

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 30, No. 13

July 21, 2006

Contents

Act	Reg. No.	Page
Agriculture and Marketing Act		
Commodity Group Levy Order - Wild Blueberry Producers Association of Nova Scotia	108/2006	406
Correctional Services Act		
Designation of Antigonish Correctional Facility	101/2006	402
Designation of Cape Breton Correctional Facility	102/2006	402
Designation of Central Nova Scotia Correctional Facility	103/2006	403
Designation of Cumberland Correctional Facility	104/2006	404
Designation of Nova Scotia Youth Facility	106/2006	405
Designation of Southwest Nova Scotia Correctional Facility	105/2006	404
Costs and Fees Act		
Regulations Amending the Schedule to Part I and Part II of the <i>Costs and Fees Act</i> – amendment	109/2006	407
Enforcement of Canadian Judgments and Decrees Act		
Canadian Judgment Registration Regulations	107/2006	406

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. 101/2006

Made: June 30, 2006

Filed: June 30, 2006

Designation of Antigonish Correctional Facility

Order dated June 30, 2006
made by the Minister of Justice and Attorney General
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*, designate the Antigonish Correctional Facility, located at 68 Court Street, Antigonish, Nova Scotia as a correctional facility for the housing of adult male offenders only.

This correctional facility may be used, only with the prior permission of the Executive Director, or the Executive Director's designate, for the temporary overnight housing of adult female offenders who are in-transit to or from the Central Nova Scotia Correctional Facility, if they can be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*, in emergency situations when weather conditions make it unsafe to transport the female offender to or from the Central Nova Scotia Correctional Facility.

This correctional facility may be used, only with the prior permission of the Executive Director, or the Executive Director's designate, for the temporary overnight housing of male and female youth offenders, if they can be housed separate and apart from any adult offenders pursuant to the *Youth Criminal Justice Act*, and in the case of female youth offenders if they can be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*, who are in-transit to or from the Nova Scotia Youth Facility, in emergency situations when weather conditions make it unsafe to transport the male or female youth offender to or from the Nova Scotia Youth Facility.

This designation is effective on and from the 1st day of July 2006.

Dated 30th June, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

N.S. Reg. 102/2006

Made: June 30, 2006

Filed: June 30, 2006

Designation of Cape Breton Correctional Facility

Order dated June 30, 2006
made by the Minister of Justice and Attorney General
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*,

designate the Cape Breton Correctional Facility, located at 136 Gardiner Road, Sydney, Nova Scotia as a correctional facility for the housing of adult male offenders only.

This correctional facility may be used, only with the prior permission of the Executive Director, or the Executive Director's designate, for the temporary overnight housing of adult female offenders who are in transit to the Central Nova Scotia Correctional Facility, if they can be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*, in emergency situations when weather conditions make it unsafe to transport the female offender to the Central Nova Scotia Correctional Facility, or when the female offender has court appearances at a Sydney-area court on consecutive calendar days.

This designation is effective on and from the 1st day of July 2006.

Dated 30th June, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

N.S. Reg. 103/2006

Made: June 30, 2006

Filed: June 30, 2006

Designation of Central Nova Scotia Correctional Facility

Order dated June 30, 2006
made by the Minister of Justice and Attorney General
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*, designate the Central Nova Scotia Correctional Facility, as well as the 24 cells for offenders suffering from mental illnesses (the MIO Unit) and the 12 bed health unit which are both also designated as hospitals under the *Hospitals Act*, and including all support and other ancillary spaces within and for these parts, on Lot 920, Burnside Industrial Park, Gloria McCluskey Avenue, Dartmouth, Nova Scotia, as a correctional facility for the housing of adult male and female offenders. All female offenders must be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*.

This designation is effective on and from the 1st day of July 2006.

Dated 30th June, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

N.S. Reg. 104/2006

Made: June 30, 2006

Filed: June 30, 2006

Designation of Cumberland Correctional Facility

Order dated June 30, 2006
made by the Minister of Justice and Attorney General
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*, designate the Cumberland Correctional Facility, located at 1 Lawrence Street, Amherst, Nova Scotia as a correctional facility for the housing of adult male offenders only.

