

Royal



Gazette

Part II

Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 34, No. 20

September 24, 2010

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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. 131/2010

Made: September 2, 2010

Filed: September 7, 2010

Prescribed Petroleum Products Prices

Order dated September 2, 2010
 made by the Nova Scotia Utility and Review Board
 pursuant to Section 14 of the *Petroleum Products Pricing Act*
 and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-10-36****In the Matter of the *Petroleum Products Pricing Act*****- and -**

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

Before: Murray E. Doehler, CA, P. Eng., Member**Order**

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

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

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended September 1, 2010, are:

Grade 1 Regular gasoline	53.3¢ per litre
Ultra-low-sulfur diesel oil	58.6¢ per litre

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

Gasoline:	
Grade 1	53.3¢ per litre
Grade 2	56.3¢ per litre
Grade 3	59.3¢ per litre
Ultra-low-sulfur diesel oil	58.6¢ per litre

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

Gasoline:	minus 0.5¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.8¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., September 3, 2010.

Dated at Halifax, Nova Scotia, this 2nd day of September, 2010.

Sgd: *Elaine Wagner*
 Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on September 3, 2010**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 15% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	59.1	10.0	15.5	84.6	101.9	103.6	101.9	999.9
Mid-Grade Unleaded	62.1	10.0	15.5	87.6	105.3	107.1	105.3	999.9
Premium Unleaded	65.1	10.0	15.5	90.6	108.8	110.5	108.8	999.9
Ultra-Low-Sulfur Diesel	65.7	4.0	15.4	85.1	102.5	104.2	102.5	999.9
Zone 2								
Regular Unleaded	59.5	10.0	15.5	85.0	102.4	104.1	102.4	999.9
Mid-Grade Unleaded	62.5	10.0	15.5	88.0	105.8	107.5	105.8	999.9
Premium Unleaded	65.5	10.0	15.5	91.0	109.3	111.0	109.3	999.9
Ultra-Low-Sulfur Diesel	66.1	4.0	15.4	85.5	102.9	104.7	102.9	999.9
Zone 3								
Regular Unleaded	60.0	10.0	15.5	85.5	102.9	104.7	102.9	999.9
Mid-Grade Unleaded	63.0	10.0	15.5	88.5	106.4	108.1	106.4	999.9
Premium Unleaded	66.0	10.0	15.5	91.5	109.8	111.6	109.8	999.9
Ultra-Low-Sulfur Diesel	66.6	4.0	15.4	86.0	103.5	105.2	103.5	999.9
Zone 4								
Regular Unleaded	60.0	10.0	15.5	85.5	102.9	104.7	102.9	999.9
Mid-Grade Unleaded	63.0	10.0	15.5	88.5	106.4	108.1	106.4	999.9
Premium Unleaded	66.0	10.0	15.5	91.5	109.8	111.6	109.8	999.9
Ultra-Low-Sulfur Diesel	66.6	4.0	15.4	86.0	103.5	105.2	103.5	999.9
Zone 5								
Regular Unleaded	60.0	10.0	15.5	85.5	102.9	104.7	102.9	999.9
Mid-Grade Unleaded	63.0	10.0	15.5	88.5	106.4	108.1	106.4	999.9
Premium Unleaded	66.0	10.0	15.5	91.5	109.8	111.6	109.8	999.9
Ultra-Low-Sulfur Diesel	66.6	4.0	15.4	86.0	103.5	105.2	103.5	999.9
Zone 6								
Regular Unleaded	60.8	10.0	15.5	86.3	103.8	105.6	103.8	999.9
Mid-Grade Unleaded	63.8	10.0	15.5	89.3	107.3	109.0	107.3	999.9
Premium Unleaded	66.8	10.0	15.5	92.3	110.7	112.5	110.7	999.9
Ultra-Low-Sulfur Diesel	67.4	4.0	15.4	86.8	104.4	106.1	104.4	999.9

N.S. Reg. 132/2010 to 133/2010

Made: September 8, 2010 (N.S. Reg. 132/2010) and November 2, 2009 (N.S. Reg. 133/2010)

Approved: September 8, 2010 (N.S. Reg. 133/2010)

Filed: September 10, 2010

Designation of Insurable Crops and Livestock Regulations
and Maple Syrup Insurance Plan

Order in Council 2010-336 dated September 8, 2010
Amendment to regulations made by the Governor in Council and
Regulations made by the Crop and Livestock Insurance Commission
and approved by the Governor in Council
pursuant to Sections 7 and 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated June 28, 2010, is pleased, effective on and after September 8, 2010,

- (a) pursuant to Section 7 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, to amend the *Designation of Insurable Crops and Livestock Regulations*, N.S. Reg. 22/2005, made by the Governor in Council by Order in Council 2005-66 dated February 18, 2005, to designate maple syrup as an insurable crop in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (b) pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, to approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a crop insurance plan for maple syrup production in the form set forth in Schedule "B" attached to and forming part of the report and recommendation.

