

**Part II****Regulations under the Regulations Act****Contents**

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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. 72/2023**

Made: April 12, 2023

Approved: April 19, 2023

Filed: April 26, 2023

Bulk Haulage Regulations—amendment

Order dated April 25, 2023  
Amendment to regulations 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****Amendment to the *Bulk Haulage Regulations*  
made under the *Dairy Industry Act***

I certify that on April 12, 2023, the Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, in the manner set forth in the attached Schedule “A”, effective on and after May 1, 2023.

Signed at Bible Hill, in the County of Colchester, Nova Scotia on April 25, 2023.

**Dairy Farmers of Nova Scotia**

per: sgd. *Esben Arnfast*  
Esben Arnfast  
Chief Financial Officer

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**Approved by** the Natural Products Marketing Council at Bible Hill, in the County of Colchester, Nova Scotia on April 19, 2023.

**Natural Products Marketing Council**

per: sgd. *Danielle Dorn Kouwenberg*  
Danielle Dorn Kouwenberg  
Manager

**Schedule “A”****Amendment 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***

Section 7 of the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, is amended by repealing clause (a) and substituting the following clause:

- (a) for farm milk pick-up that occurs on a set schedule of every second day:

<b>Transporter</b>	<b>Maximum Rate/100 L</b>
Fisher Transport Limited	\$2.82
Winterthur Farm–Rudolph Burghardt	\$3.48

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**N.S. Reg. 73/2023**

Made: April 27, 2023

Filed: April 28, 2023

Prescribed Petroleum Products Prices

Order dated April 27, 2023  
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board’s website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

**N.S. Reg. 74/2023**

Made: April 21, 2023

Filed: May 2, 2023

Polling District Order: Municipality of the District of Chester

Order dated April 21, 2023  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 369 of the *Municipal Government Act*

**Order****M10937****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -**

**In the matter of an application** by the **Municipality of the District of Chester** to confirm the number of councillors and to confirm the boundaries of polling districts

**Before:** Jennifer L. Nicholson, CPA, CA, Panel Chair  
Julia E. Clark, LL.B., Member  
M. Kathleen McManus, K.C., Member

**Order**

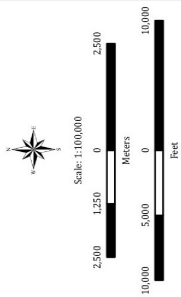
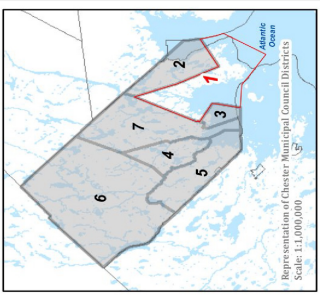
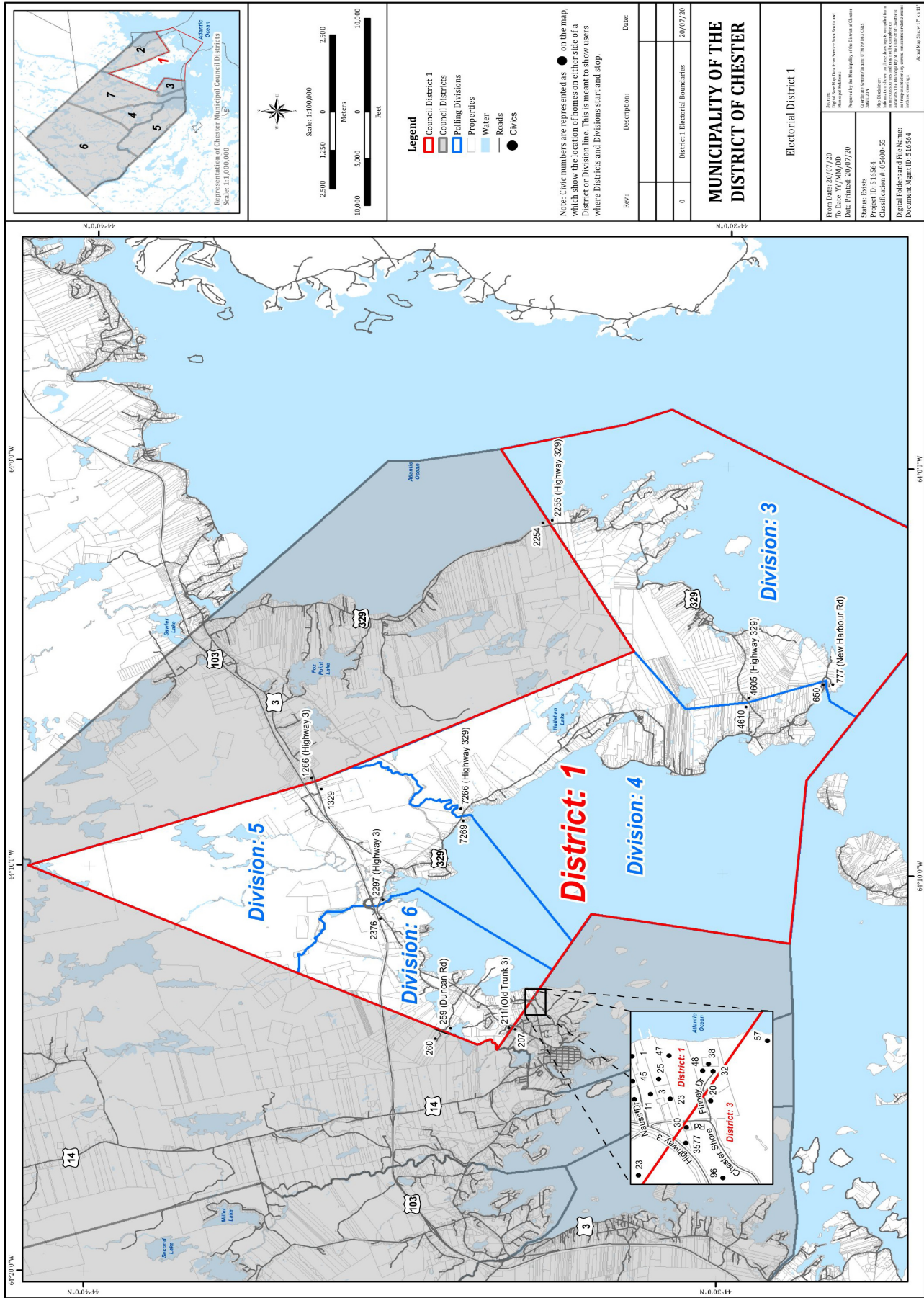
The Municipality of the District of Chester filed an application under s. 369 of the *Municipal Government Act* and the Board issued its Decision on April 18, 2023;

**The Board approves the application and orders that:**

1. The number of polling districts for the Municipality is set at seven (7);
2. The number of councillors is set at seven (7);
3. The boundaries of the polling districts are approved as outlined in the application and as shown on the digital maps attached to this Order; and
4. All provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2024 will be complied with as if the above-noted changes had been made on the first day of March, 2024, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2024.

**Dated** at Halifax, Nova Scotia this 21st day of April, 2023.

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



- Legend**
- Council District 1
  - Council Districts
  - Polling Divisions
  - Properties
  - Water
  - Roads
  - Civics

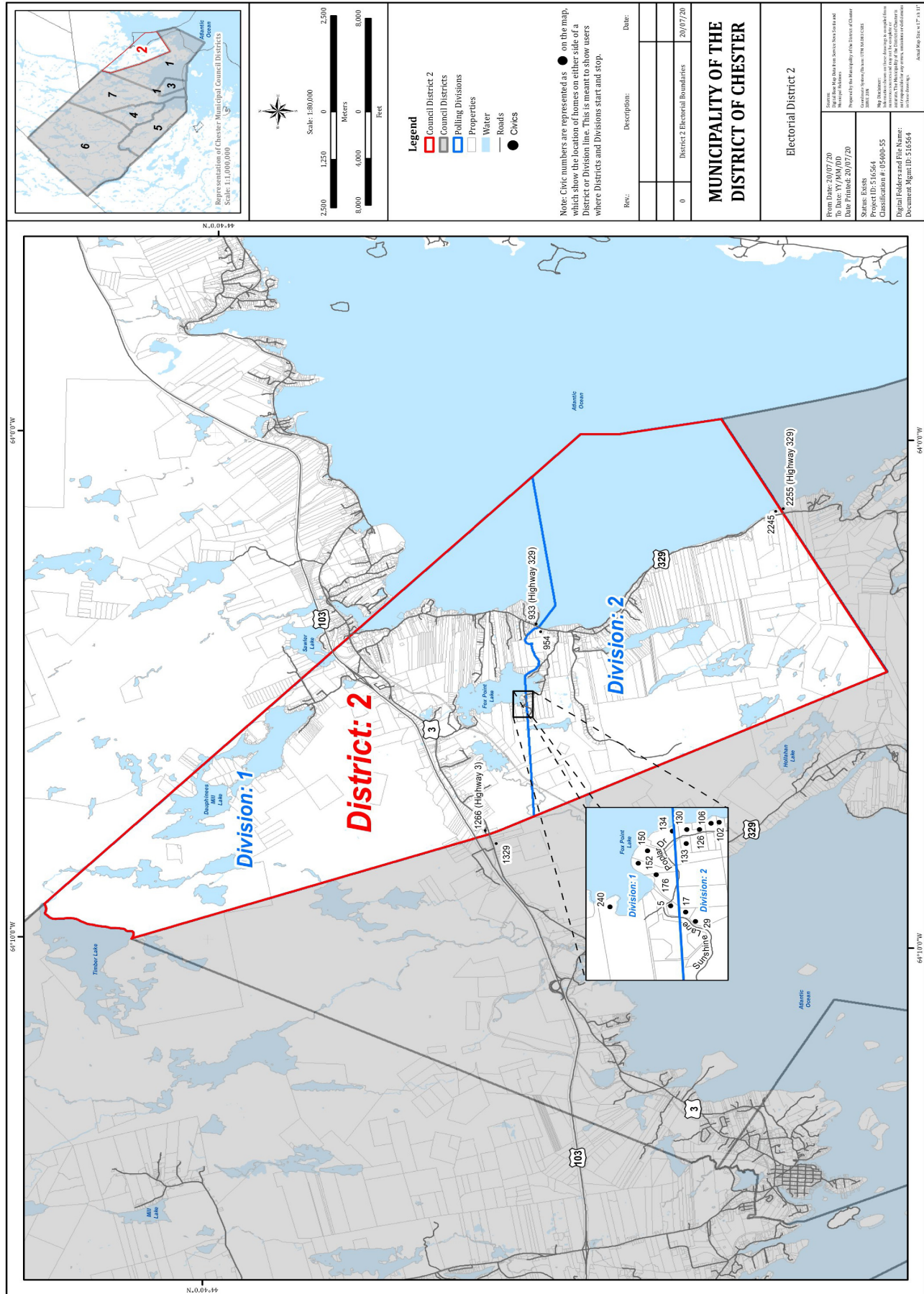
Note: Civic numbers are represented as ● on the map, which show the location of homes on either side of a District or Division line. This is meant to show users where Districts and Divisions start and stop.

