

Royal



Gazette

Part II

Regulations under the Regulations Act

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Erratum: Volume 20, No. 4, dated February 16, 1996, contains a printing error on page 254. Section 47 of the Solid Waste-Resource Management Regulations, N.S. Reg. 25/96, made by Order in Council 96-79 dated February 6, 1996, should read as follows:

47 These regulations shall come into force on, from and after February 6, 1996.

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. 331/2007

Made: June 12, 2006

Approved: July 13, 2007

Filed: July 16, 2007

Chartered Accountants By-laws

Order in Council 2007-385 dated July 13, 2007
Amendment to by-laws made by the Institute of Chartered Accountants of Nova Scotia
and approved by the Governor in Council
pursuant to Section 25 of the *Chartered Accountants Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 12, 2007, and pursuant to Section 25 of Chapter 154 of the Statutes of Nova Scotia, 1900, the *Chartered Accountants Act*, is pleased to approve the amendments made and approved by the membership of the Institute of Chartered Accountants of Nova Scotia, at its Annual Meeting on June 12, 2006, to the by-laws of the Institute of Chartered Accountants of Nova Scotia, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 13, 2007.

Schedule "A"*RESOLVED:*

THAT the Council of the Institute of Chartered Accountants of Nova Scotia be and it is hereby authorized to amend By-Laws 13 and 68 as follows:

2006

**A By-Law to amend the By-Laws of the Institute of Chartered Accountants
of Nova Scotia made pursuant to Section 3(P) and Section 25(1) of Chapter 154
of the Statu[t]es of Nova Scotia, 1900, as amended, [the] *Chartered Accountants Act***

- 1 Section 13 of the By-Laws of the Institute of Chartered Accountants of Nova Scotia is amended by the insertion of the words 13(1) immediately before the words "the Council may appoint an Executive Director".
- 2 Section 13 of the By-Laws is further amended by the addition, immediately after subsection 13(1), of the following subsection:
 - 13 (2) The Executive Director, appointed by Council, shall also hold the position of Chief Executive Officer of the Institute of Chartered Accountants of Nova Scotia. The Executive Director may be identified in all documents and in all communication, written or oral, as the Chief Executive Officer of the Institute of Chartered Accountants of Nova Scotia. For purposes of clarity, any act taken by or communication issued by the Executive Director using the title Chief Executive Officer shall for the purposes of the *Chartered Accountants Act* and this By-Law be considered to be an act of the Executive Director of the Institute of Chartered Accountants of Nova Scotia.
- 3 Section 68(2)(a)(i) of the By-Laws is amended by striking out the number "\$250,000" and replacing it with the number \$1,000,000.
- 4 Section 68(2)(a)(i) of the By-Laws is further amended by inserting the number and words "\$1,500,000 for each firm having two or three practicing members" after the words "for each practicing member".

- 5 Section 68(2)(a)(i) of the By-Laws is further amended by striking the number “\$1,000,000” which number is placed before the words “for each firm having four or more” and replacing it with the number \$2,000,000.
- 6 Section 68(2)(a)(i) of the By-Laws is further amended by striking the words “, whichever is less”.
- 7 Section 68(2)(a) of the By-Laws is amended by the insertion of the following new subsection immediately after 68(2)(a)(ii):

68(2)(a)(iii)

The amendments to Section 68(2)(a)(i) of the By-laws of the Institute of Chartered Accountants of Nova Scotia approved at the annual meeting of the members of the Institute of Chartered Accountants of Nova Scotia on June 12, 2006 shall come into full force and effect on and after September 1, 2007;
- 8 Section 68(2)(b) of the By-Laws is amended by inserting the words “as required by these by-laws during the term of the policy” following the words “provide that the minimum coverage of any policy”.
- 9 Section 68(3)(c) of the By-Laws is amended by deleting the words “clause 2(c)” and substituting the words “clause 2(b)”.
- 10 Section 68(9) of the By-Laws is amended by deleting the subsection in its entirety.

This is to certify that these amendments to the By-Laws of the Institute of Chartered Accountants of Nova Scotia of which the foregoing is a true copy were duly passed by a majority of over 2/3 of those members present at a regularly called meeting of the members of the Institute of Chartered Accountants of Nova Scotia in accordance with the provisions of Section 25 of Chapter 154, S.N.S. 1900, the *Chartered Accountants Act*.

Given under the hands of the President and Secretary of the Institute of Chartered Accountants of Nova Scotia under the corporate seal of the said Institute the 3rd day of May, A.D. 2007.

Sgd.: *G. D. Moore*
President
Institute of Chartered Accountants of Nova Scotia

Sgd.: *S. McIsaac*
Secretary
Institute of Chartered Accountants of Nova Scotia

N.S. Reg. 332/2007

Made: July 13, 2007

Filed: July 16, 2007

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

Order in Council 2007-386 dated July 13, 2007
Proclamation made by the Governor in Council
pursuant to subsection 44(9) of the
Financial Measures (2007) Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 12, 2007, and pursuant to subsection (9) of Section 44 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 4, 5 and 6 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before July 13, 2007, with said Sections 4, 5 and 6 having effect on and after April 1, 2007.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

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

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

GREETING:

A PROCLAMATION

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

- 44 (9)** Sections 4 to 6, 33 to 36 and 41 have effect on and after April 1, 2007, upon the Governor in Council so ordering and declaring by proclamation.

AND WHEREAS it is deemed expedient that Sections 4, 5 and 6 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before July 13, 2007, with said Sections 4, 5 and 6 having effect on and after April 1, 2007;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 4, 5 and 6 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before July 13, 2007, with said Sections 4, 5 and 6 having effect on and after April 1, 2007, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 13th day of July in the year of Our Lord two thousand and seven and in the fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 333/2007

Made: July 13, 2007

Filed: July 16, 2007

Proclamation, S. 44(10), S.N.S. 2007, c. 9

Order in Council 2007-387 dated July 13, 2007
Proclamation made by the Governor in Council
pursuant to subsection 44(10) of the
Financial Measures (2007) Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 12, 2007, and pursuant to subsection (10) of Section 44 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 30 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before July 13, 2007, with effect on and after June 1, 2007.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by subsection (10) of Section 44 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, it is enacted as follows:

- 44 (10)** Section 30 has effect on and after June 1, 2007, upon the Governor in Council so ordering and declaring by proclamation.

AND WHEREAS it is deemed expedient that Section 30 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before July 13, 2007, with effect on and after June 1, 2007;

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 Section 30 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before July 13, 2007, with effect on and after June 1, 2007, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 13th day of July in the year of Our Lord two thousand and seven and in the fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 334/2007

Made: July 13, 2007

Filed: July 16, 2007

Registration Fee for Agricultural Vehicles Regulations

Order in Council 2007-388 dated July 13, 2007
Repeal of regulations made by the Governor in Council
pursuant to subsection 302(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 27, 2007, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to repeal the regulations respecting the registration fee for certain agricultural vehicles, N.S. Reg. 52/78, made by the Governor in Council by clause (b) of Order in Council 78-244 dated March 14, 1978, effective on and after July 13, 2007.

N.S. Reg. 335/2007

Made: July 13, 2007

Filed: July 16, 2007

Schedule of Fees for Documents and Services

Order in Council 2007-389 dated July 13, 2007
Amendment to regulations made by the Governor in Council
pursuant to subsection 302(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 27, 2007, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the schedule of fees for documents and services, N.S. Reg. 128/2007, determined by the Governor in Council by Order in Council 2007-160 dated March 26, 2007, to clarify the fee for a temporary permit, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 13, 2007.

Schedule "A"

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

The schedule of fees for documents and services, N.S. Reg. 128/2007, determined by the Governor in Council by Order in Council 2007-160 dated March 26, 2007, is amended by striking out the following item:

Temporary permit, issued for \$10.65 by
licensed dealer for period not to exceed
30 days pending issue of number plates and/or
permit as required by *Motor Vehicle Act*, for
book of 20 temporary permits \$181.50

and replacing it with the following item:

Temporary permit, issued for \$11.30 by
licensed dealer for period not to exceed
30 days pending issue of number plates and/or
permit as required by *Motor Vehicle Act*, for
book of 20 temporary permits \$181.50

N.S. Reg. 336/2007

Made: July 13, 2007

Filed: July 16, 2007

Restricted Permits and Special Permits Regulations

Order in Council 2007-390 dated July 13, 2007
Amendment to regulations made by the Governor in Council
pursuant to subsection 302(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 27, 2007, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting fees for restricted permits and special permits, N.S. Reg. 35/72, made by the Governor in Council by Order in Council 72-533 dated May 30, 1972, to change the fees for permits for certain vehicles that are over standard dimensions, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 13, 2007.

Schedule "A"

**Amendment to Regulations Respecting Fees For
Restricted Permits and Special Permits
made by the Governor in Council pursuant to subsection 302(1)
of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

Clause 6(b) of the regulations respecting fees for restricted permits and special permits, N.S. Reg. 35/72, made by [the] Governor in Council by Order in Council 72-533 dated May 30, 1972, is repealed and the following clause substituted:

- (b) the largest of the amounts set out below in the column under the heading "Annual" opposite the overdimension in the column under the headings "Overwidth", "Overlength", "Overheight" and "Extension to Front" within which the vehicle falls, for movement of the vehicle or combination of vehicles for a 12-month period beginning on the date of issue.

| Overdimension | Single | Annual |
|---------------------------|---------------|---------------|
| Overwidth | | |
| 2.60 m - 3.05 m | \$11.30 | \$114.20 |
| 3.06 m - 4.30 m | \$17.00 | \$114.20 |
| 4.31 m - 5.20 m | \$22.40 | N/A |
| 5.21 m - 6.70 m | \$28.40 | N/A |
| Overlength | | |
| 23.1 m - 25 m | \$17.00 | \$114.20 |
| 25.1 m - 30 m | \$22.40 | N/A |
| 30.1 m or more | \$28.40 | N/A |
| Overheight | | |
| 4.15 m - 4.30 m | \$17.00 | \$114.20 |
| 4.31 m or more | \$28.40 | N/A |
| Extension to front | \$3.00 | \$17.00 |

N.S. Reg. 337/2007

Made: June 26, 2007 and July 13, 2007

Filed: July 16, 2007

Pharmacare Tariff Regulations

Order in Council 2007-393 dated July 13, 2007

Regulations made by the Minister of Health and the Governor in Council
pursuant to Section 13 and subsection 17(3) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated June 26, 2007, and pursuant to subsection 17(3) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased to, effective on and after August 1, 2007,

- (a) repeal the *Pharmacare Tariff Regulations*, N.S. Reg 78/2001, approved by the Governor in Council by Order in Council 2001-294 dated June 22, 2001;
- (b) make new regulations respecting a Pharmacare tariff in accordance with the increased tariff amounts established by the Minister of Health pursuant to clause 13(1)(c) of the Act, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (c) approve the authorization by the Minister of Health of payments in respect of the increased tariff amounts referred to in clause (b).

