount of assistance must be included in the calculation of the amount of total assistance payable in accordance with Section 20;

“applicant” means a person who applies for assistance and their spouse;

“application” means an application for assistance under Section 3;

“approved educational program” means

- (i) a high school, adult day school, upgrading or literacy program, or
- (ii) technical or professional training of up to 2 years;

“applicable assets” means any of the following, as determined under Sections 24 and 25:

- (i) equity in any real or personal property,

- (ii) liquid assets;

“board” with respect to an applicant or recipient means that they live with the owner or sole lessee of a home, with their own bedroom and sharing access to a bathroom, kitchen, entrance or other areas of the home;

“caseworker” means a person employed with the Department who is responsible for reviewing applications for assistance, determining eligibility for assistance and making decisions about granting assistance to applicants, recipients and dependents;

“chargeable income” of an applicant or recipient means income that must be included in calculating the eligibility amount of the applicant or recipient;

“cohabit” means to live together with another person as a spouse;

“common-law partner” means a person who is living with another person in a relationship of interdependence functioning as an economic and domestic unit, and at least 1 of the following applies:

- (i) they have lived together for at least 12 continuous months,
- (ii) they are parents of a child or children by birth or adoption or share legal custody of a child or children,
- (iii) they lived together previously in a relationship of interdependence functioning as an economic and domestic unit for at least 12 continuous months, including any period of time the 2 persons were separated for less than 90 days, and have resumed living together in such a relationship;

“Department” means the department of Community Services;

“dependent child” means a person residing in the Province who is dependent for support upon an applicant or a recipient and is

- (i) under 19 years old, or
- (ii) over 19 years old and younger than 21 years old and is attending an approved educational program not designated for student loan purposes;

“Director” means the Department’s Director of Income Assistance;

“earned income” means the income generated from employment activities, including all of the following:

- (i) net wages from an employer,
- (ii) tips,
- (iii) gratuities,
- (iv) net commissions,
- (v) net business income;

“eligibility amount” means the amount used to determine eligibility for assistance in accordance with the definition of “person of need” in the Act;

“employability assessment” means an assessment to determine whether a recipient is employable at the time of the assessment and, if not employable at the time of the assessment, includes an assessment of the measures or activities that can reasonably be undertaken by the recipient to enable the recipient to become employable;

“employment plan” means a plan developed in conjunction with an employability assessment that establishes a recipient’s goals for all of the following:

- (i) participating in employment services,
- (ii) participating in an approved educational program,
- (iii) employment;

“expense” means an expense of an applicant or recipient that is included in calculating the assistance payable to the applicant or recipient under these regulations, and includes an expense of any dependent child;

“former regulations” means the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001;

“full-time”, with respect to employment, means paid employment for 30 hours or more per week;

“home” of an applicant or recipient means the primary residence of the applicant or recipient and includes a mobile home;

“government income payment” means a payment made to a person by the government of Canada or of Nova Scotia in respect of loss or presumed loss of income for any of the following reasons:

- (i) unemployment,
- (ii) loss of the principal family provider,
- (iii) illness,
- (iv) disability,
- (v) age;

“liquid asset” means any asset readily convertible into cash, including any of the following:

- (i) cash on hand,
- (ii) bank accounts,
- (iii) stocks,
- (iv) bonds,
- (v) non-locked-in retirement savings plans,

(vi) other securities;

“mobile home” means a trailer that meets all of the following criteria, but does not include a travel trailer or tent trailer:

(i) it is intended to be equipped with wheels, whether or not it is equipped with wheels,

(ii) it is constructed or manufactured to provide a residence for 1 or more persons;

“mortgage payment” means the actual amount paid per month, less any payment of taxes included in the payment, for a mortgage obtained to purchase or make necessary repairs or renovations to a home;

“MSI” means the M.S.I. plan as defined in and administered under the *Health Services and Insurance Act*;

“net business income” means any profit earned from self-employment, including profit earned from a registered or non-registered business;

“Nova Scotia Formulary” means the Department of Health and Wellness’s formulary, available on its website, detailing which drugs and supplies are benefits under the Province’s pharmacare programs, including the Seniors’ Pharmacare Program, Family Pharmacare Program, Diabetes Assistance Program, Drug Assistance for Cancer Patients Program and the Department of Community Services Pharmacare Benefits Program;

“Nova Scotia health card number” means a unique identification number assigned by the Minister of Health and Wellness to individuals insured under the *Health Services and Insurance Act*;

“part-time”, with respect to employment, means paid employment of less than 30 hours per week;

“post-secondary education program” means a program of an institution that is a designated educational institution under the *Canada Financial Assistance Act (Canada)*;

“recipient” means a person who is receiving assistance, or eligible to receive assistance, and their spouse;

“rent” with respect to an applicant or recipient means that they

(i) are a signatory to a lease agreement and live in a self-contained unit with a separate entrance and a private bathroom, kitchen and living area, or

(ii) live in a room in a municipally approved or licensed rooming, boarding or lodging house;

“special needs” means special needs as defined in Section 54;

“spouse” means, with respect to any individual, an individual who is cohabiting with that individual in a conjugal relationship as married spouse, registered domestic partner or common-law partner;

“standard household rate” means the amount a recipient is entitled to receive to cover basic needs based on their household composition and accommodation type, as set out in Sections 48 to 50;

“student family member” means a person who resides with an applicant or recipient who is their parent or legal guardian, and who meets all of the following criteria:

- (i) they are at least 19 years old and younger than 24 years old,
- (ii) they have been out of high school for less than 4 years,
- (iii) they are attending a post-secondary education program full-time,
- (iv) they have not had 2 periods of 12 consecutive months when they were not a full-time student;

“supervisor” means a person employed with the Department who is responsible for overseeing the work and decisions of a caseworker;

“taxes” means any tax imposed by or under an enactment in respect of real or personal property;

“unearned income” includes all of the following:

- (i) government income payments,
- (ii) workers’ compensation,
- (iii) regular periodic insurance payments,
- (iv) income from mortgages,
- (v) spousal support payments,
- (vi) superannuation,
- (vii) income from investments such as stock and bonds.

Applications for Assistance

Application form

- 3 (1)** To be assessed to determine whether they are eligible to receive assistance, an applicant must submit an application for assistance in the form and manner prescribed by the Minister, together with all of the applicable information and documentation required by Section 5.
- (2)** An application for assistance and all required forms must be signed by the applicant.
- (3)** An application is not considered complete until all required forms, agreements and consents have been completed, signed and have been provided to a caseworker.
- (4)** If an application is incomplete, the applicant is not eligible to receive assistance.

Consents required

- 4 (1)** An application for assistance must include a consent to disclose and verify information signed by the applicant.
- (2)** An applicant may be required to sign a consent in a form requested by a person or body from whom information required by Section 5 is to be collected.

- (3) A dependent child of an applicant or a student family member of an applicant may be required to provide a signed consent at the time of application if requested by a caseworker to do so.
- (4) An applicant, recipient, dependent child or student family member may be required to sign an updated consent if requested to do so by a caseworker.
- (5) Consents obtained under this Section authorize a caseworker to disclose, verify, collect and obtain the information and documentation required by Section 5.

Documentation and information required

- 5 (1) An applicant or recipient must provide any information a caseworker requires about the following with respect to the applicant, recipient and any dependent child:
- (a) living arrangements;
 - (b) employment history;
 - (c) health;
 - (d) financial circumstances.
- (2) An applicant or recipient must immediately notify a caseworker of any change that affects the information provided under subsection (1) and the notice must be in writing if requested by the caseworker.
- (3) To determine the eligibility of an applicant or the ongoing eligibility of a recipient to receive assistance, the applicant or recipient must provide all of the following to a caseworker at the time of application or as requested at any time while receiving assistance:
- (a) if applicable, proof of all of the following:
 - (i) age,
 - (ii) death,
 - (iii) marital status,
 - (iv) cohabitation,
 - (v) medical or health condition,
 - (vi) hospitalization,
 - (vii) parentage,
 - (viii) citizenship,
 - (ix) residency,
 - (x) income,
 - (xi) assets,

- (xii) expenses,
 - (xiii) for a student family member, their residency and enrolment in post-secondary education;
 - (b) the social insurance number of the applicant or recipient and any dependent child;
 - (c) the Nova Scotia health card number of the applicant or recipient and any dependent child;
 - (d) the income tax assessment form of the applicant or recipient.
- (4) For the purpose of subclause (3)(a)(iv), proof of cohabitation may be established by any relevant evidence and is deemed to occur if individuals represent themselves to others as being each other's spouse.
- (5) If an applicant or recipient refuses to provide the information or documentation specified in this Section, they must be refused assistance or assistance must be discontinued.