This correctional facility may be used, only with the prior permission of the Executive Director, or the Executive Director's designate, for the temporary overnight housing of adult female offenders who are in-transit to the Central Nova Scotia Correctional Facility, if they can be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*, in emergency situations when weather conditions make it unsafe to transport the female offender to the Central Nova Scotia Correctional Facility.

This correctional facility may be used, only with the prior permission of the Executive Director, or the Executive Director's designate, for the temporary overnight housing of male and female youth offenders, if they can be housed separate and apart from any adult offenders pursuant to the *Youth Criminal Justice Act*, and in the case of female youth offenders if they can be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*, who are in-transit to or from the Nova Scotia Youth Facility, in emergency situations when weather conditions make it unsafe to transport the male or female youth offender to or from the Nova Scotia Youth Facility.

This designation is effective on and from the 1st day of July 2006.

Dated 30th June, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

N.S. Reg. 105/2006

Made: June 30, 2006

Filed: June 30, 2006

Designation of Southwest Nova Scotia Correctional Facility

Order dated June 30, 2006
made by the Minister of Justice and Attorney General
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*, designate the Southwest Nova Scotia Correctional Facility, located at 227 Forest Street, RR # 4, Yarmouth,

Nova Scotia as a correctional facility for the housing of adult male offenders only.

This correctional facility may be used, only with the prior permission of the Executive Director, or the Executive Director's designate, for the temporary overnight housing of adult female offenders who are in-transit to the Central Nova Scotia Correctional Facility, if they can be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*, in emergency situations when weather conditions make it unsafe to transport the female offender to the Central Nova Scotia Correctional Facility, or when the female offender has court appearances at a Yarmouth-area court on consecutive calendar days.

This designation is effective on and from the 1st day of July 2006.

Dated 30th June, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

N.S. Reg. 106/2006

Made: June 30, 2006

Filed: June 30, 2006

Designation of Nova Scotia Youth Facility

Order dated June 30, 2006
made by the Minister of Justice and Attorney General
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*, and in addition to the designations under the *Youth Criminal Justice Act*, made by Order-in-Council #2003-131, dated March 28, 2003, designate the Nova Scotia Youth Facility, located at 1442 Country Home Road, Waterville, Nova Scotia as a correctional facility for the housing of male and female youth offenders in open custody, secure custody, and those remanded into custody.

All female youth offenders must be housed in accordance with Sections 41 and 42 of the Act, and Sections 74 to 77 of the *Correctional Services Regulations*.

This designation is effective on and from the 1st day of July 2006.

Dated 30th June, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

N.S. Reg. 107/2006

Made: July 7, 2006

Filed: July 7, 2006

Canadian Judgment Registration Regulations

Order in Council 2006-325 dated July 7, 2006
Regulations made by the Governor in Council
pursuant to Section 12 of the *Enforcement of Canadian Judgments and Decrees Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated June 8, 2006, and pursuant to Section 12 of Chapter 30 of the Acts of 2001, the *Enforcement of Canadian Judgments and Decrees Act*, is pleased to make regulations respecting the registration of Canadian judgments, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 1, 2006.

Schedule "A"

**Regulations Respecting the Registration of Canadian Judgments
made by the Governor in Council pursuant to
Section 12 of Chapter 30 of the Acts of 2001,
the *Enforcement of Canadian Judgments and Decrees Act***

Citation

1 These regulations may be cited as the *Canadian Judgment Registration Regulations*.

Definitions

2 In these regulations, "Act" means the *Enforcement of Canadian Judgments and Decrees Act*.

Fee

3 The fee payable for registering a Canadian judgment under the Act is \$26.75.

N.S. Reg. 108/2006

Made: March 11, 2006

Approved: June 21, 2006

Filed: July 11, 2006

Commodity Group Levy Order - Wild Blueberry Producers Association of Nova Scotia

Order dated March 11, 2006
Regulations made by the Wild Blueberry Producers Association of Nova Scotia
and approved by the Minister of Agriculture
pursuant to clauses 46(3)(b) and (c) of the *Agriculture and Marketing Act*

**Wild Blueberry Levy
Wild Blueberry Producers Association of Nova Scotia**

I certify that the Wild Blueberry Producers Association of Nova Scotia, a commodity group designated under the *Agriculture and Marketing Act* by Order dated December 14, 1987, pursuant to clauses 46(3)(b) and (c) of

