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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. 57/2021

Made: April 15, 2021

Filed: April 16, 2021

Prescribed Petroleum Products Prices

Order dated April 15, 2021

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**M10075****In the matter of the *Petroleum Products Pricing Act*****- and -**

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

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

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 product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas on December 30, 2020, the Board issued an interim order in Matter M09952 increasing the wholesale margin for self-service and full-service gasoline and diesel, on an interim basis, by 2.50 cents per litre (cpl) to a total of 9.15 cpl;

And whereas the Board revised the retail markup and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016, and on February 1, 2021, the Board issued an order in Matter M09727 approving an increase to the minimum self-service and full-service retail markup by 0.3 cpl and to the maximum self-service retail markup by 0.4 cpl, to a total for the minimum of 5.4 cpl, and for the maximum of 7.4 cpl;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended April 14, 2021, are:

Grade 1 Regular gasoline	65.84¢ per litre
Ultra-low-sulfur diesel oil	60.52¢ per litre

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

Gasoline:	
Grade 1	65.84¢ per litre
Grade 2	68.84¢ per litre
Grade 3	71.84¢ per litre
Ultra-low-sulfur diesel oil	60.52¢ per litre

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

Gasoline:	plus 1.00¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.12¢ per litre

And whereas a winter blending adjustment of plus 0.51¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., April 16, 2021.

Dated at Halifax, Nova Scotia, this 15th day of April, 2021.

sgd. *Crystal Henwood*
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 April 16, 2021**

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	77.86	10.0	15.5	103.36	125.1	127.4	125.1	999.9
Mid-Grade Unleaded	80.86	10.0	15.5	106.36	128.5	130.8	128.5	999.9
Premium Unleaded	83.86	10.0	15.5	109.36	132.0	134.3	132.0	999.9
Ultra-Low-Sulfur Diesel	72.52	4.0	15.4	91.92	111.9	114.2	111.9	999.9
Zone 2								
Regular Unleaded	78.36	10.0	15.5	103.86	125.6	127.9	125.6	999.9
Mid-Grade Unleaded	81.36	10.0	15.5	106.86	129.1	131.4	129.1	999.9
Premium Unleaded	84.36	10.0	15.5	109.86	132.5	134.8	132.5	999.9
Ultra-Low-Sulfur Diesel	73.02	4.0	15.4	92.42	112.5	114.8	112.5	999.9
Zone 3								
Regular Unleaded	78.76	10.0	15.5	104.26	126.1	128.4	126.1	999.9
Mid-Grade Unleaded	81.76	10.0	15.5	107.26	129.6	131.9	129.6	999.9
Premium Unleaded	84.76	10.0	15.5	110.26	133.0	135.5	133.0	999.9
Ultra-Low-Sulfur Diesel	73.42	4.0	15.4	92.82	113.0	115.3	113.0	999.9
Zone 4								
Regular Unleaded	78.86	10.0	15.5	104.36	126.2	128.5	126.2	999.9
Mid-Grade Unleaded	81.86	10.0	15.5	107.36	129.7	132.0	129.7	999.9
Premium Unleaded	84.86	10.0	15.5	110.36	133.1	135.4	133.1	999.9
Ultra-Low-Sulfur Diesel	73.52	4.0	15.4	92.92	113.1	115.4	113.1	999.9

Zone 5								
Regular Unleaded	78.86	10.0	15.5	104.36	126.2	128.5	126.2	999.9
Mid-Grade Unleaded	81.86	10.0	15.5	107.36	129.7	132.0	129.7	999.9
Premium Unleaded	84.86	10.0	15.5	110.36	133.1	135.4	133.1	999.9
Ultra-Low-Sulfur Diesel	73.52	4.0	15.4	92.92	113.1	115.4	113.1	999.9
Zone 6								
Regular Unleaded	79.56	10.0	15.5	105.06	127.0	129.3	127.0	999.9
Mid-Grade Unleaded	82.56	10.0	15.5	108.06	130.5	132.8	130.5	999.9
Premium Unleaded	85.56	10.0	15.5	111.06	133.9	136.2	133.9	999.9
Ultra-Low-Sulfur Diesel	74.22	4.0	15.4	93.62	113.9	116.2	113.9	999.9