Pending documentation

- 6 (1) If requiring an applicant or a recipient to provide information or documentation in a timely manner would, in the opinion of a caseworker, create undue hardship for the applicant or recipient, assistance may be provided pending receipt of the information or documentation.
- (2) An applicant or recipient provided assistance pending receipt of information or documentation under subsection (1) must provide the information or documentation at the earliest opportunity.

Oath or affirmation to establish proof

- 7 An applicant or recipient may be required to provide evidence under oath or by affirmation to establish the proof of any fact relating to the applicant's or recipient's eligibility for assistance.

Eligibility**Age of applicant**

- 8 (1) Except provided in subsection (3), an applicant must be 19 years old or older in order to be eligible to receive assistance.
- (2) An applicant who is under 19 years old and living with a parent is not eligible to receive assistance in their own right or on behalf of their dependent child.
- (3) A caseworker may permit an applicant who at least 16 years old and younger than 19 years old to apply for assistance in their own name if, in the opinion of the caseworker, the applicant is exposed to an unsafe home environment, there is an unresolved conflict in the home or the applicant is unable to remain at or return home because of a parental decision, and the applicant is willing to do all of the following:
- (a) attend an educational program not designated for student loan purposes;
 - (b) participate in an employment plan;
 - (c) access counselling or mediation services that a caseworker has identified as necessary for them;
 - (d) access medical services necessary to preserve their physical health;

- (e) except as provided in subsection (4), live in a setting that provides a degree of supervision, accountability and guidance in accordance with their age and needs.
- (4) Clause (3)(e) does not apply if a caseworker is satisfied that the applicant has the necessary life skills and maturity to live alone.

Residency in Province

9 An applicant or recipient must be a resident of the Province and be present in the Province to apply for and receive assistance, other than a recipient who is temporarily absent from the Province for more than 30 consecutive days with approval from the Director.

Persons detained

10 An applicant or recipient is not eligible to receive assistance if they have been confined to any of the following institutions for more than 30 consecutive days:

- (a) a prison, as defined by subsection 2(1) of the *Prisons and Reformatories Act* (Canada);
- (b) a penitentiary, as defined by subsection 2(1) of the *Corrections and Conditional Release Act* (Canada);
- (c) a correctional facility, as defined by clause 2(g) of the *Correctional Services Act*;
- (d) the East Coast Forensic Hospital, under section 672 of the *Criminal Code* (Canada) and subject to a warrant of committal.

Spouses separating for convenience

11 An applicant or recipient who separates from their spouse for the purpose of enabling them to qualify for assistance is not eligible to receive assistance.

Strike or lockout

12 An applicant or recipient who is engaged in a strike or locked out by their employer is not eligible to receive assistance.

Other feasible sources of income or assets

13 An applicant or recipient is not eligible to receive assistance if they have another feasible source of income or applicable assets available that are sufficient to provide them with basic needs, special needs or any employment services that are applied for or allowed.

Obligation to commence proceedings

- 14 (1) Except as provided in subsection (3), to be eligible to receive assistance or continue receiving assistance, an applicant or recipient must do all of the following in respect of any other person's duty or obligation to support or maintain the applicant or recipient:
- (a) commence any action or other proceeding;
 - (b) enforce any order of the court.
- (2) If an applicant or recipient is unable to comply with subsection (1) because they failed to obtain the necessary information, a caseworker may refuse assistance for any period of time the caseworker considers appropriate in the circumstances.
- (3) Subsection (1) does not apply if a caseworker considers that compliance would

- (a) adversely affect a family situation; or
- (b) be futile or unreasonable.

Dependent children

- 15 (1)** Assistance is not provided on behalf of a dependent child after they turn 21 years old.
- (2)** A caseworker must discontinue assistance provided on behalf of a dependent child who
- (a) is attending a post-secondary education program, effective the last day of the month in which the dependent child turns 19 years old; or
 - (b) ceases to be a dependent child, effective the last day of the month in which the child ceases to be a dependent child.

Dependent child in custody under *Children and Family Services Act*

- 16 (1)** If a dependent child of a recipient has been taken into the care of a child welfare agency or is in an alternative family care arrangement under the *Children and Family Services Act*, the recipient is entitled to continue to receive assistance as if the dependent child were still in their care and custody if the relevant child welfare agency advises a caseworker of either of the following:
- (a) the recipient is participating in a program or plan of action for the purpose of facilitating the return of the dependent child to the recipient;
 - (b) there is a valid reason why the recipient cannot participate in a program or plan of action for the purpose of facilitating the return of the dependent child to the recipient.
- (2)** Assistance provided in accordance with subsection (1) must not continue for longer than 2 years.

No eligibility amount

- 17** If an applicant's or recipient's eligibility amount is calculated to be zero or less, they are not eligible to receive assistance.

Payment of Assistance**Calculating eligibility amount**

- 18 (1)** In calculating the eligibility amount of an applicant or recipient, a caseworker must consider all of the following for the applicant, recipient and any dependent child:
- (a) household composition;
 - (b) accommodation type;
 - (c) chargeable income;
 - (d) assets;
 - (e) special needs expenses.
- (2)** A dependent child is included in the calculation of the eligibility amount if an applicant or recipient
- (a) has primary care of the dependent child; or

- (b) shares physical custody of the dependent child and is responsible for the child at least 40% of the time.

Eligibility amount modified by supervisor

19 The provisions regarding the calculation of the eligibility amount do not apply to an applicant or recipient if a supervisor considers it necessary to

- (a) protect the health and safety of the applicant, recipient or dependent child; or
- (b) preserve the dwelling of the applicant or recipient.

Total assistance payable

20 The amount of assistance that a recipient is entitled to under these regulations is the amount calculated as the difference between the assistance allowed under these regulations and their chargeable income and assets as calculated under these regulations, subject to any overpayment recovery amount.

Circumstances that may result in change in amount of assistance

- 21** (1) If assistance has been improperly provided to a recipient because of fraud, misrepresentation, non-disclosure of facts or other cause, a caseworker must reduce, discontinue or suspend assistance to the recipient.
- (2) If there is a change in the circumstances of a recipient or their dependent child that affects their eligibility for assistance, a caseworker must increase, reduce, discontinue or suspend assistance to the recipient.

Money payments of assistance

22 Payments of assistance in the form of money must be made by cheque or electronic bank transfer in favour of the person named in the requisition for the payment.

Assistance paid to trustee

23 A person to whom assistance is paid in trust for the benefit of an applicant or recipient under Section 10 of the Act must provide a caseworker with any information the caseworker requires about the administration of the trust money.

Assets**All applicable assets considered in determining eligibility**

24 In determining an applicant's or a recipient's eligibility to receive assistance, a caseworker must consider all applicable assets of the applicant, recipient and any dependent child.

Not applicable assets

25 None of the following is an applicable asset:

- (a) the home of an applicant or recipient, if the property is located in the Province and is assessed at less than twice the average assessed value of single-family dwellings in the municipality where it is located;
- (b) a cash surrender value of under \$500 of a life insurance policy;
- (c) a motor vehicle used for basic transportation including transportation related to employment search requirements, training or health and safety requirements;
- (d) tools or equipment directly related to a trade or profession;

- (e) a registered education savings plan established for the education of a child and intended for use by that child in relation to education expenses;
- (f) a registered disability savings plan;
- (g) any portion of a registered retirement savings plan that is
 - (i) part of an employment pension program at the place of employment where the applicant or recipient is employed, temporarily laid off or on sick leave, or
 - (ii) part or all of a locked-in retirement account as defined by the *Pension Benefits Regulations* made under the *Pension Benefits Act*;
- (h) prepaid funeral arrangements up to a maximum value of \$5000;
- (i) funds saved from participating in a savings program that is designed to promote self-sufficiently [sufficiency] and is approved by the Minister.

Asset limits

- 26 (1)** An applicant or recipient whose assets exceed the limits set out in the following table is not eligible to receive assistance:

Household composition	Asset limit
1 person	\$2000
more than 1 person	\$4000

- (2)** An applicant or recipient who is refused assistance as a result of the asset limit in subsection (1) may be required to wait at least 1 month and not longer than 1 year from the date of refusal before reapplying for assistance.

