

Royal



Gazette

Part II Regulations under the Regulations Act

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

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

N.S. Reg. 322/2011

Made: December 20, 2011

Filed: December 21, 2011

Proclamation, S. 37, S.N.S. 2010, c. 42

Order in Council 2011-426 dated December 20, 2011

Proclamation made by the Governor in Council

pursuant to Section 37 of the

Public Interest Disclosure of Wrongdoing Act

The Governor in Council on the report and recommendation of the Minister of the Public Service Commission dated November 17, 2011, and pursuant to Section 37 of Chapter 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, is pleased to order and declare by proclamation that Chapter 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, do come into force on and not before December 20, 2011.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. 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 37 of Chapter 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, it is enacted as follows:

37 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 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, do come into force on and not before December 20, 2011;

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 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, do come into force on and not before December 20, 2011, 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 20th day of December in the year of Our Lord two thousand and eleven and in the sixtieth year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 323/2011

Made: November 29, 2011

Approved: December 20, 2011

Filed: December 21, 2011

Public Interest Disclosure of Wrongdoing Regulations

Order in Council 2011-427 dated December 20, 2011
Regulations made by the Minister of the Public Service Commission
and approved by the Governor in Council
pursuant to Section 36 of the *Public Interest Disclosure of Wrongdoing Act*

The Governor in Council on the report and recommendation of the Minister of the Public Service Commission dated November 29, 2011, is pleased, effective on and after December 20, 2011, to approve:

- (a) pursuant to Section 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, the repeal by the Public Service Commission of the *Civil Service Disclosure of Wrongdoing Regulations*, N.S. Reg. 205/2004, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2004-374 dated September 16, 2004; and
- (b) pursuant to Section 36 of Chapter 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, new regulations respecting public interest disclosure of wrongdoing made by the Minister of the Public Service Commission,

in the form set forth in Schedule "A", attached to and forming part of the report and recommendation.

Schedule "A"

The Public Service Commission, pursuant to Section 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, hereby repeals the *Civil Service Disclosure of Wrongdoing Regulations*, N.S. Reg. 205/2004, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2004-374 dated September 16, 2004.

I, Frank Corbett, Minister of the Public Service Commission for the Province of Nova Scotia, pursuant to Section 36 of Chapter 42 of the Acts of 2010, the *Public Interest Disclosure of Wrongdoing Act*, hereby make new regulations respecting public interest disclosures of wrongdoing in the form set forth in the attached.

Dated and made at Halifax, Nova Scotia, Nov 29, 2011.

Sgd.: *Frank Corbett*
Honourable Frank Corbett
Minister of the Public Service Commission

**Regulations Respecting Public Interest Disclosure of Wrongdoing
made under Section 36 of Chapter 42 of the Acts of 2010,
the *Public Interest Disclosure of Wrongdoing Act***

Citation

1 These regulations may be cited as the *Public Interest Disclosure of Wrongdoing Regulations*.

Definitions for Act and regulations

2 (1) In these regulations, “Act” means the *Public Interest Disclosure of Wrongdoing Act*.

(2) In the Act and these regulations,

“gross mismanagement” means an act or omission that is

(i) deliberate, and

(ii) shows a reckless or wilful disregard for the efficient management of significant government resources;

“senior official” means an employee who is employed at or above the classification level of director or its equivalent.

Prescribed medical officer

3 The Office of the Chief Medical Officer of Health is prescribed as the medical officer for the purpose of clause 8(1)(a) of the Act.

Supervisor to forward disclosure to designated officer

4 A supervisor who receives a disclosure under clause 6(a) of the Act must forward the disclosure immediately to the designated officer for the supervisor’s government body.

Assessment of disclosure by designated officer

5 (1) No later than the 20th working day after a disclosure is received, a designated officer who receives a disclosure from an employee under clause 6(b) of the Act or from a supervisor under Section 4 must assess the disclosure and take the appropriate required action in accordance with this Section.

(2) A designated officer must first determine whether a disclosure pertains to the government body of the employee who made the disclosure, and if the designated officer determines that the disclosure relates to another government body, the designated officer must refer the matter to the designated officer of the government body.

(3) A designated officer must determine whether responding to a disclosure would create a conflict of interest for the designated officer or their deputy head, and if the designated officer determines that a conflict of interest exists, the designated officer must refer the disclosure to the Ombudsman.

(4) If a designated officer does not refer a disclosure to another government body or the Ombudsman under subsections (2) or (3), then the designated officer must assess the disclosure to determine whether both of the following apply:

(a) the matter disclosed meets the definition of wrongdoing;

(b) the disclosure was made in good faith.