N.S. Reg. 132/2010

Designation of Insurance Crops and Livestock Regulations

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

Section 3 of the *Designation of Insurable Crops and Livestock Regulations*, N.S. Reg. 22/2005, made by the Governor in Council by Order in Council 2005-66 dated February 18, 2005, is amended by adding the following clause immediately after clause (d):

- (da) maple syrup;

N.S. Reg. 133/2010

Maple Syrup Insurance Plan

Schedule "B"

I certify that at a meeting held on November 2, 2009, the Crop and Livestock Insurance Commission, pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, passed a motion to make regulations establishing a crop insurance plan for maple syrup production in the form attached.

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

Dated and signed at Truro, Nova Scotia, April 12, 2010.

Sgd.: *Bill MacLeod*
J. Bill MacLeod, P.Ag., CEO
Crop and Livestock Insurance Commission

**Regulations Respecting a Crop Insurance Plan for Maple Syrup Production
made by the Nova Scotia Crop and Livestock Insurance Commission
under Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989,
the *Crop and Livestock Insurance Act***

Citation

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

Purpose

2 The purpose of this plan is to provide for insurance against a reduction in yield of maple syrup resulting from one or more of the perils designated in Section 4.

Interpretation

3 (1) In this plan,

- (a) “Act” means the *Crop and Livestock Insurance Act*;
- (b) “average insurable yield” means the average insurable yield of an insurable maple syrup crop determined in accordance with subsection 10(3);
- (c) “contract of insurance” means a contract of insurance as set out in Section 7;
- (d) “degrees Brix” is a measurement of the dissolved sugar-to-water mass ratio of a liquid;
- (e) “designated perils” means the perils designated in Section 4 for the purpose of this plan;
- (f) “maple trees” means all maple trees of any variety from which maple syrup is produced in Nova Scotia that are accepted by the Commission for insurance coverage;
- (g) “tap” means a device that is fitted to a maple tree for harvesting sap for producing maple syrup;
- (h) “total guaranteed production” means the total guaranteed production determined in accordance with Section 10.

(2) For the purpose of this plan, a litre of maple syrup is defined as 1 L of syrup at 66 to 67.5 degrees Brix.

Designation of perils

4 The following are designated as perils for maple syrup production:

- (a) insects;

- (b) excessive summer drought;
- (c) below-average summer sun or heat;
- (d) wind;
- (e) ice;
- (f) wildlife for which there is no known control;
- (g) adverse weather that prevents collection;
- (h) off-crop due to any adverse weather not described in the other designated perils;
- (i) fire;
- (j) absence of cool and warm temperature cycling during the collection period; and
- (k) disease.

Designation of crop year

5 The crop year for maple syrup production is the period from May 1 in any year to April 30 in the following year.

Application

6 An application for a contract of insurance must be

- (a) on a contract of maple syrup insurance application form provided by the Commission;
- (b) accompanied by a premium deposit of at least \$50; and
- (c) filed with the Commission before the first day of the first crop year for which the contract of insurance is to be in force, or as permitted at the Commission's discretion.

Contract of insurance

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

- (a) a signed contract of insurance in Form 1 of the regulations respecting general (field crop) insurance made under the Act;
 - (b) a completed application form filed in accordance with Section 6;
 - (c) a copy of this plan.
- (2)** If a document referred to in subsection (1) is amended while the contract of insurance is still in force, the contract of insurance remains in effect as amended and a copy of the amendment must be delivered to the insured person.

Duration of contract

8 (1) A contract of insurance is in force for the crop year for which it is made, and continues in force for subsequent crop years until it is cancelled by the insured person or the Commission in the manner prescribed by this Section.