Disposing of assets

- 27 (1)** An applicant is not eligible to receive assistance if they dissipate, spend or deal with assets during the 12 months immediately before the date of their application if a supervisor determines that this was done in an unreasonable manner.
- (2)** Despite subsection (1), an applicant or recipient must not be prejudiced if assets have been spent for any of the following purposes and they provide proof to the satisfaction of the supervisor that assets were spent for that purpose:
- (a) personal and family shelter including the purchase of a home or the mortgage payment or debts and purchases as approved by a supervisor;
 - (b) basic needs;
 - (c) necessary repairs of the home of the applicant or recipient;
 - (d) replacement of necessary household items.

Joint assets

- 28** If an applicant or a recipient is a joint owner of an asset, the joint asset is not an applicable asset, but a caseworker may require the applicant or recipient to convert the joint asset into cash within a specified

time.

Conversion or sale of assets

- 29 (1)** A caseworker may require an applicant or a recipient to sell real property within a specified time.
- (2)** If it is not feasible to sell real property under subsection (1), a caseworker may require the applicant or recipient to rent the property or to render it income-producing within a specified time.

Repayment agreements

- 30** An applicant or recipient may be required to enter into a repayment agreement in respect of any assistance granted pending the completion of any action required by a caseworker under Section 28 or 29.

Trust funds

- 31 (1)** If a sum is set aside in trust for an applicant, recipient or dependent child by a court or a person other than an applicant or recipient, the applicant or recipient is not eligible to receive assistance if it is feasible for the applicant or recipient to obtain support for themselves or their dependent child from the amount set aside.
- (2)** A recipient or a person on whose behalf assistance is paid who uses a trust fund as collateral for securing a loan is not eligible to receive assistance.

Income

Chargeable income

- 32 (1)** An applicant's or recipient's chargeable income includes monthly income, in the amounts specified, from all of the following sources:
- (a)** 100% of unearned income;
 - (b)** 100% of income from an estate or trust;
 - (c)** if the amount set aside in trust would have otherwise been chargeable income, 100% of the amount set aside in trust by a court at the request of an applicant or recipient or with the consent of an applicant or recipient;
 - (d)** 100% of earned income, except as determined by the exemptions and chargeable rates set out in Section 33;
 - (e)** except as provided in subsection (2), if boarders are living with the applicant or recipient, the greater of
 - (i)** 25% of the gross amount received per month, and
 - (ii)** \$50 per month;
 - (f)** if roomers are living with the applicant or recipient, the greater of
 - (i)** 70% of the gross amount received, and
 - (ii)** \$50 per month;
 - (g)** if the applicant or recipient receives rent from properties, 70% of the gross amount received.

- (2) Income referred to in clause (1)(e) is not chargeable income if all of the following apply:
 - (a) the person boarding is a child of the applicant or recipient;
 - (b) in a supervisor’s opinion, including the income as chargeable income would create undue hardship on the child or the child’s family.
- (3) Chargeable income is deemed to include 100% of unearned income received by [a] dependent child, or by an applicant or recipient on behalf of a dependent child.

Earned income exemption rates

33 (1) Except as otherwise provided in this Section, earned income for a recipient is exempted in accordance with the following table and the remainder is chargeable income:

Amount of Earned Income	Exemption Rate	Chargeable Rate
the first \$250 earned	100%	0%
the next \$250 earned: from \$250.01 to \$500	75%	25%
the next \$250 earned: from \$500.01 to \$750	50%	50%
the next amount earned: over \$750	25%	75%

(2) For a recipient who is employed but whose physical, mental or cognitive abilities prevent them from working on their own without continuous support, earned income is exempted in accordance with the following table and the remainder is chargeable income:

Amount of Earned Income	Exemption Rate	Chargeable Rate
the first \$350 earned	100%	0%
the next \$150 earned: from \$350.01 to \$500	75%	25%
the next \$250 earned: from \$500.01 to \$750	50%	50%
the next amount earned: over \$750	25%	75%

- (3) If a person who is at least 16 years old and younger than 21 years old attends an approved educational program
 - (a) at the time the amount of assistance to be paid is being determined, income from part-time employment is not chargeable income; and
 - (b) income from full-time employment is not chargeable income for up to 3 calendar months per year.
- (4) If operating a business is part of a recipient’s employment plan, a caseworker may determine that the net business income generated from the business is not chargeable income for up to the first 18 months the business is in operation.

Training allowances

34 (1) A training allowance received by an applicant is chargeable income.

- (2) A training allowance received by a recipient is chargeable income, except that the first \$150 of the allowance is exempt.

Not chargeable income

35 Income from any of the following sources is not chargeable income:

- (a) a Canada child benefit or any previous child tax benefit paid under the *Income Tax Act* (Canada), including all of the following:
 - (i) a national child benefit supplement,
 - (ii) payments made by the Province as a Nova Scotia child benefit under the *Income Tax Act*,
 - (iii) a child disability benefit;
- (b) child support payments, except as provided in Section 68 for child support payments owed before August 1, 2018;
- (c) any payments made under the *Children Family Services Act*, including all of the following:
 - (i) payments made in support of a foster child,
 - (ii) payments made to a young person receiving assistance in accordance with subsection 8(3),
 - (iii) adoption subsidy payments;
- (d) any payments made under the alternative family care program administered by the Department;
- (e) the goods and services tax credit paid under the *Income Tax Act* (Canada);
- (f) any payment received under the Canada workers benefit under the *Income Tax Act* (Canada) or under the former working income tax benefit under the *Income Tax Act* (Canada);
- (g) the poverty reduction credit paid by the Department;
- (h) the affordable living tax credit paid under the *Income Tax Act*;
- (i) income tax refunds;
- (j) any payments made under the provincial low-income fuel assistance program and the federal relief for heating expenses program;
- (k) a caregiver's benefit under the Department of Health and Wellness's caregiver benefit program;
- (l) honorariums provided for serving on a provincial agency, board or commission;
- (m) bursaries, scholarships and stipends received for the purpose of assisting with the costs of attending an approved educational program or recipients to whom Section 65 applies;

- (n) any money withdrawn from a registered disability savings plan;
- (o) any money withdrawn from a registered educational savings plan to be used by the child for education expenses;
- (p) harvest connection program wages, in accordance with Section 36;
- (q) wages of a dependent child, in accordance with Section 37.

Harvest connection program wages

36 Up to \$3000 per fiscal year of a recipient or recipient's spouse combined wages from participating in the Department's harvest connection program that are earned from any or all of the following is not chargeable income:

- (a) seasonal harvesting of field-produced horticulture;
- (b) harvesting Christmas trees;
- (c) producing Christmas wreaths.

Wages of dependent child attending approved education program

37 A dependent child's wages are not chargeable income if the dependent child is attending an approved educational program not designated for student loan purposes.

Default in spousal support payments assigned to Minister

38 If there is a default in spousal support payments to a recipient and the recipient has assigned their spousal support payments to the Minister, the recipient's assistance must be recalculated without the assigned spousal payment included as chargeable income.

Compensation Payments**Compensation payments and money generated from payments**

39 (1) None of the following compensation payments received by an applicant or recipient are considered as chargeable income or assets for the purpose of determining eligibility for assistance, but any money generated from the payments is chargeable income for the month in which it is received:

- (a) a payment other than a payment for loss of income or loss of support under any of the following:
 - (i) the 1986-1990 Hepatitis C Settlement Agreement,
 - (ii) the Pre 1986- Post 1990 Hepatitis C Settlement Agreement,
 - (iii) the federal, provincial and territorial assistance program for HIV secondarily infected persons;
- (b) a payment as a merchant navy veteran, as defined in the *War Veteran's Allowances Act* (Canada), or as a surviving spouse of a merchant navy veteran for post-war benefits;
- (c) a payment under a Memorandum of Understanding regarding compensation for survivors of institutional abuse;
- (d) a payment under a victims' compensation program of the federal or a provincial government;

- (e) a payment under the Indian Residential Schools Settlement Agreement;
 - (f) a payment under a court order or under a victims' compensation program to a victim of abuse by a church organization;
 - (g) a payment under the federal government's memorial grant program for first responders.
- (2) The Minister may declare as not being chargeable income or an asset for the purpose of determining an applicant's or recipient's eligibility for assistance, any monthly or lump sum payment or portion of the payment received from a provincial government or the federal government to victims or survivors of abuse to redress or compensate an injury or harm in respect to a government program, and the Minister may determine whether any money generated from the payments is chargeable income for the month in which it is received.