Investigation of disclosure by designated officer

- 6 (1) If a designated officer determines that clauses 5(4)(a) and (b) apply to a disclosure, the designated officer must proceed with an investigation into the disclosure.
- (2) A designated officer must manage an investigation using any resources that are required based on the nature of the disclosure.
- (3) A designated officer who is not a deputy head must inform their deputy head that an investigation is to take place.
- (4) An investigation must be completed no later than the 60th working day after the investigation began, unless both the employee who made the disclosure and the designated officer agree to extend the deadline.

Report on investigation by designated officer

- 7 (1) No later than the 30th working day after the date an investigation is completed, the designated officer or, if the investigator is someone other than the designated officer, the investigator, must
- (a) prepare a report of the investigation; and
- (b) if the investigator is not a deputy head, send the report to the deputy head of the government body that the disclosure pertains to.
- (2) If an investigation into a disclosure results in a finding of wrongdoing, the report prepared under subsection (1) must include 1 of the following:
- (a) recommendations for corrective actions to be taken in relation to the wrongdoing;
- (b) reasons why no corrective actions are required.
- (3) If recommendations for corrective actions are given under clause (2)(a), the designated officer may request that their deputy head notify them of any steps taken in response to the recommendations.

Information to be provided to employee and alleged wrongdoer

- 8 A designated officer must provide all of the following information related to the outcome of an investigation as follows:
- (a) any information respecting the report that the designated officer considers appropriate, to the disclosing employee;
- (b) the outcome of the investigation, to any alleged wrongdoer named in the disclosure.

Ombudsman's notice of investigation of disclosure made by employee

- 9 The Ombudsman must notify all of the following in writing before conducting an investigation of a disclosure under the Act:
- (a) the deputy head of the government body that the disclosure pertains to;
- (b) if the alleged wrongdoer is a deputy head, the deputy minister to the Premier;
- (c) the employee who made the disclosure;
- (d) the alleged wrongdoer.

Statement of outcome from Ombudsman

10 For the purposes of subsection 26(3) of the Act, a statement of the outcome of the investigation provided to an employee must include a summary of investigative findings and any recommended corrective actions to be taken.

Identities kept confidential

11 Except as is required to administer the Act and these regulations, a person must not reveal information related to any of the following:

- (a) the identity of a person making a disclosure;
- (b) the identity of a person alleged to have committed a wrongdoing;
- (c) the identity of a person who provides information related to a disclosure.

N.S. Reg. 324/2011

Made: December 20, 2011

Filed: December 21, 2011

Low Income Pharmacare for Children Regulations

Order in Council 2011-428 dated December 20, 2011

Regulations made by the Governor in Council

pursuant to subsections 6(2), 7(1) and 31(1) of the *Fair Drug Pricing Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness and the Minister of Community Services dated October 26, 2011, is pleased, effective on and after December 20, 2011,

- (a) pursuant to subsections 6(2), 7(1) and 31(1) of Chapter 7 of the Acts of 2011, the *Fair Drug Pricing Act*, to
 - (i) repeal the *Low Income Pharmacare for Children Regulations*, N.S. Reg. 174/2006, made by the Governor in Council by Order in Council 2006-387, dated August 31, 2006, and
 - (ii) make regulations respecting low income pharmacare for children in the form set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) pursuant to Section 4 of Chapter 376 of the Revised Statutes of Nova Scotia, 1989, the *Public Service Act*, to assign responsibility for the regulations respecting low income pharmacare for children to the Minister of Community Services.

Schedule "A"

**Regulations Respecting Low Income Pharmacare for Children
made under subsections 6(2), 7(1) and 31(1) of Chapter 7 of the Acts of 2011,
the *Fair Drug Pricing Act***

Citation

1 These regulations may be cited as the *Low Income Pharmacare for Children Regulations*.

Definitions

2 In these regulations

“Act” means the *Fair Drug Pricing Act*;

“eligible individual” means a person who is eligible for the Nova Scotia Child Benefit and has the same meaning as in clause 2(e) of the *Nova Scotia Child Benefit Regulations* made under the *Income Tax Act*;

“Nova Scotia Child Benefit” means the benefit provided for in the *Nova Scotia Child Benefit Regulations* made under the *Income Tax Act*;

“Program” means the Low Income Pharmacare for Children Program;

“qualified dependant” means a qualified dependant as defined in clause 2(h) of the *Nova Scotia Child Benefit Regulations* made under the *Income Tax Act*.