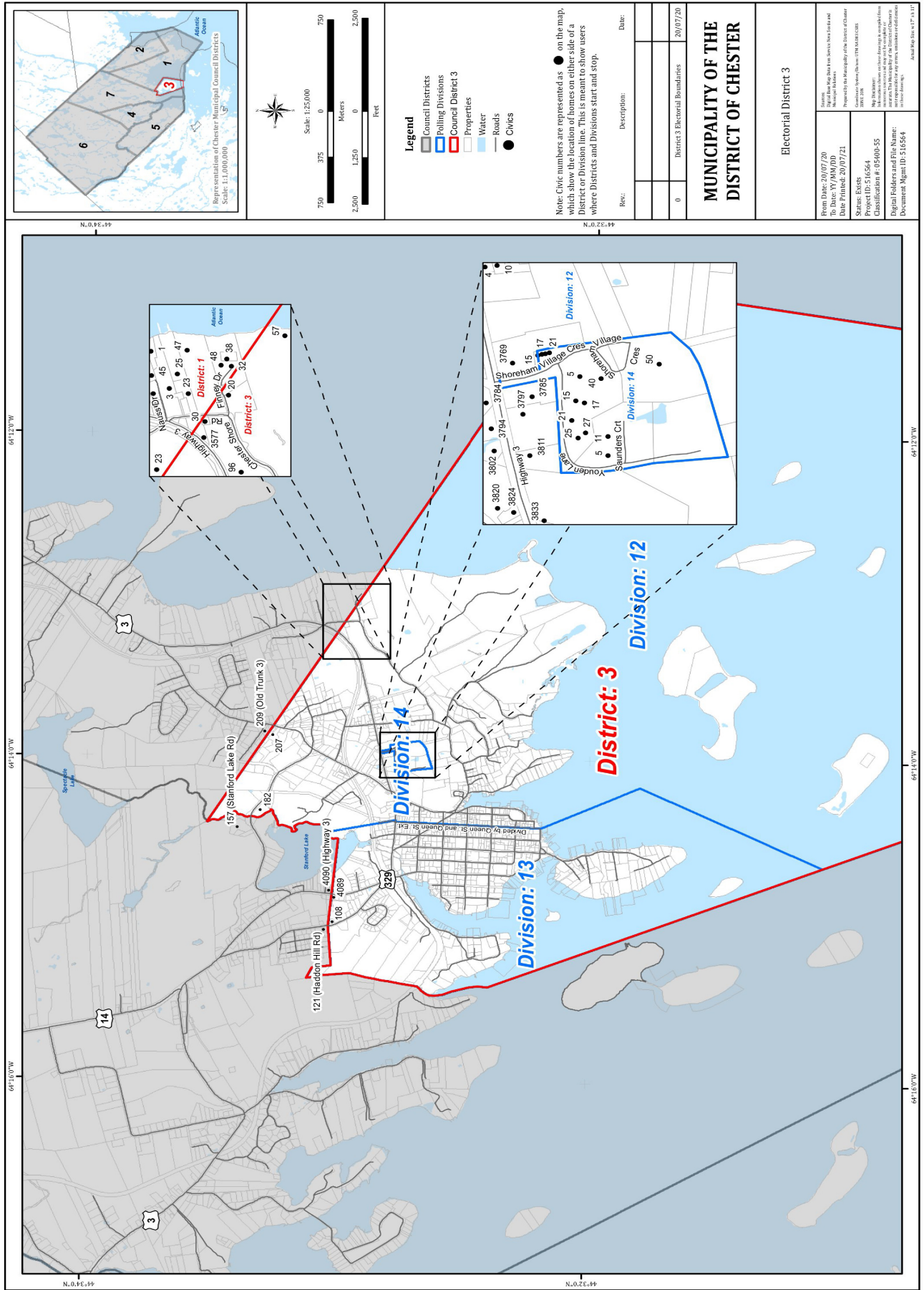
Ref:	Description:	Date:
0	District 1 Electoral Boundaries	20/07/20

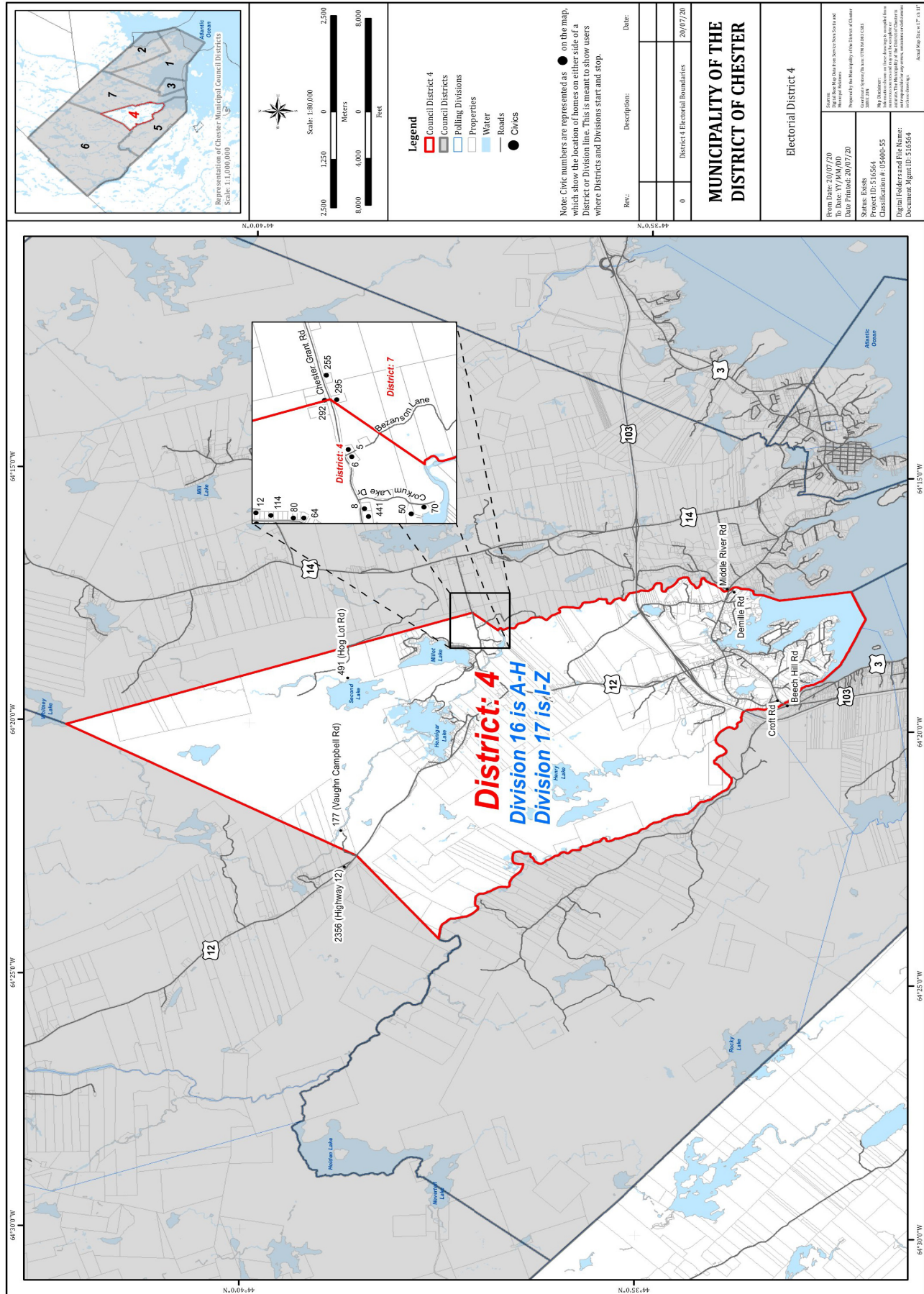
## MUNICIPALITY OF THE DISTRICT OF CHESTER

Electoral District 1

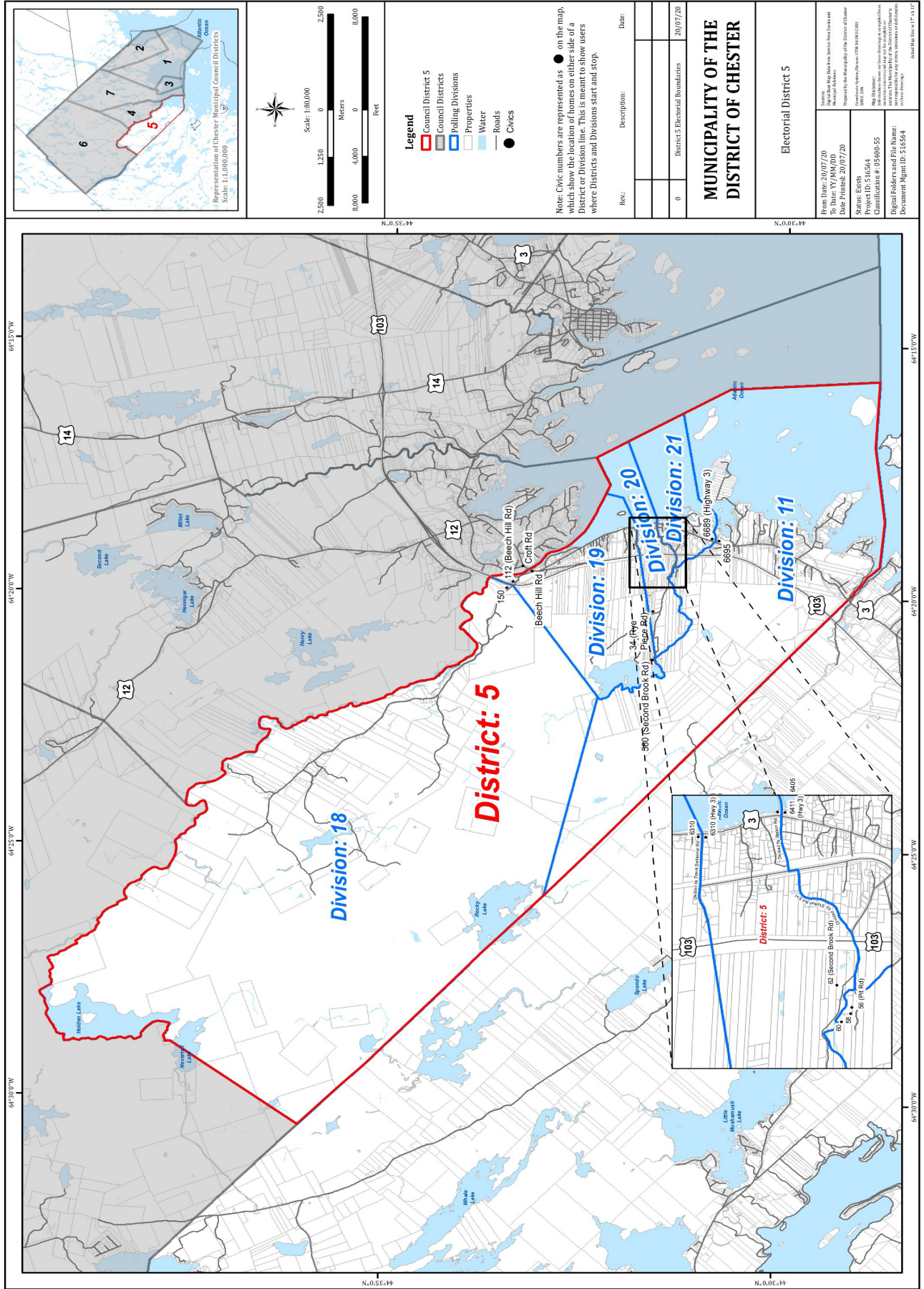
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 To Date: 31/03/2024  
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 Document Name: ID: 516564

