

Royal



Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 27, No. 4

March 7, 2003

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N.S. Reg. 22/2003

Made: February 10, 2003

Filed: February 14, 2003

Advisory Committee Regulations

Order dated May 30, 2002
Amendment to regulations made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(c) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to ~~clauses~~ [clause] 15(1)(c) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on May 30, 2002, amended the *Advisory Committee Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after July 9, 2002.

Dated and signed at Truro, Nova Scotia, February 10, 2003

Sgd: *G. Comeau*
Gabriel Comeau
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, July 9, 2002.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Advisory Committee Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause 15(1)(c) of
Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, effective July 9, 2002**

1. The *Advisory Committee Regulations*, made by the Dairy Farmers of Nova Scotia pursuant to clause 15(1)(c) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, is amended by adding the following Sections immediately after Section 11:

Advisory Committee for Transportation

- 12 (1)** There shall be an advisory committee to the Board known as the "Advisory Committee for Transportation", hereinafter referred to as the "Transportation Committee".
- (2)** The Transportation Committee shall consist of 7 members of whom
 - (a) one shall be the chair of the Transportation Committee appointed by the Committee for a 3 year term, subject to annual review and who shall be a non-producer, non-processor, non-distributor and non-transporter and who is mutually agreeable to the Board and the transporters;
 - (b) three shall be appointed annually by the Board; and
 - (c) three shall be appointed annually by transporters.
- (3)** At least 60 days prior to the appointments of transporters expiring, the Board will contact the transporters requesting the names of appointees for the coming year.

- (4) If no appointments are made within the 60 days mentioned in subsection (3), the Board will send a second request to the transporters by registered letter.
- (5) If no response is received within 7 days of the receipt of the registered letter, the Board may appoint transporters to increase the number of members to 7.
- (6) If a member of the Transportation Committee dies or resigns or becomes unavailable to act before the expiration of the term of office, the body appointing such person shall appoint a person as a member for the remainder of the term of office.
- (7) The Board shall appoint a secretary for the Transportation Committee.

Costs

- 13** (1) The Board shall be responsible for the costs of the secretary and, the costs of the 3 members appointed by the Board.
- (2) The transporters shall be responsible for the costs of the 3 members appointed by the transporters.
 - (3) The costs of the chair shall be shared equally by the Board and the transporters.

Voting

- 14** (1) Each member of the Transportation Committee shall have one vote, with the exception of the chair, who shall not have a vote.
- (2) All decisions of the Transportation Committee must be unanimous among the voting members.

Arbitration

- 15** (1) If, at any time, the Transportation Committee is unable to reach a unanimous decision and the chair is of the opinion that all avenues that might lead to unanimity have been exhausted, or at least two-thirds of the voting members concur that the matter shall be referred to arbitration, the chair, or failing the chair the secretary, shall refer the matter to arbitration.
- (2) A matter referred to arbitration shall be referred to one of the arbitrators on the panel of arbitrators maintained for this purpose.
 - (3) The panel of arbitrators shall only contain the names of those arbitrators who are mutually agreeable to both the Board and the transporters and, who have agreed to the terms of reference for an arbitration under these regulations.
 - (4) Upon the arbitrator being appointed, the hearing of the matter shall be within 21 days of the appointment and the decision of the arbitrator shall be delivered within 7 days of the conclusion of the hearing, unless both parties agree to extend either or both deadlines.
 - (5) The decision of the arbitrator shall be final and binding on the transporters and the Board.
 - (6) All costs of the arbitration shall be equally shared by the Board and the transporters.

Transporter appointees

- 16** (1) The 3 members of the Transportation Committee appointed by the transporters shall be representative of different transporters carrying on business in the Province.
- (2) If there is a reorganization, merger or consolidation of such transporters, during any term of such members, the transporters may appoint new members for the balance of the term. If the transporters fail to make an appointment within 30 days of the reorganization, merger or consolidation, then the Board shall send a request to the transporters by registered mail, and if no appointment is made within 7 days of the registered mail being sent, the Board may appoint a transporter representative who has not been appointed in order to increase the number of transporter representatives to 3.

- (3) The transporters on the Transportation Committee shall identify and implement ways of including the input of the other transporters who are not on the Transportation Committee.

Compensation for Transportation Committee

- 17 (1) The remuneration or compensation paid to the chair of the Transportation Committee, and the terms of any contract for services with the chair, shall be mutually agreeable between the Board and the transporters.
- (2) All such remuneration or compensation shall be shared and paid for equally between the Board and the transporters.