Employment

Assistance reduced

- 40 (1) Except as permitted by Section 41, if an applicant or recipient does not comply with Sections 42 to 47, the amount of assistance allowed for basic needs is reduced by 20%.
- (2) A reduction in assistance under subsection (1) lasts for the following applicable time period:
- (a) at least 1 month, if the applicant or recipient takes reasonable steps to remedy the non-compliance;
 - (b) indefinitely, if the applicant or recipient does not take reasonable steps to remedy the non-compliance.
- (3) For a household size of more than 1 person, a reduction in assistance under subsection (1) is attributed to the person who failed to comply.

Legitimate barrier to employment

- 41 Sections 42 to 47 do not apply to an applicant or recipient who a caseworker determines has a legitimate barrier to employment.

Employability assessment

- 42 A recipient must participate in an employability assessment.

Employment plan

- 43 (1) A recipient must develop an employment plan that takes into account
- (a) all of the following for the recipient:
 - (i) skills,
 - (ii) education,
 - (iii) work experience,
 - (iv) volunteer activities,
 - (v) resources in the community,

- (vi) availability of transportation,
 - (vii) child care needs,
 - (viii) personal support; and
- (b) any additional factors that a caseworker determines are relevant to enabling the recipient to participate in employment.
- (2) An employment plan must not include a plan to participate in an educational program that is not an approved educational program.

Participating in employment plan

44 A recipient is required to actively participate in their employment plan and engage in services that are part of their approved plan.

Refusing to accept employment

45 An applicant or recipient must not unreasonably refuse to accept employment, if suitable employment is available.

Quitting or fired from job

46 An applicant or recipient must not do any of the following:

- (a) quit a job without just cause;
- (b) quit a job for the purpose of qualifying for assistance; or
- (c) be fired from a job for just cause.

Required medical examination

47 A caseworker may require a recipient to undergo a medical examination if the caseworker considers the examination necessary and relevant to obtain additional information for any of the following:

- (a) to complete the recipient's employability assessment;
- (b) to determine whether an employment plan is appropriate for the recipient.

Basic Needs

Standard household rate—board, rent or own

48 (1) A recipient who is boarding, renting or owns their accommodation must be allowed an amount of assistance at the standard household rate in accordance with the following table:

Household Composition		Standard Household Rate	
Recipients	Dependent Child or Student Family Member	Rent or Own	Board
1	0	\$586	\$508
1	1	\$862	\$527
1	2 or more	\$913	\$568
2	0	\$1142	\$808

2	1 or more	\$1193	\$849
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- (2) A student family member is included in a recipient’s household composition for the purpose of selecting the applicable standard household rate in subsection (1).

Standard household rate—enhanced

49 A single recipient who is renting or owns their accommodation must be allowed an amount of assistance at the enhanced standard household rate of \$850 if they meet any of the following criteria:

- (a) they have a disability;
- (b) they have a chronic mental, cognitive or physical condition that limits participation in employment services;
- (c) they are fleeing an abusive situation;
- (d) they are 55 years old or older;
- (e) they are a young person receiving assistance in accordance with subsection 8(3) and otherwise meet the requirements of the Act and these regulations.

Standard household rate—essentials

50 A recipient who is not boarding or renting or who does not own their accommodation must be allowed an amount of assistance at the essentials standard household rate in accordance with the following table:

Recipients	Standard Household Rate—Essentials
1	\$280
2	\$560

Dependent child allowance

51 A recipient who has a dependent child in the household who is 18 years old or older must be allowed an amount of assistance of \$280 per month for the dependent child.

Barrier-free access allowance

- 52 (1)** A recipient or dependent child who a caseworker determines is terminally ill or has special needs with respect to barrier-free access to, from or within their home, must be allowed an amount of assistance of \$200 per month for barrier-free access.
- (2)** If the amount provided under subsection (1) is insufficient to adequately maintain or secure barrier-free access to, from or within a home, and no other economical options are available, a supervisor may approve that an additional amount of assistance be allowed, calculated as the recipient’s actual shelter expenses minus the applicable amount set out in the following table:

Household Composition	Amount
1	\$735
2	\$770
3 or more	\$820

Child Benefit Adjustment

Child Benefit adjustment

- 53 (1)** A recipient who is not receiving a Nova Scotia child benefit or a Canada child benefit on behalf of a dependent child under 18 years old must be allowed an amount of assistance of \$133 per month on behalf of the dependent child.
- (2)** A recipient who is receiving a combined amount of less than \$133 a month for the Nova Scotia child benefit and Canada child benefit on behalf of a dependent child under 18 years old must be allowed assistance in an amount that is the difference between \$133 a month and the combined amount of the 2 benefits.

Special Needs

Special needs defined

- 54 (1)** In the Act and these regulations,

“special needs” means needs for any of the items or services specified in Section 57, but does not include a need for an item or service listed in subsection (2).

- (2)** Except as provided in Section 61 for recipients before August 8, 2011, the following items and services are not included in the definition of “special needs”:
- (a)** an item or service that is insured under a Provincial insured health services program or is otherwise funded by government;
 - (b)** an item or service for medical purposes for which an alternative exists under MSI;
 - (c)** prescription medications, drugs and substances that are not listed as benefits under the pharmacare programs in the Nova Scotia Formulary;
 - (d)** medical treatments and substances that are not covered as an insured service under MSI, including any equipment, supplies, materials or services used in producing or administering the treatments or substances;
 - (e)** an item that is otherwise provided for in Sections 48 to 51.

Special needs payable for dependent child

- 55** If a dependent child resides with more than 1 applicant or recipient, any amounts of assistance allowed for special needs related to the dependent child are allowed for only 1 of them.

Request for assistance for item of special need

- 56 (1)** An applicant or recipient may request assistance for an item of special need, and the applicant or recipient must provide all of the following applicable information to a caseworker to support the request:
- (a)** an explanation as to why the special need is required;
 - (b)** a description of the special need;
 - (c)** any documentation from professionals supporting the special need;
 - (d)** the monthly or total cost of the special need;

- (e) the resources or alternatives that have been investigated with respect to obtaining the special need from other sources;
 - (f) if the cost of the special need exceeds \$200, estimates for the cost of the special need from 2 separate providers;
 - (g) if the special need has already been acquired, an invoice or receipt for the special need.
- (2) A request under subsection (1) may be made either before or after the purchase of the item of special need.
- (3) If a request under subsection (1) is for an item of special need that pertains to the health or medical requirements of an applicant, recipient or dependent child, a caseworker may request advice from a person qualified to provide advice on the appropriateness, necessity and effectiveness of the item of special need requested and the caseworker must take this advice into consideration in determining whether to grant the request.

Assistance for special needs

57 A recipient who has any of the following special needs must be allowed an amount of assistance for the special need:

- (a) the items or services set out in the following table, in the amount specified in the table:

Special Need	Amount
dental care	as set out in the ESIA Dental Fee Guide approved by the Director
optical care	\$90 for single vision glasses \$120 for bifocal glasses
pharmacare coverage	as set out in the NS Formulary
special diet	up to \$150, according to the type of diet required
transportation	up to \$150 if costs are required for <ul style="list-style-type: none"> • employment • implementing an employment plan • preserving health or safety
child care	up to \$400 if costs are required for <ul style="list-style-type: none"> • employment • implementing an employment plan • preserving health or safety
funeral arrangement costs	up to \$1100 for <ul style="list-style-type: none"> • opening and closing of grave • grave lot • clothing • transportation up to \$2700 for <ul style="list-style-type: none"> • funeral costs for professional services • cremation urn or casket

maternal nutritional supplement	\$51
school supplies supplement	\$50 for dependent children who are at least 5 years old and younger than 13 years old \$100 for dependent children who are at least 13 years old and younger than 21 years old

- (b) an item or service prescribed in policy by the Director, including those required for participating in an employment plan;
- (c) an item or service that is determined, despite clauses (2)(b) and (d), to be a special need essential for health in accordance with Section 60.

Amount of special needs assistance determined

- 58 (1)** Except as provided in Section 59, the lesser of the following amounts must be allowed for a special need for a recipient or dependent child:
- (a) actual cost of the special need;
 - (b) the amount set out in Section 57 for the special need.
- (2)** In determining the amount of assistance allowed for a special need for a recipient, the most economical option for financing the special need must be the option approved.