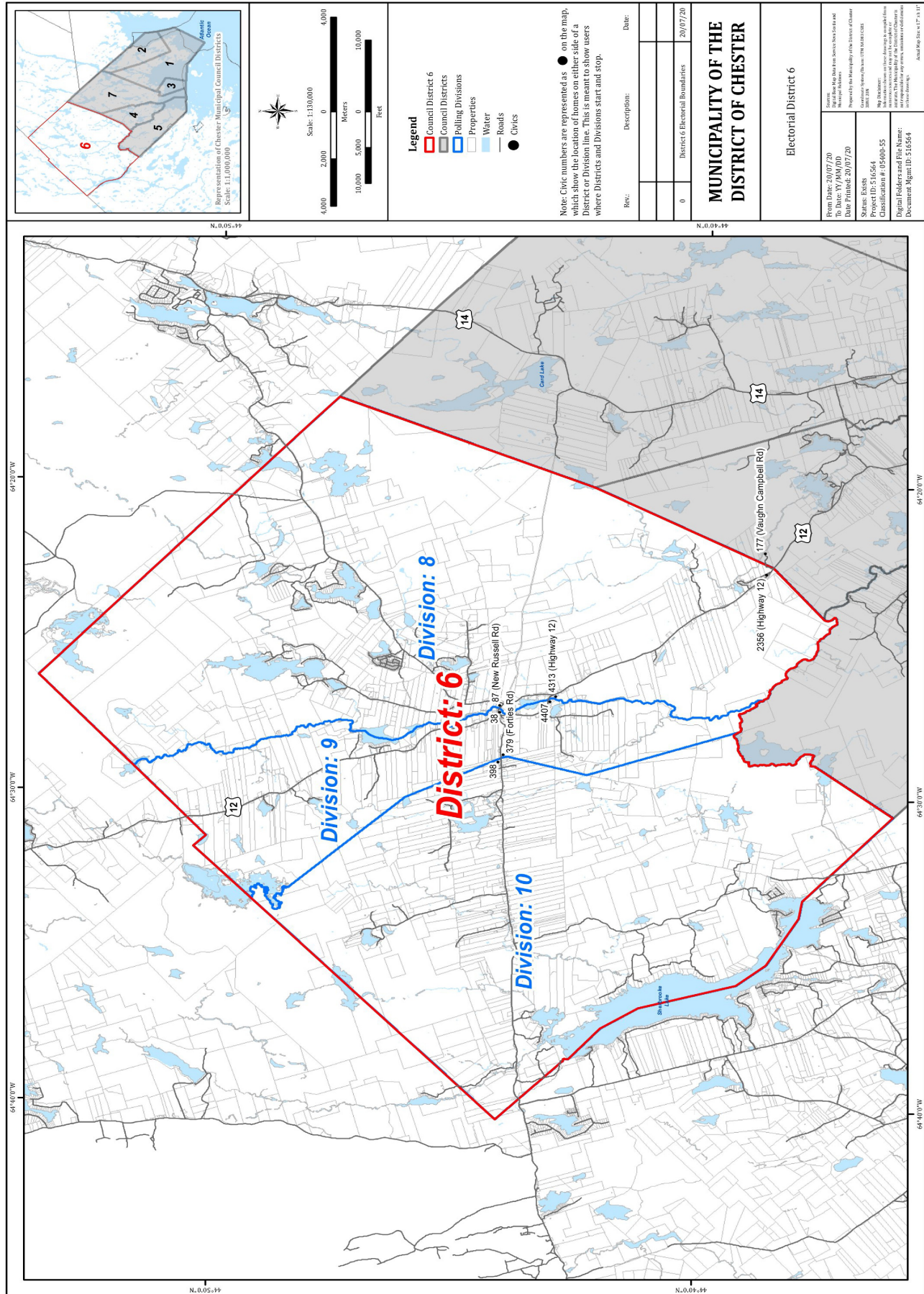


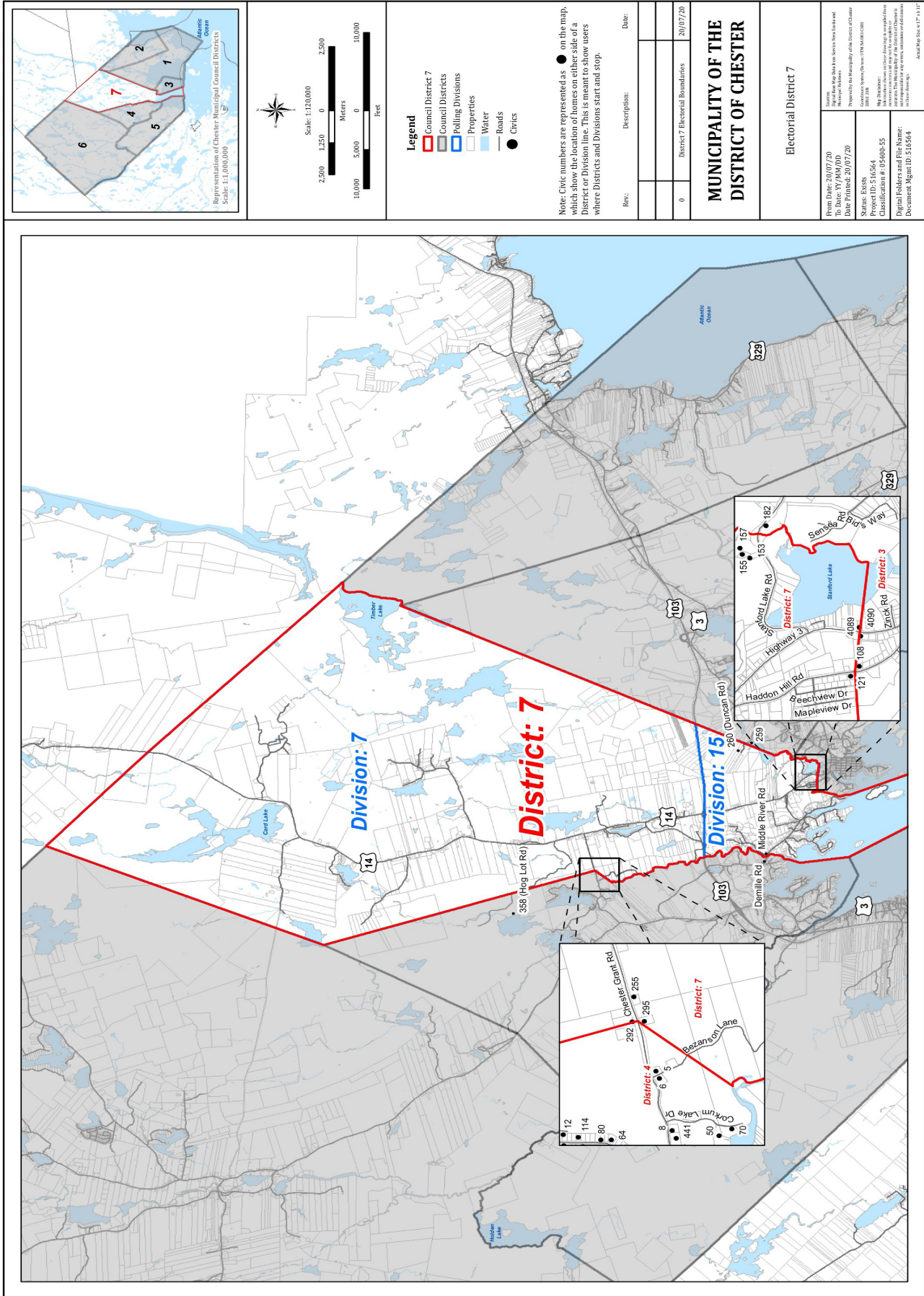












**N.S. Reg. 75/2023**

Made: May 1, 2023

Filed: May 2, 2023

Polling District Order: Town of Truro

Order dated May 1, 2023  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 369 of the *Municipal Government Act*

**Order****M10859****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -**

**In the matter of an application** by the **Town of Truro** to confirm the number of councillors and to alter the boundaries of polling districts

**Before:** Roland A. Deveau, K.C., Vice Chair  
Jennifer L. Nicholson, CPA, CA, Member

**Order**

The Town of Truro applied under s. 369 of the *Municipal Government Act* and the Board issued its written Decision on April 21, 2023.

**The Board approves the application and orders that:**

1. The number of councillors is confirmed at six;
2. The number of polling districts is confirmed at three, each electing two councillors;
3. The descriptions of the three polling districts are set out in Schedule "A", attached to and forming part of this Order; and
4. The maps of the three polling districts are set out in Schedule "B", attached to and forming part of this Order.

The Board further orders that all provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Town in the year 2024 will be complied with as if the above-noted changes had been made on the first day of March, 2024, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2024.

**Dated** at Halifax, Nova Scotia this 1st day of May, 2023.

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

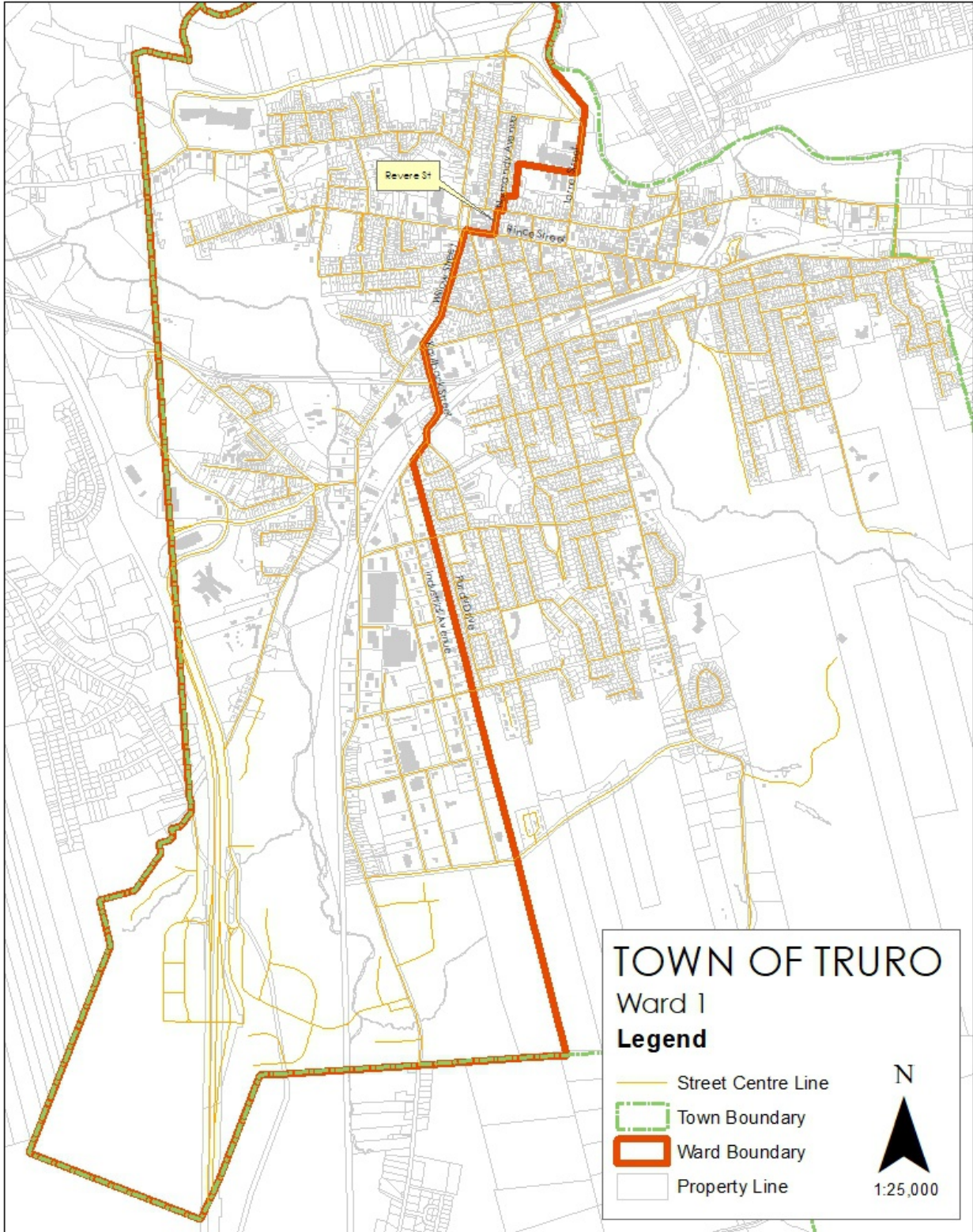
**Schedule “A”**

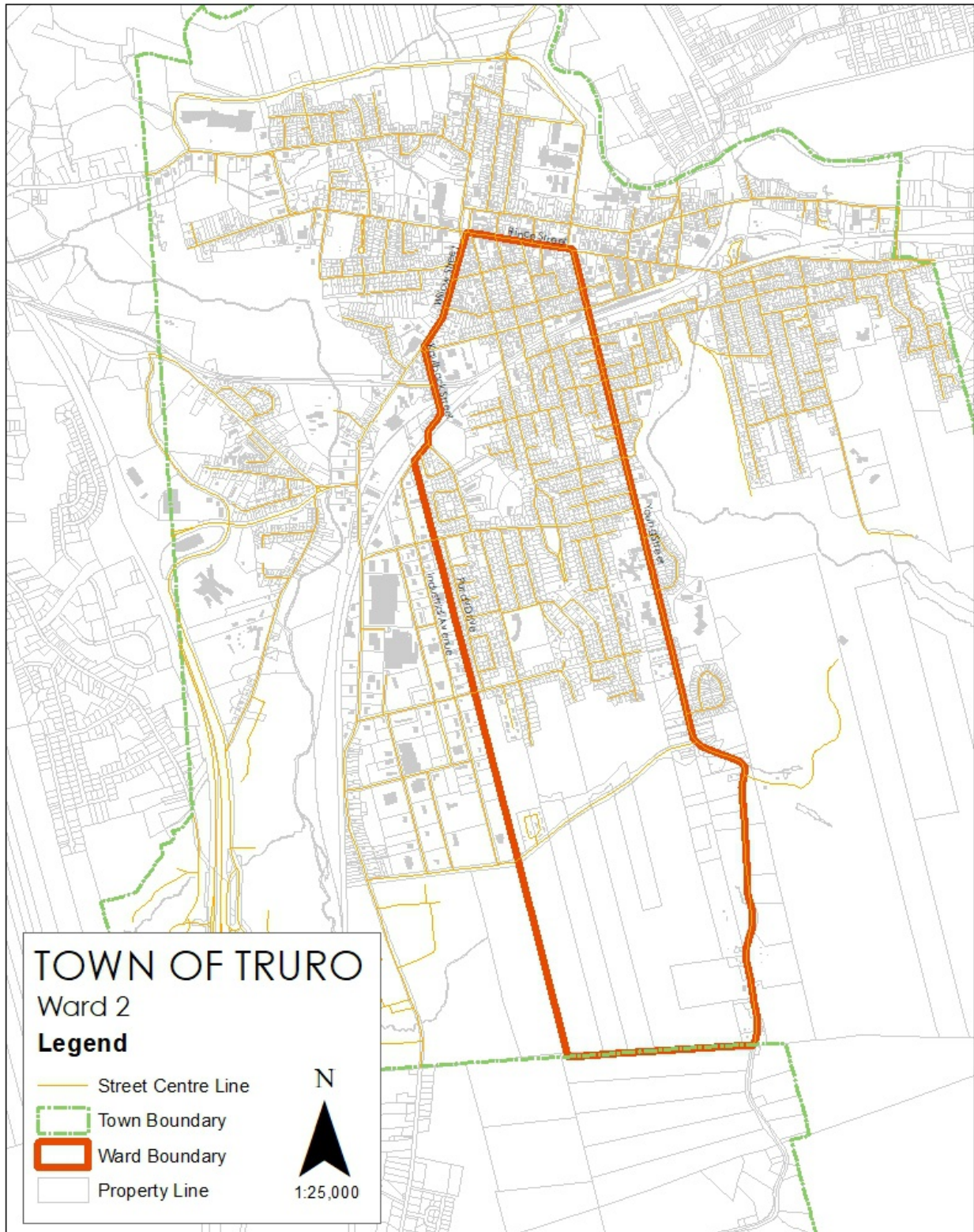
Polling District 1: To include all that portion of the town lying to the west of a line from Salmon River in a southerly direction to a point lining up with the ~~center~~ [centre] line of Lorne Street, running south to the southern portion of 34 Lorne Street, PID #20183380, thence west to the rear of the properties on the eastern side of Normandy Avenue, thence south to the rear of the southern properties facing Queen Street, west along the rear property lines to Normandy Avenue, south along the centre line of Normandy Avenue to Queen Street, west along the ~~center~~ [centre] line of Queen Street, thence west through the ~~center~~ [centre] line of Queen Street to Revere Street, thence south through the ~~center~~ [centre] line of Revere Street to where it intersects with Prince Street, thence west through the ~~center~~ [centre] line of Prince Street to Willow Street, thence south through the centre line of Willow Street to Kaulback Street, thence south through the centre line on Kaulback Street to Industrial Avenue to the eastern point of property 65 Industrial Avenue, PID #20238929, thence south along the rear properties on Industrial Avenue, providing separation between the Truro Business Park and residential properties to the east, and following this point southward along a straight line to the southern town boundary. This District includes all of Millbrook First Nation. The size of this District is 10.85 km<sup>2</sup>.