Advice of Transportation Committee

- 18 (1) The Transportation Committee may advise and make recommendations to the Board in respect of
 - (a) the promotion of harmonious relationships between persons engaged in the producing and transporting of milk;
 - (b) the promotion of greater efficiency in the transporting of milk;
 - (c) without limiting the generality of the foregoing, any aspect of bulk milk transportation with respect to which the Board may make regulations under the Act.
- (2) Where a decision of the Transportation Committee and the Committee conflict, the decision of the Committee shall ~~suprecede~~ [supersede] the decision of the Transportation Committee.

Notification to Transporters

- 19 (1) The transporters on the Transportation Committee shall be notified of any intended amendments to the regulations, sought by the Board and shall be given a reasonable period specified in the notification in which to raise any concerns or issues with the amendments, by notifying the chair of the Transportation Committee.
- (2) The reasonable period referred to in subsection (1) shall, in no case, be longer than 30 days.
- (3) If the transporters on the Transportation Committee raise any concern or issues to the chair of the Transportation Committee, the chair shall immediately convene a meeting of the Transportation Committee, to deal with the concern or issue.
- (4) Sections 14 and 15 shall apply in respect to a decision concerning any concern or issue before any amendments to the regulations may take place and for greater certainty, any decision of an arbitrator appointed under Section 15 shall be final and binding on the transporters and the Board.
- (5) If the transporters on the Transportation Committee do not raise any concerns or issues within the time specified in the notification pursuant to subsections 1 and 2, the Board shall be able to proceed as if no concern or issue had been raised by the transporters.

Notification to producers

- 20 Any proposed amendments to the regulations shall be communicated to the producers within a reasonable time period.

N.S. Reg. 23/2003

Made: February 10, 2003

Filed: February 14, 2003

Bulk Haulage Regulations

Order dated July 17, 2002
Regulations made by the Dairy Farmers of Nova Scotia
pursuant to clauses 15(1)(b) and (e) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause[s] ~~and~~ 15(1)(b) and (e) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on July 17, 2002, made regulations respecting Bulk Haulage, to become effective on and after September 1, 2002.

Dated and signed at Truro, Nova Scotia, February 10, 2003.

Sgd: *G. Comeau*
Gabriel Comeau
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, August 13, 2002.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

**Regulations Respecting Bulk Haulage made by the Dairy Farmers of Nova Scotia
pursuant to clauses 15(1)(b) and (e) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act*, effective September 1, 2002**

Citation

1 These regulations may be cited as the *Bulk Haulage Regulations*.

Interpretation

2 In these regulations, "transporter licence" means a licence issued by the Board in accordance with Section 3.

Transporter licence

3 (1) A person carrying on the business of transporting milk from a licensed producer to a licensed processor must hold a valid transporter licence issued by the Board.

(2) An application for a transporter licence shall be on a form supplied by the Board.

(3) The fee for a transporter licence shall be \$15.00, which shall be paid to the Board.

(4) A transporter licence shall be valid for a period of 36 months.

(5) The Board may suspend, revoke or cancel a transporter licence, in whole or in part, for failure to comply with

- (a)** any transportation-related provision of an applicable Act or regulation; or
- (b)** an order made or policy established by the Council or by the Board.

Transporter acts on behalf of Board

- 4 (1) While transporting milk, a transporter is a bailee acting for and on behalf of the Board, and the Board obtains title to the milk when accepted by the bulk milk grader of the transporter.
- (2) A transporter is responsible for preservation of the Board's title to the milk being transported.
- (3) A transporter may represent that it is authorized to transport milk for and on behalf of the Board, but shall not represent that it is owned [by] or related to the Board.

Delivery of milk

- 5 (1) A transporter licensed to transport milk by tank truck shall deliver milk and cream to a licensed processor on the days required by the processor, including the period when highway weight restrictions are in effect by order of the Minister of Transportation and Public Works, unless accidents or circumstances beyond the control of the transporter make delivery impossible.
- (2) Where the Board is required to ship milk out of Nova Scotia, the Board shall direct transporters to deliver milk to processors outside Nova Scotia.

Protection of milk

- 6 A transporter shall
- (a) transport milk without unnecessary delay and in such manner as to protect the milk from heat, frost, dust and contamination of any kind; and
- (b) comply with all requirements of Provincial health authorities, the Council and the health authorities of the municipality within which the milk is being delivered.