**In the matter of regulations respecting a Pharmacare tariff
made pursuant to Section 13 and subsection 17(3)
of Chapter 197 of the Revised Statutes of Nova Scotia,
1989, the *Health Services and Insurance Act***

- and -

**In the matter of a tariff of fees established by the Minister of Health
pursuant to clause 13(1)(c) of the *Health Services and Insurance Act*
with respect to Pharmacare**

Order

I, Chris d'Entremont, Minister of Health for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, do hereby establish the tariff of fees to be paid in respect of the Pharmacare tariff as set forth in Schedule "A" and I hereby authorize payments in respect of the tariff.

This Order is effective on and after the making by the Governor in Council of the regulations respecting the Pharmacare tariff set forth in Schedule "A".

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, June 26, 2007.

Sgd.: *Chris d'Entremont*
Honourable Chris d'Entremont
Minister of Health

Schedule "A"

**Regulations Respecting a Pharmacare Tariff made by the Minister of Health
and the Governor in Council pursuant to Section 13 and subsection 17(3) of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

Citation

1 These regulations may be cited as the *Pharmacare Tariff Regulations*.

Interpretation

2 In these regulations,

- (a) "AAC" means the actual acquisition cost of a prescription drug, determined in accordance with Section 3;
- (b) "Act" means the *Health Services and Insurance Act*;
- (c) "MAC" means the maximum allowable drug cost established by the Minister under the Insured Prescription Drug Plan for an interchangeable drug category;
- (d) "Pharmacare allowance" means the discount established under the Insured Prescription Drug Plan of 15% from the MAC of the top 20 interchangeable, multi-source, generic categories billed to the Plan;
- (e) "Pharmacare professional fee" is the lesser of the usual and customary professional fee the provider charges to cash customers and the applicable maximum Pharmacare professional fee as set out in Section 4;
- (f) "Special MAC" means a MAC that, under the Insured Prescription Drug Plan, is assigned by the Minister to each of the following:
 - (i) certain groups of drugs that are similar in therapeutic effect,
 - (ii) specific services for which coverage is established,
 - (iii) certain unit dose and special delivery formats that are also available in less expensive bulk formats,
 - (iv) certain different supplies that are used for the same function.

AAC

- 3 (1) An AAC must be determined by deducting the total value of rebates, allowances and free products received by a provider in respect of the purchase of the prescription drug from the cost of the prescription drug to the provider.
- (2) The cost of a prescription drug to a provider must be determined by averaging the price that the provider paid for it over the period for which the provider is making a claim, regardless of whether the current price for the drug is different than the price in effect when the drug was dispensed.
- (3) Despite the requirement in subsection (1) to deduct the total value of rebates, allowances and free products, an incentive for payment within 15 days, up to a maximum of 2%, must not be included in the calculation of an AAC.

- (4) Calculation of an AAC must not include mark-up or buying profit.

Tariff

- 4 (1) The Pharmacare tariff for prescription drugs effective August 1, 2007, to March 31, 2010, is as follows:
- (a) for ostomy supplies,
 - (i) the AAC or, if applicable, the MAC or the Special MAC, as determined by the Minister, plus 10% to a maximum of \$250 per prescription, and
 - (ii) a maximum Pharmacare professional fee of \$10.42;
 - (b) for injectables, except insulin,
 - (i) the AAC or, if applicable, the MAC or the Special MAC, as determined by the Minister, plus 10% to a maximum of \$250 per prescription, and
 - (ii) a maximum Pharmacare professional fee of \$10.42;
 - (c) for all other prescriptions for drugs or supplies, the AAC or, if applicable, the MAC, the MAC less the Pharmacare allowance or the Special MAC, as determined by the Minister, plus
 - (i) effective August 1, 2007 to March 31, 2008, 0.5% to a maximum of \$50 per prescription, plus a maximum Pharmacare professional fee of \$10.42,
 - (ii) effective April 1, 2008 to March 31, 2009, 1% to a maximum of \$50 per prescription, plus a maximum Pharmacare professional fee of \$10.42, and
 - (iii) effective April 1, 2009 to March 31, 2010, 2% to a maximum of \$50 per prescription, plus a maximum Pharmacare professional fee of \$10.42.
- (2) A restocking fee of 20% of the AAC, the MAC or the Special MAC, as determined by the Minister, is payable to a provider when the provider returns medications to inventory.

Maximum days' supply

- 5 (1) A provider must fill a claim to a maximum of a 100-day supply, if prescribed.
- (2) If a provider dispenses less than a prescribed quantity, no additional fees are payable to the provider on dispensing the balance of the prescribed quantity.

Minimum days' supply

- 6 (1) Except as provided in subsection (2), a refill of a prescription must be for at least a 28-day supply.
- (2) The requirement in subsection (1) for at least a 28-day supply on a refill does not apply to any of the following:
- (a) a refill for the intermittent treatment of a chronic disorder;
 - (b) a part refill of methadone;
 - (c) a prescription as determined by the Minister.

- (3) The requirement in subsection (1) is effective on December 1, 2007, for patients who, on the date that these regulations come into effect, regularly receive refills of prescriptions that are for less than a 28-day supply.

N.S. Reg. 338/2007 to 339/2007

Made: July 13, 2007 and June 7, 2007

Approved: July 13, 2007 (clause (b) only)

Filed: July 16, 2007

Designation of Insurable Crops and Livestock Regulations
and Poultry Insurance Plan

Order in Council 2007-394 dated July 13, 2007
Amendment to regulations made by the Governor in Council
pursuant to Section 7 of the *Crop and Livestock Insurance Act* and
regulations made by the Nova Scotia Crop and Livestock Insurance Commission and approved by
the Governor in Council pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated June 20, 2007, is pleased, effective on and after July 13, 2007,

- (a) pursuant to Section 7 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, to amend the *Designation of Insurable Crops and Livestock Regulations*, N.S. Reg. 22/2005, to designate poultry as insurable livestock in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (b) pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, to approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a poultry insurance plan in the form set forth in Schedule "B" attached to and forming part of the report and recommendation.

N.S. Reg. 338/2007

Designation of Insurable Crops and Livestock Regulations

Schedule "A"

**Amendment to the
Designation of Insurable Crops and Livestock Regulations
made by the Governor in Council pursuant to Section 7 of Chapter 113 of the
Revised Statutes of Nova Scotia, 1989,
the *Crop and Livestock and Insurance Act***

Section 4 of the *Designation of Insurable Crops and Livestock Regulations*, N.S. Reg. 22/2005, made by the Governor in Council by Order in Council 2005-66 dated February 18, 2005, is amended by

- (a) striking out the period at the end of clause (b) and substituting a semi-colon; and
- (b) adding the following clause immediately after clause (b):
- (c) poultry.

N.S. Reg. 339/2007

Poultry Insurance Plan

Schedule "B"

I certify that at a meeting held June 7, 2007, the Crop and Livestock Insurance Commission, pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, passed a motion to make regulations establishing a poultry insurance plan in the form attached.

These regulations are effective on and after the date they are approved by the Governor in Council.

Dated and signed at Truro, Nova Scotia, June 7, 2007.

Crop and Livestock Insurance Commission

Sgd.: *Bill MacLeod*
J. Bill MacLeod
Acting CEO

**Regulations Establishing a Poultry Insurance Plan
made by the Crop and Livestock Insurance Commission
under Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia,
the *Crop and Livestock Insurance Act***

Citation

1 These regulations may be cited as the *Poultry Insurance Plan*.

Purpose

2 The purpose of this plan is to provide for insurance against a loss of poultry resulting from the detection of a disease designated as a peril in Section 4.

Definitions

3 In this plan,

- (a) "breeder pullet" means a pullet that is owned by a Nova Scotia farmer and grown in the Province for the purpose of producing replacement breeder stock;
- (b) "broiler" means a chicken that is owned by a Nova Scotia farmer and grown in the Province for the purpose of producing meat under a licence issued by the Chicken Farmers of Nova Scotia in accordance with the *Chicken Farmers of Nova Scotia Regulations* made under the *Natural Products Act*;
- (c) "broiler breeder" means a hen that is owned by a Nova Scotia farmer and grown in the Province for the purpose of producing broiler chicks;
- (d) "chicken" means any class of domestic fowl belonging to the species *Gallus domesticus*;
- (e) "commercial layer" means a hen that is purchased from a pullet grower, owned by a Nova Scotia farmer and grown in the Province for the purpose of producing eggs under a licence issued by the Egg Producers of Nova Scotia in accordance with the *Nova Scotia Egg Producers' Marketing Plan* made under the *Natural Products Act*;

- (f) “disease” means a disease that is designated as an insurable peril in Section 4;
- (g) “flock” means a group of chickens that are housed in a producer’s facilities and are of the same age in weeks;
- (h) “hen” means a female chicken;
- (i) “integrated layer” means a hen owned by a Nova Scotia farmer that was raised as a pullet by that farmer and grown in the Province for the purpose of producing eggs under a licence issued by the Egg Producers of Nova Scotia in accordance with the *Chicken Farmers of Nova Scotia Regulations* made under the *Natural Products Act*;
- (j) “layer” means a laying hen that is 20 weeks of age or older;
- (k) “layer pullet” means a replacement egg stock pullet that is owned by a Nova Scotia farmer and grown in the Province under a permit issued by the Egg Producers of Nova Scotia in accordance with the regulations respecting pullets made under the *Natural Products Act*;
- (l) “poultry” means broilers, broiler breeders, breeder pullets, layer pullets, commercial layers and integrated layers;
- (m) “production period” means
 - (i) for breeders and broilers, the period that begins on the day the breeders or broilers are placed in a production facility and ends on the day they are removed for processing,
 - (ii) for layers, the period that begins on the day the layers are placed in a production facility and ends 52 weeks later, and
 - (iii) for pullets, the period that begins [on] the day the pullets are placed in the production facility and ends when they are 20 weeks old.
- (n) “pullet” means a female chicken that is younger than 20 weeks of age and that has been produced for the purpose of laying eggs for human consumption.

Designation of perils

4 For the purpose of this plan, the poultry livestock disease *infectious laryngotracheitis* (ILT) is designated as an insurable peril.

Application

5 An application for a contract of insurance must be

- (a) on a Contract of Poultry Insurance Application Form provided by the Commission;
- (b) accompanied by a premium deposit of at least \$50; and
- (c) filed with the Commission no later than 3 weeks before the applicant places a flock in a production facility.

Contract of insurance

6 (1) A contract of insurance consists of all of the following:

- (a) a signed contract of insurance in Form 1;

- (b) a completed application filed in accordance with Section 5;
 - (c) a copy of this plan.
- (2) If a document referred to in subsection (1) is amended while the contract of insurance is in force, the contract remains in effect as amended and a copy of the amendment must be delivered to the insured person.
 - (3) Before the Commission offers a contract of insurance to an applicant, the applicant must submit an application in the form and manner prescribed by Section 5.
 - (4) The Commission may refuse to offer a contract of insurance to an applicant.
 - (5) If the Commission refuses to offer a contract of insurance to an applicant, the Commission must refund the premium deposit, if any, that accompanied the application.

Duration of contract

- 7 (1) A contract of insurance is in force for the production period for which it is made, and continues in force for subsequent production periods until it is cancelled by the insured person or the Commission in the manner prescribed by this Section.
- (2) A contract of insurance may be cancelled by the insured person or the Commission by notice in writing to the other party at least 3 weeks before the insured person places a new flock in a production facility.
- (3) If an insured person is in arrears in a premium payment, the Commission may cancel the contract of insurance at any time by notice in writing.