N.S. Reg. 58/2021

Made: April 15, 2021

Filed: April 20, 2021

Spring Weight Restriction Regulations effective date order

Order dated April 15, 2021

Made by the Executive Director of Maintenance and Operations
 Department of Transportation and Active Transit
 pursuant to subsection 20(1) of the *Public Highways Act*

**In the matter of subsection 20(1) of Chapter 371 of
 the Revised Statutes of Nova Scotia, 1989,
 the *Public Highways Act***

- and -

**In the matter of an order made by the Executive Director of Maintenance
 and Operations, Department of Transportation and Active Transit,
 under subsection 20(1) of the *Public Highways Act***

Order

I, Mark Peachey, Executive Director of Maintenance and Operations, Department of Transportation and Active Transit, as delegated by the Minister of Transportation and Active Transit under subsection 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act* (The Act), hereby order that the *Spring Weight Restriction Regulations* made under subsection 20(1) of the Act are effective in the counties listed in Column 1 of the following table during the period set out in Column 2 of the table opposite the names of the counties.

Effective Dates for Spring Weight Restriction Regulations	
Column 1: Counties	Column 2: Weight Restriction Periods
Yarmouth, Shelburne, Queens, Lunenburg, Digby, Annapolis and Kings	11:59 p.m., February 28, 2021 to 11:59 p.m., April 18, 2021

Halifax, Hants and Colchester south (that portion of Colchester County south of Highway 104 and bounded by Folly River in the west and the Pictou County line in the east)	11:59 p.m., February 28, 2021 to 11:59 p.m., April 18, 2021
Cumberland, Pictou and Colchester north (that portion of Colchester County not included in Colchester south)	11:59 p.m., March 7, 2021 to 11:59 p.m., April 30, 2021
Antigonish, Guysborough, Richmond, Inverness, Victoria and Cape Breton	11:59 p.m., March 7, 2021 to 11:59 p.m., April 30, 2021

Dated and made at Halifax, Nova Scotia, on April 15, 2021.

sgd. *Mark Peachey*
Mark Peachey, P. Eng.
Executive Director, Maintenance and Operations
Department of Transportation and Active Transit

N.S. Reg. 59/2021

Made: April 6, 2021

Filed: April 21, 2021

Flue-Cured Tobacco Growers' Marketing Board Regulations—repeal

Order dated April 12, 2021

Repeal of regulations made by the Natural Products Marketing Council
pursuant to Section 9 of the *Natural Products Act*

Flue-Cured Tobacco Growers' Marketing Board Regulations

Repeal of the *Flue-Cured Tobacco Growers' Marketing Board Regulations* made under the *Natural Products Act*

I certify that the Natural Products Marketing Council, at its meeting on April 6, 2021, carried a motion pursuant to Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, to repeal the *Flue-Cured Tobacco Growers' Marketing Board Regulations*, N.S. Reg. 91/1985, made by the Governor in Council by Order in Council 85-570 dated June 4, 1985.

The repeal is effective on and after April, 6, 2021.

Signed at Truro, in the County of Colchester, Nova Scotia on April 12, 2021.