Bulk haulage rates

- 7 The following rates shall be the maximum bulk haulage rates that may be charged to the Board by a transporter and shall be applicable to all transporters in the Province:

- (a) for farm pick-up:

Transporter	Maximum Rate/100 L
Bedford Transport Limited	\$2.20
Scotsburn Cooperative Services Limited	\$2.52
Fisher Transport Limited	\$2.06
Rudy Burghardt	\$2.52
Cook's Dairy Farm Limited	\$2.24

- (b) for inter-plant transfers:

Route	Maximum Rate/100 L
Yarmouth to or from Truro Farmers Cheese Division	\$5.29
Yarmouth from Truro or Shubenacadie	\$4.42
Yarmouth from Hammonds Plains or Dartmouth	\$4.04
Yarmouth from Valley or Bridgewater	\$3.14

- (c) special rates:

- (i) every day pick-up: 125% of maximum bulk haulage rate prescribed in this Section, calculated on all milk
- (ii) return trip: additional charge of \$50.00 per extra trip
- (iii) minimum: \$40.00 per week
- (iv) out-of-Province transport: rate to be negotiated between Board and transporter

Distributor who transports milk to file schedule of rates

8 A distributor who transports milk for or on behalf of a producer shall file with the Board a schedule of all rates to be charged for the transportation of the milk.

Transportation agreements

9 A licensed transporter shall have a transportation agreement with the Board that is in force.

Substitution of Provisions

10 This regulation is made in substitution for the *Bulk Haulage Rates* made pursuant to the *Dairy Industry Act* and Section 21 of Schedule 1 and Sections 1 to 6 of Schedule 5 of the regulations made pursuant to the *Dairy Commission Act*.

N.S. Reg. 24/2003

Made: February 10, 2003

Filed: February 14, 2003

Bulk Haulage Regulations

Order dated November 12, 2002

Amendment to regulations made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on November 12, 2002, amended the *Bulk Haulage Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after December 1, 2002.

Dated and signed at Truro, Nova Scotia, February 10, 2003

Sgd: *G. Comeau*
Gabriel V. Comeau
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, December 17, 2002.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause 15(1)(b) of
Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, effective December 1, 2002**

1. Clause 7(a) of the *Bulk Haulage Regulations* is amended by repealing clause 7(a) and substituting the following clause:

7 The following rates shall be the maximum bulk haulage rates that may be charged to the Board by a transporter and shall be applicable to all transporters in the Province:

- (a) for farm pick-up:

Transporter	Maximum Rate/100 L
Bedford Transport Limited	\$2.21
Scotsburn Co-op Services Limited	\$2.55
Fisher Transport Limited	\$2.08
Rudy Burghardt	\$2.54
Cook's Dairy Farm Limited	\$2.24

N.S. Reg. 25/2003

Made: February 10, 2003

Filed: February 14, 2003

Bulk Haulage Regulations

Order dated January 9, 2003
Amendment to regulations made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on January 9, 2003, amended the *Bulk Haulage Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after February 1, 2003.

Dated and signed at Truro, Nova Scotia, February 10, 2003

Sgd: *G. Comeau*
Gabriel V. Comeau
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, January 14, 2003.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Bulk Haulage Regulations* made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act*, effective February 1, 2003**

- Clause 7(a) of the *Bulk Haulage Regulations* is amended by repealing clause 7(a) and substituting the following clause:
 - The following rates shall be the maximum bulk haulage rates that may be charged to the Board by a transporter and shall be applicable to all transporters in the Province:
 - for farm pick-up:

Transporter	Maximum Rate/100 L
Bedford Transport Limited	\$2.25
Scotsburn Co-op Services Limited	\$2.56
Fisher Transport Limited	\$2.10
Rudy Burghardt	\$2.56
Cook's Dairy Farm Limited	\$2.25

N.S. Reg. 26/2003

Made: February 13, 2003

Filed: February 17, 2003

Commodity Group Levy

Order dated February 11, 2003

made by Nova Scotia Cattlemen's Association and approved by the Minister of Agriculture and Fisheries pursuant to Section 46 of the *Agriculture and Marketing Act*

Notice of Levy
Nova Scotia Cattlemen's Association

The Nova Scotia Cattlemen's Association, acting under the authority of Section 46 of Chapter 6 of the Revised Statutes of Nova Scotia, 1989, the Agriculture and Marketing Act, hereby gives notice that

- (a) a person engaged in the production of cattle is required to pay to the Nova Scotia Cattlemen's Association, by way of a levy, the sum of \$2.00 for every head of cattle sold;
- (b) a person engaged in the marketing of cattle is required to deduct, from any amount payable to [by] that person to a person engaged in the production of cattle, any amount payable by the latter person to the Nova Scotia Cattlemen's Association by way of levy, and to remit all amounts deducted to the Nova Scotia Cattlemen's Association;
- (c) the levy announced by notice dated July 14, 2000, and filed with the Registry of Regulations as N.S. Reg. 139/2000, is revoked,

effective on and after January 1, 2003.

Signed at Truro, Nova Scotia on February 11, 2003.

Sgd: *Charles MacKenzie*
Charles MacKenzie, President
Nova Scotia Cattlemen's Association

Approved February 13, 2003.