Supervisor may approve higher amount for special need

- 59 (1)** If a supervisor considers that there is documentation to support that the amount set out in Section 57 for an item of special need is insufficient to pay for the special need because of the distinctive need of a recipient or dependent child, the higher amount documented may be allowed.
- (2)** Despite the amounts of assistance allowed for special needs in these regulations, in urgent circumstances pertaining to the health or safety of a recipient or dependent child, a supervisor may approve payment of the total cost of a special need to the recipient if the eligibility amount calculated for them is less than the total cost of the special need.

Assistance for special need essential for health

- 60 (1)** An applicant or recipient may submit a request for assistance, on the form approved by the Director, for an item or service that is excluded from the definition of “special needs” by clause 54(2)(b) or (d) if the item or service meets all of the following:
- (a) it is prescribed as essential for the health of the applicant, recipient or their dependent child by 1 of the following health practitioners acting within the scope of their practice and licensed to practise their profession in the Province:
 - (i) physician,
 - (ii) dentist,
 - (iii) nurse practitioner;
 - (b) it is provided by a medical professional licensed or registered to practise in the Province.

- (2) Subsection (1) does not apply to a request for medical marijuana or any equipment, supplies, materials or services used in producing or administering medical marijuana.
- (3) In determining whether an item or service prescribed under clause (1)(a) is a special need under this Section, a caseworker must take all of the following into account:
 - (a) the needs and circumstances of the applicant, recipient or dependent child;
 - (b) evidence of the medical appropriateness, necessity and effectiveness of the requested item or service;
 - (c) the cost of providing assistance for the requested item or service in comparison with other alternatives that would meet the needs of the applicant, recipient or dependent child;
 - (d) the availability of alternative items or services that are insured under a Provincial health services program or are otherwise funded by government;
 - (e) whether providing the assistance requested will fulfill the purposes of the Act.
- (4) A caseworker may request advice from a person qualified to provide advice on the medical appropriateness, necessity and effectiveness of an item or service to be taken into account under clause (3)(b) as essential to health, and the caseworker must take this advice into consideration in determining whether the item or service is a special need under this Section.
- (5) If a caseworker determines that an item or service is a special need under this Section, these regulations apply to it as a special need.
- (6) If a caseworker determines that an item or service is not a special need under this Section, the caseworker must notify the applicant and provide written reasons for the decision.

Special needs for recipients before August 8, 2011

- 61** A recipient's continuing eligibility for assistance for an item or service of special need listed in subsection 54(2) must be determined in accordance with the definition of special needs in Section 2 of the former regulations as it existed immediately before August 8, 2011, if all of the following apply:
- (a) the recipient has been a recipient, without any breaks in eligibility, since at least August 8, 2011;
 - (b) assistance for the item or service was first received before August 8, 2011;
 - (c) there has been no break in eligibility for the item or service since August 8, 2011;
 - (d) the reasons why the special need is required have not changed.

Pharmacare assistance

- 62** (1) If pharmacare is not available under a drug plan at a recipient's place of employment or from some other source, a recipient may be provided with pharmacare assistance for the recipient or their dependent child.
- (2) A recipient receiving pharmacare assistance is entitled to benefits in accordance with the *Fair Drug Pricing Act* and its regulations, except that the Director may decide that the recipient is required to pay a copayment that is different than the amount prescribed in the *Fair Drug Pricing Act* and its regulations.

Extended pharmacare for recipients as of December 14, 2014

- 63 (1)** Assistance under this Section is allowed only for persons who were receiving pharmacare assistance under Section 64 of the former regulations on December 14, 2014.
- (2)** A recipient whose pharmacare assistance is discontinued on or after August 1, 2001, because they had no eligibility amount is eligible to continue receiving pharmacare assistance if all of the following conditions are met:
- (a)** the recipient would have had an eligibility amount if the recipient's average monthly drug costs, as defined in subsection (3), were included;
 - (b)** the recipient otherwise meets the requirements of the Act and regulations.
- (3)** In subsection (2),
- “average monthly drug costs” means the average costs of drugs per month, calculated on the basis of the cost of a recipient's drugs during the 6 months immediately before the date the recipient's eligibility for pharmacare assistance is determined.

Transitional pharmacare recipients

- 64 (1)** A recipient whose pharmacare assistance is discontinued on or after August 1, 2001, because they had no eligibility amount as a result of the amount of earned income they received is considered a transitional pharmacare recipient.
- (2)** If pharmacare is not available under a drug plan at their place of employment or from some other source, a transitional pharmacare recipient under subsection (1) is eligible to continue to receive pharmacare assistance for 1 year from the date their pharmacare assistance was discontinued.

Post-Secondary Education Programs**Assistance while attending post-secondary education program**

- 65 (1)** A recipient may receive assistance while attending a post-secondary education program that is longer than 2 years, including a university program, if the recipient is approved by 1 of the following:
- (a)** they are approved under the Labour Market Development Agreement to attend the post-secondary education program;
 - (b)** they are approved by the Department to participate in the Department's career seek program.
- (2)** A recipient may receive assistance while attending a post-secondary education program that is 2 years or less if 1 of the following applies:
- (a)** they are a participant in a skills development program (currently called the Educate to Work Program) funded under the Canada-Nova Scotia Job Fund Agreement;
 - (b)** they meet all of the following conditions:
 - (i)** they have had an employability assessment and the assessment identifies that they have the necessary prerequisite skills and can reasonably be expected to become employed in the selected occupational area after completing the post-secondary education program,
 - (ii)** they have pursued other feasible sources of income, but the sources are not available or

are insufficient,

- (iii) they have been receiving assistance for at least 6 months immediately before attending the post-secondary education program,
 - (iv) they are available for work when not involved in the post-secondary education program.
- (3) A recipient to whom clause (2)(b) applies is not entitled to receive assistance for tuition, school books or student fees.

Overpayments and Underpayments

Recovery of overpayments

- 66 (1) The Minister is entitled to use any legal recourse to recover overpayments from a recipient.
- (2) Except as provided in subsection (3), the maximum amount of overpayments that may be recovered is \$45 per month.
- (3) The maximum monthly amount specified in subsection (2) may be increased if the recipient consents to the increase.

Pharmacare assistance included in calculation of overpayment.

- 67 Assistance granted in the form of pharmacare assistance is assistance that is included in the calculation of an overpayment.

Payment of underpayments

- 68 A recipient who receives less assistance than they are entitled to receive through no fault of the recipient is entitled to receive the unpaid amount, as calculated on the basis of the most recent 6 months that the lesser amount was paid.

Transitional

Child support owed before August 1, 2018

- 69 (1) In this Section,
- “child support payment” means a child support payment owed before August 1, 2018.
- (2) A child support payment received by a recipient is chargeable income in the month that it was owed.
- (3) If an applicant, recipient or other person assigned child support payments to the Minister, any monies paid by the Minister to the applicant, recipient or other person in lieu of the child support payment continue to be recoverable as a debt owed to the Minister.
- (4) If the Minister paid assistance to a recipient in a month that child support was owed and the recipient has not assigned child support payments to the Minister, the Minister is entitled to recover any amount paid by the Minister to the recipient in lieu of the child support payment owed.

Recipients under *Family Benefits Act* as of July 31, 2001

- 70 If a recipient was receiving assistance under the *Family Benefits Act* on July 31, 2001, and there has been no subsequent break in eligibility under the Act and regulations,
- (a) the recipient is entitled to retain assets in the amount prescribed under the *Family Benefits Act* and *Family Benefits Schedule “B” Regulations* as they existed on July 31, 2001, until the

recipient reapplies for assistance; and

- (b) the recipient is entitled to continue to retain the long-term grandparenting amount they received on December 31, 2019, until they are no longer eligible for assistance.

N.S. Reg. 196/2019

Made: November 28, 2019

Filed: December 3, 2019

Prescribed Petroleum Products Prices

Order dated November 28, 2019
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order

M09497

In the matter of the *Petroleum Products Pricing Act*

- and -

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roland A. Deveau, Q.C., Vice Chair

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended November 27, 2019, are:

Grade 1 Regular gasoline	60.69¢ per litre
Ultra-low-sulfur diesel oil	68.35¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	60.69¢ per litre
Grade 2	63.69¢ per litre
Grade 3	66.69¢ per litre
Ultra-low-sulfur diesel oil	68.35¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 0.2¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.2¢ per litre

And whereas a winter blending adjustment of plus 3.27¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., November 29, 2019.