Insurable value of poultry

- 8 (1) The maximum insurable value of a broiler flock is based on the contract price per kilogram of chicken and the average flock weight contracted to be grown under the licence issued by the Chicken Farmers of Nova Scotia.
- (2) The maximum insurable value of a non-broiler flock is based on a schedule of values per bird.
- (3) The Commission must set the schedule of values and announce it to all insured persons before April 1 in each year.

Premium

- 9 (1) For each class of insurable poultry, the base premium rate per bird placed in a production facility must be set by the Commission and announced to all insured persons on or before April 1 in each year.
- (2) The base premium rates must be applied to all insured flocks that are placed in a production facility during the 12-month period from April 1 in a year to March 31 in the following year.
- (3) An insured person must pay the total premium for a production period, less any premium deposit, to the Commission no later than 30 days after the insured person places a flock of insurable poultry in a production facility.

Notice of presence of disease

- 10 (1) An insured person must notify the Commission in writing no later than 48 hours after receiving confirmation of the presence of a disease in their insured flock.

- (2) A notice of the presence of a disease must be accompanied by a written statement from a veterinarian confirming the presence of the disease.

Evaluation of loss

- 11 To determine the indemnity payable for a loss in production of an insured flock, the amount of the loss must be calculated in accordance with Section 12 or 13, and the final adjustment of loss must be calculated in accordance with Section 14.

Broiler losses

- 12 (1) In this Section, “guaranteed production” of a broiler flock that has been placed in a production facility means the total number of kilograms of broilers in the flock.
- (2) On receiving notice under Section 10 of the presence of disease in an insured broiler flock, the Commission may consent in writing to the destruction of the flock.
- (3) If the Commission consents in writing to the destruction of an insured broiler flock or the flock is ordered to be destroyed under the *Animal Health and Protection Act* as a result of a designated peril, the amount of the loss is calculated by using the following formula:

$$L = (P - M) I$$

in which

- L = [the] loss,
 P = the guaranteed production for the flock,
 M = the allowance for normal mortality reported by the Chicken Farmers of Nova Scotia, and
 I = the insurable value per bird established under Section 8

- (4) If the Commission does not consent in writing to the destruction of an insured broiler flock and the flock is processed, the amount of the loss is calculated by using the following formula:

$$L = (P - (M) + A) I$$

in which

- L = [the] loss,
 P = the guaranteed production for the flock,
 M = the allowance for normal mortality reported by the Chicken Farmers of Nova Scotia,
 A = the actual production for the flock, and
 I = the insurable value per bird established under Section 8.

Other flock losses

- 13 If the Commission receives notice under Section 10 that a designated peril has been detected in an insured flock other than a broiler flock, and the flock is ordered to be destroyed under the *Animal Health and Protection Act* as a result of the designated peril, the amount of the loss must be calculated based on the week in the production cycle during which the flock is destroyed, in accordance with the schedule of values per bird established under Section 8.

Final adjustment of loss

- 14 (1) Subject to subsections (2) and (3) and Section 15, the indemnity payable to an insured person in the final adjustment of loss is 90% of the amount of loss calculated under Section 12 or 13.

- (2) The Commission must determine a deductible amount to be applied in a final adjustment of loss and must announce that deductible to all insured persons before April 1 in each year.
- (3) Before calculating the indemnity payable, the Commission must deduct any salvage value arising out of the destruction of an insured flock.

Maximum indemnity

- 15 (1) The maximum indemnity for which the Commission is liable under a contract of insurance is the insured value of the poultry less any payments received
- (a) under the *Health of Animals Act* (Canada);
 - (b) for salvage; or
 - (c) from any agency other than the Commission.
- (2) The Commission is not responsible for transportation costs for salvage, cleanup costs or costs incurred by an insured person to support a claim.
- (3) Indemnity payable by the Commission under this plan is limited to the extent of the assets in the Livestock Insurance Fund Balance held by the Commission.

Arbitration

- 16 If the Commission and an insured person fails to resolve any dispute arising out of the adjustment of loss under a contract of insurance, and the requirements of the regulations made under the *Crop and Livestock Insurance Act* respecting the filing of a proof of loss form are complied with, and either party wishes the dispute determined by arbitration, that party must notify the other party and the Crop and Livestock Commission Arbitration Board in writing no later than 90 days after the end of the insurance year in which the loss occurred that they wish the dispute to be determined in accordance with the *Arbitration Proceedings Regulations* made under the *Crop and Livestock Insurance Act*.

Form 1 - Contract of Insurance - Poultry

The *Crop and Livestock Insurance Act* Contract of Insurance

Contract: _____

Between the Nova Scotia Crop and Livestock Insurance Commission,
("The Commission"), of the first part

And _____, of
_____, in the County of _____, Nova Scotia
("the Insured Person"), of the second part

Whereas the insured person has applied for a Contract of Insurance under the *Crop and Livestock Insurance Act* ("the Act") and the *Poultry Insurance Plan* made under the Act ("the Plan") and has paid a premium in respect thereof:

Now therefore, subject to the Act and the Plan, where in a year the insured person suffers a loss in the death of an insured animal(s) from one or more of the perils designated in the Plan, the Commission, subject to the terms and conditions hereinafter set forth, agrees to indemnify [indemnify] the insured person in respect of such loss.

Terms and Conditions

Insured animal(s)

1 In this contract, an insured animal(s) means an insurable animal(s) in respect of which the Plan has been established.

Extent of insurance

- 2 (a) The insured person shall offer, for insurance purposes, all insurable animals for which an application for Poultry Insurance is made.
- (b) This contract does not apply to diseases other than those specified in the Plan, notwithstanding the Commission may make exceptions to the exclusions.

Causes of loss not insured against

- 3 This contract does not insure against, and no indemnity shall be paid in respect of, a death of an insured animal(s) resulting from
- (a) negligence, misconduct, or poor animal husbandry practices of the insured person or their agents or employees, or
- (b) a peril other than a peril designated in the Plan.

Misrepresentation, violation of conditions or fraud

- 4 Where, in respect of an insured animal(s), the insured person
- (a) in their application for insurance or registration form
- (i) gives false particulars to the prejudice of the Commission, or
- (ii) knowingly misrepresents or fails to disclose any fact required to be stated therein:
- (b) contravenes a term or condition of this contract;
- (c) commits a fraud; or
- (d) willfully makes a false statement in respect of any claim under this contract,

a claim by the insured person is invalid and their right to recover indemnity is forfeited. If the insured person fails to observe and conform to any of the terms or conditions of this policy, the policy is void.

Waiver of alteration

5 No term or condition of this contract or the Plan is deemed to be waived or altered in whole or in part by the Commission unless the waiver or alteration is clearly expressed in writing signed by the Commission or a representative authorized for that purpose by the Commission.

Interest of other persons

- 6 Notwithstanding that a person other than the insured person holds an interest of any kind in an insured animal, for the purposes of this contract,
- (a) the interest of the insured person is deemed to be the full value of the total coverage provided;
- (b) except as provided in paragraph (7) no indemnity shall be paid to any person other than the insured person;

- (c) the insured person is not entitled to a claim from the Commission under more than one policy of insurance in respect of an animal.

Assignment or [of] right to indemnity

7 The insured person may assign all or part of their right to indemnity under this contract, but an assignment is not binding on the Commission and no payment of indemnity shall be made to an assignee unless

- (a) the assignment is made on a form provided by the Commission; and
- (b) the Commission consents thereto in writing.

Notice of claim

- 8 (1) Where death or disease of an insured animal(s) results from one or more of the perils insured against, the insured person shall notify the Commission as specified in the Plan.
- (2) The Commission, in respect of anything insured under this contract, is entitled to use the name of the insured for the purpose of making any claim for damages against any person or persons, company or companies or Government or for any other purpose whatsoever connected with this contract and the Commission is also entitled to enforce, for the benefit of the Commission, any order made for costs or otherwise in connection with any such claims. The insured shall advise the Commission of any claim, remedy or cause of action against any third party and shall not pursue any such claim, remedy or cause without the Commission's agreement thereto in writing.

Other compensation payments

9 If at the time of any claim under this contract there be any other compensation or salvage payments upon an animal(s), hereby insured and claimed for, whether effected by the insured person or any other person, the Commission is only liable according to the Plan.

Adjustment of loss

- 10 (1) The indemnity payable for death to an insured animal(s) shall be determined in the manner prescribed by the regulations.
- (2) The Commission may cause the claim to be appraised by any method that it considers proper.
- (3) No indemnity shall be paid in respect of an insured animal(s) unless the insured person establishes the cause of loss being certified by a veterinarian.

Proof of loss

- 11 (1) A claim for indemnity shall be made on a Proof of Loss Form provided by the Commission and shall be filed with the Commission no later than 60 days after the date of death of the insured animal(s).
- (2) Subject to subsection (3), a claim for indemnity shall be made by the insured person.
- (3) A claim for indemnity may be made
- (a) in the case of the absence or inability of the insured person, by the agent; or
 - (b) in the case of the absence or inability of the insured person or on their failure or refusal to do so, by an assignee under an assignment made in accordance with Section 7.

Arbitration

12 Where the Commission and the insured person fail to resolve any dispute respecting the adjustment of a loss under this contract, the matter shall be determined in accordance with the arbitration regulations.

Time for payment of indemnity

- 13 (1) Except as otherwise provided in the Plan, no indemnity under this contract becomes due and payable until the end of the year in which the loss or damage was sustained.
- (2) Where the indemnity payable by the Commission under this contract is established by the filing of a Proof of Loss Form or by an award of an arbitrator or board of arbitration, it shall be paid no later than 60 days after the date the Commission receives the Proof of Loss Form or award, as the case may be.
- (3) Nothing in this paragraph prevents the Commission from paying indemnity under this contract at an earlier date.

Subrogation

- 14 Where the Commission has paid a claim under this contract, the Commission is subrogated to the extent thereof to all rights of recovery of the insured person against any person and may bring action for the full amount in the name of the insured person to endorse those rights.

Right of entry

- 15 The insured shall permit the Commission or its agents right of entry to the premises to view insured animal(s) and to furnish any information related to this contract, and shall comply with requirements made by the Commission or by a veterinarian employed by it.

Death or assignment under the *Bankruptcy Act*

- 16 This contract terminates in respect of each insured animal at the end of the year in which the death of the insured person occurs or an authorized assignment is made by the insured person under the *Bankruptcy Act* (Canada).

Notice

- 17 (1) Any written notice to the Commission shall be given by delivery thereof or by sending it by mail to the Commission.
- (2) Written notice to the insured person shall be given by delivery thereof or by sending it by mail, addressed to the insured person at their last post office address on file with the Commission.

Cancellation

- 18 The Commission may at any time, by notice in writing to that effect sent to the insured person under registered cover to the insured person's last known address, cancel this contract without reason assigned as from the date of such notice. Any such notice shall be without prejudice to the rights of the insured person in respect of any prior happening and the Commission will return to the insured person, on demand, that portion of the premium corresponding to the unexpired period of this policy.

In witness thereof, the Nova Scotia Crop and Livestock Insurance Commission has caused this Contract of Insurance to be signed by its Executive Secretary or any authorized member of the Commission, but the same shall not be binding upon the Commission until countersigned by a duly authorized representative thereof.