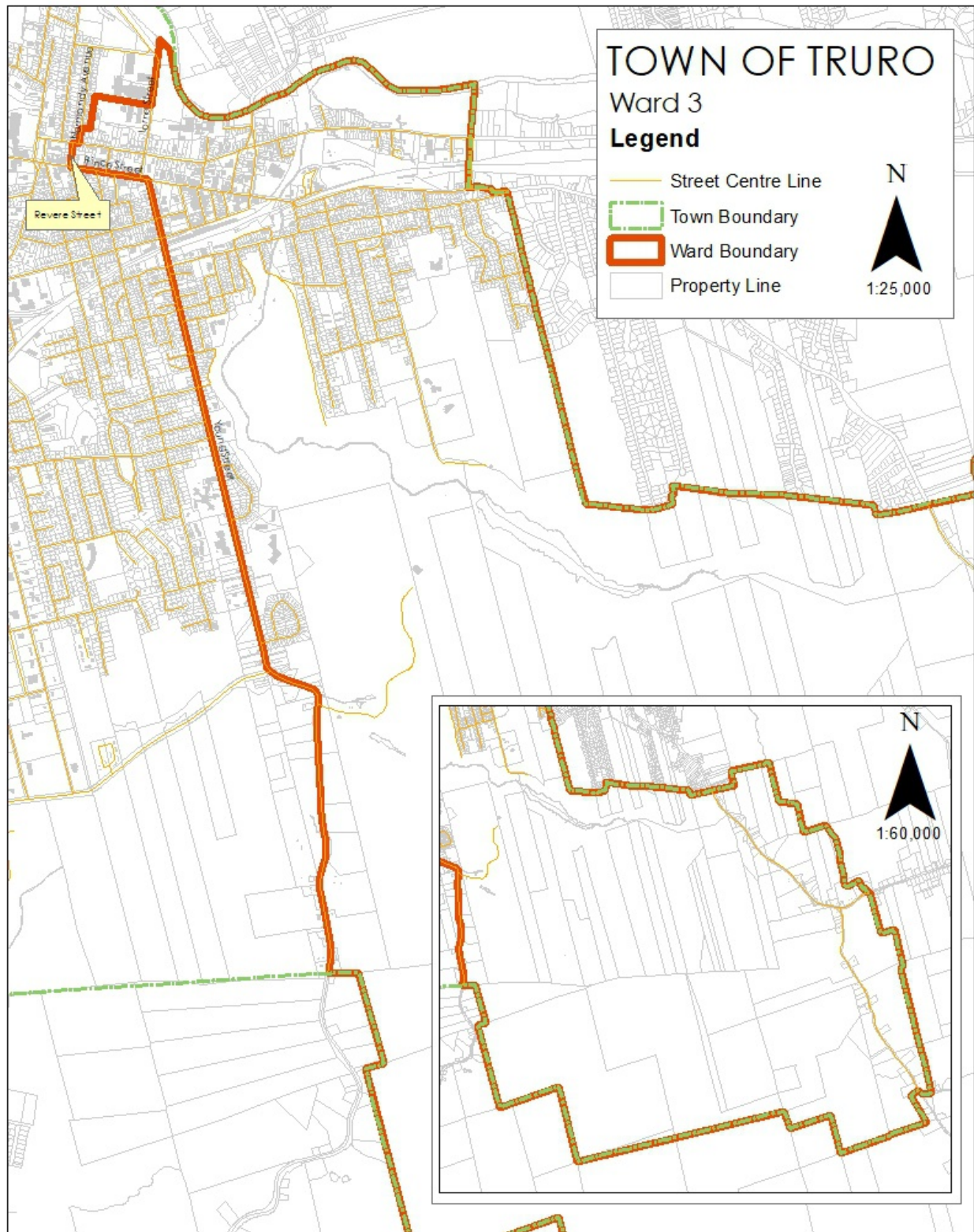
Polling District 2: All that portion of the town lying to the east of the Polling District 1 boundary, excluding those lands lying north of Prince Street, running easterly along the ~~center~~ [centre] line of Prince Street to Young Street, thence along the ~~center~~ [centre] line of Young Street to the southern town boundary. The size of this District is 4.30 km<sup>2</sup>.

Polling District 3: All that portion of the town lying to the east of a line from Salmon River in a southerly direction through the ~~center~~ [centre] line of Lorne Street running south to the southern portion of 34 Lorne Street, PID #20183380, thence west to the rear of the properties on the eastern side of Normandy Avenue, thence south to the rear of the southern properties facing Queen Street, west along the rear property lines to Normandy Avenue, south along the centre line of Normandy Avenue to Queen Street, west along the ~~center~~ [centre] line of Queen Street, thence west through the ~~center~~ [centre] line of Queen Street to Revere Street, thence south through the ~~center~~ [centre] line of Revere Street to where it intersects with Prince Street, thence west along the ~~center~~ [centre] line of Prince Street to Young Street, thence along the ~~center~~ [centre] line of Young Street to the south town boundary. This is the largest ward at 25.93 km<sup>2</sup>, mainly because it contains Victoria Park and the Lepper Brook watershed.

Schedule "B"









**N.S. Reg. 76/2023**

Made: May 4, 2023

Filed: May 5, 2023

Prescribed Petroleum Products Prices

Order dated May 4, 2023

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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

**N.S. Reg. 77/2023**

Made: April 20, 2023

Approved: May 9, 2023

Filed: May 9, 2023

Nova Scotia Liquor Corporation Regulations—replacement

Order in Council 2023-120 dated May 9, 2023

Repeal of regulations and regulations made by the Nova Scotia Liquor Corporation  
and approved by the Governor in Council  
pursuant to Section 15 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Liquor Control Act* dated April 27, 2023, and pursuant to Section 15 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to approve

- (a) the repeal of the *Nova Scotia Liquor Corporation Regulations*, N.S. Reg. 22/1991, made by the Nova Scotia Liquor Corporation and approved by the Governor in Council by Order in Council 91-214 dated February 12, 1991; and
- (b) the making of new regulations respecting the Nova Scotia Liquor Corporation by the Nova Scotia Liquor Corporation, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 9, 2023.

**Schedule “A”****Nova Scotia Liquor Corporation****Repeal and Replacement of the  
*Nova Scotia Liquor Corporation Regulations*  
made under Chapter 260 of the Revised Statutes of Nova Scotia, 1989,  
the *Liquor Control Act***

I certify that the Board of Directors of the Nova Scotia Liquor Corporation under Section 15 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, by resolution dated April 20, 2023, repealed the *Nova Scotia Liquor Corporation Regulations*, N.S. Reg. 22/1991, made by the Nova Scotia Liquor Commission and approved by the Governor in Council by Order in Council 91-214 dated February 12, 1991, and made new regulations respecting the Nova Scotia Liquor Corporation, in the form set forth in the attached, effective on and after the date the regulations are approved by the Governor in Council.

Signed at Halifax, Halifax Regional Municipality, Nova Scotia, April 20, 2023.

sgd. *Greg Hughes*  
Greg Hughes, President and CEO  
Nova Scotia Liquor Corporation

**Regulations Respecting the Nova Scotia Liquor Corporation  
made by the Nova Scotia Liquor Commission under Section 15  
of Chapter 260 of the Revised Statutes of Nova Scotia, 1989,  
the *Liquor Control Act*****Interpretation****Citation**

1 These regulations may be cited as the *Nova Scotia Liquor Corporation Regulations*.

**Definitions**

2 In these regulations,

“Act” means the *Liquor Control Act*;

“annual global production” means the total amount, measured by volume, of liquor product manufactured annually by or for a manufacturer, calculated as the sum of all of the following less the total amount of beverage alcohol product exported out of the Province by the manufacturer:

- (i) the amount manufactured by all of the following:
  - (A) the manufacturer,
  - (B) persons controlled by the manufacturer,
  - (C) persons under common control with the manufacturer,
- (ii) the amount manufactured under a collaborative manufacturing arrangement that is allocated to the manufacturer under subsection 47(2),

- (iii) for a manufacturer that is a hiring manufacturer under a contract brewing arrangement, the amount determined in accordance with subsection 48(2);

“blended and bottled” means a manufacturer’s process for blending bulk alcohol products that meets all of the following criteria:

- (i) 1 bulk alcohol product that is produced by a different manufacturer is mixed with 1 or more bulk alcohol products or non-alcohol products,
- (ii) the product is manufactured in a facility that is separate from any other licensed establishment or kitchen premises of the manufacturer,
- (iii) the finished product is packaged in approved containers for sale to a consumer;

“brewer” means a person who makes beer and occupies or carries on a brewery, either personally or by or through an agent;

“brewery” means a place or premises licensed by the Government of Canada, where beer or other related and approved products are manufactured;

“bulk alcohol product” means alcohol that has not been bottled for retail;

“collaborative liquor product” means a liquor product produced under a collaborative manufacturing arrangement;

“collaborative manufacturing arrangement” means a contractual arrangement in which 2 or more manufacturers agree to work together to develop and produce a liquor product that meets all of the following criteria:

- (i) the product has a recipe that
  - (A) will be jointly owned by the manufacturers, and
  - (B) has not been previously used in a liquor product sold by a manufacturer,
- (ii) the product is manufactured at a plant site or sites
  - (A) owned by 1 or more of the manufacturers, and
  - (B) located in the Province,
- (iii) the production costs for each production run are shared by the manufacturers;

“common carrier” means a person who is approved by the Corporation as a common carrier to carry or convey liquor as provided by the Act and these regulations;

“contract manufacturing arrangement” means a contractual arrangement between a host manufacturer and a hiring manufacturer in which a liquor product is

- (i) manufactured by a host manufacturer at the host manufacturer’s plant site in the Province, and
- (ii) sold under the hiring manufacturer’s brand;

“contracted liquor product” means a liquor product produced under a contract manufacturing arrangement;

“distiller” means a person who

- (i) occupies or carries on a distillery,
- (ii) rectifies spirits by any process whatever, either personally or through an agent, or
- (iii) possesses, imports or manufactures, in whole or in part, a still, worm, rectifying or other apparatus suitable for manufacturing spirits;

“distillery” means a place or premises licensed by the Government of Canada and where liquor other than beer or wine is manufactured or blended and bottled;

“farm winery” means a winery registered as a farm winery or a small farm winery under the *Nova Scotia Wine Standards Regulations* made under the *Agriculture and Marketing Act*;

“hiring manufacturer” means a manufacturer who hires a host manufacturer to manufacture a liquor product under a contract manufacturing arrangement;

“hospitality room” means a permanent premises at a manufacturer’s plant site where

- (i) the manufacturer’s liquor is sold for consumption on the premises, or
- (ii) samples of the manufacturer’s liquor are provided to customers for consumption on the premises;

“host manufacturer” means a manufacturer who is hired by a hiring manufacturer to manufacture a liquor product under a contract manufacturing arrangement;

“inducement” means an act by a manufacturer or registered representative to persuade a licensee or retailer through any benefit, including cash or liquor products, to buy more of a particular product than would be bought under normal circumstances, to the detriment of other manufacturers;

“licensed premises” means a premises for which a license has been issued under the Act and the *Liquor Licensing Regulations* made under the Act;

“licensee” means a licensee as defined in the *Liquor Licensing Regulations* made under the Act;

“manufacturer” means any of the following:

- (i) brewer,
- (ii) vintner,
- (iii) distiller,
- (iv) distributor of liquor;

“manufacturer’s retail store” means a manufacturer’s store for the primary purpose of the on-premises sale of liquor products in unopened containers;

“on-premises sale” means a sale in which the purchaser or the purchaser’s agent is present in the store at the time of the sale;

“plant site” means the land, buildings, machinery, apparatus and fixtures used by a manufacturer in the manufacturing process, that the manufacturer owns or leases pursuant to a lease with a term of at least 12 months, and includes adjacent lands;

“prescribed by the Corporation” means set out in the Corporation’s policies;

“registered representative” means an employee of a manufacturer, distributor or agent who is registered with the Corporation to promote and sell liquor as required by Section 36;

“sample” means a sample of liquor that is provided to an individual for no consideration and does not exceed the volume prescribed by the Corporation;

“store manager” means a store manager described in Section 51 of the Act;

“vintner” means a person who makes wine and occupies or carries on a winery, either personally or through an agent;

“winery” means a place or premises where wine is manufactured or blended and bottled.