Dated at Halifax, Nova Scotia, this 28th day of November, 2019.

sgd. *Bruce A. Kiley*
Clerk of the Board

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 November 29, 2019**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	69.08	10.0	15.5	94.58	114.6	116.8	114.6	999.9
Mid-Grade Unleaded	72.08	10.0	15.5	97.58	118.1	120.3	118.1	999.9
Premium Unleaded	75.08	10.0	15.5	100.58	121.5	123.7	121.5	999.9
Ultra-Low-Sulfur Diesel	80.27	4.0	15.4	99.67	120.5	122.7	120.5	999.9
Zone 2								
Regular Unleaded	69.58	10.0	15.5	95.08	115.2	117.4	115.2	999.9
Mid-Grade Unleaded	72.58	10.0	15.5	98.08	118.7	120.8	118.7	999.9
Premium Unleaded	75.58	10.0	15.5	101.08	122.1	124.3	122.1	999.9
Ultra-Low-Sulfur Diesel	80.77	4.0	15.4	100.17	121.1	123.2	121.1	999.9
Zone 3								
Regular Unleaded	69.98	10.0	15.5	95.48	115.7	117.9	115.7	999.9
Mid-Grade Unleaded	72.98	10.0	15.5	98.48	119.1	121.3	119.1	999.9
Premium Unleaded	75.98	10.0	15.5	101.48	122.6	124.8	122.6	999.9
Ultra-Low-Sulfur Diesel	81.17	4.0	15.4	100.57	121.5	123.7	121.5	999.9
Zone 4								
Regular Unleaded	70.08	10.0	15.5	95.58	115.8	118.0	115.8	999.9
Mid-Grade Unleaded	73.08	10.0	15.5	98.58	119.2	121.4	119.2	999.9
Premium Unleaded	76.08	10.0	15.5	101.58	122.7	124.9	122.7	999.9
Ultra-Low-Sulfur Diesel	81.27	4.0	15.4	100.67	121.6	123.8	121.6	999.9

Zone 5								
Regular Unleaded	70.08	10.0	15.5	95.58	115.8	118.0	115.8	999.9
Mid-Grade Unleaded	73.08	10.0	15.5	98.58	119.2	121.4	119.2	999.9
Premium Unleaded	76.08	10.0	15.5	101.58	122.7	124.9	122.7	999.9
Ultra-Low-Sulfur Diesel	81.27	4.0	15.4	100.67	121.6	123.8	121.6	999.9
Zone 6								
Regular Unleaded	70.78	10.0	15.5	96.28	116.6	118.8	116.6	999.9
Mid-Grade Unleaded	73.78	10.0	15.5	99.28	120.0	122.2	120.0	999.9
Premium Unleaded	76.78	10.0	15.5	102.28	123.5	125.7	123.5	999.9
Ultra-Low-Sulfur Diesel	81.97	4.0	15.4	101.37	122.4	124.6	122.4	999.9

N.S. Reg. 197/2019

Made: December 2, 2019

Filed: December 4, 2019

Accessibility Act General Regulations

Order in Council 2019-335 dated December 2, 2019

Regulations made by the Governor in Council
pursuant to Section 71 of the *Accessibility Act*

The Governor in Council on the report and recommendation of the Attorney General and Minister of Justice dated September 12, 2019, and pursuant to Section 71 of Chapter 2 of the Acts of 2017, the *Accessibility Act*, is pleased to make regulations prescribing public sector bodies for the purposes of the Act in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 2, 2019.

Schedule "A"

**Regulations Respecting the *Accessibility Act*
made by the Governor in Council under Section 71
of Chapter 2 of the Acts of 2017, the *Accessibility Act***

Citation

1 These regulations may be cited as the *Accessibility Act General Regulations*.

Definitions

2 In these regulations,

"Act" means the *Accessibility Act*.

Designation of public sector bodies

3 The following are prescribed as public sector bodies under the Act:

Name of public sector body	Date
<ul style="list-style-type: none"> • Acadia University • Atlantic School of Theology 	April 1, 2020

<ul style="list-style-type: none"> • Cape Breton University • Dalhousie University • Mount Saint Vincent University • Nova Scotia College of Art and Design • Nova Scotia Community College • Saint Mary’s University • St. Francis Xavier University • Université Sainte Anne • University of Kings College • a regional municipality, a county or district municipality, a town • a regional public library • a village continued under the <i>Municipal Government Act</i> 	
<ul style="list-style-type: none"> • Atlantic Provinces Special Education Authority • Art Gallery of Nova Scotia • Develop Nova Scotia • an education entity as defined in the <i>Education Act</i> • Events East Group • a health authority as defined in the <i>Health Authorities Act</i> • Housing Nova Scotia • Nova Scotia Business Inc. • Nova Scotia Gaming Corporation • Nova Scotia Innovation Corporation • Nova Scotia Liquor Corporation • Public Archives of Nova Scotia • Tourism Nova Scotia 	<p>April 1, 2021</p>

N.S. Reg. 198/2019

Made: December 3, 2019

Filed: December 4, 2019

Apprenticeship and Trades Qualifications Act General Regulations—amendment

Order in Council 2019-341 dated December 3, 2019

Amendment to regulations made by the Governor in Council
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated August 29, 2019, and upon notice of a fee increase having been presented to the Clerk of the Assembly in accordance with Section 4 of Chapter 8 of the Acts of 2007, the *Fees Act*, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to amend the *Apprenticeship and Trades Qualifications Act General Regulations*, N.S. Reg. 129/2003, made by the Governor in Council by Order in Council 2003-304 dated June 27, 2003, to add provisions in relation to administrative penalties, pre-apprentices and other matters, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after December 3, 2019.

Schedule “A”

**Amendment to the *Apprenticeship and Trades Qualifications Act General Regulations*
made by the Governor in Council under
Section 29 of Chapter 1 of the Acts of 2003, the
*Apprenticeship and Trades Qualifications Act***

- 1 The *Apprenticeship and Trades Qualifications Act General Regulations*, N.S. Reg. 129/2003, made by the Governor in Council by Order in Council 2003-304 dated June 27, 2003, are amended by adding the following heading and Section immediately after Section 6:

Pre-Apprentices**Pre-apprentice registration and opting out of registration**

- 6A (1)** A pre-apprentice who is enrolled in a pre-apprenticeship training program with an accredited training provider is deemed to have registered with the Director as required by subsection 17B(2) of the Act.
- (2)** To opt out of registration, a pre-apprentice enrolled with an accredited training provider must submit to the provider a written, signed and dated notice in a form approved by the Director indicating that the pre-apprentice is opting out of registration.
- (3)** An accredited training provider must forward to the Director any notices of opting out of registration at the following times:
- (a)** at least once a year, but no later than the date that the accredited training provider discloses to the Director the pre-apprenticeship training information required by subsection 17B(1) of the Act;
- (b)** at any other time the Director requests.

- 2 Clause 24(2)(b) of the regulations is amended by striking out “Nova Scotia” and substituting “the Province”.

- 3 (1) Section 31 of the regulations is amended by adding “and treat” immediately after “recognize” in subsection (2).
- (2) Subsection 31(2) of the regulations is amended by striking out “Nova Scotia” and substituting “the Province”.
- 4 Subsection 34(1) of the regulations is repealed and the following subsection substituted:
- (1) The Director must issue an identity card to all of the following, indicating their designated trade:
- (a) an apprentice;
 - (b) a journeyperson who holds a certificate of qualification in a designated trade;
 - (c) a journeyperson whose certificate of qualification issued in another jurisdiction is recognized under Section 42;
 - (d) if the trade regulations require it, a journeyperson whose credentials are recognized under Section 42A and for whom confirmation of the recognition is provided in accordance with that Section.
- 5 Section 34A of the regulations is redesignated as Section 34C and the following Sections added immediately after Section 34:

Term and renewal of identity card

- 34A (1)** An identity card for an apprentice is valid for the term of the apprenticeship.
- (2) Unless the trade regulations specify a different term, an identity card for a journeyperson is valid for 1 of the following terms:
- (a) for the term of the certificate of qualification to which it relates, if the designated trade to which it relates is a compulsory certified trade;
 - (b) indefinitely, if the designated trade to which it relates is a non-compulsory certified trade.
- (3) An identity card that is valid for a term specified in the trade regulations may be renewed for the period identified in the trade regulations.
- (4) If the applicable trade regulations permit an identity card to be renewed for a specified term, the Director must renew the identity card if the holder of the identity card, no later than 60 days before or after the date the identity card expires,
- (a) submits an application in writing that includes an updated, full-face photograph of the person, in a form approved by the Director; and
 - (b) except as provided in subsection (5), pays the fee prescribed in subsection 44(14A).
- (5) A fee must not be charged for renewal of an identity card if the certificate of qualification to which the identity card relates is being renewed at the same time.