Natural Products Marketing Council

sgd. *E. A. Crouse*
per: Elizabeth A. Crouse, P.Ag.
Director

N.S. Reg. 60/2021

Made: September 13, 2012

Filed: April 22, 2021

By-laws of the Association of Professional Engineers—amendment

Order dated April 7, 2021

Amendment to regulations made by the Council of Engineers Nova Scotia
pursuant to subsection 6(2) of the *Engineering Profession Act***Engineers Nova Scotia****Code of Ethics to be appended as part of the
By-laws of the Association of Professional Engineers
by resolution of the Council of Engineers Nova Scotia
under the By-laws of the Association of Professional Engineers made under
Chapter 148 of the Revised Statutes of Nova Scotia, 1989,
the *Engineering Profession Act***

I certify that on September 13, 2012, the Council of Engineers Nova Scotia, pursuant to subsection 24(2) of the By-laws of the Association of Professional Engineers, N.S. Reg. 8/1946, made by the Association of Professional Engineers of the Province of Nova Scotia and approved by the Governor in Council by Order in Council dated May 29, 1946, passed a resolution to rescind the code of ethics added to the by-laws by N.S. Reg. 7/1978 and adopt a new code of ethics in the manner set forth in the attached Schedule “A” to be appended to and be part of the by-laws, in accordance with subsection 6(2) of Chapter 148 of the Revised Statutes of Nova Scotia, 1989, the *Engineering Profession Act*.

Signed at Halifax, Nova Scotia, on April 7, 2021.

Engineers Nova Scotia

sgd. *Crysta Cumming*
Crysta Cumming, P.Eng.
Presidentsgd. *Pal Mann*
Pal Mann, P.Eng.
Secretary**Appendix – Code of Ethics for Engineers**

Professional engineers shall conduct themselves in an honourable and ethical manner. Professional engineers shall uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment. In keeping with these basic tenets, professional engineers shall:

1. Hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace;
2. Offer services, advise on or undertake engineering assignments only in areas of their competence and practise in a careful and diligent manner;
3. Act as faithful agents of their clients or employers, maintain confidentiality and avoid conflicts of interest;

4. Keep themselves informed in order to maintain their competence, strive to advance the body of knowledge within which they practise and provide opportunities for the professional development of their subordinates;
 5. Conduct themselves with equity, fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due, and accept, as well as give, honest and fair professional criticism;
 6. Present clearly to employers and clients the possible consequences if engineering decisions or judgements are overruled or disregarded;
 7. Report to their association or other appropriate agencies any illegal or unethical engineering decisions or practices by engineers or others; and
 8. Be aware of and ensure that clients and employers are made aware of societal and environmental consequences of actions or projects and endeavor to interpret engineering issues to the public in an objective and truthful manner.
 9. Treat equitably and promote the equitable treatment of all clients, colleagues and coworkers, regardless of race, religion, gender, sexual orientation, age, physical or mental ability, marital or family status, and national origin.
-

N.S. Reg. 61/2021

Made: April 22, 2021

Filed: April 23, 2021

Prescribed Petroleum Products Prices

Order dated April 22, 2021
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**M10086**

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: Richard J. Melanson, LL.B., Member

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 product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas on December 30, 2020, the Board issued an interim order in Matter M09952 increasing the wholesale margin for self-service and full-service gasoline and diesel, on an interim basis, by 2.50 cents per litre (cpl) to a total of 9.15 cpl;

And whereas the Board revised the retail markup and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016, and on February 1, 2021, the Board issued an order in Matter M09727 approving an increase to the minimum self-service and full-service retail markup by 0.3 cpl and to the maximum self-service retail markup by 0.4 cpl, to a total for the minimum of 5.4 cpl, and for the maximum of 7.4 cpl;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended April 21, 2021, are:

Grade 1 Regular gasoline	66.92¢ per litre
Ultra-low-sulfur diesel oil	62.40¢ per litre

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

Gasoline:	
Grade 1	66.92¢ per litre
Grade 2	69.92¢ per litre
Grade 3	72.92¢ per litre
Ultra-low-sulfur diesel oil	62.40¢ per litre

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

Gasoline:	plus 0.90¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.50¢ per litre

And whereas a winter blending adjustment of plus 0.50¢ per litre is required for ultra-low-sulfur diesel oil; **(September 1–April 30 only)**

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., April 23, 2021.