Program coverage

- 3 (1) An eligible individual is entitled to coverage under the Program for benefits for a qualified dependant in accordance with these regulations.
- (2) Coverage under the Program is insurance of last resort and no amount may be paid under these regulations for benefits supplied to any qualified dependant if
- (a) coverage in respect of the benefits has been paid under any contract or plan of insurance that applies to the qualified dependant; or
 - (b) coverage in respect of the benefits would be payable if claimed under any contract or plan of insurance that applies to the qualified dependant.

Authorization for release of information

- 4 (1) To verify information obtained from an individual for the administration and enforcement of the Program, a person applying for coverage under the Program or, when requested, a beneficiary, must provide authorization for the release of information about their eligibility for the Nova Scotia Child Benefit in a form acceptable to the administrator of the Program.
- (2) If a person refuses to provide the authorization required by subsection (1), the administrator of the Program must refuse their application for the Program or cancel their coverage under the Program.

Benefits purchased before date of coverage

- 5 A beneficiary must not be reimbursed for benefits they purchased for a qualified dependant before the date the coverage for the qualified dependant begins under the Program.

Copayments

- 6 A beneficiary must pay a copayment of \$5.00, or such other amount set by the Program, directly to the provider at the time of purchase.

N.S. Reg. 325/2011

Made: November 30, 2011

Approved: December 20, 2011

Filed: December 21, 2011

Acadian Flag Number Plates Regulations

Order in Council 2011-429 dated December 20, 2011
Regulations made by the Minister of Service Nova Scotia and Municipal Relations
and approved by the Governor in Council
pursuant to Section 38 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated November 30, 2011, and pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve regulations made by the Minister of Service Nova Scotia and Municipal Relations respecting Acadian flag number plates in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2012.

Schedule "A"

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

- and -

**In the Matter of Regulations Respecting Acadian Flag Number Plates
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 38 of the *Motor Vehicle Act***

Order

I, John MacDonell, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby make regulations respecting Acadian flag number plates in the form set forth in the attached, effective on and after the later of January 1, 2012, and the date this Order is approved by the Governor in Council.

Dated and made at Halifax, in the Halifax Regional Municipality, Nova Scotia, November 30th, 2011.

Sgd.: *John MacDonnell*
Honourable John MacDonell,
Minister of Service Nova Scotia Municipal Relations

**Regulations Respecting Acadian Flag Number Plates
made by the Minister of Service Nova Scotia and Municipal Relations
under Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

Citation

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

Definitions

2 In these regulations,

"Acadian flag number plate" means a special number plate as described in Section 3;

“Vive L’Acadie Community Fund” means the Vive L’Acadie Community Fund established as a special purpose fund under Section 10 of the *Finance Act*.

Description of plate

- 3 On application to the Registry of Motor Vehicles in the form approved by the Registrar, and subject to these regulations, a person may be issued a special number plate that
- (a) is 15.24 cm in width by 30.48 cm in length;
 - (b) shows an Acadian flag followed by blue letters and numerals on a silver white field; and
 - (c) bears the words “NOVA SCOTIA NOUVELLE ÉCOSSE” at the top, and is otherwise in general accordance with the number plate depicted in Schedule A.

Eligibility for initial Acadian flag number plate

- 4 A person who has made a contribution of \$50 to the Vive L’Acadie Community Fund is eligible to apply for an Acadian flag number plate.

Renewals

- 5 A person who has been issued an Acadian flag number plate may retain the Acadian flag number plate if an additional \$50 donation is made to the Vive L’Acadie Community Fund, a special purpose fund created under the *Finance Act*, on each renewal of the permit for the motor vehicle for which the plate is issued.

Vehicle weight restriction

- 6 An Acadian flag number plate may be issued only for a vehicle that is a passenger motor vehicle or a commercial motor vehicle and has a registered weight of 5000 kg or less.

Schedule A Depiction of Acadian Flag Number Plate



N.S. Reg. 326/2011 to 327/2011

Made: December 20, 2011

Filed: December 21, 2011

Automobile Insurance Contract Mandatory Conditions Regulations and
Automobile Insurance Prohibited Risk-Classification Factors Regulations

Order in Council 2011-432 dated December 20, 2011
Amendment to regulations made by the Governor in Council
pursuant to Section 159 of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Insurance Act* dated November 25, 2011, and pursuant to Section 159 of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased, effective on and after April 1, 2012, to

- (a) amend the *Automobile Insurance Contract Mandatory Conditions Regulations*, N.S. Reg. 181/2003, made by the Governor in Council by Order in Council 2003-456 dated October 31, 2003, to increase mandatory no-fault accident benefits available to individuals injured in automobile collisions, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) amend the *Automobile Insurance Prohibited Risk-Classification Factors Regulations*, N.S. Reg. 183/2003, made by the Governor in Council by Order in Council 2003-458 dated October 31, 2003, to prohibit insurers from including coverage inquiries or notifications of accidents for which claims are not made as risk-classification factors, and prohibit rate increases resulting from increases in mandatory no-fault accident benefits until at least April 1, 2013, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation.