Replacing identity card

- 34B (1)** An apprentice or a journeyperson may apply for replacement of an identity card that is lost or

presumed stolen by submitting an application, in a form approved by the Director, to the Director together with the fee prescribed in subsection 44(14).

- (2) Upon receiving an application and the fee required by subsection (1), the Director must issue a replacement identity card to an applicant if satisfied that the identity card originally issued to the applicant was lost or stolen.

6 Section 42 of the regulations is repealed and the following Section substituted:

Recognition of certificate of qualification from other jurisdiction

- 42** (1) A person who holds a certificate of qualification for a trade issued in another jurisdiction that does not bear an interprovincial red seal may apply in writing to the Director for recognition and treatment of their certificate as being the equivalent of a certificate of qualification granted in the Province for
- (a) the same trade; or
 - (b) the equivalent designated trade.
- (2) An application for recognition of a certificate of qualification issued in another jurisdiction must be accompanied by the fee prescribed in subsection 44(10).
- (3) The Director must grant an application made under subsection (1) if the Director is satisfied that the requirements for obtaining the certificate in the issuing jurisdiction are generally consistent with all of the following:
- (a) the requirements for obtaining the certificate in the Province;
 - (b) the requirements of “Chapter 7: Labour Mobility” of the Canadian Free Trade Agreement between the Government of Canada and the governments of all the provinces of Canada effective July 1, 2017, as amended.
- (4) If the Director recognizes that a certificate of qualification issued in another jurisdiction that does not bear an interprovincial red seal is the equivalent of a certificate of qualification granted for that trade or the equivalent designated trade in the Province, the Director must do all of the following:
- (a) provide written confirmation of the equivalency to the applicant;
 - (b) include all of the following additional information on the identity card issued to the applicant under Section 34:
 - (i) the name of the jurisdiction that issued the certificate of qualification,
 - (ii) the date the certificate of qualification was issued,
 - (iii) the certificate number of the certificate of qualification,
 - (iv) an indication that the certificate of qualification is the equivalent of a certificate of qualification granted for a designated trade in the Province, and specifying that trade.

7 The regulations are further amended by adding the following Section immediately after Section 42:

Recognition of credential issued by another authority in Province

- 42A (1)** If any credential, including a certificate or licence, that is issued by a regulatory authority in the Province to a person in a trade or occupation is identified in the trade regulations as being the equivalent of a certificate of qualification in the designated trade, the Director must recognize and treat the credential as the equivalent of a certificate of qualification in a designated trade.
- (2)** The trade regulations may require that an identity card be issued to a person whose credential is recognized under subsection (1) as the equivalent of a certificate of qualification in a designated trade.
- (3)** A person who possesses a credential that is identified in the trade regulations as being the equivalent of a certificate of qualification in the designated trade may apply in writing to the Director for confirmation of the Director's recognition of their credential.
- (4)** In response to an application made under subsection (3), the Director must do all of the following:
- (a)** provide written confirmation of the equivalency to the applicant;
 - (b)** include all of the following additional information on any identity card issued to the applicant under Section 34:
 - (i)** the name of the regulatory authority that issued the credential,
 - (ii)** the name of the credential and the date it was issued,
 - (iii)** an indication that the credential is the equivalent of a certificate of qualification granted for a designated trade in the Province, and specifying that trade.
- (5)** There is no fee for an identity card issued under this Section.

8 The regulations are amended by repealing subsection 44(14) and substituting the following subsections:

(14) The fee for an application to replace an identity card is \$12.95.

(14A) The fee for an application to renew an identity card is \$12.95.

9 The regulations are amended by adding the following heading and Sections immediately after Section 44:

Administrative Penalties

Definitions for this Section and Sections 46 to 54

45 In this Section and Sections 46 to 54,

“1st notice” means the 1st notice of administrative penalty issued to a person or the 1st one issued 3 or more years after the date of the last notice of administrative penalty issued to the person;

“2nd notice” means a 2nd notice of administrative penalty issued to a person, that is issued

- (i) no later than 3 years after the date of the 1st notice issued to the person, and
- (ii) for a contravention that occurred or began after the contravention associated with the 1st notice issued to the person, whether in relation to the same or a different provision of the Act, these regulations or the trade regulations;

“3rd or subsequent notice” means the 3rd or subsequent notice that is issued to a person

- (i) no later than 3 years after the date of the 1st notice issued to the person, and
- (ii) for a contravention that occurred or began after the contravention associated with the last issued notice of administrative penalty, whether in relation to the same or a different provision of the Act, these regulations or the trade regulations;

“administrative penalty” means a penalty that is required to be paid by a person who has failed to comply with a compliance order;

“compliance order” means a compliance order issued under Section 16B of the Act;

“contravention” means a contravention of a provision of the Act, these regulations or the trade regulations for which a compliance order was issued;

“notice of administrative penalty” means a notice issued or reissued by the Chief Executive Officer or Director under subsection 16G(3) of the Act;

“original notice” means a 1st notice, 2nd notice or 3rd or subsequent notice, but does not include a notice of administrative penalty that has been reissued;

“reissued”, in relation to a notice of administrative penalty, means a notice that has been reissued under Section 50.

Form for notice of administrative penalty

46 A notice of administrative penalty must be in Form “A”—Notice of Administrative Penalty.

Period for issuing administrative penalty

47 A notice of administrative penalty may be issued only within the 30 days immediately after the date a person fails to comply with a compliance order.

Additional content for notice of administrative penalty

48 In addition to the information required by subsection 16G(5) of the Act, a notice of administrative penalty must include all of the following information:

- (a) the mailing address of the person to whom it is issued or reissued;
- (b) whether the person is an employee, employer or a recognized association;
- (c) whether the notice of administrative penalty is a 1st notice, 2nd notice or 3rd or subsequent notice;
- (d) whether the notice of administrative penalty is an original notice or a reissued notice of administrative penalty and the date the notice of administrative penalty is issued or reissued;

- (e) the provision of the Act, these regulations or the trade regulations that was contravened and the date of the contravention;
- (f) the date the compliance order that the notice of administrative penalty is based on was issued;
- (g) the reason for issuing or reissuing the notice of administrative penalty;
- (h) the identifying number assigned to the compliance order on which the notice of administrative penalty is based;
- (i) for a notice of administrative penalty that is being reissued,
 - (i) the number of additional days of the contravention,
 - (ii) the dates of the additional days of contravention, and
 - (iii) the amount of the reissued administrative penalty;
- (j) the name and title of the person issuing or reissuing the notice of administrative penalty;
- (k) the date the notice of administrative penalty is issued or reissued.

Amount of administrative penalty

49 The amount of the administrative penalty to be imposed for the 1st day that a notice of administrative penalty is issued is as set out in the following table:

Person issued notice	Amount of administrative penalty		
	1st notice	2nd notice	3rd or subsequent notice
Employee	\$500	\$1000	\$2000
Employer or recognized association	\$1000	\$2000	\$5000

Reissuing notice of administrative penalty

50 (1) The Chief Executive Officer or Director may reissue a notice of administrative penalty if all of the following apply:

- (a) the date for payment under the original notice has passed and payment has not been received by the Agency;
- (b) the Chief Executive Officer or Director believes there has been a further or ongoing contravention of the same provision of the Act, these regulations or the trade regulations for which the notice of administrative penalty was issued;
- (c) the contravention referred to in clause (b) occurred
 - (i) on 1 or more days since the date the original notice was issued, and
 - (ii) no later than 60 days after the date the original notice was issued.

- (2) A notice of administrative penalty that is reissued may increase the administrative penalty required to be paid by the original notice by multiplying the applicable amount specified in Section 49 by the number of additional days the contravention occurred after the date the original notice required the administrative penalty to be paid, up to the maximum amount permitted by subsection 16G(4) of the Act.
- (3) If a notice of administrative penalty is reissued, the original notice of administrative penalty that was last issued in relation to the same contravention is not required to be paid.