Countersigned and dated at _____ on _____, 20__ .

Duly authorized representative

Executive Secretary

N.S. Reg. 340/2007

Made: July 13, 2007

Filed: July 16, 2007

Proclamation, S. 26, S.N.S. 2007, c. 17

Order in Council 2007-395 dated July 13, 2007

Proclamation made by the Governor in Council

pursuant to Section 26 of

*An Act to Amend Chapter 218 of the Revised Statutes, 1989, the Incompetent Persons Act,
and Certain Other Statutes*

The Governor in Council on the report and recommendation of the Minister of Justice dated June 13, 2007, pursuant to Section 26 of Chapter 17 of the Acts of 2007, *An Act to Amend Chapter 218 of the Revised Statutes, 1989, the Incompetent Persons Act, and Certain Other Statutes*, is pleased to order and declare by proclamation that Chapter 17 of the Acts of 2007, *An Act to Amend Chapter 218 of the Revised Statutes, 1989, the Incompetent Persons Act, and Certain Other Statutes*, do come into force on and not before July 13, 2007.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 26 of Chapter 17 of the Acts of 2007, *An Act to Amend Chapter 218 of the Revised Statutes, 1989, the Incompetent Persons Act, and Certain Other Statutes*, it is enacted as follows:

- 26** 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 17 of the Acts of 2007, *An Act to Amend Chapter 218 of the Revised Statutes, 1989, the Incompetent Persons Act, and Certain Other Statutes*, do come into force on and not before July 13, 2007;

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 17 of the Acts of 2007, *An Act to Amend Chapter 218 of the Revised Statutes, 1989, the Incompetent Persons Act, and Certain Other Statutes*, do come into force on and not before July 13, 2007, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 13th day of July in the year of Our Lord two thousand and seven and in the fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 341/2007

Made: July 13, 2007

Filed: July 16, 2007

Proclamation, S. 2, S.N.S. 2007, c. 18

Order in Council 2007-396 dated July 13, 2007

Proclamation made by the Governor in Council
pursuant to Section 2 of

An Act to Amend Chapter 244 of the Revised Statutes, 1989, the Justices of the Peace Act

The Governor in Council on the report and recommendation of the Minister of Justice dated June 13, 2007, pursuant to Section 2 of Chapter 18 of the Acts of 2007, *An Act to Amend Chapter 244 of the Revised Statutes, 1989, the Justices of the Peace Act*, is pleased to order and declare by proclamation that Chapter 18 of the Acts of 2007, *An Act to Amend Chapter 244 of the Revised Statutes, 1989, the Justices of the Peace Act*, do come into force on and not before July 13, 2007.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 2 of Chapter 18 of the Acts of 2007, *An Act to Amend Chapter 244 of the Revised Statutes, 1989, the Justices of the Peace Act*, it is enacted as follows:

- 2 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 18 of the Acts of 2007, *An Act to Amend Chapter 244 of the Revised Statutes, 1989, the Justices of the Peace Act*, do come into force on and not before July 13, 2007;

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 18 of the Acts of 2007, *An Act to Amend Chapter 244 of the*

Revised Statutes, 1989, the Justices of the Peace Act, do come into force on and not before July 13, 2007, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 13th day of July in the year of Our Lord two thousand and seven and in the fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 342/2007

Made: July 13, 2007

Filed: July 16, 2007

Proclamation, S. 11, S.N.S. 2007, c. 10

Order in Council 2007-398 dated July 13, 2007
Proclamation made by the Governor in Council
pursuant to Section 11 of the
Justice Administration Amendment (2007) Act

The Governor in Council on the report and recommendation of the Minister of Justice dated June 19, 2007, and pursuant to Section 11 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 5 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, do come into force on and not before July 13, 2007.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 11 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, it is enacted as follows:

- 11** 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 Section 5 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, do come into force on and not before July 13, 2007;

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 Section 5 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, do come into force on and not before July 13, 2007, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 13th day of July in the year of Our Lord two thousand and seven and in the fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 343/2007

Made: July 12, 2007

Filed: July 17, 2007

Prescribed Petroleum Products Prices

Order dated July 12, 2007

made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act***In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act*****- and -****In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act*****- and -****In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations*****Order**I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated July 4, 2007, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on July 6, 2007; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on July 13, 2007.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on July 12, 2007.

Sgd.: *Jamie Muir*

Honourable Jamie Muir

Minister of Service Nova Scotia and Municipal Relations

Schedule "A"**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 12, 2007**

| Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre) | |
|---|------|
| Regular unleaded gasoline | 65.2 |
| Mid-grade unleaded gasoline | 68.2 |
| Premium unleaded gasoline | 71.2 |
| Ultra low-sulfur diesel oil | 59.8 |

| Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre) | | | | | | | | | |
|---|--|-----------------------|-----|--------------|-------|---|-------|--------------|-------|
| | | Retail Mark-up | | | | Retail Price (includes all taxes) | | | |
| | | Self-Service | | Full-Service | | Self-Service | | Full-Service | |
| | Fixed Wholesale Price (excludes GST) | Min | Max | Min | Max | Min | Max | Min | Max |
| Zone 1 | | | | | | | | | |
| Regular Unleaded | 97.0 | 4.0 | 5.5 | 4.0 | 999.9 | 115.1 | 116.9 | 115.1 | 999.9 |
| Mid-Grade Unleaded | 100.0 | 4.0 | 5.5 | 4.0 | 999.9 | 118.6 | 120.3 | 118.6 | 999.9 |
| Premium Unleaded | 103.0 | 4.0 | 5.5 | 4.0 | 999.9 | 122.0 | 123.7 | 122.0 | 999.9 |
| Ultra Low-Sulfur Diesel | 85.5 | 4.0 | 5.5 | 4.0 | 999.9 | 102.0 | 103.7 | 102.0 | 999.9 |
| Zone 2 | | | | | | | | | |
| Regular Unleaded | 97.4 | 4.0 | 5.5 | 4.0 | 999.9 | 115.6 | 117.3 | 115.6 | 999.9 |
| Mid-Grade Unleaded | 100.4 | 4.0 | 5.5 | 4.0 | 999.9 | 119.0 | 120.7 | 119.0 | 999.9 |
| Premium Unleaded | 103.4 | 4.0 | 5.5 | 4.0 | 999.9 | 122.4 | 124.1 | 122.4 | 999.9 |
| Ultra Low-Sulfur Diesel | 85.9 | 4.0 | 5.5 | 4.0 | 999.9 | 102.5 | 104.2 | 102.5 | 999.9 |
| Zone 3 | | | | | | | | | |
| Regular Unleaded | 97.9 | 4.0 | 5.5 | 4.0 | 999.9 | 116.2 | 117.9 | 116.2 | 999.9 |
| Mid-Grade Unleaded | 100.9 | 4.0 | 5.5 | 4.0 | 999.9 | 119.6 | 121.3 | 119.6 | 999.9 |
| Premium Unleaded | 103.9 | 4.0 | 5.5 | 4.0 | 999.9 | 123.0 | 124.7 | 123.0 | 999.9 |
| Ultra Low-Sulfur Diesel | 86.4 | 4.0 | 5.5 | 4.0 | 999.9 | 103.1 | 104.8 | 103.1 | 999.9 |
| Zone 4 | | | | | | | | | |
| Regular Unleaded | 97.9 | 4.0 | 5.5 | 4.0 | 999.9 | 116.2 | 117.9 | 116.2 | 999.9 |
| Mid-Grade Unleaded | 100.9 | 4.0 | 5.5 | 4.0 | 999.9 | 119.6 | 121.3 | 119.6 | 999.9 |
| Premium Unleaded | 103.9 | 4.0 | 5.5 | 4.0 | 999.9 | 123.0 | 124.7 | 123.0 | 999.9 |
| Ultra Low-Sulfur Diesel | 86.4 | 4.0 | 5.5 | 4.0 | 999.9 | 103.1 | 104.8 | 103.1 | 999.9 |
| Zone 5 | | | | | | | | | |
| Regular Unleaded | 97.9 | 4.0 | 5.5 | 4.0 | 999.9 | 116.2 | 117.9 | 116.2 | 999.9 |
| Mid-Grade Unleaded | 100.9 | 4.0 | 5.5 | 4.0 | 999.9 | 119.6 | 121.3 | 119.6 | 999.9 |
| Premium Unleaded | 103.9 | 4.0 | 5.5 | 4.0 | 999.9 | 123.0 | 124.7 | 123.0 | 999.9 |
| Ultra Low-Sulfur Diesel | 86.4 | 4.0 | 5.5 | 4.0 | 999.9 | 103.1 | 104.8 | 103.1 | 999.9 |
| Zone 6 | | | | | | | | | |
| Regular Unleaded | 98.7 | 4.0 | 5.5 | 4.0 | 999.9 | 117.1 | 118.8 | 117.1 | 999.9 |
| Mid-Grade Unleaded | 101.7 | 4.0 | 5.5 | 4.0 | 999.9 | 120.5 | 122.2 | 120.5 | 999.9 |
| Premium Unleaded | 104.7 | 4.0 | 5.5 | 4.0 | 999.9 | 123.9 | 125.6 | 123.9 | 999.9 |
| Ultra Low-Sulfur Diesel | 87.2 | 4.0 | 5.5 | 4.0 | 999.9 | 104.0 | 105.7 | 104.0 | 999.9 |

N.S. Reg. 344/2007 to 345/2007

Made: July 18, 2007

Filed: July 19, 2007

Oakland Lake Watershed Protected Water Area Designation and
Oakland Lake Watershed Protected Water Area RegulationsOrder dated July 18, 2007
made by the Minister of Environment and Labour
pursuant to Section 106 of the *Environment Act***Canada****Province of Nova Scotia****In the Matter of:** the *Environment Act*, S.N.S. 1994-95, c. 1, s. 106**In the Matter of:** the designation of an area surrounding Oakland Lake, Lunenburg County, as a Protected Water Area, to be known as the "Oakland Lake Watershed Protected Water Area"**Designation of the Oakland Lake Watershed Protected Water Area and
the Making of Regulations with Respect Thereto**

Whereas the Oakland Lake Protected Water Area Designation, N.S. Reg. 245/2007, made by the Nova Scotia Water Authority by order dated August 30, 1963, and published in the Royal Gazette Part II on May 25, 2007, defined and prescribed an area surrounding Oakland Lake, Lunenburg County, as the source of public water supply for the Town of Mahone Bay;

And Whereas subsection 106(1) of Chapter 1 of the Acts of 1994-95, the *Environment Act*, provides for the designation by the Minister of Environment and Labour of a protected water area and subsection 106(6) of the Act provides for the making of regulations to prohibit, regulate or require the doing of any act or acts in a protected water area that may impair or prevent the impairment, as the case may be, of the quality of the water in the protected water area;

And Whereas subsections 106(4), (5), (5A) and (5B) of the *Environment Act* provide as follows:

- (4) When requested by an operator of a water works or proposed water works, the Minister may cancel a designation made pursuant to this Section, in whole or in part.
- (5) Any protected water area designated pursuant to the *Water Act*, prior to the coming into force of this Act remains so designated.
- (5A) Any area surrounding a source of public water supply defined and prescribed pursuant to Section 16 of Chapter 42 of the Acts of 1963, *An Act to Amend the Water Act*, is deemed to be a protected water area designated pursuant to the *Water Act* and remains so designated.
- (5B) Any designation of a protected water area and any regulations regulating an activity in a designated protected water area that is referenced in subsection (5A) or were in effect on April 1, 1977, are deemed to have been filed pursuant to subsection 24(1) of the *Regulations Act* before April 1, 1978.