N.S. Reg. 326/2011

Automobile Insurance Contract Mandatory Conditions Regulations

Schedule “A”

**Amendment to *Automobile Insurance Contract Mandatory Conditions Regulations*
made by the Governor in Council under Section 159 of Chapter 231
of the Revised Statutes of Nova Scotia, 1989,
the *Insurance Act***

- 1 The *Automobile Insurance Contract Mandatory Conditions Regulations*, N.S. Reg. 181/2003, made by the Governor in Council by Order in Council 2003-456 dated October 31, 2003, are amended by repealing Section 4.
- 2 Schedule 2 to the regulations is amended by repealing Subsection 1 - Medical, Rehabilitation and Funeral Expenses and substituting the following:

Subsection 1 - Medical, Rehabilitation and Funeral Expenses

This subsection applies to any accident claim with respect to an accident that occurs on or after April 1, 2012.

- 1 All reasonable expenses incurred within four years from the date of the accident as a result of such injury for necessary medical, surgical, dental, chiropractic, hospital, professional nursing and ambulance service and for any other service within the meaning of insured services under the *Health*

Services and Insurance Act and for such other services and supplies which are, in the opinion of the physician of the insured person's choice and that of the Insurer's medical advisor, essential for the treatment, occupational retraining or rehabilitation of said person, to the limit of \$50,000 per person.

- 2 Funeral expenses incurred up to the amount of \$2,500 in respect of the death of any one person.

The Insurer shall not be liable under this subsection for those portions of such expenses payable or recoverable under any medical, surgical, dental, or hospitalization plan or law or, except for similar insurance provided under another automobile insurance contract, under any other insurance contract or certificate issued to or for the benefit of, any insured person.

- 3 Schedule 2 to the regulations is further amended by repealing Subsection 2 - Death Benefits and Loss of Income Payments and substituting the following:

Subsection 2 - Death Benefits and Loss of Income Payments

This subsection applies to any accident claim with respect to an accident that occurs on or after April 1, 2012.

Part I - Death Benefits

- A. Subject to the provisions of this Part, for death that ensues within 180 days of the accident or within 104 weeks of the accident if there has been continuous disability during that period, a payment – based on the status at the date of the accident of the deceased in a household where a head of the household, spouse or common-law partner or dependants survive – of the following amounts:
- (a) head of the household – \$25,000;
 - (b) spouse of the head of the household – \$25,000; and
 - (c) dependant within the meaning of sub-subparagraph (ii) of subparagraph (b) of paragraph B – \$5,000.

In addition, with respect to death of the head of the household, where there are two or more survivors (spouse or common-law partner or dependants) the principal sum payable is increased \$1,000 for each survivor other than the first.

- B. For the purposes of this Part,
- (1) “spouse or common-law partner of the head of the household” means the spouse or common-law partner with the lesser income from employment in the twelve months preceding the date of the accident.
 - (2) “dependant” means,
 - (a) the spouse or common-law partner of the head of the household who resides with the head of the household;
 - (b) a person
 - (i) under the age of 18 years who resides with and is principally dependent upon the head of the household or the spouse or common-law partner of the head of the household for financial support,

- (ii) 18 years of age or over who, because of mental or physical infirmity, is principally dependent upon the head of the household or the spouse or common-law partner of the head of the household for financial support, or
 - (iii) 18 years of age or over who, because of full-time attendance at a school, college or university, is principally dependent upon the head of the household or the spouse or common-law partner of the head of the household for financial support, or
- (c) a parent or relative,
- (i) of the head of the household, or
 - (ii) of the spouse or common-law partner of the head of the household
- residing in the same dwelling premises and principally dependent upon the head of the household or the spouse or common-law partner of the head of the household for financial support.
- (3) The total amount payable shall be paid to a person who is the head of the household or the spouse or common-law partner of the head of the household, as the case may be, if that person survives the deceased by at least 30 days.
 - (4) The total amount payable with respect to death where no head of the household or spouse or common-law partner survives the deceased by at least 30 days shall be divided equally among the surviving dependants.
 - (5) No amount is payable on death, other than incurred funeral expenses, if no head of the household or dependant survives the deceased by at least 30 days.