- (2) A contract of insurance may be cancelled by the insured person or the Commission by notice in writing to the other party by May 15 of the crop year for which the cancellation is to be effective.
- (3) If an insured person is in arrears in a premium payment, the Commission may cancel the contract of insurance at any time by notice in writing.

Coverage

- 9** (1) All of the taps owned or operated by an insured person and to be harvested must be offered for insurance coverage.
- (2) The Commission may insure all or some of the taps offered for insurance coverage.
 - (3) On written application by an insured person, the Commission may insure a maple syrup crop on the basis of variety, area, agronomic practice or specified perils.

Total guaranteed production

- 10** (1) An insured person must select a coverage level of 70%, 80%, 85% or 90% of the average insurable yield of an insurable maple syrup crop for the purpose of determining the guaranteed production for that crop in a crop year.
- (2) Subject to any adjustment made under subsection 15(2) or (3), the total guaranteed production for an insured maple syrup crop is determined by multiplying the selected coverage level by the average insurable yield for the total area of that insured maple syrup crop.
 - (3) The average insurable yield of an insurable maple syrup crop is the potential production of that crop as determined by the Commission from the insured person's yield records, subject to a methodology developed by an actuary and approved by the Commission.

Established prices

- 11** (1) For each crop year, the Commission must establish price options for each insurable maple syrup crop and announce these options to insured persons before the beginning of the crop year.
- (2) An insured person must select one of the price options as the established price to be used for calculating premium and indemnity in their contract of insurance.

Maximum indemnity

- 12** The maximum indemnity for which the Commission is liable under a contract of insurance is the amount obtained by multiplying the total guaranteed production by the established price option selected under subsection 11(2).

Calculating premium

- 13** (1) The base premium rate must be based on a methodology set by an actuary and approved by the Commission.
- (2) Subject to subsection (3), the base premium rate must be adjusted by giving a discount when indemnity is less than total premiums paid or adding a surcharge when indemnity exceeds total premiums paid, and adjustments must be calculated using the following formula:

$$(LR-1) \times (n \div (20 + n))$$

in which "LR" equals total indemnity divided by total premiums and "n" equals the number of years insured in the plan.

- (3) The maximum discount that may be given under subsection (2) is 50% and the maximum surcharge that may be added under subsection (2) is 100%.
- (4) Despite subsections (1) to (3), the minimum annual premium payable by an insured person in each crop year is \$50.
- (5) The premium determined under subsections (1) to (3) includes premium payments made by the Government of Canada under the *Farm Income Protection Act* (Canada) and by the Province under the Act.

Paying premium

- 14** (1) An insured person must pay the premium less the premium deposit to the Commission no later than August 1 for the current crop year.
- (2) Interest of 1.5% per month, or a minimum of \$5 per month, is charged on an overdue account.

Determining number of insurable taps

- 15** (1) The Commission may determine the number of insurable taps by any method that it considers appropriate.
- (2) If the actual number of taps in a crop year is less than the insured number of taps, the total guaranteed production and the amount of insurance is reduced accordingly and no premium refund is payable.
- (3) If the actual number of taps in a crop year exceeds the insured number of taps, the total guaranteed production is pro-rated to the insured number of taps in calculating the indemnity payable.

Circumstances in which contract of insurance does not apply

- 16** A contract of insurance does not apply to, and no indemnity is payable in respect of,
- (a) taps or maple trees that are not adequately managed to produce a maple syrup crop; or
 - (b) a maple syrup crop that, in the opinion of the Commission, is not insurable.

Harvesting

- 17** All taps that are insured must be harvested within the crop year unless the Commission consents in writing to a written request by the insured person to abandon or destroy any part of the intended harvest.

Notice of crop loss or damage

- 18** Subject to the contract of insurance, an insured person is required to notify the Commission in writing within 5 days of any loss or damage to the insured crop.

Final date for harvest

- 19** The final date for harvest is the last day of the crop year or any other date determined by the Commission, and the Commission may estimate a potential yield for any insured taps not harvested by that date.

Harvest yield report

- 20** No later than 30 days after the completion of harvest, an insured person must file a harvest yield report on a form provided by the Commission for this purpose.