And Whereas the Town of Mahone Bay Water Utility, operator of the Oakland Lake Water Treatment Plant, has requested that the Minister of Environment and Labour cancel the Oakland Lake Protected Water Area Designation, N.S. Reg. 245/2007;

And Whereas the Town of Mahone Bay Water Utility has requested that the Minister of Environment and Labour designate the Oakland Lake watershed as a protected water area in order to protect the quality of the surface water and groundwater resource as a public water supply;

And Whereas the Town of Mahone Bay Water Utility has provided opportunities for public consultation, including public meetings and the establishment of the Oakland Lake Watershed Advisory Committee, an advisory committee comprising representatives of the Province of Nova Scotia, the Town of Mahone Bay, the Municipality of the District of Lunenburg, members of the general public and landowners;

Therefore pursuant to Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, the undersigned, Mark Parent, Minister of Environment and Labour, hereby

- (a) cancels the Oakland Lake Protected Water Area Designation, N.S. Reg. 245/2007;
- (b) designates the area comprising the topographic drainage area surrounding Oakland Lake more fully described in Schedule "A" as a protected water area, to be known as the "Oakland Lake Watershed Protected Water Area"; and
- (c) makes regulations respecting activities in the Oakland Lake Watershed Protected Water Area, in the form set forth in Schedule "B".

Sgd.: *Mark Parent*
Honourable Mark Parent
Minister of Environment and Labour

Halifax, Nova Scotia
July 18, 2007

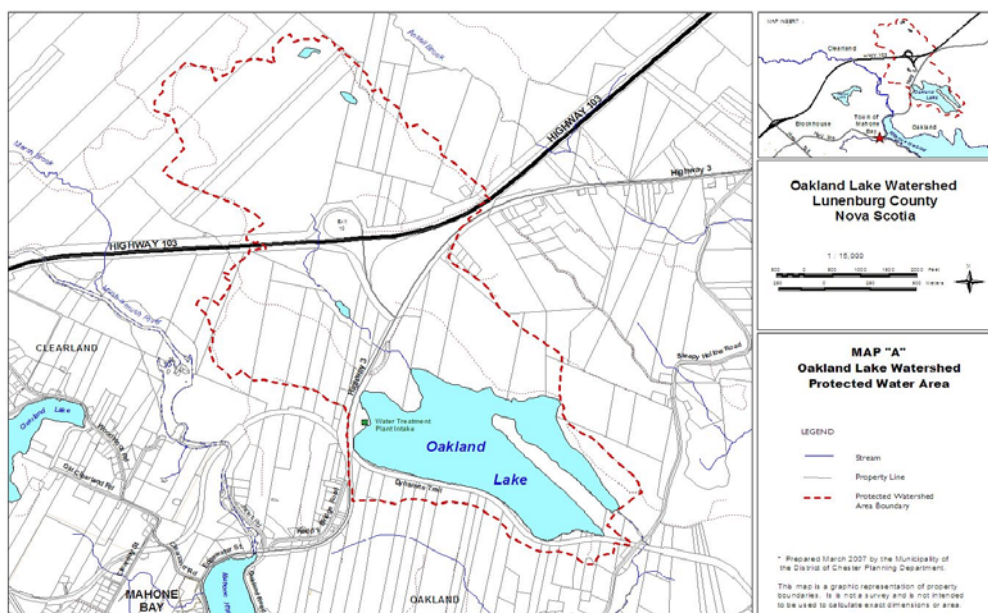
N.S. Reg. 344/2007

Oakland Lake Watershed Protected Water Area Designation

Schedule "A"

Oakland Lake Watershed Protected Water Area Boundary Description

ALL and singular that certain lot, piece, parcel or tract of land and land covered by water located at or near Oakland and Mahone Bay, Lunenburg County, in the Municipality of the District of Lunenburg, Province of Nova Scotia, shown outlined in red on the attached Map "A" - Oakland Lake Watershed Protected Water Area, prepared March 2007 by the Municipality of the District of Chester Planning Department and filed with the office of the Chief Administrative Officer of the Town of Mahone Bay.



N.S. Reg. 345/2007

Oakland Lake Watershed Protected Water Area Regulations

Schedule "B"**Regulations Respecting Activities in the Oakland Lake Watershed Protected Water Area made by the Minister of Environment and Labour pursuant to subsection 106(6) of Chapter 1 of the Acts of 1994-95, the *Environment Act*****Citation**

1 These regulations may be cited as the *Oakland Lake Watershed Protected Water Area Regulations*.

Interpretation

2 In these regulations,

- (a) "Act" means the *Environment Act*;
- (b) "Committee" means the Oakland Lake Watershed Advisory Committee;
- (c) "pest control product" has the same meaning as set out in clause 2(q) of the *Pesticide Regulations* made under the Act;
- (d) "Protected Water Area" means the land and water designated by the Minister under subsection 106(1) of the Act as the Oakland Lake Watershed Protected Water Area, as described in Schedule "A" to the designation;
- (e) "Water Works Operator" means the Town of Mahone Bay Water Utility, operated by the Town of Mahone Bay and represented by the Chief Administrative Officer of the Town.

Posting of signs

- 3** (1) The Water Works Operator must post signs around the perimeter of the Protected Water Area, and at appropriate locations beside the public highways in the Protected Water Area, to notify the public of the designation of the Protected Water Area.
- (2) The Water Works Operator must take reasonable measures to replace any sign posted under subsection (1) that is damaged or removed.
- (3) A person must not remove or alter any sign or notice posted under subsection (1).

Release of substance

- 4** (1) A person must not release, or cause or permit the release of, any substance that causes or may cause an adverse impact to water quality in the Protected Water Area, including any of the following:
- (a) oil and other petroleum products;
 - (b) soap;
 - (c) detergent;
 - (d) toxic chemicals;
 - (e) pest control product waste;
 - (f) garbage;
 - (g) litter;

- (h) solid or liquid waste.
- (b) A person who is using mechanical equipment or transporting gasoline or oil in the Protected Water Area must not release, and must take precautions to prevent the release of, a petroleum product onto the ground or into a watercourse or into the runoff from the area.

Dumps, landfills, and disposal sites

5 A person must not establish a dump, landfill or waste disposal site in the Protected Water Area.

Restricted lake activities

- 6 (1) A person must not swim, bathe or wash in Oakland Lake within 300 m of the intake for the Town of Mahone Bay Municipal Water Works.
- (2) A person must not operate an internal combustion engine in, on or over Oakland Lake at any time of the year.
- (3) A person must not fish in Oakland Lake, or from the banks of the lake, within 100 m of the intake for the Town of Mahone Bay Municipal Water Works.

Easement and road construction restrictions

- 7 (1) A person must not grant an easement on, over or across the Protected Water Area for a road, pipeline, railway, telephone line, power line or other similar works unless the person provides the route and location details of the easement to the Water Works Operator no later than 30 days before the date the easement is granted.
- (2) A person must not construct a road, pipeline, railway, telephone line, power line or other similar works in the Protected Water Area unless the person provides complete construction details to the Water Works Operator no later than 30 days before the date construction begins.
- (3) A forest access road in the Protected Water Area must be constructed in accordance with the booklet *Wood Lot Roads, Stream Crossings* published by the Department of Natural Resources, or its successor document or code of practice, as amended.
- (4) A person who is responsible for a road, pipeline, railway, telephone line, power line or other similar works constructed in the Protected Water Area must maintain and keep the works repaired to prevent impairment of the quality of water in Oakland Lake.

Watercourse alteration

- 8 (1) A person must not construct a bridge or culvert or otherwise alter a watercourse in the Protected Water Area unless they have
- (a) obtained a watercourse alteration approval from the Department of Environment and Labour; and
 - (b) provided construction plans and a copy of the approval to the Water Works Operator no later than 30 days before the date construction begins.
- (2) An owner, operator or person who is responsible for a bridge or culvert approved under subsection (1)
- (a) must maintain and repair the bridge or culvert; and

- (b) must not remove the bridge or culvert unless they have obtained an approval from the Department of Environment and Labour and provided notification and a copy of the approval to the Water Works Operator before undertaking to remove the bridge or culvert.

Wetland alteration

- 9** A person must not fill, excavate, drain or otherwise alter a marsh, swamp, bog, mire, fen, slough or other type of wetland in the Protected Water Area unless they have
- (a) obtained a wetland alteration approval from the Department of Environment and Labour; and
 - (b) provided complete plans for the undertaking and a copy of the approval to the Water Works Operator no later than 30 days before the date the work begins.

Soil erosion and sediment control

- 10 (1)** A person must not undertake an activity that causes or might cause soil erosion resulting in sediment being deposited in a watercourse located in the Protected Water Area.
- (2)** A person who contravenes subsection (1) must immediately
- (a) cease the activity causing sedimentation and take measures to control the soil erosion and sediment deposition; and
 - (b) notify the Water Works Operator.
- (3)** An owner, occupier, contractor or person who is responsible for a construction operation or an activity requiring grubbing or earth moving that would expose more than 50 m² of earth in the Protected Water Area must not proceed unless they have
- (a) developed an erosion and sedimentation control plan as described in the *Erosion and Sedimentation Control Handbook for Construction Sites* published by the Department of Environment and Labour; and
 - (b) provided complete plans of the undertaking to the Water Works Operator no later than 30 days before the date the earth moving begins.
- (4)** A person must not release water from a construction site in the Protected Water Area that has a suspended solid concentration greater than 25 mg/L.
- (5)** A person must not alter or remove vegetation within 20 m of Oakland Lake or any other watercourse in the Protected Water Area without ensuring that the understory vegetation and non-commercial trees within 20 m of the edge of the watercourse are retained to the fullest extent possible.

Use of pest control products

- 11** A person may use a pest control product in the Protected Water Area only if all the following conditions are met:
- (a) the person notifies the Water Works Operator of the product to be used no later than 30 days before the date the product is used;
 - (b) the person who applies the product is a certified applicator under the *Pesticide Regulations* made under the Act.

On-site sewage disposal systems

- 12 (1)** A person must not construct or install an on-site sewage disposal system in the Protected Water Area unless the clearance distance from the system is greater than 75 m from any watercourse.
- (2)** An on-site sewage disposal system in the Protected Water Area must be
- (a)** pumped out every 2 years; and
 - (b)** replaced or repaired immediately after it is identified as malfunctioning as defined in the *On-site Sewage Disposal Systems Regulations* made under the Act.

Storing petroleum products

- 13 (1)** Except when replacing a tank under subsection (2), a person must not install any liquid petroleum products storage tank other than a propane tank in the Protected Water Area, including any of the following:
- (a)** a home heating-oil tank;
 - (b)** a gasoline fuel storage tank;
 - (c)** a diesel fuel storage tank.
- (2)** A person may replace an existing home heating-oil tank in the Protected Water Area if the replacement tank is supported by concrete footings, has a fuel line guard and a leak detection device and meets one of the following:
- (a)** it is made of stainless steel double wall construction;
 - (b)** it is made of glass-reinforced plastic;
 - (c)** it is approved in writing by the Water Works Operator before it is installed.