Part II - Loss of Income

Subject to the provisions of this Part, a weekly payment for the loss of income from employment for the period during which the insured person suffers substantial inability to perform the essential duties of his occupation or employment, provided,

- (a) such person was employed at the date of the accident;
- (b) within 30 days from the date of the accident and as a result of the accident the insured person suffers substantial inability to perform the essential duties of his occupation or employment for a period of not less than seven days;
- (c) no payments shall be made for any period in excess of 104 weeks except that if, at the end of the 104 week period, it has been established that such injury continuously prevents such person from engaging in any occupation or employment for which he is reasonably suited by education, training or experience, the Insurer agrees to make such weekly payments for the duration of such inability to perform the essential duties.

Amount of Weekly Payment – The amount of a weekly payment shall be the lesser of,

- (a) \$250 per week; or

- (b) 80 per cent of the insured person's gross weekly income from employment, less any payments for loss of income from employment received by or available to such person under
 - (i) the laws of any jurisdiction,
 - (ii) wage or salary continuation plans available to the person by reason of his employment, and
 - (iii) subsection 2A;

but no deduction shall be made for any increase in such payment due to a cost of living adjustment subsequent to the insured person's substantial inability to perform the essential duties of his occupation or employment.

For the purpose of this Part,

- (1) there shall be deducted from an insured person's gross weekly income any payments received by or available to him from part-time or other employment or occupation subsequent to the date of the accident;
- (2) a principal unpaid housekeeper residing in the household not otherwise engaged in occupation or employment for wages or profit, if injured, shall be deemed disabled only if completely incapacitated and unable to perform any of his or her household duties and, while so incapacitated, shall receive a benefit at the rate of \$100 per week for not more than 52 weeks;
- (3) a person shall be deemed to be employed
 - (a) if actively engaged in an occupation or employment for wages or profit at the date of the accident; or
 - (b) if 18 years of age or over and under the age of 65 years, so engaged for any six months out of the preceding 12 months and in these circumstances shall be deemed to have suffered loss of income at a rate equal to that of his most recent employment earnings;
- (4) a person receiving a weekly payment who, within 30 days of resuming his occupation or employment is unable to continue such occupation or employment as a result of such injury, is not precluded from receiving further weekly payments;
- (5) where the payments for loss of income payable hereunder, together with payments for loss of income under another contract of insurance other than a contract of insurance relating to any wage or salary continuation plan available to an insured person by reason of his employment, exceed the actual loss of income of the insured person, the insurer is liable only for that proportion of the payments for loss of income stated in this policy that the actual loss of income of the person insured bears to the aggregate of the payments for loss of income payable under all such contracts.

4 Schedule 3 to the regulations is repealed.

N.S. Reg. 327/2011

Automobile Insurance Prohibited Risk-Classification Factors Regulations

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

1 Section 1 of the *Automobile Insurance Prohibited Risk-Classification Factors Regulations*, N.S. Reg. 183/2003, made by the Governor in Council by Order in Council 2003-458 dated October 31, 2003, is repealed and the following Section substituted:

1 These regulations may be cited as the *Matters Considered in Automobile Insurance Rates and Risk-Classification Systems Regulations*.

2 Subsection 3(1) of the regulations is further amended by adding “any of” immediately before “the following factors”.

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

(a) striking out “and” at the end of clause (f);

(b) striking out the period at the end of clause (g) and substituting a semicolon; and

(c) adding the following clause immediately after clause (g):

(h) any of the following that do not result in a claim for payment or indemnification under a contract by an insured:

(i) an inquiry made by an insured about coverage under a contract, or

(ii) a notification made by an insured of an incident that involves the insured.

4 Section 7 of the regulations is repealed and the following Section substituted:

April 1, 2012, increases to mandatory accident benefits

7 (1) In this Section, “an increase in the mandatory accident benefits” means an increase to those benefits made by way of an amendment to Schedule 2 of the *Automobile Insurance Contract Mandatory Conditions Regulations* made under the Act, effective April 1, 2012.

(2) Except as provided in subsection (2), an insurer is not permitted to consider an increase in the mandatory accident benefits to apply to the Board to increase rates or adjust its risk-classification system unless the increase in rates or adjustment in its risk-classification system is to take effect on or after April 1, 2013.

(3) The Board may permit an insurer to consider an increase in the mandatory accident benefits to apply to the Board to increase rates or adjust its risk-classification system to take effect before April 1, 2013, if

(a) the insurer demonstrates, to the satisfaction of the Board, that exceptional circumstances exist that would result in undue hardship for the insurer; and

(b) the Board is satisfied that it would not be contrary to the public interest.