Chapter 6 of the Revised Statutes of Nova Scotia, 1989, the *Agriculture and Marketing Act*, at a meeting held on March 11, 2006, carried a motion to

- (a) revoke the levy set by the commodity group that was effective January 1, 1993;
- (b) require any person engaged in the production of wild blueberries to pay a levy of \$16 per ton of wild blueberries; and
- (c) require any person engaged in the marketing of wild blueberries to deduct, from any amount payable by him to any person engaged in the production of wild blueberries, any amount payable by the latter person to the commodity group by way of levy or charge fixed pursuant to clause (b) and to remit all amounts so deducted to the commodity group.

effective on and after the date of approval by the Minister of Agriculture.

Signed at Debert, Nova Scotia, on .

Wild Blueberry Producers Association of Nova Scotia
per: Sgd.: *David M. Sangster*
(Name of authorized signer) David M. Sangster
(Title of authorized signer) Executive Director

I, Ronald Chisholm, Minister of Agriculture for the Province of Nova Scotia, hereby approve the above levy set by the Wild Blueberry Producers Association of Nova Scotia.

Dated: June 21/06

Sgd.: *Ronald Chisholm*
Honorable Ronald Chisholm [Chisholm]
Minister of Agriculture

N.S. Reg. 109/2006

Made: July 7, 2006

Filed: July 12, 2006

Regulations Amending the Schedule to Part I and Part II of the *Costs and Fees Act*

Order in Council 2006-324 dated July 7, 2006

Amendment to Regulations Amending the Schedule to Part I and Part II of the *Costs and Fees Act*
made by the Governor in Council pursuant to subsection 2(1) of the *Costs and Fees Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated June 8, 2006, and pursuant to subsection 2(1) of Chapter 104 of the Revised Statutes of Nova Scotia, 1989, the *Costs and Fees Act*, is pleased to amend the Schedule to Part I of the *Costs and Fees Act*, to include certain probate, court and administration fees and to correct an error in formatting, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 7, 2006.

Schedule “A”

Amendment to the Schedule to Part I of the *Costs and Fees Act* made by the Governor in Council pursuant to subsection 2(1) of Chapter 104 of the Revised Statutes of Nova Scotia, 1989, the *Costs and Fees Act*

- 1 The Schedule to Part I of the *Costs and Fees Act* is amended under the heading “COURT FEES” by
 - (a) striking out “the filing of an appeal of a Residential Tenancies Board report or” in item (2);
 - (b) striking out “in a Residential Tenancies Board matter or” in item (4);
 - (c) striking out “and an order from the Director of Residential Tenancies or the Residential Tenancies Board” in item (14)(a) ;
 - (d) striking out “and an order from the Director of Residential Tenancies or the Residential Tenancies Board” in item 14(b) ;
 - (e) adding the following item immediately after item (17):

(17A)	(a)	Issuing a self-help guide for making application for divorce (divorce kit)	\$20.00
	(b)	Issuing a self-help guide for making application for variation (variation kit)	\$20.00;
 - (f) adding “, Provincial Court or in any proceeding before a justice of the peace” in item (29) immediately after “Family Court”; and
 - (g) striking out “COURT FEES” wherever it appears in items (29) and (30) and substituting “2. Supreme Court and Court of Appeals”.

- 2 The Schedule to Part I of the Act is further amended under the heading “5. Courts of Probate” by
 - (a) repealing items (14)(h) and (i) and substituting the following items:
 - (h) Where an election is filed, the fee for
 - (i) recording the election at the registry of deeds shall be \$26.75 plus \$1.07 for each page
 - (ii) certifying the election shall be the same fees as in Item (8)(a) and (b),
 - (iii) filing the election shall be the same fees as in Item (9).
 - (i) Where a will is tendered, the fee for
 - (i) proving and filing the will only shall be \$10.65
 - (ii) certifying the will shall be the same fees as in Item (5)(b),

- (iii) recording the will at each registry of deeds in the Province where probate is not sought shall be \$26.75 plus \$1.07 for each page

- (b) adding the following item immediately after item (16):
 - (17) For each grant over one issued on an estate for which an order under Section 72 of the *Probate Act* has not been made \$107.00