### **Designation of residence**

- 3** Any portion of a building containing offices and businesses that is not open to the public or in public view while liquor is being consumed there is designated as a residence for the purpose of the definition of “residence” in clause 2(x) of the Act.

### **Exemptions from Act and regulations**

- 4** (1) A potable product intended as a beverage that contains less than 0.5% alcohol by volume at 15.5 °C of absolute alcohol is exempt from the Act and these regulations.
- (2) Other than a beverage to which Sections 72 or 73 of the Act applies, concentrated food mixtures and beverage flavourings that meet all of the following criteria are exempt from the Act and these regulations:
- (a) they contain more than 0.5% alcohol by volume at 15.5 °C of absolute alcohol;
- (b) they are not agreeable to the palate or taste when consumed alone.
- (3) The exemption in subsection (2) applies only to tonics and bitters in containers of 114 ml or less.

## **Corporation**

### **Corporation policies**

- 5** The Corporation may make policies setting out the details and procedures required for its administration and operations under the Act and these regulations.

### **Corporation meetings**

- 6** A meeting of the Corporation may be called at any time by the President or by a person the President directs at its offices or at any other place.

### **Leases signed by President**

- 7** All leases of land or buildings required for the purposes of the Corporation must be signed by the President or by another officer designated by the Corporation.

**Insuring Corporation property**

**8** The Corporation, representing and on behalf of His Majesty the King in the right of the Province of Nova Scotia, may insure all property, whether real or personal, acquired, possessed or received by the Corporation in the name of the Nova Scotia Liquor Corporation, and all loss payable under a contract of insurance entered into by the Corporation may be payable to the Corporation.

**Prescribed liquor prices**

- 9 (1)** The prescribed prices for liquor under subsection 42(1) of the Act include prices determined by the Corporation in respect of all of the following:
- (a) liquor sold at retail from Government stores and agency stores;
  - (b) liquor sold in the Province from other than Government stores or agency stores, including liquor sold directly by the manufacturer under a valid license or permit.
- (2)** The prescribed prices for liquor under subsection 42(1) of the Act are as follows:
- (a) for liquor sold at retail from Government stores and agency stores, the prices set out in an official price list issued by the Corporation or as otherwise determined by the Corporation;
  - (b) for liquor sold in the Province directly by a manufacturer to the public under a valid license or permit, the prices determined by the manufacturer and communicated to the Corporation, except that
    - (i) the prices must not be less than the social reference price list issued by the Corporation or as otherwise determined by the Corporation, and
    - (ii) if the liquor product is also sold at retail from Government stores and agency stores, the price must not be lower than the price as determined in clause (a).
- (3)** The prices in clause (2)(b) include, whether expressly stated or not, a retail sales mark-up allocation as set out in Section 45.
- (4)** A store manager must not charge or receive a price other than what is prescribed under subsection (2) unless the Corporation has provided written instruction.

**Payment to Corporation for liquor**

- 10 (1)** Except as provided in subsection (2), sales by the Corporation must be by 1 of the following payment methods:
- (a) cash;
  - (b) Corporation-approved credit card;
  - (c) Corporation-approved debit card.
- (2)** Payment for sales to licensees, permit holders, military messes, registered representatives or government agencies must be made by 1 of the following payment methods:
- (a) a method set out in subsection (1);
  - (b) certified cheque;

- (c) postal money order;
- (d) bank money order;
- (e) traveller's cheque;
- (f) standard cheque;
- (g) any other payment method that is approved by the Corporation.

**Fees**

**11** All fees relating to the Corporation's operations under the Act or regulations must be prescribed by the Corporation.

**Forms**

**12** The Corporation may provide forms for use in carrying out the purposes and objectives of the Act and may require the forms to be used for the purpose for which they are provided.

**Employees of Corporation**

- 13 (1)** A person who has been convicted under subsection 78(1) of the Act must not be employed by the Corporation within the following period after the date they are convicted:
- (a) 5 years; or
  - (b) a period of less than 5 years, if the Corporation considers appropriate.
- (2)** A gift to an employee of the Corporation is acceptable under subsection 81(4) of the Act if all of the following conditions apply:
- (a) the value of the gift is less than \$50;
  - (b) the gift meets all additional requirements prescribed by the Corporation.

**Employees to perform inspections and receive orders**

- 14 (1)** The Corporation may appoint employees to do all of the following:
- (a) inspect stores, including Government stores, agency stores and manufacturer's retail stores, warehouses, plant sites, breweries, wineries, distilleries and any other areas the Corporation determines;
  - (b) make inspection reports in any manner or at any time the Corporation requires;
  - (c) perform any other acts or duties the Corporation requires.
- (2)** The Corporation may establish an office in a plant site or warehouse and place an employee of the Corporation in charge of the office for the purposes of performing the inspections and making the reports referred to in subsection (1).

**Medical prescriptions**

- 15 (1)** A store manager who is presented with a prescription may retain the prescription before supplying liquor under the prescription for as long as necessary to enable the store manager to determine any of the following:

- (a) whether the prescription was signed by the physician by whom it purports to be signed;
  - (b) whether the prescription is otherwise legitimate.
- (2) A person must not
- (a) obtain a prescription by an improper means for the purpose of securing liquor; or
  - (b) use or attempt to use personally, or for another person, an improperly obtained medical prescription or a medical prescription that the person is not lawfully entitled to use.

### **Delivering and Transporting Liquor**

#### **Delivery by store manager**

**16** A store manager may deliver liquor within the Province from a Government store premises to a person entitled to purchase liquor.

#### **Delivery by common carrier or parcel post**

- 17** (1) The Corporation may deliver liquor within the Province to a person entitled to purchase liquor by sending the liquor by common carrier or parcel post in a prepaid package addressed to the person.
- (2) A common carrier may deliver liquor lawfully sold and received from a premises where liquor may be lawfully sold or kept for sale to a person who is
- (a) in charge of a premises where liquor may be lawfully kept or received; and
  - (b) 19 years old or older.
- (3) Liquor must not be sent through common carrier or parcel post unless the purchaser pays the cost of the liquor and any delivery or parcel charges in advance to the Corporation.

#### **Records of deliveries**

- 18** (1) Every railway company, transport company or other carrier and their agents must keep or cause to be kept at each agency where goods are received for shipment or are delivered to within the Province an accurate record of each delivery of liquor received by and made from the agency that includes all of the following information:
- (a) the time when the liquor was received;
  - (b) the name and address of the person to whom the liquor was delivered;
  - (c) the type and quantity of liquor delivered.
- (2) All records required to be kept under subsection (1) must be made available to an inspector or a member or officer of the Corporation.
- (3) A certified copy of the records to be kept under subsection (1) must be delivered to an inspector or a member or officer of the Corporation upon request.

#### **Age requirements for delivering or transporting liquor**

- 19** (1) A person must not enter into an arrangement with a person who is under 19 years old to convey or deliver liquor for or on behalf of the person who is under 19 years old.



- (2) A person who is under 19 years old must not convey or deliver liquor for another person, either alone or in company with another person.
- (3) A person who is 19 years old or older may transport on their person or in their vehicle unopened liquor that is purchased in accordance with all of the following:
  - (a) it was lawfully purchased for their personal consumption;
  - (b) it was either
    - (i) purchased in the Province or another Canadian province, or
    - (ii) lawfully imported into Canada.

**Exceptions by permit**

**20** Liquor may be carried in a manner not specifically provided for by these regulations if authorized by a permit.

**Delivery of liquor by manufacturers**

- 21** (1) Liquor must not be delivered by a manufacturer on any of the following days or times:
- (a) a statutory holiday;
  - (b) a day prescribed by the Corporation;
  - (c) a time prescribed by the Corporation.
- (2) By an order signed by the President or acting president, the Corporation may prohibit a manufacturer or its common carrier from delivering liquor to a person.
- (3) Subject to subsection (5), a manufacturer who holds a permit may deliver liquor that has been lawfully sold to a consumer for personal consumption by any of the following methods:
- (a) personal delivery by the manufacturer or by its employee;
  - (b) delivery by common carrier.
- (4) Subject to subsection (5), a manufacturer who holds a permit may deliver liquor that has been lawfully sold to a licensee, the Corporation or a person other than a consumer by any of the following methods:
- (a) personal delivery by the manufacturer or by its employee;
  - (b) delivery by common carrier;
  - (c) delivery by carrier.
- (5) Liquor delivered under subsection (3) or (4) must be delivered to a premises where it may be lawfully kept or received, and the delivery must be accepted by a person who is 19 years old or older.
- (6) A manufacturer operating a distillery or winery and also operating a licensed premises who purchases a blended and bottled liquor product for delivery under subsection (3) must do so in a

separate transaction from any sale made under the license.

## Permits

### Classes of permits

- 22 (1)** The following are the classes of permits that may be issued to a manufacturer who has 1 or more plant sites in the Province:
- (a) brewery;
  - (b) distillery;
  - (c) winery;
  - (d) farm winery;
  - (e) non-grape winery;
  - (f) non-grape farm winery;
  - (g) off-site store;
  - (h) hospitality room.
- (2)** The following are the classes of non-manufacturing permits that may be issued:
- (a) physician and dentist;
  - (b) nursing home;
  - (c) food industry and food manufacturer;
  - (d) pharmacist and naturopath;
  - (e) mechanical and scientific;
  - (f) hospital;
  - (g) sacramental wine;
  - (h) the North Atlantic Treaty Organization;
  - (i) warehouse;
  - (j) tasting;
  - (k) agency store;
  - (l) private wine and specialty store;
  - (m) gift basket;
  - (n) subscription;

(o) a permit for a purpose that the Corporation considers expedient and is in keeping with the spirit and intent of the Act and these regulations.

(3) The Corporation may prescribe policies for a class of permit.

#### **Corporation hosting events without permit**

**23** The Corporation may host events to promote the beverage alcohol industry in the Province where liquor is served and no permit is required.

#### **Application for permit**

**24 (1)** To apply for a permit, an applicant must do all of the following:

(a) submit a completed permit application in the prescribed form;

(b) pay the application fees prescribed by the Corporation;

(c) file with the Corporation a copy of all documents and information required by the Corporation to process the application.

(2) Before being issued a permit, an applicant must satisfy the Corporation that all requirements prescribed by the Corporation for the permit have been or will be complied with.

#### **Corporation issuing permit**

**25 (1)** Any of the following may be issued a permit under the Act and these regulations:

(a) a person who is 19 years old or older and is of good character and reputation;

(b) a partnership registered in the Province whose partners and the manager in charge of the premises for which the permit is required meet the criteria in clause (a);

(c) a company authorized to carry on business in the Province whose officer, agent and the manager in charge of the premises for which the permit is required meets the criteria in clause (a);

(d) members of the diplomatic corps for special functions, in accordance with the Corporation's policies.

(2) In addition to being non-transferable under Section 58 of the Act, a permit is only for the premises or part of the premises specified in the permit.

(3) Despite these regulations, the Corporation is not required to do any act or issue any permit or other authorization to any person.

#### **Conditions on permits**

**26 (1)** The Corporation may impose any conditions it considers necessary on a permit or the renewal of a permit.

(2) If any of the conditions imposed on a permit are not met, the Corporation may refuse to issue, suspend or revoke the permit.

(3) The Corporation must give a permit holder reasonable time to comply with any conditions placed on their permit.

**Corporation cancelling or revoking permit**

- 27 (1) If a permit holder is not in compliance with the Act, these regulations or the Corporation's policies, the Corporation may suspend, revoke or alter the terms of the permit.
- (2) When cancelling or suspending the permit of a brewer, distiller or vintner under Section 64 of the Act, the Corporation must give notice in writing of the cancellation or suspension and include in the notice the reasons for the cancellation or suspension.

**Persons authorized to issue permits**

- 28 (1) A person authorized by the Corporation under the Act to issue permits must do so in accordance with the instructions issued by the Corporation, including any instructions issued by the Corporation relating to the accounting for money received by the person for or on behalf of the Corporation.
- (2) A special permit under clause 56(2)(a) or (b) of the Act may not be issued unless the permit is signed by the President or acting president, or by a person authorized by the President or acting president.