Dated at Halifax, Nova Scotia, this 22nd day of April, 2021.

sgd. *Bruce A. Kiley*
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 April 23, 2021**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices (Pump Prices includes 15% HST)		Full-Service Pump Prices	
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	78.84	10.0	15.5	104.34	126.2	128.5	126.2	999.9
Mid-Grade Unleaded	81.84	10.0	15.5	107.34	129.7	132.0	129.7	999.9
Premium Unleaded	84.84	10.0	15.5	110.34	133.1	135.4	133.1	999.9
Ultra-Low-Sulfur Diesel	74.77	4.0	15.4	94.17	114.5	116.8	114.5	999.9
Zone 2								
Regular Unleaded	79.34	10.0	15.5	104.84	126.8	129.1	126.8	999.9
Mid-Grade Unleaded	82.34	10.0	15.5	107.84	130.2	132.5	130.2	999.9
Premium Unleaded	85.34	10.0	15.5	110.84	133.7	136.0	133.7	999.9
Ultra-Low-Sulfur Diesel	75.27	4.0	15.4	94.67	115.1	117.4	115.1	999.9
Zone 3								
Regular Unleaded	79.74	10.0	15.5	105.24	127.2	129.5	127.2	999.9
Mid-Grade Unleaded	82.74	10.0	15.5	108.24	130.7	133.0	130.7	999.9
Premium Unleaded	85.74	10.0	15.5	111.24	134.1	136.4	134.1	999.9
Ultra-Low-Sulfur Diesel	75.67	4.0	15.4	95.07	115.5	117.8	115.5	999.9
Zone 4								
Regular Unleaded	79.84	10.0	15.5	105.34	127.4	129.7	127.4	999.9
Mid-Grade Unleaded	82.84	10.0	15.5	108.34	130.8	133.1	130.8	999.9
Premium Unleaded	85.84	10.0	15.5	111.34	134.3	136.6	134.3	999.9
Ultra-Low-Sulfur Diesel	75.77	4.0	15.4	95.17	115.7	118.0	115.7	999.9
Zone 5								
Regular Unleaded	79.84	10.0	15.5	105.34	127.4	129.7	127.4	999.9
Mid-Grade Unleaded	82.84	10.0	15.5	108.34	130.8	133.1	130.8	999.9
Premium Unleaded	85.84	10.0	15.5	111.34	134.3	136.6	134.3	999.9
Ultra-Low-Sulfur Diesel	75.77	4.0	15.4	95.17	115.7	118.0	115.7	999.9
Zone 6								
Regular Unleaded	80.54	10.0	15.5	106.04	128.2	130.5	128.2	999.9
Mid-Grade Unleaded	83.54	10.0	15.5	109.04	131.6	133.9	131.6	999.9
Premium Unleaded	86.54	10.0	15.5	112.04	135.1	137.4	135.1	999.9
Ultra-Low-Sulfur Diesel	76.47	4.0	15.4	95.87	116.5	118.8	116.5	999.9

N.S. Reg. 62/2021

Made: April 25, 2021

Filed: April 27, 2021

Summary Offence Tickets Regulations—amendment

Order dated April 25, 2021

Amendment to regulations made by the Attorney General and Minister of Justice
pursuant to Section 8 of the *Summary Proceedings Act***Order****Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Randy Delorey, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this order, hereby

- (a) amend Schedule 49 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, respecting the designation of certain offences under the *Health Protection Act*, S.N.S. 2004, c. 4, as summary offence ticket offences, in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made April 25, 2021, at Antigonish, Antigonish County, Province of Nova Scotia.

sgd. *Randy Delorey*

Honourable Randy Delorey

Attorney General and Minister of Justice

Schedule “A”**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to Section 8
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

Schedule 49 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, is amended under the heading “Part I—Diseases and Health Hazards” by

- (a) striking out “\$1000.00” in the out-of-court settlement column in item 1 and substituting “\$2422.00”; and
- (b) striking out “\$7500.00” in the out-of-court-settlement column in item 2 and substituting “11 622.50”.