Sgd: *Gordon Balser*
Honourable Gordon D. Balser
Minister of Agriculture and Fisheries

N.S. Reg. 27/2003

Made: February 14, 2003

Filed: February 17, 2003

Insurance Agents Licensing Regulations

Order in Council 2003-50 dated February 14, 2003
Amendment to regulations made by the Governor in Council
pursuant to subsection 5(3) of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated January 14, 2002, and pursuant to subsection 5(3) of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased to amend the regulations respecting insurance agent licensing approved by the Governor in Council by Order in Council 93-461A dated May 31, 1993, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 14, 2003.

Schedule "A"

**Amendments to the Regulations Respecting the Licensing of Insurance Agents
made pursuant to subsections 5(3) and 52(1) of Chapter 231 of the
Revised Statutes of Nova Scotia, 1989, the *Insurance Act***

1 Section 1 of the regulations respecting the licensing of insurance agents approved by the Governor in Council by Order in Council 93-461A dated May 31, 1993, is amended by adding the following clause immediately after clause (b):

(ba) "LLQP" means the Life License Qualification Program conducted by an accredited course provider;

2 Section 2 of the regulations is repealed and the following Section substituted:

Life insurance agent licensing

2 (1) An individual shall not be issued a life insurance license that restricts the licensee to act only as an accident and sickness insurance agent unless the individual

(a) has passed any qualification examinations prescribed by the Superintendent; and

(b) has successfully completed the accident and sickness modules of an LLQP or has equivalent qualifications or experience acceptable to the Superintendent.

(2) An individual shall not be issued a life insurance license authorizing the licensee to act as an agent for life and accident and sickness insurance unless the individual

(a) has passed any qualification examinations prescribed by the Superintendent; and

(b) has successfully completed an LLQP or has equivalent qualifications or experience acceptable to the Superintendent.

(3) Despite subsection (2), an individual may be issued a transitional life insurance license authorizing the licensee to act as an agent for life and accident and sickness insurance if the individual

(a) has passed any qualification examinations prescribed by the Superintendent;

(b) has successfully completed the transitional modules of an LLQP; and

(c) undertakes to comply with the conditions set out in subsection (4).

(4) A transitional license issued under subsection (3) shall be revoked if the licensee fails to

- (a) enroll, within 180 days from the date of being licensed, to complete the remaining modules of the LLQP;
 - (b) work under the supervision of a life insurance agent who has been licensed for 3 years or who has equivalent qualifications or experience acceptable to the Superintendent;
 - (c) maintain a record of all life insurance sales supported by a needs analysis which is co-signed by the supervising agent;
 - (d) continue to be sponsored by an insurance company which undertakes to ensure the person's records are kept appropriately; and
 - (e) successfully complete the remaining modules of the LLQP within 2 years from the date of being licensed or January 1, 2007, whichever is earlier.
- 3 Sections 3 and 4 of the regulations are repealed.
- 4 Section 5 of the regulations is amended by repealing subsections (1) and (3) and renumbering subsection (2) as Section 5.
- 5 Subsection 7(2) of the regulations is repealed and subsection 7(1) is renumbered as Section 7.
- 6 (1) Subsection 8(1) of the regulations is repealed.
- (2) Subsection 8(2) of the regulations is renumbered as Section 8 and amended by
- (a) striking out "Despite subsection (1), any" and substituting "Any"; and
 - (b) striking out "nine" in clause (b) and substituting "6".
- 7 Section 9 of the regulations is amended by adding the following subsection immediately after subsection (1):
- (1A) The fee payable upon application for a license determined by the Superintendent to expire in 2 years or less is \$200.
- 8 Section 10 of the regulations is amended by
- (a) striking out "Sections 3, 4, and 5" in subsection (1) and substituting "Section 2"; and
 - (b) striking out "Sections 2 and 3" in subsection (2) and substituting "Section 2".

N.S. Reg. 28/2003

Made: February 14, 2003

Filed: February 17, 2003

Seniors' Pharmacare Program Regulations

Order in Council 2003-54 dated February 14, 2003
Amendment to regulations made by the Governor in Council
pursuant to subsection 17(3) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated January 28, 2003, and pursuant to subsection 17(3) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased to amend the *Seniors' Pharmacare Program Regulations* made by the Governor in Council by Order in Council 2000-471 dated September 20, 2000, in the manner set forth in

Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2003.

Schedule "A"

**Amendment to the *Seniors' Pharmacare Program Regulations*
made by the Governor in Council pursuant to subsection 17(3) of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

The *Seniors' Pharmacare Program Regulations* made by the Governor in Council by Order in Council 2000-471 dated September 20, 2000, are amended by adding "up to a maximum of \$30 per prescription per senior and" immediately following "time of purchase," in subsection 5(2).