**Duties of permit holders**

29 A permit holder must do all of the following:

- (a) keep any records that the Corporation requires;
- (b) provide the Corporation with any information and records the Corporation requires to satisfy the Corporation that the permit holder is complying with the Act, these regulations and the Corporation's policies;
- (c) permit an employee of the Corporation or the Corporation's appointee to enter its premises to ensure that the permit holder is complying with the Act, these regulations, and the Corporation's policies;
- (d) prominently display the permit and other notices required by the Corporation in the premises at all times;
- (e) ensure that a properly qualified individual who is designated as being in charge of the premises is present at all times when the premises are being operated;
- (f) when a permit is suspended or cancelled, return the permit on demand to the Corporation or an employee of the Corporation referred to in Section 14;
- (g) abide by all standards and conditions set by the Corporation respecting the operation of the premises;
- (h) comply with all terms and conditions of the permit.

**Prohibited actions by permit holders**

30 A permit holder, or their employee, servant or agent, must not do any of the following:

- (a) permit liquor to be removed from the premises, except as permitted by the Corporation;
- (b) permit liquor to be consumed on the premises, except as allowed by the Act or these regulations;
- (c) permit a person who is, or appears to be, under the influence of liquor to be on the premises or

to remain on the premises;

- (d) permit liquor to be served to a person who is, or appears to be, disorderly or under the influence of liquor.

#### **Renewal of permit**

- 31 (1)** To renew a permit, a permit holder may apply to the Corporation during the period prescribed by the Corporation and must do all of the following:
- (a) submit a completed renewal application in the prescribed form and pay the fees prescribed by the Corporation by the date determined by the Corporation;
  - (b) provide any information that the Corporation requires to process the application.
- (2)** The Corporation may renew a permit after receiving a renewal application and information required under subsection (1).
- (3)** The Corporation may reinstate an expired permit if the permit holder does all of the following:
- (a) appeals to the Corporation no later than 30 days after the date the permit expired;
  - (b) pays the prescribed fees.
- (4)** After holding a hearing that the permit holder is given notice to attend, the Corporation may refuse to renew a permit.

#### **Transfer of permit**

- 32 (1)** A permit must not be transferred without obtaining the consent of the Corporation in advance.
- (2)** The Corporation may allow the transfer of a permit only if the applicant does all of the following:
- (a) files the prescribed application;
  - (b) pays the fee prescribed by the Corporation;
  - (c) complies with the Act and these regulations;
  - (d) submits to the Corporation any further information the Corporation may require.
- (3)** The Corporation may allow the transfer of a permit with conditions and may revoke the authorization to transfer if the permit holder fails to comply with any of the conditions.

#### **Transfer of permit holder's shares**

- 33 (1)** If the transfer of a corporate permit holder's shares results in a change of control of the permit holder, the permit holder must notify the Corporation in writing of all of the following changes no later than 30 days after the date of the transfer:
- (a) the names of the company's officers, directors and shareholders;
  - (b) the number of shares held by each shareholder.
- (2)** If 20% or more of a corporate permit holder's shares are transferred from 1 person to another person, the corporate permit holder must notify the Corporation of the transfer and provide any

documentation the Corporation requests.

#### **Continuation of permit for use by trustee or receiver**

- 34 (1)** A receiver or trustee in bankruptcy or liquidation appointed by statute or by a Court may apply to the Corporation to continue using a permit to allow for the orderly disposition of stock on hand and the Corporation may approve the continuance of the permit for no longer than 6 months.
- (2)** An appointed receiver-manager must apply to the Corporation and the Corporation may allow the premises to continue being operated under the existing permit for no longer than 6 months.

#### **Disposal of liquor by public trustee**

- 35 (1)** All liquor taken by the public trustee in the administration of an estate must be destroyed other than full and sealed containers of liquor, which may be held and disposed of for the benefit of the estate.
- (2)** The Corporation must determine the method of disposal and all revenue from the sale of the liquor under subsection (1), less the Corporation's administrative costs, that must be forwarded to the public trustee for credit to the estate.

### **Registered Representatives**

#### **Registration required for manufacturer's representatives**

- 36 (1)** A manufacturer who does not have a plant site in the Province must not directly or indirectly employ or engage a person to act as its representative unless the person is registered with the Corporation as a representative of the manufacturer.
- (2)** A person must not directly or indirectly hold out to be or act as a representative of a manufacturer unless the person is registered with the Corporation as a representative of the manufacturer.

#### **Responsibilities of registered representatives**

**37** A registered representative must do all of the following:

- (a)** carry their registration card whenever engaging in business activity;
- (b)** engage only in activities in relation to their duties as the Corporation permits;
- (c)** abide by all standards and conditions set by the Corporation;
- (d)** comply with the Act and these regulations.

#### **Application for registration**

**38 (1)** To apply for registration as a manufacturer's representative, an applicant must do all of the following:

- (a)** submit a completed application in the prescribed form;
  - (b)** pay the fee prescribed by the Corporation;
  - (c)** file with the Corporation a copy of any documents or other information required by the Corporation;
  - (d)** provide proof to the Corporation that the applicant meets the requirements of subsection (2).
- (2)** An applicant for registration as a representative must be 19 years old or older and of good character

and reputation.

- (3) To renew their registration, a registered representative must apply to the Corporation during the period prescribed by the Corporation by submitting the form and the fee required by the Corporation.

#### **Gifts and inducements**

- 39** (1) Except as provided in subsection (2), the restrictions contained in the Act, these regulations and the *Criminal Code* (Canada) respecting gifts apply with the necessary changes in detail to liquor manufacturers and registered representatives doing business with the Corporation.
- (2) A registered representative may make a gift of liquor for promotional purposes in accordance with terms and conditions prescribed by the Corporation.

#### **Granting of registration**

- 40** (1) Registration as a representative is not transferable and is only for the benefit of the person named in the registration for the period specified on the permit.
- (2) The Corporation may impose conditions on a representative's registration and if any of the conditions are not fulfilled by the representative, the Corporation may refuse to issue or suspend or cancel the registration.
  - (3) The Corporation may determine the number of representatives a manufacturer may have and is not required to grant registration to a person.

### **Manufacturers**

#### **Permit required to operate**

- 41** To operate a brewery, distillery, winery, farm winery, non-grape winery or non-grape farm winery in the Province, a manufacturer must have a valid permit.

#### **Manufacturer's retail stores**

- 42** (1) A manufacturer who holds a class of permit listed in clauses 22(1)(a) to (c) may operate 1 manufacturer's retail store at each of their plant sites in the Province, if the manufacturer notifies the Corporation at 1 of the following times that they intend to operate a manufacturer's retail store:
- (a) when they apply for their permit;
  - (b) at a later time, with the approval of the Corporation.
- (2) A manufacturer who holds a farm winery permit may operate 1 manufacturer's retail store at each of their plant sites, if the site for the manufacturer's retail store meets all of the following conditions:
- (a) the store site is owned or leased by the same manufacturer;
  - (b) the manufacturer's acreage is certified under the *Nova Scotia Wine Standards Regulations* made under the *Agriculture and Marketing Act*;
  - (c) the store site is located within a reasonable proximate distance of the plant site and the acreage;
  - (d) the store site is either

- (i) within 500 m of the acreage or plant site, or
  - (ii) within a reasonable distance from the acreage or the plant site that is approved by the Corporation on the recommendation of the Minister of Agriculture.
- (3) A manufacturer may sell or provide samples of its product at its manufacturer's retail store only if the liquor is manufactured or blended and bottled in 1 of the following ways:
- (a) at 1 of the manufacturer's plant sites located in the Province;
  - (b) under a collaborative manufacturing arrangement with the manufacturer;
  - (c) under a contract manufacturing arrangement in which the manufacturer is the hiring manufacturer.
- (4) Liquor sold at a manufacturer's retail store that was manufactured or blended and bottled at a different plant site of the same manufacturer must not exceed the percentage of total sales at the manufacturer's retail store that is set in the Corporation's policies.
- (5) A manufacturer's retail store must be owned or leased and operated by the manufacturer.

**Off-site stores**

- 43 (1) A manufacturer who operates a manufacturer's retail store may apply for an off-site store permit.
- (2) An off-site store permit authorizes the permit holder to distribute samples of their product and sell their product in approved, unopened containers at the event specified in the application.
- (3) An event for which an off-site store permit may be granted must meet all of the following conditions:
- (a) it promotes 1 or more of the following:
    - (i) the Nova Scotia tourism industry,
    - (ii) the Nova Scotia agricultural industry,
    - (iii) the Nova Scotia food and beverage industry,
    - (iv) local economic development approved by the Corporation;
  - (b) it is 5 days or shorter in duration, unless the Corporation gives prior written approval for a longer duration.

**Hospitality rooms**

- 44 (1) A manufacturer who holds a class of permit listed in clauses 22(1)(a) to (f) may apply to the Corporation for a hospitality room permit.
- (2) A hospitality permit authorizes the permit holder to operate a hospitality room.

**Retail sales mark-up allocation**

- 45 (1) All liquor provided by a permit holder in any of the following ways is deemed to be purchased from the Corporation for an amount equal to the retail sales mark-up allocation or similar charge that is calculated in accordance with the terms and conditions of the permit:



- (a) by sale directly to a licensee or the holder of a private wine and specialty store permit;
  - (b) by sale at a manufacturer's retail store;
  - (c) by sale at a warehouse retail store;
  - (d) by sale or sample at an off-site store;
  - (e) by sale or sample at a hospitality room.
- (2) A permit holder must remit the retail sales mark-up allocation or similar charge to the Corporation in accordance with subsection (1) and the terms and conditions of the applicable permit or the Corporation's policies.

**Warehouse retail stores**

- 46 (1) A brewer, distiller or vintner who meets all of the following criteria may apply for a permit to operate a warehouse retail store for the on-premises sale of liquor:
- (a) they operate a functional warehouse facility in the Province;
  - (b) the warehouse facility has a minimum annual sales volume of 1 million equivalent 12-pack cases within the Province.
- (2) A warehouse retail store must be attached to a warehouse facility and operated by the same brewer, distiller or vintner who operates the warehouse facility.
- (3) A separate permit is required for each warehouse retail store.
- (4) Only liquor that is manufactured or blended and bottled by the operator of a warehouse retail store may be sold at the warehouse retail store.
- (5) The Corporation may consider a person who has held a warehouse retail permit for at least 10 consecutive years to be eligible for a warehouse retail permit whether or not they meet the requirements of this Section at the time the permit is issued.

**Collaborative manufacturing arrangements**

- 47 (1) A manufacturer may enter into a collaborative manufacturing arrangement with 1 or more other manufacturers, if both of the following conditions are met:
- (a) each manufacturer holds a permit;
  - (b) the Corporation has given prior written approval for the arrangement.
- (2) The parties to a collaborative manufacturing arrangement must agree on a percentage allocation to determine the amount, by volume, of the collaborative liquor product that will be included in each party's annual global production, so that the total amount allocated to all parties to the collaborative manufacturing arrangement is 100%.

**Contract manufacturing arrangements**

- 48 (1) A manufacturer may enter into a contract manufacturing arrangement with another manufacturer, if both of the following conditions are met:
- (a) each manufacturer holds a permit;

- (b) the Corporation has given prior written approval for the arrangement.
- (2) A hiring manufacturer must include in its annual global production the amount, by volume, of its contracted liquor product for the year.
- (3) For a manufacturer who is engaged in 1 or more contract manufacturing arrangements as a hiring manufacturer, at least 50% of the manufacturer's annual global production must be attributable to liquor product manufactured at its own plant site.

#### **Manufacturers' prohibitions**

- 49 (1) Unless authorized by the Corporation, a manufacturer is not permitted to own, rent, lease or operate a licensed premises.
- (2) A manufacturer must not purchase liquor for resale directly from manufacturers outside of the Province.
- (3) A manufacturer must meet all of the following conditions to be eligible for a permit:
- (a) they package their products in suitable, approved containers;
  - (b) they have an established, proper delivery system for their products.
- (4) During any period or on any day the Corporation directs, a manufacturer must not sell or deliver liquor from the premises of their manufacturer's retail store, hospitality room, off-site store or warehouse retail store, and the premises must not be kept open for the sale of liquor.

#### **Employees and managers**

- 50 (1) All manufacturers' employees who handle or sell liquor must be 19 years old or older.
- (2) A manager of a manufacturer's retail store, hospitality room, off-site store or warehouse retail store must supervise and regulate the operation of the premises under their charge in an efficient and orderly manner and to comply with all instructions issued by the Corporation.

#### **Beer or wine making for personal use**

- 51 (1) A person may only make beer or wine for personal use at their residential premises or at a ferment-on-premises facility licensed under the *Ferment-on-Premises Regulations*.
- (2) Except as provided in subsection (3) or as authorized under the *Ferment-on-Premises Regulations*, a person must not, for remuneration or other consideration, assist or participate in making beer or wine with another person for the personal use of the other person.
- (3) A person may receive remuneration for the sale of books, pamphlets or other information or for the sale of ingredients for the making of wine or beer.