N.S. Reg. 328/2011

Made: December 20, 2011

Filed: December 21, 2011

Adjudicative Bodies Designation Regulations

Order in Council 2011-434 dated December 20, 2011
Amendment to regulations made by the Governor in Council
pursuant to subsection 18A(1) of the *Interpretation Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated December 1, 2011, and pursuant to Section 18A of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act* (the Act), is pleased, effective on and after December 20, 2011, to:

- (a) pursuant to subsection 18A(1) of the Act, amend the *Adjudicative Bodies Designation Regulations*, N.S. Reg. 176/2004, made by the Governor in Council by Order in Council 2004-276 dated July 9, 2004, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) pursuant to subsection 18A(3) of the Act, order that, unless otherwise provided by order of the Governor in Council for the purpose of subsection 18A(3) of the Act, the time period for the extension of the jurisdiction of a member of a body designated pursuant to subsection 18A(1) of the Act who resigns, retires or has their term of office end, is six months. [**Clause (b) not filed as a regulation.**]

Schedule "A"

**Amendment to the *Adjudicative Bodies Designation Regulations*
made under subsection 18A(1) of Chapter 235 of the Revised Statutes of Nova Scotia, 1989,
the *Interpretation Act***

- 1 Section 2 of the *Adjudicative Bodies Designation Regulations*, N.S. Reg. 176/2004, made by the Governor in Council by Order in Council 2004-276 dated July 9, 2004, is amended by striking out "of the Act" and substituting "of the *Interpretation Act*".
- 2 Section 2 of the regulations is further amended to revoke the designation of the following adjudicative bodies by striking out the names of the bodies from the list of designated bodies in the Section:

Board of Examiners of the Nova Scotia Association of Optometrists
Blasters' Board of Examiners
Construction Industry Panel
Crane Operators Appeal Board
Labour Relations Board
Labour Standards Tribunal
Occupational Health and Safety Appeal Board
Power Engineers and Operators Appeal Committee
Psychiatric Facilities Review Board

- 3 The regulations are further amended to designate the following adjudicative bodies for the purposes of Section 18A of the Act by adding their names where they belong in alphabetical order to the list of designated bodies in Section 2:

College of Dental Hygienists of Nova Scotia
Labour Board
Midwifery Council of Nova Scotia

Nova Scotia Association of Medical Radiation Technologists
Nova Scotia College of Counselling Therapists
Nova Scotia College of Optometrists
Nova Scotia College of Respiratory Therapists
Nova Scotia Dental Technicians Association
Nova Scotia Dietetic Association
Nova Scotia Police Review Board.
Provincial Appeal Board under the *Health Authorities Act*
Review Board under the *Involuntary Psychiatric Treatment Act*

- 4 (1) Section 2 of the regulations is further amended to update the names of several adjudicative bodies by
- (a) striking out “Board of the Nova Scotia College of Chiropractors” and substituting “Nova Scotia College of Chiropractors”;
 - (b) striking out “Board of Dispensing Opticians” and substituting “Nova Scotia College of Dispensing Opticians”;
 - (c) striking out “Council of the College of Registered Nurses of Nova Scotia” and substituting “College of Registered Nurses of Nova Scotia”;
 - (d) striking out “Environmental Assessment Board” and substituting “Nova Scotia Environmental Assessment Board”;
 - (e) striking out “Nova Scotia Building Advisory Council” and substituting “Nova Scotia Building Advisory Committee”;
 - (f) striking out “Board of the College of Licensed Practical Nurses of Nova Scotia” and substituting “College of Licensed Practical Nurses of Nova Scotia”; and
 - (g) striking out “Board of the Nova Scotia College of Medical Laboratory Technologists” and substituting “Nova Scotia College of Medical Laboratory Technologists”.
- (2) Section 2 is further amended by moving the names of the bodies updated under subsection (1) to where they belong in alphabetical order in the list of designated bodies.

N.S. Reg. 329/2011

Made: December 21, 2011

Filed: December 22, 2011

Proclamation, S. 14, S.N.S. 2011, c. 40

Order in Council 2011-440 dated December 21, 2011

Proclamation made by the Governor in Council

pursuant to Section 14 of the

Nova Scotia Jobs Fund Act

The Governor in Council on the report and recommendation of the Minister of Economic and Rural Development and Tourism dated December 16, 2011, and pursuant to Section 14 of Chapter 40 of the Acts of 2011, the *Nova Scotia Jobs Fund Act*, is pleased to order and declare by proclamation that Chapter 40 of the Acts of 2011, the *Nova Scotia Jobs Fund Act*, do come into force on and not before December 21, 2011.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. 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 14 of Chapter 40 of the Acts of 2011, the *Nova Scotia Jobs Fund Act*, it is enacted as follows:

- 14** 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 40 of the Acts of 2011, the *Nova Scotia Jobs Fund Act*, do come into force on and not before December 21, 2011;

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 40 of the Acts of 2011, the *Nova Scotia Jobs Fund Act*, do come into force on and not before December 21, 2011, 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 21st day of December in the year of Our Lord two thousand and eleven and in the sixtieth year of Our Reign.