N.S. Reg. 29/2003

Made: February 7, 2003

Filed: February 18, 2003

Ministerial Revocation Order re Frank F. Tibbetts, Tibbetts Paints Limited and Goodman Associates Incorporated

Order dated February 7, 2003
made by the Minister of Environment and Labour
pursuant to clause 131(1)(b) of the *Environment Act*

1-03

IN THE MATTER OF Clause 131(1)(b) of Chapter 1 of the Acts of 1994-95, the *Environment Act*

- and -

IN THE MATTER OF the revocation of a Ministerial Order issued pursuant to the provisions of the *Environment Act* to **Frank F. Tibbetts**, of New Glasgow, Pictou County, Nova Scotia, **Tibbetts Paints Limited**, a body corporate, located at or near New Glasgow, Pictou County, Nova Scotia and **Goodman Associates Incorporated**, Trustee of the Estate of Tibbetts Paints Limited, of Halifax, Halifax County, Nova Scotia.

Revocation Order

Whereas by Ministerial Order issued pursuant to subsection 125(1) of the *Environment Act* dated June 12, 2001, and the amendment dated December 4, 2001, signed by the Minister of Environment and Labour, the Honourable David Morse and duly filed in the Office of the Registrar of Regulations on June 13, 2001 ([N.S.] Reg. 69/2001) and December 11, 2001 [2001] ([N.S.] Reg. 150/2001) respectively and published in the Royal Gazette, on June 29, 2001, Volume 25, Number 13, at pages 526-529, on December 28, 2001, Volume 25, Number 25, at pages 1081-1082 respectively, the persons named in the Ministerial Order were ordered to comply with the conditions set forth in Schedule "A" attached to the Ministerial Order as amended, respecting a former paint manufacturing facility located at or near 21 Riverbank Road, Trenton, Nova Scotia

And Whereas the Honourable Minister of Environment and Labour wishes to revoke the Ministerial Order while maintaining the authority to issue further Ministerial Orders in future against the persons named in the Ministerial Order if the circumstances so merit;

It Is Hereby Ordered that upon service of this Order of Revocation, the Ministerial Order dated June 12, 2001, and amendment dated December 4, 2001, are revoked and of no further force or effect.

Dated at Halifax, Halifax County, Nova Scotia on February 7, 2003.

Sgd: *Ron Russell*
The Honourable Ron S. Russell
Minister of Environment and Labour

N.S. Reg. 30/2003

Made: February 11, 2003

Filed: February 21, 2003

Contracted Exports of Dairy Products Regulations

Order dated February 11, 2003
Repeal of regulations made by the Natural Products Marketing Council
pursuant to Section 9 of the *Dairy Industry Act*

At a meeting held on February 11, 2003, the Nova Scotia Natural Products Marketing Council, in consultation with the Dairy Farmers of Nova Scotia and pursuant to Section 9 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, repealed Schedule 13, Contracted Exports of Dairy Products Regulations, made by the Nova Scotia Dairy Commission under Section 13 of Chapter 117 of the Revised Statutes of Nova Scotia, 1989, the *Dairy Commission Act*.

Dated and signed at Truro, Nova Scotia, February 11, 2003

Natural Products Marketing Council

Sgd: *G. Burris*
George D. Burris
General Manager

N.S. Reg. 31/2003

Made: February 18, 2003

Filed: February 25, 2003

Non-Agricultural Use Land Exemption Regulations

Order dated February 18, 2003
Regulations made by the Minister of Agriculture and Fisheries
pursuant to clause 51(1)(ia) of the *Agricultural Marshland Conservation Act*

**In the Matter of Clause 51(1)(ia) of Chapter 22 of the Acts of 2000, the
*Agricultural Marshland Conservation Act***

-and-

**In the Matter of the Non-agricultural Use Land Exemption Regulations
made by the Minister of Agriculture and Fisheries Pursuant to
Clause 51(1)(ia) of the *Agricultural Marshland Conservation Act***

Order

I, Gordon Balser, Minister of Agriculture and Fisheries for the Province of Nova Scotia, pursuant to clause 51(1)(ia) of Chapter 22 of the Acts of 2000, the *Agricultural Marshland Conservation Act*, do

hereby make regulations respecting the non-agricultural use land exemption in the form set forth in Schedule "A" attached to and forming part of this Order.