### **Advertising and Promotion**

#### **Advertising and promotion policy**

- 52 (1) The Corporation must establish a policy setting out criteria that advertisements and promotions must meet.
- (2) A person must not advertise or promote liquor or its sale or consumption except as authorized under these regulations or in accordance with the Corporation's policy.

**Brand advertising**

- 53 (1)** A manufacturer may advertise a brand or product only by
- (a) referring to any of the following:
    - (i) trademarks,
    - (ii) brand names,
    - (iii) container labels,
    - (iv) established slogans,
    - (v) recipes,
    - (vi) any references in addition to those in subclauses (i) to (v) that the Corporation approves; and
  - (b) using words to describe the merits of the brand or product.
- (2)** Brand advertising may be designed to draw attention to 1 or more brands of liquor by using language to describe the brand or product, but must not promote the general use and consumption of liquor.

**Permitted sponsorships, giveaways and donations**

- 54 (1)** A manufacturer may do any of the following in accordance with the Corporation's policy:
- (a) distribute a novelty or point-of-sale article or sponsor a giveaway program;
  - (b) distribute pamphlets or brochures;
  - (c) sponsor or claim the sponsorship of a sports event;
  - (d) donate trophies and prizes with the manufacturer's name engraved or otherwise shown on them.
- (2)** A manufacturer may donate money for scholarships, bursaries, fellowships and any other educational incentive or benefit program.

**Manufacturers may advertise in authorized media**

- 55** A manufacturer may advertise only in the specified print and media form that is authorized in the Corporation's policy.

**Advertising on motor vehicles**

- 56 (1)** A manufacturer must not display any form of advertising, other than its corporate or brand name, on a motor vehicle unless authorized by the Corporation.
- (2)** A manufacturer may use a community service vehicle that displays its corporate name.

**Public service advertising**

- 57** Public service advertising must meet all of the following criteria:
- (a) in the Corporation's opinion, it supports a worthwhile cause and is not solely a sales

campaign;

- (b) it refers to the advertiser or its product only by its company name or brand name with a slogan, but without describing the product.

### **Radio and television advertising**

**58** In addition to the requirements for advertising under the regulations of the CRTC, an advertisement by a manufacturer on radio or television is restricted to the following:

- (a) brand advertising, in accordance with Section 53;
- (b) public service advertising, in accordance with Section 57;
- (c) corporate advertising, in accordance with the Corporation's policy.

### **Advertising restrictions**

**59** An advertisement must not do any of the following:

- (a) contain a personal endorsement of liquor unless the endorsement is approved by the Corporation;
- (b) convey the impression that consuming liquor is necessary or helpful in obtaining social prestige, business success, popularity or escape from personal problems;
- (c) depict family scenes that in any way involve using liquor, including a group of adults accompanied by children;
- (d) indicate that liquor may be consumed in any way, manner or place prohibited by federal, provincial or municipal law;
- (e) make a claim, directly or indirectly, that implies or attributes to liquor, either alone or as a mixture, any healthful, nutritive, dietary, curative, sedative or stimulative quality or properties;
- (f) portray drinking-party scenes that show immoderate or extreme use of liquor;
- (g) refer in any way to persons who may be under 19 years old;
- (h) state liquor prices without the Corporation's approval and without complying with the Corporation's policy.

### **Advertising signs**

**60** A person must not use a sign advertising liquor unless the sign is in accordance with the Corporation's policy.

**N.S. Reg. 78/2023**

Made: May 9, 2023

Filed: May 9, 2023

Proclamation of amendments to Act, S. 4, S.N.S. 2023, c. 7

Order in Council 2023-131 dated May 9, 2023  
Proclamation made by the Governor in Council  
pursuant to Section 4 of  
*An Act to Amend Chapter 22 of the Acts of 2021, the  
Interim Residential Rental Increase Cap Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated April 19, 2023, pursuant to Section 4 of Chapter 7 of the Acts of 2023, *An Act to Amend Chapter 22 of the Acts of 2021, the Interim Residential Rental Increase Cap Act*, is pleased to order and declare by proclamation that Chapter 7 of the Acts of 2023, *An Act to Amend Chapter 22 of the Acts of 2021, the Interim Residential Rental Increase Cap Act*, do come into force on and not before May 9, 2023.

L.S.

**Canada  
Province of Nova Scotia**

**Charles the Third**, by the Grace of God, of the United Kingdom, Canada, and His Other Realms and Territories, KING, Head of the Commonwealth, Defender of the Faith.

**To all [to] whom these presents shall come, or whom the same may in any wise concern,**

**Greeting!**

**A Proclamation**

**Whereas** in and by Section 4 of Chapter 7 of the Acts of 2023, *An Act to Amend Chapter 22 of the Acts of 2021, the Interim Residential Rental Increase Cap Act*, it is enacted as follows:

- 4** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

**And Whereas** it is deemed expedient that Chapter 7 of the Acts of 2023, *An Act to Amend Chapter 22 of the Acts of 2021, the Interim Residential Rental Increase Cap Act*, do come into force on and not before May 9, 2023;

**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 7 of the Acts of 2023, *An Act to Amend Chapter 22 of the Acts of 2021, the Interim Residential Rental Increase Cap Act*, do come into force on and not before May 9, 2023, 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, Arthur J. LeBlanc, Chancellor of Our Order of Nova Scotia, one of Our Counsel learned in the law in the Province of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

**Given** at Our Government House in the Halifax Regional Municipality, this 9th day of May in the year of Our

Lord two thousand and twenty-three and in the First year of Our Reign.

**By Command:**

**PROVINCIAL SECRETARY  
ATTORNEY GENERAL AND MINISTER OF JUSTICE**

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**N.S. Reg. 79/2023**

Made: May 9, 2023

Filed: May 9, 2023

Interim Residential Rental Increase Cap Regulations

Order in Council 2023-132 dated May 9, 2023  
Regulations made by the Governor in Council  
pursuant to Section 5A of the *Interim Residential Rental Increase Cap Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated April 19, 2023, and pursuant to Section 5A of Chapter 22 of the Acts of 2021, the *Interim Residential Rental Increase Cap Act*, is pleased to make regulations respecting the interim residential rental increase cap, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 9, 2023.

**Schedule “A”**

**Regulations Respecting the Interim Residential Rental Increase Cap  
made by the Governor in Council  
under Section 5A of Chapter 22 of the Acts of 2021,  
the *Interim Residential Rental Increase Cap Act***

**Citation**

1 These regulations may be cited as the *Interim Residential Rental Increase Cap Regulations*.

**Definition**

2 In these regulations, “Act” means the *Interim Residential Rental Increase Cap Act*.

**Maximum permitted rent increase for 2024**

3 The maximum permitted rent increase amount under clause 4(1)(b) of the Act for rent increases from January 1, 2024, to December 31, 2024, inclusive, is 5%.

**Maximum permitted rent increase for 2025**

4 The maximum permitted rent increase amount under clause 4(1)(c) of the Act for rent increases from January 1, 2025, to December 31, 2025, inclusive, is 5%.

**N.S. Reg. 80/2023**

Made: May 9, 2023

Filed: May 9, 2023

Health Services for Foreign Workers, International Students and Armed Forces Families  
Regulations—replacement

Order in Council 2023-133 dated May 9, 2023

Repeal of regulations and regulations made by the Governor in Council  
pursuant to clauses 13(1)(f) and 17(1)(e) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated January 18, 2023, and pursuant to clauses 13(1)(f) and 17(1)(e) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased, effective on and after May 9, 2023, to

- (a) repeal the regulations respecting a hospital and medical services program for persons on student visas, N.S. Reg. 67/1978, made by the Governor in Council by Order in Council 78-296 dated March 21, 1978;
- (b) repeal Order in Council 79-1073 dated August 21, 1979;
- (c) repeal the regulations respecting a hospital and medical services program for international students employed as teaching or research assistants, N.S. Reg. 92/1998, made by the Governor in Council by Order in Council 97-258 dated April 29, 1997; and
- (d) make new regulations respecting health services coverage for foreign workers, international students and armed forces families, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

**Schedule “A”**

**Regulations Respecting Insured Health Services for Foreign Workers,  
International Students and Armed Forces Families  
made by the Governor in Council under clause 17(1)(e)  
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 *Health Services for Foreign Workers, International Students and Armed Forces Families Regulations*.

**Definitions**

- 2 In these regulations,

“dependant” means a child or legal ward of an adult, who is younger than 19 years of age, supported by an adult and who is not married or living in a common law relationship;

“eligible foreign worker” means a resident who meets any of the following requirements:

- (i) they hold a valid work permit, issued by the federal Department of Citizenship and Immigration, to work in the Province for a Nova Scotian employer for a minimum of 12 months from the date they became a resident of the Province,

- (ii) they are party to an employment contract with a Nova Scotian employer and under the employment contract are required to work in the Province for a minimum of 12 months from the date they became a resident of the Province,
- (iii) they hold a diplomatic passport from a country other than Canada, and are eligible to and demonstrate an intention to reside in the Province for a minimum of 12 months from the date they became a resident of the Province,
- (iv) they are employed by the Northwest Atlantic Fisheries Organization to work in the Province for a minimum of 12 months from the date they became a resident of the Province,
- (v) they are an international student who is working as either a teaching or research assistant at a university in the Province.

“international student” means a resident who holds a study permit issued by the federal Department of Citizenship and Immigration, valid for a minimum of 12 months from the date they became a resident of the Province;

“resident” means a resident as defined in the *Hospital Insurance Regulations* made under the Act;

“spouse” means either of 2 people who are married to each other or are cohabiting in a conjugal relationship and have done so for a continuous period of at least 1 year.

### Health services eligibility

- 3 (1)** Despite any requirement in the Act or its regulations respecting duration of residency in the Province, all of the following people are entitled to insurance, services and benefits as a resident under the Act and regulations immediately upon becoming a resident of the Province:
- (a) an eligible foreign worker;
  - (b) a resident who is a spouse or dependant of an eligible foreign worker;
  - (c) a resident who is a spouse or dependant of a member of the Canadian Armed Forces;
  - (d) a resident who is a spouse or dependant of a member of the armed forces of a North Atlantic Treaty Organization nation other than the United States of America who is in the Province to perform official duties under the *Visiting Forces Act* (Canada) for a minimum of 12 months from the date they became a resident of the Province.
- (2)** Despite any requirement in the Act or its regulations respecting duration of residency in the Province, an international student who is not an eligible foreign worker, and a spouse or a dependant of that international student, is entitled to insurance, services and benefits as a resident under the Act and regulations effective on the first day of the thirteenth month from the date they became a resident of the Province.

### Expiry of work permit, study permit, employment, etc.

- 4** All of the following people are no longer entitled to insurance, services and benefits as a resident under the Act and its regulations:
- (a) an eligible foreign worker or international student whose work permit, employment contract, diplomatic passport, term of employment or study permit has expired or has been terminated and has not been extended or renewed;



- (b) a spouse or dependant of an eligible foreign worker or international student described in clause (a);
  - (c) a spouse or dependant of a member of the armed forces of a North Atlantic Treaty Organization nation other than the United States of America whose visit under the *Visiting Forces Act* (Canada) has expired or been terminated and has not been extended or renewed.
- 

**N.S. Reg. 81/2023**

Made: March 27, 2023

Approved: May 9, 2023

Filed: May 9, 2023

College of Occupational Therapists of Nova Scotia Registration Regulations—amendment

Order in Council 2023-134 dated May 9, 2023

Amendment to regulations made by the Board of the College of Occupational Therapists of Nova Scotia and approved by the Governor in Council pursuant to subsection 6(3) of the *Occupational Therapists Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated March 14, 2023, and pursuant to subsection 6(3) of Chapter 21 of the Acts of 1998, the *Occupational Therapists Act*, is pleased to approve amendments made by the Board of the College of Occupational Therapists of Nova Scotia to the *College of Occupational Therapists of Nova Scotia Registration Regulations*, N.S. Reg. 34/1999, made by the Board of the College of Occupational Therapists of Nova Scotia and approved by the Governor in Council by Order in Council 1999-148 dated April 7, 1999, to align registration, renewal, quality assurance programs and designated titles with provincial and national best practices, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 9, 2023.

**Schedule “A”**

I hereby certify that the Board of the College of Occupational Therapists of Nova Scotia, at a duly convened meeting of the Board held on March 27th, 2023, and pursuant to Section 6 of Chapter 21 of the Acts of 1998, the *Occupational Therapists Act*, resolved to amend the *College of Occupational Therapists of Nova Scotia Registration Regulations*, N.S. Reg. 34/1999, made by the Board of the College of Occupational Therapists of Nova Scotia and approved by the Governor in Council by Order in Council 1999-148 dated April 7, 1999, in the manner set forth in the attached.

Signed at Halifax, Nova Scotia, on March 27th, 2023.