Agriculture restrictions

- 14 (1)** A person must not pasture livestock or apply livestock manure on agricultural land in the Protected Water Area in excess of land base requirements as determined in accordance with the *Manure Management Guidelines* published by the Department of Agriculture and Fisheries, or its successor document or code of practice, as amended.
- (2)** A person must not stockpile or accumulate livestock manure or biosolids in the Protected Water Area.
- (3)** A person must not apply livestock manure or biosolids on land in the Protected Water Area
- (a)** after September 30 and before May 1 in any year; and
 - (b)** in any manner that causes or may cause an adverse impact to water quality in the Protected Water Area.

N.S. Reg. 346/2007

Made: July 19, 2007

Filed: July 20, 2007

Prescribed Petroleum Products Prices

Order dated July 19, 2007

made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act***In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act*****- and -****In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act*****- and -****In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations*****Order**I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated July 12, 2007, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on July 13, 2007; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on July 20, 2007.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on July 19, 2007.

Sgd.: *Jamie Muir*

Honourable Jamie Muir

Minister of Service Nova Scotia and Municipal Relations

Schedule "A"**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 20, 2007**

| Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre) | |
|---|------|
| Regular unleaded gasoline | 61.5 |
| Mid-grade unleaded gasoline | 64.5 |
| Premium unleaded gasoline | 67.5 |
| Ultra low-sulfur diesel oil | 58.5 |

| Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre) | | | | | | | | | |
|---|--|-----------------------|-----|--------------|-------|---|-------|--------------|-------|
| | | Retail Mark-up | | | | Retail Price (includes all taxes) | | | |
| | | Self-Service | | Full-Service | | Self-Service | | Full-Service | |
| | Fixed Wholesale Price (excludes GST) | Min | Max | Min | Max | Min | Max | Min | Max |
| Zone 1 | | | | | | | | | |
| Regular Unleaded | 93.3 | 4.0 | 5.5 | 4.0 | 999.9 | 110.9 | 112.6 | 110.9 | 999.9 |
| Mid-Grade Unleaded | 96.3 | 4.0 | 5.5 | 4.0 | 999.9 | 114.3 | 116.1 | 114.3 | 999.9 |
| Premium Unleaded | 99.3 | 4.0 | 5.5 | 4.0 | 999.9 | 117.8 | 119.5 | 117.8 | 999.9 |
| Ultra Low-Sulfur Diesel | 84.2 | 4.0 | 5.5 | 4.0 | 999.9 | 100.5 | 102.3 | 100.5 | 999.9 |
| Zone 2 | | | | | | | | | |
| Regular Unleaded | 93.7 | 4.0 | 5.5 | 4.0 | 999.9 | 111.4 | 113.1 | 111.4 | 999.9 |
| Mid-Grade Unleaded | 96.7 | 4.0 | 5.5 | 4.0 | 999.9 | 114.8 | 116.5 | 114.8 | 999.9 |
| Premium Unleaded | 99.7 | 4.0 | 5.5 | 4.0 | 999.9 | 118.2 | 119.9 | 118.2 | 999.9 |
| Ultra Low-Sulfur Diesel | 84.6 | 4.0 | 5.5 | 4.0 | 999.9 | 101.0 | 102.7 | 101.0 | 999.9 |
| Zone 3 | | | | | | | | | |
| Regular Unleaded | 94.2 | 4.0 | 5.5 | 4.0 | 999.9 | 111.9 | 113.7 | 111.9 | 999.9 |
| Mid-Grade Unleaded | 97.2 | 4.0 | 5.5 | 4.0 | 999.9 | 115.4 | 117.1 | 115.4 | 999.9 |
| Premium Unleaded | 100.2 | 4.0 | 5.5 | 4.0 | 999.9 | 118.8 | 120.5 | 118.8 | 999.9 |
| Ultra Low-Sulfur Diesel | 85.1 | 4.0 | 5.5 | 4.0 | 999.9 | 101.6 | 103.3 | 101.6 | 999.9 |
| Zone 4 | | | | | | | | | |
| Regular Unleaded | 94.2 | 4.0 | 5.5 | 4.0 | 999.9 | 111.9 | 113.7 | 111.9 | 999.9 |
| Mid-Grade Unleaded | 97.2 | 4.0 | 5.5 | 4.0 | 999.9 | 115.4 | 117.1 | 115.4 | 999.9 |
| Premium Unleaded | 100.2 | 4.0 | 5.5 | 4.0 | 999.9 | 118.8 | 120.5 | 118.8 | 999.9 |
| Ultra Low-Sulfur Diesel | 85.1 | 4.0 | 5.5 | 4.0 | 999.9 | 101.6 | 103.3 | 101.6 | 999.9 |
| Zone 5 | | | | | | | | | |
| Regular Unleaded | 94.2 | 4.0 | 5.5 | 4.0 | 999.9 | 111.9 | 113.7 | 111.9 | 999.9 |
| Mid-Grade Unleaded | 97.2 | 4.0 | 5.5 | 4.0 | 999.9 | 115.4 | 117.1 | 115.4 | 999.9 |
| Premium Unleaded | 100.2 | 4.0 | 5.5 | 4.0 | 999.9 | 118.8 | 120.5 | 118.8 | 999.9 |
| Ultra Low-Sulfur Diesel | 85.1 | 4.0 | 5.5 | 4.0 | 999.9 | 101.6 | 103.3 | 101.6 | 999.9 |
| Zone 6 | | | | | | | | | |
| Regular Unleaded | 95.0 | 4.0 | 5.5 | 4.0 | 999.9 | 112.9 | 114.6 | 112.9 | 999.9 |
| Mid-Grade Unleaded | 98.0 | 4.0 | 5.5 | 4.0 | 999.9 | 116.3 | 118.0 | 116.3 | 999.9 |
| Premium Unleaded | 101.0 | 4.0 | 5.5 | 4.0 | 999.9 | 119.7 | 121.4 | 119.7 | 999.9 |
| Ultra Low-Sulfur Diesel | 85.9 | 4.0 | 5.5 | 4.0 | 999.9 | 102.5 | 104.2 | 102.5 | 999.9 |

N.S. Reg. 347/2007

Made: July 12, 2007

Approved: July 20, 2007

Filed: July 20, 2007

Weights and Dimensions of Vehicles Regulations

Order in Council 2007-406 dated July 20, 2007
Amendment to regulations made by the Acting Minister of Transportation and Public Works
and approved by the Governor in Council
pursuant to subsection 191(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Acting Minister of Transportation and Public Works dated July 12, 2007, and pursuant to subsection 191(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve of amendments to the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, to extend the period for which certain weight tolerances are allowed and to clarify certain weight limitations in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 20, 2007.

Schedule "A"

**In the Matter of subsection 191(1) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

- and -

**In the Matter of the *Weights and Dimensions of Vehicles Regulations*
made by the Acting Minister of Transportation and Public Works
pursuant to subsection 191(1) of the *Motor Vehicle Act***

Order

I, Angus MacIsaac, Minister of Transportation and Public Works for the Province of Nova Scotia, pursuant to subsection 191(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, to extend the period for which certain weight tolerances are allowed and to clarify certain weight limitations in the manner set out in the attached, effective on and after the date this Order is published in the Royal Gazette Part II after its approval by the Governor in Council.

Dated and made at Halifax Regional Municipality, Nova Scotia, July 12, 2007.

Sgd.: *Ronald Chisholm*

Honourable ~~Angus MacIsaac~~ Ronald Chisholm

A/Minister of Transportation and Public Works

**Amendment to the *Weights and Dimensions of Vehicles Regulations*
made by the [Acting] Minister of Transportation and Public Works
pursuant to subsection 191(1) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

- 1 Clause 5(1)(c) of the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, is repealed and the following clause substituted:

- (c) an axle weight in excess of the lesser of
- (i) the sum of the tire load ratings of all tires installed on the wheels of any axle,
 - (ii) the sum of 10 kg per mm of tire width of all tires installed on the wheel of an axle for tires in excess of 150 mm in width, and
 - (iii) the following weights, as applicable:
 - (A) 9100 kg, in the case of an axle equipped with 4 tires,
 - (B) 9100 kg, in the case of an axle equipped with 2 tires that is a steering axle,
 - (C) 6000 kg, in the case of an axle equipped with 2 tires, other than a steering axle,
 - (D) 7700 kg, in the case of an axle equipped with 2 tires, other than a steering axle, that has tire widths of 445 mm or greater and is installed on a vehicle that is operated on a Maximum Weight Road listed in Schedule "C";

2 Section B of Part 1 of Schedule A to the regulations is amended by

- (a) adding “/Maximum 2.6 m⁵” after “Minimum 2.5 m” in the right-hand column of the row beginning “Semi-trailer, Full Trailer and Pony Trailer” under the heading “Track Width”;
- (b) adding the following footnote immediately after footnote 4:

⁵ For a semi-trailer, a full trailer and a pony trailer retrofitted with single tires equal to or greater than 445 mm in width, the minimum track width is 2.3 m.

3 Section C of Part 1 of Schedule A to the Regulations is repealed and the following Section substituted:

C. Axle Weight Limits

| Axle Type | Application | Spread Range | Weight Limit |
|---|-------------------|---------------------|------------------------|
| Maximum Axle Weights for Maximum Weight Roads | | | |
| Single Steering | Straight Truck | N/A | 8000 kg ¹ |
| | Intercity Bus | N/A | 7250 kg ¹ |
| | Tractor | N/A | 5500 kg ^{1,7} |
| Tandem Steering² | Straight Truck | 1.2 m to 1.85 m | 16 000 kg |
| Tandem (single tires <445 mm) (including tandem equivalent axle) | Straight Truck, | less than 1.2 m | 9100 kg |
| | Tractor, Trailer, | 1.2 m to 1.85 m | 12 000 kg ⁸ |
| | and Semi-trailer | greater than 1.85 m | 9100 kg ⁸ |
| Tandem (single tires = or >445 mm) (including tandem equivalent axle) | Straight Truck, | less than 1.2 m | 9100 kg |
| | Tractor, Trailer, | 1.2 m to 1.85 m | 15 400 kg |
| | and Semi-trailer | greater than 1.85 m | 9100 kg ¹⁰ |
| Tandem (single tires < 445 mm and dual tires) (including tandem equivalent axle) | Straight Truck, | less than 1.2 m | 9100 kg |
| | Tractor, Trailer, | 1.2 m to 1.85 m | 15 000 kg ⁹ |
| | and Semi-trailer | greater than 1.85 m | 9100 kg ⁹ |