Date[d] and made at Halifax, Nova Scotia, February 18, 2003

Sgd: *Gordon Balser*
Gordon D. Balser
Minister of Agriculture and Fisheries

Schedule "A"

**Regulations Respecting Non-Agricultural Use Land Exemption Regulations
made by the Minister of Agriculture and Fisheries pursuant to clause 51(1)(ia) of
Chapter 22 of the Acts of 2000, the *Agricultural Marshland Conservation Act*.**

- 1 These regulations may be cited as the *Non-Agricultural Use Land Exemption Regulations*.
- 2 For the purpose of subsection 41(6) of the *Agricultural Marshland Conservation Act* areas indicated on the following maps are lands with non-agricultural uses that existed on the coming into force of the Act:

Department of Agriculture and Fisheries Map Number	Name of Marsh	County
NS02	Windsor Forks	Hants
NS03	Falmouth Great Dyke	Hants
NS04	Queen Anne	Annapolis
NS05	Dugau	Annapolis
NS06	Saulnierville	Digby
NS08	Grand Pre	Kings
NS11	Truro Dykeland Park	Colchester
NS12	Victoria Diamond Jubilee	Colchester
NS14	Elderkin	Hants
NS17	Falmouth Village	Hants
NS20	Advocate	Cumberland
NS23	Masstown	Colchester
NS24	Noel Shore	Hants
NS30	Allan River	Annapolis
NS38	St. Croix	Hants
NS41	Habitant	Kings
NS42	Amherst Point	Cumberland
NS44	Converse	Cumberland
NS45	Barronsfield	Cumberland
NS46	River Hebert	Cumberland
NS53	John Lusby	Cumberland

Department of Agriculture and Fisheries Map Number	Name of Marsh	County
NS55	Seaman	Cumberland
NS56	Wellington	Kings
NS57	New Minas	Kings
NS59	Brown Salt Pond	Yarmouth
NS64	Glenholme	Colchester
NS65	Bishop Beckwith	Kings
NS67	Onslow North River	Colchester
NS68	Tregothic	Hants
NS69	Martock	Hants
NS70	Cheggoggin	Yarmouth
NS75	Armstrong	Hants
NS76	Farnham	Kings
NS81	Lower Truro	Colchester
NS82	Kentville	Kings
NS86	Central Onslow	Colchester
NS87	Chignecto	Cumberland
NS88	Burlington	Hants
NS91	Belcher Street	Kings
NS92	Avonport	Kings
NS95	Fort Lawrence - Amherst	Cumberland
NS97	Highland Village	Colchester
NS103	Annapolis River Dam	Annapolis
NS104	Sunny Slope	Hants
NS106	Fort Ellis	Colchester
NS109	Nappan River Dam	Cumberland
NS115	Nappan-Maccan	Cumberland
NS116	Shubenacadie	Hants
NS119	Upper Maccan	Cumberland

3 Appendix 1 contains the maps listed in Section 2.

Appendix 1 Maps

[Pursuant to clause 3(5)(a) of the *Regulations Act*, publication of the maps in Appendix 1 is dispensed with. Copies of the maps are on file with the Registrar of Regulations.]

N.S. Reg. 32/2003 to N.S. Reg. 41/2003

Made: February 21, 2003

Filed: February 25, 2003

Nova Scotia Crop and Livestock Insurance Plans for Forage,
Forage Production, Peas & Beans, Raspberries, Soybeans,
Spring Grain, Strawberries, Tree Fruit, Tree Insurance and Vegetables

Order in Council 2003-59 dated February 21, 2003
Amendment to regulations approved by the Governor in Council
pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated January 7, 2003, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased to approve, effective on and after February 21, 2003, the making by the Nova Scotia Crop and Livestock Insurance Commission of amendments to:

- (a) *The Nova Scotia Crop and Livestock Insurance Plan for Forage* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (b) the *Nova Scotia Crop and Livestock Insurance Plan for Forage Production* approved by the Governor in Council by Order in Council 2000-434 dated August 30, 2000, in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation;
- (c) *The Nova Scotia Crop and Livestock Insurance Plan for Peas and Beans* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "C" attached to and forming part of the report and recommendation;
- (d) the *Nova Scotia Crop and Livestock Insurance Plan for Raspberries* approved by the Governor in Council by Order in Council 1999-440 dated September 14, 1999, in the manner set forth in Schedule "D" attached to and forming part of the report and recommendation;
- (e) *The Nova Scotia Crop and Livestock Insurance Plan for Soybeans* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "E" attached to and forming part of the report and recommendation;
- (f) *The Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "F" attached to and forming part of the report and recommendation;
- (g) *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "G" attached to and forming part of the report and recommendation;
- (h) the *Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "H" attached to and forming part of the report and recommendation;
- (i) *The Nova Scotia Crop and Livestock Insurance Plan for Tree Insurance* approved by the Governor in Council by Order in Council 95-63 dated January 24, 1995, in the manner set forth in Schedule "I" attached to and forming part of the report and recommendation;
- (j) the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* approved by the Governor in Council by Order in Council 2000-571 dated November 17, 2000, in the manner set forth in Schedule "J" attached to and forming part of the report and recommendation.