N.S. Reg. 63/2021

Made: April 27, 2021

Filed: April 27, 2021

Employment Support and Income Assistance Regulations—amendment

Order in Council 2021-103 dated April 27, 2021

Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated April 16, 2021, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 195/2019, made by the Governor in Council by Order in Council 2019-333 dated November 27, 2019, to exempt the Canada Pension Plan Disabled Contributor's Benefit and the Surviving Child's Benefit from the calculation of chargeable income, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 27, 2021.

Schedule "A"

**Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council under Section 21 of
Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act***

- 1 Subsection 32(3) of the *Employment Support and Income Assistance Regulations*, N.S. Reg. 195/2019, made by the Governor in Council by Order in Council 2019-333 dated November 27, 2019, is repealed and the following subsection substituted:
 - (3) Chargeable income is deemed to include 100% of unearned income received by a dependent child, or by an applicant or recipient on behalf of a dependent child, except as specifically excluded under Section 35.
- 2 Section 35 of the regulations is amended by
 - (a) striking out the period at the end of clause (r) and substituting a semicolon; and
 - (b) adding the following clause immediately after clause (r):
 - (s) any children's benefit payment made under the Canada Pension Plan received by a dependent child, or by an applicant or recipient on behalf of a dependent child.

N.S. Reg. 64/2021

Made: April 27, 2021

Filed: April 27, 2021

Employment Support and Income Assistance Regulations—amendment

Order in Council 2021-104 dated April 27, 2021

Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated April 16, 2021, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 195/2019, made by the Governor in Council by Order in Council 2019-333 dated November 27, 2019, to increase the standard household rate and dependent child allowance, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 27, 2021.

Schedule “A”

**Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council under Section 21 of
Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act***

- 1 Subsection 48(1) of the *Employment Support and Income Assistance Regulations*, N.S. Reg. 195/2019, made by the Governor in Council by Order in Council 2019-333 dated November 27, 2019, is amended by repealing the table and substituting the following table:

Household Composition		Standard Household Rate	
Recipients	Dependent Child or Student Family Member	Rent or Own	Board
1	0	\$686	\$608
1	1	\$962	\$627
1	2 or more	\$1013	\$668
2	0	\$1342	\$1008
2	1 or more	\$1393	\$1049

- 2 Section 49 of the regulations is amended by striking out “\$850” and substituting “\$950”.
- 3 Section 50 of the regulations is amended by repealing the table and substituting the following table:

Recipients	Standard Household Rate—Essentials
1	\$380
2	\$760

- 4 Section 51 of the regulations is amended by striking out “\$280” and substituting “\$380”.

N.S. Reg. 65/2021

Made: April 27, 2021

Filed: April 27, 2021

Nova Scotia Farm Loan Board Regulations—amendment

Order in Council 2021-105 dated April 27, 2021
Amendment to regulations made by the Governor in Council
pursuant to Section 8 of the *Agriculture and Rural Credit Act*

The Governor in Council on report and recommendation of the Minister of Agriculture dated March 11, 2021, and pursuant to Section 8 of Chapter 7 of the Acts of 1996, the *Agriculture and Rural Credit Act*, is pleased to amend the *Nova Scotia Farm Loan Board Regulations*, N.S. Reg. 205/2018, made by the Governor in Council by Order in Council 2018-304 dated November 29, 2018, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 27, 2021.