| | | | |
|---|--|---|--|
| Tandem (single tires = or >445 mm and dual tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 16 700 kg 9100 kg ¹⁸ |
| Tandem (dual tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 18 000 kg 9100 kg ³ |
| Tridem (single tires < 445 mm) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 12 000 kg 18 000 kg 18 000 kg 18 000 kg 12 000 kg ¹¹ |
| Tridem (single tires = or >445 mm) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 15 400 kg 21 000 kg 23 100 kg 23 100 kg 15 400 kg ¹⁴ |
| Tridem (lead axle with single tires < 445 mm and 2 axles with duals) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 20 000 kg 22 000 kg 23 324 kg 18 000 kg ¹⁵ |
| Tridem (lead axle with single tires = or > 445 mm and 2 axles with duals) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 21 000 kg 23 700 kg 25 034 kg 18 000 kg ¹⁷ |
| Tridem (dual tires) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 21 000 kg 24 000 kg 26 000 kg 18 000 kg ⁶ |
| Triaxle (single tires < 445 mm) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 12 000 kg ¹¹ 12 000 kg ¹¹ 12 000 kg ¹¹ |
| Triaxle (single tires = or > 445 mm) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 15 400 kg ⁴ 15 400 kg ¹⁴ 15 400 kg ¹⁴ |
| Triaxle (lead axle with single tires < 445 mm and 2 axles with duals) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 18 000 kg ¹² 18 000 kg ¹³ 18 000 kg ¹⁵ |
| Triaxle (lead axle with single tires = or > 445 mm and 2 axles with duals) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 18 000 kg ⁴ 18 000 kg ¹⁶ 18 000 kg ¹⁷ |

| | | | |
|--|--|---|--|
| Triaxle (dual tires) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 18 000 kg ⁴ 18 000 kg ⁵ 18 000 kg ⁶ |
| Maximum Axle Weights for B-train Routes | | | |
| Single Steering | Straight Truck Intercity Bus Tractor | N/A N/A N/A | 8000 kg ¹ 7250 kg ^{1,7} 5500 kg ^{1,7} |
| Tandem Steering ² | Straight Truck | 1.2 m to 1.85 m | 16 000 kg |
| Tandem (single tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 12 000 kg 9100 kg ⁸ |
| Tandem (single tires and dual tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 15 000 kg 9100 kg ⁹ |
| Tandem (dual tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 18 000 kg 9100 kg ³ |
| Tridem (single tires) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 12 000 kg 18 000 kg 18 000 kg 18 000 kg 12 000 kg ¹¹ |
| Tridem (lead axle with single tires and 2 axles with duals) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 20 000 kg 22 000 kg 22 000 kg 18 000 kg ¹³ |
| Tridem (dual tires) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 21 000 kg 24 000 kg 24 000 kg 18 000 kg ⁵ |
| Triaxle (single tires) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 12 000 kg ¹¹ 12 000 kg ¹¹ 12 000 kg ¹¹ |
| Triaxle (lead axle with single tires and 2 axles with duals) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg ¹² 18 000 kg ¹³ 18 000 kg ¹⁵ 18 000 kg ¹⁵ |
| Maximum Axle Weights for All Other Highways | | | |
| Single Steering | Straight Truck Intercity Bus Tractor | N/A N/A N/A | 8000 kg ¹ 7250 kg ^{1,7} 5500 kg ^{1,7} |
| Tandem Steering ² | Straight Truck | 1.2 m to 1.85 m | 16 000 kg |

| | | | |
|---|--|---|---|
| Tandem (single tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 12 000 kg ⁸ 9100 kg ⁸ |
| Tandem (single tires and dual tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 15 000 kg ⁹ 9100 kg ⁹ |
| Tandem (dual tires) (including tandem equivalent axle) | Straight Truck, Tractor, Trailer, and Semi-trailer | less than 1.2 m 1.2 m to 1.85 m greater than 1.85 m | 9100 kg 18 000 kg ³ 9100 kg ³ |
| Tridem (single tires) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 12 000 kg 12 000 kg 12 000 kg 12 000 kg 12 000 kg |
| Tridem (lead axle with single tires and 2 axles with duals) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 18 000 kg 18 000 kg 18 000 kg 18 000 kg |
| Tridem (dual tires) (including tridem equivalent axle) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 3.7 m greater than 3.7 m | 18 000 kg 18 000 kg 18 000 kg 18 000 kg 18 000 kg |
| Triaxle (single tires) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 12 000 kg 12 000 kg 12 000 kg |
| Triaxle (lead axle with single tires and 2 axles with duals) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 9100 kg 18 000 kg 18 000 kg 18 000 kg |
| Triaxle (dual tires) | Semi-trailer | less than 2.4 m 2.4 m to less than 3.0 m 3.0 m to less than 3.6 m 3.6 m to 4.9 m | 18 000 kg 18 000 kg 18 000 kg 18 000 kg |

- 1 Steering axle loads can be as high as 9100 kg for a vehicle or combination of vehicles if the load carrying capacity of the axles, tires, and all other components is not exceeded, and the tire loading does not exceed 10 kg/mm of tire width; however, no increase in the specified maximum gross vehicle weight limit for the configuration will be permitted with higher steering axle loads.
- 2 Both axles in a tandem steering axle must be actively controlled by the driver; passive or self-steering axles are not permitted.
- 3 Until December 31, 2009, this weight limit is increased to 18 000 kg.
- 4 Until December 31, 2009, this weight limit is increased to 21 000 kg for a semi-trailer model year 2002 and earlier.
- 5 Until December 31, 2009, this weight limit is increased to 24 000 kg for a semi-trailer model year 2002 and earlier.
- 6 Until December 31, 2009, this weight limit is increased to 26 000 kg for a semi-trailer model year 2002 and earlier.
- 7 Until December 31, 2007, this weight limit is increased to 8000 kg for a tractor model year 2002 and earlier.
- 8 Until December 31, 2009, this weight limit is increased to 12 000 kg.
- 9 Until December 31, 2009, this weight limit is increased to 15 000 kg.
- 10 Until December 31, 2009, this weight limit is increased to 15 400 kg.
- 11 Until December 31, 2009, this weight limit is increased to 18 000 kg for a semi-trailer model year 2002 and earlier.
- 12 Until December 31, 2009, this weight limit is increased to 20 000 kg for a semi-trailer model year 2002 and earlier.

- 13 Until December 31, 2009, this weight limit is increased to 22 000 kg for a semi-trailer model year 2002 and earlier.
- 14 Until December 31, 2009, this weight limit is increased to 23 100 kg for a semi-trailer model year 2002 and earlier.
- 15 Until December 31, 2009, this weight limit is increased to 23 324 kg for a semi-trailer model year 2002 and earlier.
- 16 Until December 31, 2009, this weight limit is increased to 23 700 kg for a semi-trailer model year 2002 and earlier.
- 17 Until December 31, 2009, this weight limit is increased to 25 034 kg for a semi-trailer model year 2002 and earlier.
- 18 Until December 31, 2009, this weight limit is increased to 16 700 kg.

- 4 Part 2 of Schedule A to the regulations is amended by adding the following note immediately before the table setting out weight limits in Section 2 of each of Categories 1 to 9, inclusive:

The maximum axle weight limits and maximum gross vehicle weight limits set out in this Section are for axles equipped with dual tires, except for steering axles. The maximum gross vehicle weight limit for a vehicle or combination of vehicles composed of axles equipped with single tires or a combination of single tires and dual tires is the sum of the maximum axle weight limits in Section C—Axle Weight Limits of Part 1—Vehicle Weight and Dimension Limits for the particular axles equipped with single tires or a combination of single tires and dual tires for a specified class of highway. The maximum gross vehicle weight limit of a vehicle or combination of vehicles equipped with single tires or a combination of single and dual tires must not exceed the maximum gross vehicle weight limit of a similar vehicle or combination of vehicles equipped, except for the steering axle, with dual tires for a specified class of highway.

- 5 Schedule B to the regulations is amended by

- (a) repealing items 11, 12, 13, 14 and 15, and adding the following items immediately after item 114 in the list of roads for Colchester County:

115. **Trunk 2**, from Great Village/Lorneville Road westerly, 6.0 km.

116. **Alton Road**, from Wittenburg Road northerly to Trunk 2, 8.7 km.

117. **Cloverdale Road**, from Alton Road northeasterly to North Access Road, 6.8 km.

118. **Harmony Road**, from Laurie Rath Road northerly to Harmony Ridge Road, 2.6 km.

119. **Harmony Ridge Road**, from Harmony Road easterly to Fraser Road, 2.2 km.

120. **Otterbrook Branch Road**, from Otterbrook Road to Pembrook Road, 8.1 km.

121. **Upper River John Road**, from Colchester-Pictou County line westerly to Route 326, 1.9 km.

122. **Wittenburg Road**, from Coldstream Road easterly to North Access Road, 4.4 km.

- (b) adding the following items immediately after item 99 in the list of roads for Cumberland County:

100. **Fage Road**, from Hastings Road to end, 0.8 km.

101. **Hastings Road**, from Hastings Branch Road to Fage Road, 1.7 km.

102. **Lower Maccan Road**, from East Access Road southerly to Route 242, 2.2 km.

103. **Mount Pleasant Road**, from Mansfield Road northerly to Northeast Access Road.

- (c) repealing items 6 and 26 in the list of roads for Digby County and substituting the following item:

6. **Morganville Road**, from Sissiboo Road at Bear River southeasterly to J. D. Irving Limited Forestry Road, 8.8 km.

- (d) adding the following items immediately after item 67 in the list of roads for Pictou County:
68. **Joudrey Road**, from Louisville Road northerly, 0.9 km.
69. **Louisville Road**, from Joudrey Road westerly to Pictou-Colchester County line, 0.7 km.
- (e) repealing items 4 and 5 in the list of roads for Yarmouth County and substituting the following item:
4. **Hardscratch Road**, from Highway 103 to Route 340, 10.0 km.
- 6 (1) Section 1 of Schedule C to the regulations is amended by
- (a) striking out “and” at the end of clause (bx);
- (b) striking out the period at the end of clause (by) and substituting “; and”; and
- (c) adding the following clause immediately after clause (by):
- (bz) **Brooklyn Street**, from Kentville Town Line westerly to entrance to Fundy Xpress Transport, Civic No. 8487, 0.9 km.
- (2) Section 3 of Schedule C to the regulations is amended by
- (a) striking out “**Trunk 3**, from Highway 103 at Barrington to Oak Park Road at Barrington Head, **Oak Park Road**, from Trunk 3 to Highway 103, and including:”;
- (b) striking out “and” at the end of clause (ae);
- (c) striking out the period at the end of clause (af) and substituting “; and”; and
- (d) adding the following clauses immediately after clause (af):
- (ag) **Trunk 3**, from Highway 103 at Barrington to Oak Park Road at Barrington Head; and
- (ah) **Oak Park Road**, from Trunk 3 to Highway 103.
- (3) Section 4 of Schedule C to the regulations is amended by
- (a) repealing clause (u) and substituting the following clause:
- (u) **Trunk 4**, from Highway 104 Exit 19 at Salt Springs westerly to Highway 104 Exit 18A at Mount Thom;
- (b) striking out “and” at the end of clause (az);
- (c) striking out the period at the end of clause (ba) and substituting “; and”; and
- (d) adding the following clauses immediately after clause (ba):
- (bb) **McLellan Mountain-Glencoe Road**, from Glen Road southerly to Webster Road at Kirkmount; and

- (bc) **Webster Road**, from McLellan Mountain-Glencoe Road westerly to Blaine MacLean Pit/Quarry, 0.3 km.
- (4) Section 6 of Schedule C to the regulations is amended by repealing clause (a) and substituting the following clause:
- (a) **Trunk 30 (Cabot Trail)**, from Highway 105 Exit 7 at Nyanza to Highland Road at Hunters' Mountain;
- (5) Section 8 of Schedule C to the regulations is amended by repealing clause (g) and substituting the following clause:
- (g) **Trunk 7**, from end of Highway 107 at Musquodoboit Harbour easterly to Dufferin Mines Road at Port Dufferin, 89.4 km.
-

N.S. Reg. 348/2007

Made: July 20, 2007

Filed: July 20, 2007

Tobacco Access Regulations

Order in Council 2007-409 dated July 20, 2007
Amendment to Order in Council 2007-300 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 Promotion and Protection dated July 18, 2007, and pursuant to Section 13 of Chapter 14 of the Acts of 1993, the *Tobacco Access Act*, is pleased to amend Order in Council 2007-300 made by the Governor in Council on May 25, 2007, respecting amendments to the regulations respecting tobacco access, to correct certain errata in Schedule "A" to the Order in Council by

- (a) renumbering subclauses (a) and (b) in the definition of "tobacconist" added by clause 1(c) of Schedule "A" as subclauses (i) and (ii), respectively;
- (b) correcting the numbering of the amending provisions in Schedule "A" by
- (i) renumbering the second Section 3 as Section 4, and
- (ii) renumbering Sections 4 and 5 as Sections 5 and 6, respectively; and
- (c) striking out "repealing subsection (1) and substituting the following subsection:" in clause 4(1)(b) of Schedule "A" and substituting "striking out the portion of subsection (1) immediately before clause (a) and substituting the following:".