N.S. Reg. 32/2003

The Nova Scotia Crop and Livestock Insurance Plan for Forage

Schedule "A"**Amendments to *The Nova Scotia Crop and Livestock Insurance Plan for Forage* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act***

1 Subsection 11(1) of *The Nova Scotia Crop and Livestock Insurance Plan for Forage* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following subsection substituted:

(1) The price options for each insurable forage crop shall be \$90.00 and \$140.00 per acre.

2 Subsection 12(2) of the plan is repealed and the following subsection substituted:

(2) The base premium rate shall be \$8.00 per acre for the \$90.00 per acre coverage and \$12.50 per acre for the \$140.00 per acre coverage.

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Forage* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 33/2003

Nova Scotia Crop and Livestock Insurance Plan for Forage Production

Schedule "B"**Amendments to the *Nova Scotia Crop and Livestock Insurance Plan for Forage Production* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act***

1 Subsection 10(1) of the *Nova Scotia Crop and Livestock Insurance Plan for Forage Production* approved by the Governor in Council by Order in Council 2000-434 dated August 30, 2000, is repealed and the following subsection substituted:

(1) The price options for each insurable forage crop shall be \$70.00, \$80.00, and \$90.00 per tonne.

2 Subsection 12(1) of the plan is repealed and the following subsection substituted:

(1) The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Coverage Level	Base Premium Rate
70%	\$5.00
80%	\$7.50

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Forage [Production]* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 34/2003

The Nova Scotia Crop and Livestock Insurance Plan for Peas and Beans

Schedule "C"

Amendments to *The Nova Scotia Crop and Livestock Insurance Plan for Peas and Beans* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

- 1 Subsection 9(2) of *The Nova Scotia Crop and Livestock Insurance Plan for Peas and Beans* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following subsections substituted:
 - (2) The total guaranteed production shall be 80% of the probable yield for the total acreage of each insured pea and bean crop to be harvested.
 - (2A) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the probable yield for the total acreage of each insured pea and bean crop to be harvested.
- 2 Subsection 10(1) of the plan is repealed and the following subsection substituted:
 - (1) The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Crop	Base Premium Rate
Peas	\$9.60
Beans	\$13.50

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Forage [Peas and Beans]* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 35/2003

Nova Scotia Crop and Livestock Insurance Plan for Raspberries

Schedule "D"**Amendments to the *Nova Scotia Crop and Livestock Insurance Plan for Raspberries* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act***

1 Subsection 10(1) of the *Nova Scotia Crop and Livestock Insurance Plan for Raspberries* approved by the Governor in Council by Order in Council 1999-440 dated September 14, 1999, is repealed and the following subsection substituted:

(1) The price options for each insurable raspberry crop shall be \$0.80, \$1.00 and \$1.20 per pint.

2 Subsection 12(1) of the plan is repealed and the following subsection substituted:

(1) The base premium rate for each \$100.00 of coverage shall be \$6.50.

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Forage [Raspberries]* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 36/2003

The Nova Scotia Crop and Livestock Insurance Plan for Soybeans

Schedule "E"**Amendments to *The Nova Scotia Crop and Livestock Insurance Plan for Soybeans* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act***

1 Section 10 of *The Nova Scotia Crop and Livestock Insurance Plan for Soybeans* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following Section substituted:

10 (1) The total guaranteed production shall be 70% or 80% of the probable yield for the total acreage of each insured soybean crop to be harvested.

(2) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the probable yield for the total acreage of each insured soybean crop to be harvested.

2 Subsection 11(1) of the plan is repealed and the following subsection substituted:

(1) The price options for each insured soybean crop shall be \$210.00, \$230.00 and \$250.00 per tonne.

3 Subsection 13(1) of the plan is repealed and the following subsection substituted:

(1) The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Coverage Level	Base Premium Rate
70%	\$6.70
80%	\$10.70

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Forage [Soybeans]* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 37/2003

The Nova Scotia Crop and Livestock Insurance Plan for Spring Grain

Schedule "F"

Amendments to *The Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

1 Section 10 of *The Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following Section substituted:

- 10 (1)** The total guaranteed production shall be 70% or 80% of the probable yield for the total acreage of each insured spring grain crop to be harvested.
- (2)** Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the probable yield for the total acreage of each insured spring grain crop to be harvested.