Schedule “A”

**Amendment to the *Nova Scotia Farm Loan Board Regulations*
made by the Governor in Council under Section 8
of Chapter 7 of the Revised Statutes of Nova Scotia, 1989,
the *Agriculture and Rural Credit Act***

Subsection 18(1) of *Nova Scotia Farm Loan Board Regulations*, N.S. Reg. 205/2018, made by the Governor in Council by Order in Council 2018-304 dated November 29, 2018, is repealed and the following subsection is substituted:

Prescribed fees

18 (1) Subject to subsections (2) and (3), the fees payable to the Board by borrowers are as set out in the following table:

Fees Payable to Board	
Type of Fee	Fee Amount (plus any applicable taxes)
Mortgage release fee	\$50.00
Reamortization fee	lesser of: 0.125% of loan balance or \$250.00
Mortgage assumption fee	\$310.00
Loan guarantee fee	Amount determined necessary by Board management to compensate for risk being undertaken (minimum 1.5% per year on outstanding balance)
Fee for preparing deed, mortgage, agreement of sale, chattel mortgage, lease or any related document	\$124.00
Fee for preparing detailed financial statements, searching legal records and providing statistical data	\$62.00

File review fee	\$100.00
Insufficient funds fee	\$35.00

N.S. Reg. 66/2021

Made: December 17, 2020

Approved: April 27, 2021

Filed: April 27, 2021

Dairy Livestock Insurance Plan–replacement

Order in Council 2021-106 dated April 27, 2021

Repeal of regulations and regulations made by the Nova Scotia Crop and Livestock Insurance Commission and approved by the Governor in Council pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated March 11, 2021, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased, effective on and after April 27, 2021, to

- (a) approve the repeal by the Nova Scotia Crop and Livestock Insurance Commission of the *Dairy Livestock Insurance Plan*, N.S. Reg. 114/2002, approved by the Governor in Council by Order in Council 2002-407 dated September 13, 2002; and
- (b) approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a new insurance plan for dairy livestock in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”**Nova Scotia Crop and Livestock Insurance Commission**

I certify that the Nova Scotia Crop and Livestock Insurance Commission, at a meeting held December 17, 2020, passed a motion to

- (a) repeal the *Dairy Livestock Insurance Plan*, N.S. Reg. 114/2002, made by the Commission and approved by the Governor in Council by Order in Council 2002-407 dated September 13, 2002; and
- (b) make a new insurance plan for dairy livestock in the manner set out in the attached.

The repeal and replacement of the *Dairy Livestock Insurance Plan* is effective on and after the date it is approved by the Governor in Council.

Dated and signed at Truro, Nova Scotia, on December 17, 2020.

Nova Scotia Crop and Livestock Insurance Commission

per: *sgd. Bill MacLeod*
Bill MacLeod, CEO

**Regulations Respecting an Insurance Plan for Dairy Livestock
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 *Dairy Livestock Insurance Plan*.

Purpose

2 The purpose of this plan is to provide for

- (a) insurance against a loss of livestock resulting from 1 or more of the perils designated in subsection 4(1); and
- (b) a benefit for loss of income when, as a result of 1 or more of the perils designated in subsection 4(2), gross monthly income from the sale of milk falls below 50% of the average gross monthly income calculated in accordance with subsection 16(2).

Definitions

3 In this plan,

- (a) “dairy building” means any building owned by an insured person used to house livestock or milk produced by livestock insured under this plan;
- (b) “designated perils” means the perils described in Section 4;
- (c) “insurable livestock” means any animal designated for insurance purposes under Section 11;
- (d) “insurance year” means the period commencing on the date that an application for insurance is approved by the Commission and ending on December 31 of the same year;
- (e) “livestock” means
 - (i) dairy heifers housed in the Province and owned by Nova Scotia farmers whose farm businesses are registered under the *Farm Registration Act*, or
 - (ii) dairy cows, dairy heifers and female dairy calves owned by Nova Scotia farmers and grown in the Province for the purpose of producing milk under a licence issued by the Dairy Farmers of Nova Scotia in accordance with the *Dairy Industry Act*;
- (f) “loss of income benefit” means a benefit paid to an insured person in accordance with Sections 15 to 18;
- (g) “Veterinary Pathology Laboratory” means the Nova Scotia Department of Agriculture laboratory where livestock pathology tests are conducted.