Evaluation of loss

- 21** For the purpose of determining the reduction in yield of an insured crop in a crop year and any indemnity payable,
- (a) when the actual production from the insured taps is less than the total guaranteed production for the taps, the adjustment of loss is calculated by multiplying the difference between the total guaranteed production and the actual production by the established price; and
 - (b) when loss or damage occurs to an insured crop before harvest is completed, the Commission may consent in writing to a written request to abandon any part of the insured taps and in that case the Commission must determine the extent of the damage and the potential production.

Notice of claim

- 22** (1) A claim for an indemnity payable due to a reduction of yield from an insured maple syrup crop must be filed with the Commission, on a proof of loss form provided by the Commission, no later than 30 days after the earlier of
- (a) the completion of harvesting of the insured crop; and
 - (b) the end of the crop year in which the loss occurred.
- (2) Before a payment is made for an indemnity claimed, a claim release form provided by the Commission must be received by the Commission.

Arbitration

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

N.S. Reg. 134/2010

Made: July 15, 2010

Approved: September 8, 2010

Filed: September 10, 2010

Nova Scotia Turkey Marketing Plan

Order in Council 2010-339 dated September 8, 2010
Amendment to regulations made by the Natural Products Marketing Council
and approved by the Governor in Council
pursuant to Section 11 of the *Natural Products Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated August 13, 2010, and pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, is pleased to approve of amendments made by the Natural Products Marketing Council to the *Nova Scotia Turkey Marketing Plan*, N.S. Reg. 29/84, approved by the Governor in Council by Order in Council 84-209 dated February 28, 1984, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 8, 2010.

Schedule "A"**Natural Products Marketing Council**

I certify that the Natural Products Marketing Council, at its meeting on July 15, 2010, carried a motion pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, to amend the [*Nova Scotia*] *Turkey Marketing Plan*, N.S. Reg. 29/84, approved by the Governor in Council by Order in Council 84-209 on February 28, 1984, in the manner attached.

The amendment is effective on and after August 1, 2010.

Signed at Truro, in Colchester County, Nova Scotia, on July 15, 2010.

Natural Products Marketing Council

per: sgd.: *E. A. Crouse*
Elizabeth Crouse
General Manager
Natural Products Marketing Council

**Amendment to the [*Nova Scotia*] *Turkey Marketing Plan*
made by the Natural Products Marketing Council
under Section 11 of Chapter 308
of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act***

- 1 Clause 2(e) of the [*Nova Scotia*] *Turkey Marketing Plan*, N.S. Reg. 29/84, approved by the Governor in Council by Order in Council 84-209 dated February 28, 1984, is amended by striking out "Nova Scotia Turkey Producers' Marketing Board" and substituting "Turkey Farmers of Nova Scotia".
- 2 Clause 8(e) of the Plan is amended by striking out "Turkey Board" and substituting "Council".

N.S. Reg. 135/2010

Made: September 8, 2010

Filed: September 10, 2010

Proclamation, S. 13, S.N.S. 2009, c. 16

Order in Council 2010-340 dated September 8, 2010

Proclamation made by the Governor in Council
pursuant to Section 13 of

An Act to Amend Chapter 41 of the Acts of 2008, An Act to Implement HRM by Design

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated August 10, 2010, and pursuant to Section 13 of Chapter 16 of the Acts of 2009, *An Act to Amend Chapter 41 of the Acts of 2008, An Act to Implement HRM by Design*, is pleased to order and declare by proclamation that Chapter 16 of the Acts of 2009, *An Act to Amend Chapter 41 of the Acts of 2008, An Act to Implement HRM by Design*, do come into force on and not before September 8, 2010, with effect on and after January 13, 2009.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 13 of Chapter 16 of the Acts of 2009, *An Act to Amend Chapter 41 of the Acts of 2008, An Act to Implement HRM by Design*, it is enacted as follows:

- 13** This Act has effect on and after January 13, 2009, upon the Governor in Council so ordering and declaring by proclamation.

AND WHEREAS it is deemed expedient that Chapter 16 of the Acts of 2009, *An Act to Amend Chapter 41 of the Acts of 2008, An Act to Implement HRM by Design*, do come into force on and not before September 8, 2010;

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 16 of the Acts of 2009, *An Act to Amend Chapter 41 of the Acts of 2008, An Act to Implement HRM by Design*, do come into force on and not before September 8, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional
Municipality, this 8th day of September in the
year of Our Lord two thousand and ten and in the
fifty-ninth year of Our Reign.