N.S. Reg. 349/2007 to 350/2007

Made: July 20, 2007

Filed: July 20, 2007

Provincial Housing Emergency Repair Program Regulations
and Senior Citizens Assistance Program RegulationsOrder in Council 2007-414 dated July 20, 2007
Amendment to regulations made by the Governor in Council
pursuant to Section 26 of the *Housing Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated June 28, 2007, and pursuant to Section 26 of Chapter 211 of the Revised Statutes of Nova Scotia, 1989, the *Housing Act*, is pleased, effective July 20, 2007, to

- (a) amend the *Provincial Housing Emergency Repair Program Regulations*, N.S. Reg. 214/2005, made by the Governor in Council by Order in Council 2005-496 dated November 4, 2005, to change the household income limits, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) amend the *Senior Citizens Assistance Program Regulations*, N.S. Reg. 215/2005, made by the Governor in Council by Order in Council 2005-496 dated November 4, 2005, to change the household income limits, in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation.

N.S. Reg. 349/2007

Provincial Housing Emergency Repair Program Regulations

Schedule "A"

**Amendment to the *Provincial Housing Emergency Repair Program Regulations*
made by the Governor in Council pursuant to Section 26 of Chapter 211
of the Revised Statutes of Nova Scotia, 1989, the *Housing Act***

The *Provincial Housing Emergency Repair Program Regulations*, N.S. Reg. 214/2005, made by the Governor in Council by Order in Council 2005-496 dated November 4, 2005, are amended by repealing clause 5(c) and substituting the following clause:

- (c) have a total household income that is equal to or less than the applicable household income limit set out in the following table:

| Location | 1 bedroom | 2 bedroom | 3 + bedrooms |
|------------------|-----------|-----------|--------------|
| Halifax (CMA) | \$25 000 | \$30 000 | \$39 000 |
| Small Towns | \$19 500 | \$24 500 | \$26 000 |
| Rest of Province | \$20 500 | \$25 000 | \$32 000 |

N.S. Reg. 350/2007

Senior Citizens Assistance Program Regulations

Schedule "B"

**Amendment to the *Senior Citizens Assistance Program Regulations*
made by the Governor in Council pursuant to Section 26 of Chapter 211
of the Revised Statutes of Nova Scotia, 1989, the *Housing Act***

The *Senior Citizens Assistance Program Regulations*, N.S. Reg. 215/2005, made by the Governor in Council by Order in Council 2005-496 dated November 4, 2005, are amended by repealing clause 5(d) and substituting the following clause:

- (d) have a total household income that is equal to or less than the applicable household income limit set out in the following table:

| Location | 1 bedroom | 2 bedroom | 3 + bedrooms |
|------------------|-----------|-----------|--------------|
| Halifax (CMA) | \$25 000 | \$30 000 | \$39 000 |
| Small Towns | \$22 000 | \$24 500 | \$26 000 |
| Rest of Province | \$22 000 | \$25 000 | \$32 000 |

N.S. Reg. 351/2007

Made: July 20, 2007

Filed: July 20, 2007

Round Table Regulations

Order in Council 2007-416 dated July 20, 2007
Repeal of regulations made by the Governor in Council
pursuant to Section 25 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated July 8, 2007, and pursuant to Section 25 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to repeal the *Round Table Regulations*, N.S. Reg 81/95, made by the Governor in Council by Order in Council 95-429 dated May 30, 1995, effective on and after July 20, 2007.

N.S. Reg. 352/2007

Made: July 20, 2007

Filed: July 20, 2007

Activities Designation Regulations

Order in Council 2007-417 dated July 20, 2007
Amendment to regulations made by the Governor in Council
pursuant to Section 66 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated July 8, 2007, and pursuant to Section 66 of Chapter 1 of the Acts of 1994-1995, the *Environment Act*, is pleased to amend the *Activities Designation Regulations*, N.S. Reg. 47/95, made by the Governor in Council by Order in Council 95-286 dated April 11, 1995, to clarify which activities require an approval under Part V of the *Environment Act*, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 20, 2007.

Schedule "A"

**Amendment to the *Activities Designation Regulations*
made by the Governor in Council under Section 66 of Chapter 1
of the Acts of 1994-95, the *Environment Act***

- 1 Subsection 5(1) of the *Activities Designation Regulations*, N.S. Reg 47/95, made by the Governor in Council by Order in Council 95-286 dated April 11, 1995, is amended by
 - (a) striking out "or" at the end of clause (n);
 - (b) adding the following clause immediately after clause (n):
 - (na) the alteration of a wetland; or
- 2 Subsection 17(1) of the regulations is amended by adding the following clauses immediately after clause (d):
 - (e) "liquified natural gas" means a fluid in a liquid state that is composed predominately of methane and that may contain quantities of ethane, propane, nitrogen or other components found in natural gas;
 - (f) "liquified natural gas plant" means a plant used to store liquified natural gas and includes a plant that conditions, liquefies, transfers or vaporizes liquified natural gas.
- 3 Subsection 17(2) of the regulations is amended by
 - (a) striking out "or" at the end of clause (h);
 - (b) striking out the comma at the end of clause (i) and substituting a semi-colon; and
 - (c) adding the following clauses immediately after clause (i):
 - (j) a petroleum or natural gas exploration or recovery operation where it is necessary to inject water, brine or chemical agents in order to produce or enhance the recovery of petroleum or natural gas;

- (k) a petroleum or natural gas operation utilizing deep well injection for disposal of liquid production wastes;
- (l) a liquified natural gas plant,

4 The regulations are further amended by adding the following Section immediately after Section 28:

28A Reclaiming, remediating, managing, monitoring or disposing of contaminated material generated from an industrial steel or coke production facility is designated as an activity.

N.S. Reg. 353/2007

Made: July 17, 2007

Filed: July 24, 2007

Pork Nova Scotia Regulations

Order dated July 17, 2007
made by the Natural Products Marketing Council
pursuant to Sections 9 and 11 of the *Natural Products Act*

I certify that the Natural Products Marketing Council, at its meeting on July 17, 2007 carried a motion pursuant to s. 24(1) of the *Pork Marketing Plan* to

approve amendments to the *Pork Nova Scotia Regulations*, N.S. Reg. 57/2006 as made by Pork Nova Scotia on January 25, 2007 in the manner attached as Schedule "A", with such changes as do not materially alter the substance of the amendment.

The amendment is effective on and after July 17, 2007.

Signed at Truro, in the County of Colchester, Nova Scotia on July 18, 2007 .

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

Schedule "A"

**Amendment to the *Pork Nova Scotia Regulations*
made by Pork Nova Scotia under authority delegated
by Section 22 of the *Pork Marketing Plan*
pursuant to Sections 9 and 11 of
Chapter 308 of the Acts of 1989, the *Natural Products Act***

Section 18 of the regulations is repealed and the following section substituted:

- 18 (1)** A producer must pay the Commodity Board a levy of \$0.60 for every hog that the producer owns in the regulated area.
- (2)** A producer must pay the Commodity Board a levy for each hog that the producer markets in the regulated area, in accordance with the class of the hog and as set out in the following table:

| Class of Hog | Maximum Levy per Hog |
|---------------|----------------------|
| weanling | \$0.60 |
| sow | \$1.83 |
| stag and boar | \$1.83 |
| market hog | \$1.83 |

- (3) A producer who pays a levy under subsection (2) is exempt from the levy under subsection (1).

N.S. Reg. 354/2007

Made: July 17, 2007

Filed: July 24, 2007

Chicken Farmers of Nova Scotia Regulations

Order dated July 17, 2007
made by the Natural Products Marketing Council
pursuant to Sections 9 and 11 of the *Natural Products Act*

I certify that the Natural Products Marketing Council, at its meeting on July 17, 2007 carried a motion pursuant to s. 7(1) of the Chicken Marketing Plan to

approve amendments to the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 11/2005 as made by Chicken Farmers of Nova Scotia on February 6, 2007 in the manner attached as Schedule "A".

The amendment is effective on and after July 17, 2007.

Signed at Truro, in the County of Colchester, Nova Scotia on July 17, 2007.

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

[Schedule "A"]
[Amendment to the] Chicken Farmers of Nova Scotia [Regulations]
made under Sections 9 and 11 of the
Natural Products Marketing Act
R.S.N.S. 1989, c. 308 N.S. Reg. 11/2005 (December 8, 2004)

- 1 Section 15 of the *Chicken Farmers of Nova Scotia Regulations* is amended by
- (a) adding a comma “,” after producer licence, and striking out “or”, and then adding a “,” after the words special licence, and adding “, or a vendor licence” at the end of the sentence.

N.S. Reg. 355/2007

Made: June 29, 2007

Approved: July 17, 2007

Filed: July 24, 2007

Bulk Haulage Regulations

Order dated July 17, 2007
made by the Dairy Farmers of Nova Scotia and
approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on June 29, 2007, amended the *Bulk Haulage Regulations* [, N.S. Reg. 23/2003,] in the manner [form] attached to this certificate as Schedule "A", effective on and after August 1, 2007.

Dated and signed at Truro, Nova Scotia July 18, 2007.

Sgd.: *Esben Arnfast*
Esben Arnfast
Finance and Systems Administrator
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, July 17, 2007.

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

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

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

- (a) striking out "\$2.14" directly opposite "Bedford Transport Limited" and substituting "\$2.278";
- (b) striking out "\$3.00" directly opposite "Scotsburn Co-operative Services Limited" and substituting "\$3.058";
- (c) striking out "\$1.74" directly opposite "Fisher Transport Limited" and substituting "\$1.703";
- (d) striking out "\$2.54" directly opposite "Winterthur Farm - Rudolph Burghardt" and substituting "\$2.617";
- (e) striking out "1.78" directly opposite "Cook's Dairy Farm Limited" and substituting "\$1.835".