Restriction on issuing 2nd notice or 3rd or subsequent notice

51 A 2nd notice or a 3rd or subsequent notice may not be issued to a person in any circumstance in which a notice of administrative penalty may be reissued to the person under subsection 50(1).

Three-year period for issuing notice of administrative penalty

52 If at least 3 years have passed since a notice of administrative penalty was last issued to a person, the next one issued to the person is a 1st notice.

Administrative penalty does not relieve person from duty to comply

53 Neither the issuing of a notice of administrative penalty to a person nor the payment of that penalty relieves the person from their duty to comply with the compliance order that the notice of administrative penalty is based on.

Form of notice of appeal

54 A notice of appeal from an administrative penalty filed with the Utility and Review Board under Section 24B of the Act must be in a form approved by the Utility and Review Board.

10 The regulations are further amended by adding Form A—Notice of Administrative Penalty in the form attached immediately after Section 54.

Form “A”—Notice of Administrative Penalty
(s. 16G(3) of the *Apprenticeship and Trades Qualifications Act*)

Issued to:		File #:
Mailing address:		
<input type="checkbox"/> Employee <input type="checkbox"/> Employer <input type="checkbox"/> Recognized agent	<input type="checkbox"/> 1st notice <input type="checkbox"/> 2nd notice <input type="checkbox"/> 3rd or subsequent notice	<input type="checkbox"/> original notice of administrative penalty <input type="checkbox"/> reissued notice of administrative penalty If reissued, the number of additional days and dates of the further or ongoing contravention:
Amount of administrative penalty: Amount of reissued administrative penalty:		

Title of designated trade: Date of compliance order: Identifying number for compliance order:	
Provisions contravened and date(s) of contraventions: _____ Apprenticeship and Trades Qualifications Act (ATQA) Date(s): _____ _____ ATQA General Regulations Date(s): _____ _____ Trade Regulations Date(s): _____	
Reason for issuing/reissuing this notice of administrative penalty:	
Administrative penalty must be paid within 30 days. Unless you appeal, you must pay the administrative penalty indicated above within 30 days after being served with this notice. Payment must be mailed or delivered to: <div style="text-align: center;"> Nova Scotia Apprenticeship Agency PO Box 578 Halifax NS B3J 2S9 (902) 424-5651; TF (NS) 1-800-494-5651 </div> Make your payment payable to the “Nova Scotia Apprenticeship Agency” and include a copy of this notice. Do not send cash through the mail.	
Appealing an Administrative Penalty: You may appeal this administrative penalty to the Nova Scotia Utility and Review Board. You must send your appeal to the Nova Scotia Utility and Review Board within 14 days after you are served with this notice. If you file an appeal within that time you do not have to pay this penalty until the Nova Scotia Utility and Review Board decides the matter. <i>(Section 24B of Act)</i> The address and phone numbers for the Nova Scotia Utility and Review Board are: <div style="text-align: center;"> Nova Scotia Utility and Review Board Box 1692, Unit “M ” Halifax NS B3J 3S3 (902) 424-424-4448; TF (NS) 1-855-442-4448 </div>	
Notice issued by (name): Title:	Date:

N.S. Reg. 199/2019

Made: December 3, 2019

Filed: December 4, 2019

Proclamation of amendments to Act, S. 21, S.N.S. 2018, c. 39

Order in Council 2019-347 dated December 3, 2019

Proclamation made by the Governor in Council

pursuant to Section 21 of

An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter

The Governor in Council on the report and recommendation of the Minister of Municipal Affairs and Housing dated September 24, 2019, [and] pursuant to Section 21 of Chapter 39 of the Acts of 2018, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional [Regional] Municipality Charter*, is pleased to order and declare by proclamation that Chapter 39 of the Acts of 2018, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, do come into force on and not before December 3, 2019.

PROVINCE OF NOVA SCOTIA

sgd: **Arthur J. LeBlanc**

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 21 of Chapter 39 of the Acts of 2018, ~~the~~ *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, it is enacted as follows:

- 21** 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 39 of the Acts of 2018, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, do come into force on and not before December 3, 2019;

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 39 of the Acts of 2018, ~~the~~ *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, do come into force on and not before December 3, 2019, 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 His Honour
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 3rd day of December in the year of
Our Lord two thousand and nineteen and in the sixty-
eighth year of Our Reign.

BY COMMAND:

sgd: Honourable Mark Furey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 200/2019

Made: December 5, 2019

Filed: December 6, 2019

Prescribed Petroleum Products Prices

Order dated December 5, 2019
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order

M09515

In the matter of the *Petroleum Products Pricing Act*

- and -

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Steven Murphy, MBA, P.Eng., Member

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended December 4, 2019, are:

Grade 1 Regular gasoline	56.66¢ per litre
Ultra-low-sulfur diesel oil	66.58¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	56.66¢ per litre
Grade 2	59.66¢ per litre
Grade 3	62.66¢ per litre
Ultra-low-sulfur diesel oil	66.58¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	minus 0.70¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.30¢ per litre

And whereas a winter blending adjustment of plus 3.48¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., December 6, 2019.

Dated at Halifax, Nova Scotia, this 5th day of December, 2019.

sgd. Bruce A. Kiley
Clerk of the Board

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 December 6, 2019**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	64.15	10.0	15.5	89.65	109.0	111.1	109.0	999.9
Mid-Grade Unleaded	67.15	10.0	15.5	92.65	112.4	114.6	112.4	999.9
Premium Unleaded	70.15	10.0	15.5	95.65	115.9	118.0	115.9	999.9
Ultra-Low-Sulfur Diesel	78.21	4.0	15.4	97.61	118.1	120.3	118.1	999.9
Zone 2								
Regular Unleaded	64.65	10.0	15.5	90.15	109.5	111.7	109.5	999.9
Mid-Grade Unleaded	67.65	10.0	15.5	93.15	113.0	115.2	113.0	999.9
Premium Unleaded	70.65	10.0	15.5	96.15	116.4	118.6	116.4	999.9
Ultra-Low-Sulfur Diesel	78.71	4.0	15.4	98.11	118.7	120.9	118.7	999.9

Zone 3								
Regular Unleaded	65.05	10.0	15.5	90.55	110.0	112.2	110.0	999.9
Mid-Grade Unleaded	68.05	10.0	15.5	93.55	113.4	115.6	113.4	999.9
Premium Unleaded	71.05	10.0	15.5	96.55	116.9	119.1	116.9	999.9
Ultra-Low-Sulfur Diesel	79.11	4.0	15.4	98.51	119.2	121.3	119.2	999.9
Zone 4								
Regular Unleaded	65.15	10.0	15.5	90.65	110.1	112.3	110.1	999.9
Mid-Grade Unleaded	68.15	10.0	15.5	93.65	113.6	115.7	113.6	999.9
Premium Unleaded	71.15	10.0	15.5	96.65	117.0	119.2	117.0	999.9
Ultra-Low-Sulfur Diesel	79.21	4.0	15.4	98.61	119.3	121.5	119.3	999.9
Zone 5								
Regular Unleaded	65.15	10.0	15.5	90.65	110.1	112.3	110.1	999.9
Mid-Grade Unleaded	68.15	10.0	15.5	93.65	113.6	115.7	113.6	999.9
Premium Unleaded	71.15	10.0	15.5	96.65	117.0	119.2	117.0	999.9
Ultra-Low-Sulfur Diesel	79.21	4.0	15.4	98.61	119.3	121.5	119.3	999.9
Zone 6								
Regular Unleaded	65.85	10.0	15.5	91.35	110.9	113.1	110.9	999.9
Mid-Grade Unleaded	68.85	10.0	15.5	94.35	114.4	116.6	114.4	999.9
Premium Unleaded	71.85	10.0	15.5	97.35	117.8	120.0	117.8	999.9
Ultra-Low-Sulfur Diesel	79.91	4.0	15.4	99.31	120.1	122.3	120.1	999.9

N.S. Reg. 201/2019

Made: December 4, 2019

Filed: December 10, 2019

Tobacco Access Regulations—amendment

Order in Council 2019-348 dated December 4, 2019
Amendment to regulations made by the Governor in Council
pursuant to Section 13 of the *Tobacco Access Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated November 6, 2019, and pursuant to Section 13 of Chapter 14 of the Acts of 1993, the *Tobacco Access Act*, is pleased to amend the *Tobacco Access Regulations*, N.S. Reg. 9/1996, made by the Governor in Council by Order in Council 96-29 dated January 16, 1996, by repealing clause 8(b), effective on and after April 1, 2020.