BY COMMAND:

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

N.S. Reg. 136/2010

Made: September 8, 2010

Filed: September 10, 2010

Proclamation, S. 8, S.N.S. 2009, c. 26

Order in Council 2010-341 dated September 8, 2010

Proclamation made by the Governor in Council

pursuant to Section 8 of

An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated August 13, 2010, and pursuant to Section 8 of Chapter 26 of the Acts of 2009, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, is pleased to order and declare by proclamation that Chapter 26 of the Acts of 2009, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, do come into force on and not before September 8, 2010.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 8 of Chapter 26 of the Acts of 2009, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, it is enacted as follows:

- 8** 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 26 of the Acts of 2009, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, do come into force on and not before September 8, 2010;

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 26 of the Acts of 2009, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, do come into force on and not before September 8, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 8th day of September in the year of Our Lord two thousand and ten and in the fifty-ninth year of Our Reign.

BY COMMAND:

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

N.S. Reg. 137/2010

Made: September 8, 2010

Filed: September 10, 2010

Personal Property Security Act General Regulations

Order in Council 2010-342 dated September 8, 2010
Amendment to regulations made by the Governor in Council
pursuant to Section 72 of the *Personal Property Security Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated August 13, 2010, and pursuant to Section 72 of Chapter 13 of the Acts of 1995-96, the *Personal Property Security Act*, is pleased to amend the *Personal Property Security Act General Regulations*, N.S. Reg. 129/97, made by the Governor in Council by Order in Council 97-621 dated October 1, 1997, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 8, 2010.

Schedule "A"

**Amendment to the *Personal Property Security Act General Regulations*
made by the Governor in Council under Section 72 of Chapter 13
of the Acts of 1995-96,
the *Personal Property Security Act***

Subsection 24(1) of the *Personal Property Security Act General Regulations*, N.S. Reg. 129/97, made by the Governor in Council by Order in Council 97-621 dated October 1, 1997, is amended by

- (a) striking out "security" in clause (a) and substituting "investment property"; and
- (b) striking out "security" in clause (c) and substituting "investment property".

N.S. Reg. 138/2010

Made: September 8, 2010

Filed: September 10, 2010

Proclamation, S. 138, S.N.S. 2010, c. 8

Order in Council 2010-343 dated September 8, 2010

Proclamation made by the Governor in Council

pursuant to Section 138 of the

Securities Transfer Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated August 13, 2010, and pursuant to Section 138 of Chapter 8 of the Acts of 2010, the *Securities Transfer Act*, is pleased to order and declare by proclamation that Chapter 8 of the Acts of 2010, the *Securities Transfer Act*, do come into force on and not before September 8, 2010.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 138 of Chapter 8 of the Acts of 2010, the *Securities Transfer Act*, it is enacted as follows:

138 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 8 of the Acts of 2010, the *Securities Transfer Act*, do come into force on and not before September 8, 2010;

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 8 of the Acts of 2010, the *Securities Transfer Act*, do come into force on and not before September 8, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional Municipality, this 8th day of September in the year of Our Lord two thousand and ten and in the fifty-ninth year of Our Reign.

BY COMMAND:

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

N.S. Reg. 139/2010

Made: August 18, 2010

Filed: September 13, 2010

Financial Reporting and Accounting Manual

Order in Council 2010-344 dated September 8, 2010
Dispensation from publication made by the Governor in Council
pursuant to subsection 4(3) of the *Regulations Act* of an
Order dated August 18, 2010 (N.S. Reg. 139/2010)
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 451 of the *Municipal Government Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated August 18, 2010, and pursuant to subsection 4(3) of Chapter 393 of the Revised Statutes of Nova Scotia, 1989, the *Regulations Act*, is please[d] to dispense with the publication in the *Royal Gazette, Part II*, of amendments to the *Financial Reporting and Accounting Manual regulations*, made by the Minister of Service Nova Scotia and Municipal Relations on August 18, 2010, pursuant to Section 451 of Chapter 18 of the ~~Statutes~~ [Acts] of Nova Scotia, 1998, the *Municipal Government Act*, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

N.S. Reg. 140/2010

Made: September 9, 2010

Filed: September 13, 2010

Prescribed Petroleum Products Prices

Order dated September 9, 2010
 made by the Nova Scotia Utility and Review Board
 pursuant to Section 14 of the *Petroleum Products Pricing Act*
 and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-10-37****In the Matter of the *Petroleum Products Pricing Act*****- and -**

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

Before: Peter W. Gurnham, Q.C., Chair**Order**

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

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

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended September 8, 2010, are:

Grade 1 Regular gasoline	53.8¢ per litre
Ultra-low-sulfur diesel oil	58.5¢ per litre

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

Gasoline:	
Grade 1	53.8¢ per litre
Grade 2	56.8¢ per litre
Grade 3	59.8¢ per litre
Ultra-low-sulfur diesel oil	58.5¢ per litre

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

Gasoline:	nil
Ultra-low-sulfur diesel oil:	nil

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., September 10, 2010.