2 Subsection 11(1) of the plan is repealed and the following subsection substituted:

- (1)** The established price options for each insurable spring grain crop shall be as set out in the following table:

Crop	Option #1	Option #2	Option #3
Oats	\$120/tonne	\$140/tonne	\$160/tonne
Barley	\$120/tonne	\$140/tonne	\$160/tonne
Milling wheat	\$130/tonne	\$150/tonne	\$170/tonne
Feed wheat	\$120/tonne	\$140/tonne	\$160/tonne
Mixed grain	\$120/tonne	\$140/tonne	\$160/tonne

3 Subsection 13(1) of the plan is repealed and the following subsection substituted:

- (1)** The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Crop	Base Premium Rate	
	70% Coverage	80% Coverage
Oats	\$6.70	\$8.80
Barley	\$6.60	\$9.40
Milling wheat	\$4.30	\$7.10
Feed wheat	\$4.30	\$7.10
Mixed grain	\$7.20	\$10.00

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 38/2003

The Nova Scotia Crop and Livestock Insurance Plan for Strawberries

Schedule "G"

**Amendments to *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries*
made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989,
the *Crop and Livestock Insurance Act***

- 1 Subsections 9(1) and (2) of *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, are repealed and the following subsections substituted:
 - (1) The total guaranteed production shall be 70% or 80% of the average yield for the total acreage of each insured strawberry crop to be harvested.
 - (2) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the average yield for the total acreage of each insured strawberry crop to be harvested.
- 2 Subsection 10(1) of the plan is repealed and the following subsection substituted:
 - (1) The price options for each insurable strawberry crop shall be \$0.70, \$0.90 and \$1.10 per quart.
- 3 Subsection 12(1) of the plan is repealed and the following subsection substituted:
 - (1) The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Coverage Level	Base Premium Rate
70%	\$6.80
80%	\$10.40

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 39/2003

Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit

Schedule "H"

Amendments to the Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the Crop and Livestock Insurance Act

1 Subsection 10(1) of the *Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following subsection substituted:

(1) The total guaranteed production shall be 80% of the average yield for the total acreage of each insured tree fruit crop to be harvested.

(1A) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the average yield for the total acreage of each insured tree fruit crop to be harvested.

2 Subsection 11(1) of the plan is repealed and the following subsection substituted:

(1) The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Crop	Base Premium Rate	
	80% Coverage	85% Coverage
Apples	\$5.80	\$8.00
Pears	\$5.30	\$7.50

3 Subsection 13(1) of the Plan is repealed and the following subsection substituted:

(1) The maximum established price for each insurable tree fruit crop shall be as set out in the following table:

Crop	Fresh fruit	Processing fruit	Juice fruit
Apples	\$0.15/lb.	\$0.14/lb.	\$0.06/lb.
Pears	\$0.15/lb.	N/A	N/A

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 40/2003

The Nova Scotia Crop and Livestock Insurance Plan for Tree Insurance

Schedule "I"

Amendments to *The Nova Scotia Crop and Livestock Insurance Plan for Tree Insurance* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

Subsection 10(1) of *The Nova Scotia Crop and Livestock Insurance Plan for Tree Insurance* approved by the Governor in Council by Order in Council 95-63 dated January 24, 1995, is repealed and the following subsection substituted:

- (1) The base premium rate for each \$100.00 of coverage shall be \$0.50.

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Tree Insurance* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager

N.S. Reg. 41/2003

Nova Scotia Crop and Livestock Insurance Plan for Vegetables

Schedule "J"

Amendments to the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

1 Subsection 10(1) of the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* approved by the Governor in Council by Order in Council 2000-571 dated November 17, 2000, is repealed and the following subsection substituted:

- (1) The price options for each insurable vegetable crop shall be as set out in the following table:

Crop	Option #1	Option #2	Option #3
Broccoli	\$0.27/lb.	\$0.30/lb.	\$0.33/lb.
Brussels sprouts	\$0.35/lb.	\$0.40/lb.	\$0.45/lb.
Cauliflower	\$0.22/lb.	\$0.25/lb.	\$0.28/lb.
Cabbage	\$0.10/lb.	\$0.11/lb.	\$0.12/lb.

Crop	Option #1	Option #2	Option #3
Fresh carrots	\$0.08/lb.	\$0.09/lb.	\$0.10/lb.
Lettuce	\$0.19/lb.	\$0.22/lb.	\$0.23/lb.
Onions	\$0.08/lb.	\$0.09/lb.	\$0.10/lb.
Parsnips	\$0.24/lb.	\$0.27/lb.	\$0.30/lb.
Processing carrots	contract price	N/A	N/A
Rutabagas	\$0.11/lb.	\$0.13/lb.	\$0.15/lb.
Winter squash	\$0.13/lb.	\$0.15/lb.	\$0.17/lb.

2 Subsection 12(1) of the plan is repealed and the following subsection substituted:

- (1) The base premium rate for each \$100.00 of coverage shall be \$7.50.

I certify that at a meeting held January 31, 2002, the Crop and Livestock Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* in the manner set forth above.

Dated and signed at Truro, Nova Scotia, December 13, 2002.

Crop and Livestock Insurance Commission

Sgd: *Gerald Post*
Gerald Post, Manager