BY COMMAND:

sgd: Graham Steele

[Acting] Provincial Secretary

[Acting] Minister of Justice and Attorney General

N.S. Reg. 330/2011

Made: December 21, 2011

Filed: December 22, 2011

Proclamation, S. 375, S.N.S. 2011, c. 5

Order in Council 2011-441 dated December 21, 2011

Proclamation made by the Governor in Council

pursuant to Section 375 of the

Elections Act

The Governor in Council on the report and recommendation of the Minister of Justice dated December 19, 2011, and pursuant to Section 375 of Chapter 5 of the Acts of 2011, the *Elections Act*, is pleased to order and declare by proclamation that Chapter 5 of the Acts of 2011, the *Elections Act*, do come into force on and not before January 1, 2012.

PROVINCE OF NOVA SCOTIA

sgd: Mayann E. 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 375 of Chapter 5 of the Acts of 2011, the *Elections Act*, it is enacted as follows:

375 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 5 of the Acts of 2011, the *Elections Act*, do come into force on and not before January 1, 2012;

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 5 of the Acts of 2011, the *Elections Act*, do come into force on and not before January 1, 2012, 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 21st day of December in the
year of Our Lord two thousand and eleven and in
the sixtieth year of Our Reign.

BY COMMAND:

sgd: Graham Steele

[Acting] Provincial Secretary

[Acting] Minister of Justice and Attorney General

N.S. Reg. 331/2011

Made: December 22, 2011

Filed: December 28, 2011

Prescribed Petroleum Products Prices

Order dated December 22, 2011
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order

NSUARB-GAS-W-11-53

In the Matter of the *Petroleum Products Pricing Act*

- and -

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

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

Order

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

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

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended December 21, 2011, are:

Grade 1 Regular gasoline	70.3¢ per litre
Ultra-low-sulfur diesel oil	78.1¢ per litre

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

Gasoline:	
Grade 1	70.3¢ per litre
Grade 2	73.3¢ per litre
Grade 3	76.3¢ per litre
Ultra-low-sulfur diesel oil	78.1¢ per litre

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

Gasoline:	minus 0.2¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.8¢ per litre

And whereas a winter blending adjustment of plus 3.1¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule "A" effective on and after 12:01 a.m., December 23, 2011.

Dated at Halifax, Nova Scotia, this 22nd day of December, 2011.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on December 23, 2011**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	76.4	10.0	15.5	101.9	121.8	123.5	121.8	999.9
Mid-Grade Unleaded	79.4	10.0	15.5	104.9	125.2	127.0	125.2	999.9
Premium Unleaded	82.4	10.0	15.5	107.9	128.7	130.4	128.7	999.9
Ultra-Low-Sulfur Diesel	86.7	4.0	15.4	106.1	126.6	128.3	126.6	999.9
Zone 2								
Regular Unleaded	76.8	10.0	15.5	102.3	122.2	124.0	122.2	999.9
Mid-Grade Unleaded	79.8	10.0	15.5	105.3	125.7	127.4	125.7	999.9
Premium Unleaded	82.8	10.0	15.5	108.3	129.1	130.9	129.1	999.9
Ultra-Low-Sulfur Diesel	87.1	4.0	15.4	106.5	127.1	128.8	127.1	999.9

Zone 3								
Regular Unleaded	77.3	10.0	15.5	102.8	122.8	124.5	122.8	999.9
Mid-Grade Unleaded	80.3	10.0	15.5	105.8	126.3	128.0	126.3	999.9
Premium Unleaded	83.3	10.0	15.5	108.8	129.7	131.4	129.7	999.9
Ultra-Low-Sulfur Diesel	87.6	4.0	15.4	107.0	127.7	129.4	127.7	999.9
Zone 4								
Regular Unleaded	77.3	10.0	15.5	102.8	122.8	124.5	122.8	999.9
Mid-Grade Unleaded	80.3	10.0	15.5	105.8	126.3	128.0	126.3	999.9
Premium Unleaded	83.3	10.0	15.5	108.8	129.7	131.4	129.7	999.9
Ultra-Low-Sulfur Diesel	87.6	4.0	15.4	107.0	127.7	129.4	127.7	999.9
Zone 5								
Regular Unleaded	77.3	10.0	15.5	102.8	122.8	124.5	122.8	999.9
Mid-Grade Unleaded	80.3	10.0	15.5	105.8	126.3	128.0	126.3	999.9
Premium Unleaded	83.3	10.0	15.5	108.8	129.7	131.4	129.7	999.9
Ultra-Low-Sulfur Diesel	87.6	4.0	15.4	107.0	127.7	129.4	127.7	999.9
Zone 6								
Regular Unleaded	78.1	10.0	15.5	103.6	123.7	125.5	123.7	999.9
Mid-Grade Unleaded	81.1	10.0	15.5	106.6	127.2	128.9	127.2	999.9
Premium Unleaded	84.1	10.0	15.5	109.6	130.6	132.4	130.6	999.9
Ultra-Low-Sulfur Diesel	88.4	4.0	15.4	107.8	128.6	130.3	128.6	999.9