Dated at Halifax, Nova Scotia, this 9th day of September, 2010.

Sgd: *Elaine Wagner*
 Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on September 10, 2010**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 15% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	60.1	10.0	15.5	85.6	103.0	104.8	103.0	999.9
Mid-Grade Unleaded	63.1	10.0	15.5	88.6	106.5	108.2	106.5	999.9
Premium Unleaded	66.1	10.0	15.5	91.6	109.9	111.7	109.9	999.9
Ultra-Low-Sulfur Diesel	64.8	4.0	15.4	84.2	101.4	103.2	101.4	999.9
Zone 2								
Regular Unleaded	60.5	10.0	15.5	86.0	103.5	105.2	103.5	999.9
Mid-Grade Unleaded	63.5	10.0	15.5	89.0	107.0	108.7	107.0	999.9
Premium Unleaded	66.5	10.0	15.5	92.0	110.4	112.1	110.4	999.9
Ultra-Low-Sulfur Diesel	65.2	4.0	15.4	84.6	101.9	103.6	101.9	999.9
Zone 3								
Regular Unleaded	61.0	10.0	15.5	86.5	104.1	105.8	104.1	999.9
Mid-Grade Unleaded	64.0	10.0	15.5	89.5	107.5	109.3	107.5	999.9
Premium Unleaded	67.0	10.0	15.5	92.5	111.0	112.7	111.0	999.9
Ultra-Low-Sulfur Diesel	65.7	4.0	15.4	85.1	102.5	104.2	102.5	999.9
Zone 4								
Regular Unleaded	61.0	10.0	15.5	86.5	104.1	105.8	104.1	999.9
Mid-Grade Unleaded	64.0	10.0	15.5	89.5	107.5	109.3	107.5	999.9
Premium Unleaded	67.0	10.0	15.5	92.5	111.0	112.7	111.0	999.9
Ultra-Low-Sulfur Diesel	65.7	4.0	15.4	85.1	102.5	104.2	102.5	999.9
Zone 5								
Regular Unleaded	61.0	10.0	15.5	86.5	104.1	105.8	104.1	999.9
Mid-Grade Unleaded	64.0	10.0	15.5	89.5	107.5	109.3	107.5	999.9
Premium Unleaded	67.0	10.0	15.5	92.5	111.0	112.7	111.0	999.9
Ultra-Low-Sulfur Diesel	65.7	4.0	15.4	85.1	102.5	104.2	102.5	999.9
Zone 6								
Regular Unleaded	61.8	10.0	15.5	87.3	105.0	106.7	105.0	999.9
Mid-Grade Unleaded	64.8	10.0	15.5	90.3	108.4	110.2	108.4	999.9
Premium Unleaded	67.8	10.0	15.5	93.3	111.9	113.6	111.9	999.9
Ultra-Low-Sulfur Diesel	66.5	4.0	15.4	85.9	103.4	105.1	103.4	999.9

N.S. Reg. 141/2010

Made: September 14, 2010

Filed: September 15, 2010

Pension Benefits Regulations

Order in Council 2010-350 dated September 14, 2010
Amendment to regulations made by the Governor in Council
pursuant to Section 105 of the *Pension Benefits Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Workforce Development dated August 11, 2010, and pursuant to Section 105 of Chapter 340 of the Revised Statutes of Nova Scotia, 1989, the *Pension Benefits Act*, is pleased to amend the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by Order in Council 2002-607 dated December 20, 2002, to provide for solvency funding relief for municipality pension plans, university pension plans, and specified multi-employer pension plans, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on or [and] after September 14, 2010.