Board of the College of Occupational Therapists of Nova Scotia

per: sgd. *Kevin Wong*

Kevin Wong

Executive Director/Registrar

**Amendment to the *College of Occupational Therapists of  
Nova Scotia Registration Regulations*  
made by the Board of the College of Occupational Therapists of Nova Scotia  
under Section 6 of Chapter 21 of the Acts of 1998,  
the *Occupational Therapists Act***

- 1 (1) Section 2 of the *College of Occupational Therapists of Nova Scotia Registration Regulations*, N.S. Reg. 34/1999, made by the Board of the College of Occupational Therapists of Nova Scotia and approved by the Governor in Council by Order in Council 1999-148 dated April 7, 1999, is amended by
- (a) striking out the clause letter before each definition;
  - (b) repealing the definition of “currency hours”;
  - (c) repealing the definition of “scope of practice” and substituting the following definition:  
“scope of practice” means any of the following as the context requires:
    - (i) the specialty in which the member is registered in the Specialists Register,
    - (ii) the type of practice as specified in any other Register provided for in the Act,
    - (iii) the type of practice determined by any terms or conditions attached to a licence,
    - (iv) those aspects of the practice of occupational therapy for which an occupational therapist possesses appropriate education and experience, as determined by the Board,
    - (v) any other non-clinical occupational therapy practice.
  - (d) repealing the definition of “spouse”.
- (2) Section 2 of the regulations is further amended by adding the following definitions where they belong in alphabetical order:
- “conduct unbecoming” means conduct by a member in a personal or private capacity that tends to bring discredit upon members or the profession of occupational therapy;
- “continuing competency program” means a program approved by the Board for maintaining and enhancing the continuing competence of members;
- “incapacity” means a medical, physical, mental or emotional condition, a disorder or an addiction that renders a member unable to practise competently or endangers the health or safety of others;
- “practice-hour requirements” means the number of paid hours of practice by a member within a defined period of time approved by the Board to establish that a member is current in practice or alternate currency of practice requirements approved by the Board if these practice hours have not been met;
- “professional incompetence” means, in relation to a member, a lack of competence demonstrated in the member’s care of a client or delivery of service that, having regard to all the circumstances,

rendered the member unsafe to practise at the time of the care or delivery of service or that renders the member unsafe to continue in practise without remedial assistance;

“professional misconduct” means conduct or acts relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional, and may include any of the following:

- (i) failing to maintain the standards of practice,
- (ii) failing to adhere to the College’s Code of Ethics,
- (iii) abusing a person verbally, physically, emotionally or sexually,
- (iv) misappropriating personal property, drugs or other property belonging to a client or employer,
- (v) inappropriately influencing a client to make or change a legal document,
- (vi) abandoning a client,
- (vii) neglecting to provide care to a client,
- (viii) failing to exercise appropriate discretion respecting the disclosure of confidential information,
- (ix) falsifying records,
- (x) inappropriately using licensing status for personal gain,
- (xi) promoting for personal gain any drug, device, treatment, procedure, product or service that is unnecessary, ineffective or unsafe,
- (xii) publishing, or causing to be published, any advertisement that is false, fraudulent, deceptive or misleading,
- (xiii) engaging or assisting in fraud, misrepresentation, deception or concealment of a material fact when applying for or securing registration or a licence or taking any examination provided for in the Act, including using fraudulently procured credentials,
- (xiv) taking or using a designation or a derivation or abbreviation of a designation, or describing the person’s activity as “occupational therapy” in any advertisement or publication, including business cards, websites or signage, unless the referenced activity falls within the practice of occupational therapy;

3 Section 12 of the regulations is amended by

- (a) adding “satisfactory” immediately before “proof” in clause (a);
- (b) adding the following clauses immediately after clause (a):
  - (aa) satisfactory proof that the applicant continues to meet the requirements of clauses 27(a) and (d), subclause (e)(v) and clause (g);

- (ab) satisfactory proof that the applicant has successfully completed any examinations required by the Board;
  - (ac) satisfactory proof that the applicant has met the requirements of the continuing competency program set out in Section 17;
  - (ad) if selected for a peer assessment under Section 17A, satisfactory proof that the member has met the requirements of that program;
- (c) repealing clause (b).

4 Section 16 of the regulations is repealed and the following Section is substituted:

- 16 (1)** If the Registrar is not satisfied with the evidence presented by a member applying to renew their registration, the Registrar
- (a) must give notice to the member that their application to renew their registration is denied;
  - (b) must provide reasons for the denial; and
  - (c) may refer the matter to the Credentials Committee and the provisions of subsections 28(4), (5), (6), (7) and (8) of the Act will apply *mutatis mutandis*.
- (2)** Despite clause (1)(c), if the member requests in writing that the matter be referred to the Credentials Committee, the Registrar must do so.

5 Section 17 of the regulations is repealed and the following Section is substituted:

**Continuing competency requirements**

**17** All members shall participate in the continuing competency program approved by the Board, which may include requirements for continuing education hours and any other requirements determined by the Board.

6 The regulations are further amended by repealing Section 17A and substituting the following Section:

**Peer assessment**

**17A** The Peer Assessment Committee may require a member to participate in peer assessment under Section 64 of the Act in any of the following circumstances:

- (a) the member fails to meet the continuing competency requirements set by the Board;
- (b) the member is randomly selected for peer assessment through a method approved by the Board;
- (c) the member is ordered to participate in peer assessment by a committee established under the Act or the regulations;
- (d) any other circumstances the Board may determine.

7 Clause 23(1)(b) is amended by striking out “his or her” and substituting “their”.

8 Clauses 26(a), (b) and (c) of the regulations are repealed and the following clauses are substituted:

- (a) that the applicant has not been and is not the subject of any regulatory, investigatory or disciplinary proceedings in any jurisdiction that may impact registration or licensing; and
  - (b) that the applicant has not been charged with, pleaded guilty to or been convicted of any offence inside or outside of Canada that is inconsistent with the proper professional behaviour of a member or that would reasonably have negative implications for the profession as a whole or the applicant's practice of occupational therapy.
- 9 Section 27 of the regulations is amended by
- (a) striking out "satisfy the Registrar that they are" in clause (a);
  - (b) striking out "both written and oral English or written and oral French" in clause (b) and substituting "written and oral English";
  - (c) repealing clause (d) and substituting the following clause:
    - (d) provide evidence that they have met the practice-hour requirements approved by the Board;
  - (d) repealing subclauses (e)(i) and (ii) and substituting the following subclauses:
    - (i) identification documents satisfactory to the Registrar,
    - (ii) proof that they are a Canadian citizen or legally entitled to live and work in Canada,
  - (e) repealing subclause (e)(v) and substituting the following subclause:
    - (v) information from the licensing body of any jurisdiction in which the applicant has practised in the past, or in which they are currently practising, regarding any outstanding complaints, prohibitions, agreements or conditions or restrictions on their practice,
  - (f) repealing subclause (e)(vii) and substituting the following subclause:
    - (vii) subject to Section 28, proof of successful completion of any examinations required by the Board;
  - (g) striking out the period at the end of clause (f) and substituting "; and"; and
  - (h) adding the following clause immediately after clause (f):
    - (g) satisfactory proof, in a manner determined by the Credentials Committee, that the applicant has the capacity, competence and character to engage in practice safely and ethically.
- 10 Section 27A of the regulations is repealed.
- 11 Section 32 of the regulations is amended by striking out "The Board" and substituting "The Credentials Committee, Registrar or the Board".
- 12 Section 35 of the regulations is amended by striking out "Board" wherever it appears and substituting "Registrar".
- 13 The regulations are further amended by repealing Section 37 and substituting the following Section:

**Entry in Register**

**37** An applicant who meets the requirements for registration set out in the Act and these regulations shall be registered under Section 19, 20 or 22 of the Act, as applicable.

14 Section 38 of the regulations is repealed.

15 The regulations are further amended by repealing Section 39 and substituting the following Section:

**Provisional registration**

**39** Provisional registration may be granted under Section 20 of the Act to an applicant in any of the following circumstances:

- (a) written confirmation of a requirement for registration is temporarily unavailable, but the confirmation will be provided within a reasonable period of time in the opinion of the Registrar and the Registrar can verify the information through some other acceptable means;
- (b) the applicant is a visiting occupational therapist currently licensed in another jurisdiction and is in the Province to participate in or attend an event or an educational course approved by the Registrar;
- (c) the applicant has written the examinations required for registration but has not yet received the results;
- (d) the applicant has not successfully completed the examinations required for registration but has provided proof satisfactory to the Registrar that
  - (i) they are eligible and registered for the next sitting of the examination, or
  - (ii) they are eligible to register for the next sitting of the examination when the registration period for the examination opens;
- (e) the Registrar determines it is in the public interest to issue a provisional licence;
- (f) if the provisional registration has been referred to the Credentials Committee or the Board, any other reason the Credentials Committee or the Board considers appropriate.

16 Section 40 of the regulations is repealed and the following Section is substituted:

**40 (1)** A provisional registration and licence may be granted subject to any of the following terms and conditions or any other conditions that the Registrar may, in their sole discretion, consider necessary and appropriate:

- (a) as to the length of time and the place in which the person may be permitted to practise;
- (b) requiring the provisionally registered person to be subject to supervision by a member approved by the Registrar;
- (c) as to the nature of the services the person is permitted to perform.

**(2)** A member on the provisional register who fails to complete the requirements for full registration within the period of time approved by the Board will cease to be registered on the provisional register.

17 Section 41 of the regulations is amended by

(a) repealing subsection (1) and substituting the following subsection:

(1) Applicants and occupational therapists may be required to undergo a period of supervised practice in an occupational therapy setting approved by the Registrar to demonstrate competence to practise.

(b) repealing clause (2)(a) and substituting the following clause:

(a) persons who are enrolled to take any examinations approved by the Board that are a prerequisite for registration;

18 Subsection 42(2) of the regulations is amended by

(a) repealing clauses (e) and (f) and substituting the following clauses:

(e) enter into a written agreement with the College with any terms and conditions that may be determined by the Registrar to be applicable to the relationship between the College, the sponsor and the sponsored person;

(f) report in writing on a regular basis, as considered necessary by the Registrar, on the performance of the sponsored person;

(b) striking out “Board” in clause (h) and substituting “Registrar”.

19 The regulations are further amended by repealing Section 49 and substituting the following Section:

**Designated titles**

**49 (1)** A member on the provisional Register may use only the following titles:

(a) Provisional Occupational Therapist;

(b) Provisional OT;

(c) Provisional OT Reg. (N.S.).

**(2)** A member on the Register may use only the following titles:

(a) Occupational Therapist;

(b) OT;

(c) Registered Occupational Therapist;

(d) OT Reg. (N.S.).

**(3)** A member may use in association with their name any academic degree, diplomas or certificates held by the member and approved by the Board for that use.

**(4)** A member must do all of the following:

(a) comply with the Act, the regulations, by-laws, code of ethics and standards of practice;

- (b) co-operate with the College, the Registrar and any committees or Board of the College with respect to any regulatory process or requirements under the Act, the regulations and the by-laws;
- (c) ensure that their contact information is kept up-to-date with the College;
- (d) maintain a record of practice hours;
- (e) maintain any professional liability insurance or other form of malpractice coverage or liability protection required by the Board when holding a practising licence;
- (f) practise only within
  - (i) their individual scope of practice, and
  - (ii) any terms, conditions or restrictions of their licence;
- (g) report to the Registrar if they have reasonable grounds to believe that another member
  - (i) has engaged in professional misconduct, conduct unbecoming an occupational therapist or professional incompetence, including incompetence arising out of physical or mental incapacity, or
  - (ii) is practising in a manner that otherwise constitutes a danger to the public;
- (h) report to the regulator of another health profession if they have reasonable grounds to believe that a member of that health profession
  - (i) has engaged in professional misconduct, conduct unbecoming that profession or professional incompetence, including incompetence arising out of physical or mental incapacity, or
  - (ii) is practising in a manner that otherwise constitutes a danger to the public.

20 Section 57 of the regulations is repealed and the following Section is substituted:

**Professional standards**

**57** A member in the practice of occupational therapy shall follow the Standards of Practice approved by the Board in the performance of professional services and shall

- (a) maintain the premises in which the member engages in the practice of occupational therapy in a sanitary and hygienic condition; and
- (b) maintain the equipment with which the member engages in the practice of occupational therapy in working order and in a hygienic condition.

21 Section 58 of the regulations is repealed.

22 The regulations are further amended by adding the following Section immediately after Section 61:

**Waiver**

**62 (1)** The Registrar, the Credentials Committee or the Board must waive any of the criteria for registration or licensing for either of the following reasons:



- (a) the criteria conflict with the requirements of the Canadian Free Trade Agreement; or
  - (b) it is required by law.
- (2)** The Registrar, the Credentials Committee or the Board may waive any criteria for registration or licensing or renewal of a licence if the waiver is consistent with the objects and purpose of the College.