N.S. Reg. 1/2012

Made: December 29, 2011

Filed: January 3, 2012

Prescribed Petroleum Products Prices

Order dated December 29, 2011
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-11-54****In the Matter of the *Petroleum Products Pricing Act*****- and -**

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roberta J. Clarke, Q.C., Member**Order**

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

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

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended December 28, 2011, are:

Grade 1 Regular gasoline	72.8¢ per litre
Ultra-low-sulfur diesel oil	78.9¢ per litre

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

Gasoline:	
Grade 1	72.8¢ per litre
Grade 2	75.8¢ per litre
Grade 3	78.8¢ per litre
Ultra-low-sulfur diesel oil	78.9¢ per litre

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

Gasoline:	plus 0.5¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.5¢ per litre

And whereas a winter blending adjustment of plus 3.0¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., December 30, 2011.

Dated at Halifax, Nova Scotia, this 29th day of December, 2011.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule “A”

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on December 30, 2011**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	79.6	10.0	15.5	105.1	125.5	127.2	125.5	999.9
Mid-Grade Unleaded	82.6	10.0	15.5	108.1	128.9	130.6	128.9	999.9
Premium Unleaded	85.6	10.0	15.5	111.1	132.4	134.1	132.4	999.9
Ultra-Low-Sulfur Diesel	87.7	4.0	15.4	107.1	127.8	129.5	127.8	999.9

Zone 2								
Regular Unleaded	80.0	10.0	15.5	105.5	125.9	127.7	125.9	999.9
Mid-Grade Unleaded	83.0	10.0	15.5	108.5	129.4	131.1	129.4	999.9
Premium Unleaded	86.0	10.0	15.5	111.5	132.8	134.6	132.8	999.9
Ultra-Low-Sulfur Diesel	88.1	4.0	15.4	107.5	128.2	130.0	128.2	999.9
Zone 3								
Regular Unleaded	80.5	10.0	15.5	106.0	126.5	128.2	126.5	999.9
Mid-Grade Unleaded	83.5	10.0	15.5	109.0	130.0	131.7	130.0	999.9
Premium Unleaded	86.5	10.0	15.5	112.0	133.4	135.1	133.4	999.9
Ultra-Low-Sulfur Diesel	88.6	4.0	15.4	108.0	128.8	130.5	128.8	999.9
Zone 4								
Regular Unleaded	80.5	10.0	15.5	106.0	126.5	128.2	126.5	999.9
Mid-Grade Unleaded	83.5	10.0	15.5	109.0	130.0	131.7	130.0	999.9
Premium Unleaded	86.5	10.0	15.5	112.0	133.4	135.1	133.4	999.9
Ultra-Low-Sulfur Diesel	88.6	4.0	15.4	108.0	128.8	130.5	128.8	999.9
Zone 5								
Regular Unleaded	80.5	10.0	15.5	106.0	126.5	128.2	126.5	999.9
Mid-Grade Unleaded	83.5	10.0	15.5	109.0	130.0	131.7	130.0	999.9
Premium Unleaded	86.5	10.0	15.5	112.0	133.4	135.1	133.4	999.9
Ultra-Low-Sulfur Diesel	88.6	4.0	15.4	108.0	128.8	130.5	128.8	999.9
Zone 6								
Regular Unleaded	81.3	10.0	15.5	106.8	127.4	129.1	127.4	999.9
Mid-Grade Unleaded	84.3	10.0	15.5	109.8	130.9	132.6	130.9	999.9
Premium Unleaded	87.3	10.0	15.5	112.8	134.3	136.0	134.3	999.9
Ultra-Low-Sulfur Diesel	89.4	4.0	15.4	108.8	129.7	131.4	129.7	999.9