Schedule "A"

**Amendment to the *Pension Benefits Regulations*
made by the Governor in Council under Section 105 of Chapter 340
of the Revised Statutes of Nova Scotia, 1989,
the *Pension Benefits Act***

- 1 Section 5 of the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by the Governor in Council by Order in Council 2002-607 dated December 20, 2002, is amended by
 - (a) adding "or Section 6A" immediately after "Section 6" in clause (2)(c); and
 - (b) adding "or Section 6A" immediately after "Section 6" in clause (3)(c).
- 2 (1) Subsection 6A(3) of the regulations is repealed and the following subsection substituted:
 - (3) Except as provided in subsection (3A), the special payments to amortize a solvency deficiency must not be less than the following:
 - (a) the amount required to fully liquidate existing or new solvency deficiencies within 10 years of the date of the first actuarial valuation report prepared between December 30, 2008, and January 2, 2011, by equal instalments with interest at the solvency valuation interest rate;
 - (b) for a solvency deficiency existing before January 2, 2011, under a municipality pension plan, the amount required to liquidate that part of the solvency deficiency that is greater than 15% of the solvency liabilities within 10 years after the date of the first actuarial valuation report prepared between December 31, 2008, and January 2, 2011, by equal instalments payable monthly with interest at the solvency valuation interest rate, including interest on that part of the solvency liabilities that is equal to or less than 15% of the solvency liabilities.
- (2) The regulations are further amended by adding the following subsection immediately after subsection 6A(3):

- (3A)** Special payments to amortize a solvency deficiency existing before January 2, 2011, under a university pension plan may be paid as follows:
- (a) payments may be omitted in the first year of the 3-year period beginning with the first actuarial valuation report prepared between December 30, 2008, and January 2, 2011; and
 - (b) payments made after the first year of the 3-year period must not be less than the amount required to fully liquidate the outstanding balance of the solvency deficiency over the next 9 years, by equal instalments with interest at the solvency valuation interest rate.
- (3) Subclause 6A(5)(d)(ii) of the regulations is amended by adding “or subsection (3A)” immediately after “subsection (3)”.
- 3 (1) Subsection 8A(2) of the regulations is amended by striking out “November 1, 2010” and substituting “January 2, 2011”.
- (2) Subsection 8A(3) of the regulations is repealed and the following subsection substituted:
- (3)** An administrator of a specified multi-employer pension plan may make an election under subsection (2) as follows:
- (a) once for an actuarial valuation report with a valuation date after October 31, 2007, and before November 1, 2010; and
 - (b) once for an actuarial valuation report with a valuation date after October 31, 2010, and before January 2, 2011.
- (3) The regulations are further amended by adding the following subsections immediately after subsection 8A(4):
- (4A)** If a report filed pursuant to Section 4, 12 or 13 for a specified multi-employer pension plan discloses a solvency deficiency, the solvency deficiency may be liquidated under this Section instead of as required by subclause 6(1)(d)(i).
- (4B)** Special payments to amortize a solvency deficiency existing before January 2, 2011, under a specified multi-employer pension plan may be paid as follows:
- (a) payments may be omitted in the first year of the 3-year period beginning with the first actuarial valuation report prepared between October 31, 2007, and January 2, 2011; and
 - (b) payments made after the first year of the 3-year period must not be less than the amount required to fully liquidate the outstanding balance of the solvency deficiency over the next 9 years, by equal instalments with interest at the solvency valuation interest rate.
- 4 Subclause 13(2)(g)(iii) of the regulations is repealed and the following subclause substituted:
- (iii) subject to clause (iv), if there is a solvency deficiency, not including any solvency deficiency included in item (ii), the amount of any solvency deficiency, the special payments required in order to liquidate the solvency deficiency by the following applicable time periods and the resulting adjustment in the schedule of other future special payments under the plan:

- (A) over a term not exceeding 5 years from the date of the earliest solvency valuation in which the solvency deficiency was determined,
 - (B) for special payments made in accordance with Section 6A, over a term not exceeding 10 years from the date of the first actuarial report prepared between December 30, 2008, and January 2, 2011,
 - (C) for a specified multi-employer pension plan for which an election is made under subsection 8A(2), over a term not exceeding 9 years from the end of the first year after the solvency valuation in which the solvency deficiency was determined.
- 5 Subsection 19(9) of the regulations is amended by adding “, other than a pension plan for which special payments are made under clause 6A(3)(b) or subsection 6A(3A),” immediately after “If a pension plan”.