Designated perils

4 (1) A person may be insured against a loss of livestock from disease due to any of the following designated perils:

- (a) reportable diseases that are designated under the *Health of Animals Act* (Canada), except bovine spongiform encephalopathy and foot and mouth disease;

- (b) fibrinous pneumonia (shipping fever);
 - (c) infectious bovine rhinotracheitis (respiratory form).
- (2) A person may receive the loss of income benefit due to any of the following designated perils:
- (a) the diseases specified in subsection (1);
 - (b) fire;
 - (c) collapse of a dairy building due to ice, snow or wind.

Application for contract of insurance

- 5 (1) An application for a contract of insurance must be
- (a) filed on a Dairy Livestock Insurance Plan - Application & Renewal form provided by the Commission;
 - (b) accompanied by the total premium; and
 - (c) accompanied by a completed Application Supplement form provided by the Commission.
- (2) A completed application is not binding upon either party until a contract of insurance is issued in respect of the application.
- (3) The Commission may require an applicant to comply with any regulations made under the *Animal Health and Protection Act* and the *Health of Animals Act* (Canada) before issuing a contract of insurance.

Contract of insurance

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

Certificate of insurance

- 7 (1) The Commission will issue a certificate of insurance indicating the value of insurance coverage after the contract of insurance is approved.

- (2) A certificate of insurance is in force from the date of approval of the contract of insurance by the Commission to December 31 of the same year.

Duration of contract of insurance

- 8** (1) A contract of insurance is in force until it is cancelled in accordance with subsection (2).
- (2) A contract of insurance may be cancelled by the insured person or the Commission by giving written notice to the other party before December 31 of the year that the contract of insurance is in force.
 - (3) If an insured person wants to renew their contract of insurance for the upcoming year, they must file a Dairy Livestock Insurance Plan - Application & Renewal form stating the number of animals to be insured in the upcoming year before December 31 of the year that the current contract of insurance is in force.
 - (4) Premium amounts calculated under Section 10 are due at the time of renewal.
 - (5) Failure by an insured person to inform the Commission of the number of animals to be insured in the upcoming year under subsection (3) will result in cancellation of all insurance coverage after December 31 of the year that the contract of insurance is in force.
 - (6) Despite subsection (5), if an insured person informs the Commission of the number of animals to be insured in the upcoming year before March 31 of the upcoming year, insurance coverage will continue under the original contract of insurance.

Limitation of contract of insurance

- 9** A claim for indemnity is limited to the extent of the assets in the Livestock Insurance Fund balance held by the Commission.

Premium

- 10** (1) The base premium rate must be set by the Commission and announced on or before October 1 each year for the upcoming year.
- (2) The base premium rate will be adjusted by applying a discount or surcharge in accordance with a formula set by the Commission by October 31 of each year.
 - (3) Despite subsections (1) and (2), the minimum premium payable by an insured person in any insurance year must be \$25.

Coverage for loss of livestock from disease

- 11** (1) All of the dairy cows and dairy heifers 1 year of age and older that are owned by an insured person must be offered for insurance coverage.
- (2) All dairy heifers 6 months of age and older are eligible for insurance coverage.
 - (3) All female dairy calves under 6 months of age are eligible for insurance coverage.
 - (4) If an insured person increases the number of livestock that they own during the period that a contract of insurance is in force, the insured person must purchase coverage for the livestock not already insured.

Established prices

- 12** (1) For the purpose of calculating premium and the indemnity per animal, an insured person must select

- (a) 1 of the price options listed in subsection (2) for dairy cows and dairy heifers 1 year of age and older;
 - (b) if applicable, 1 of the price options listed in subsection (2) for dairy heifers 6 months of age and older insured; and
 - (c) if applicable, 1 of the price options listed in subsection (3) for calves insured.
- (2) The established price options for dairy cows and dairy heifers insured under subsections 11(1) and (2) are
- (a) \$400;
 - (b) \$600;
 - (c) \$800;
 - (d) \$1000;
 - (e) \$1200;
 - (f) \$1400;
 - (g) \$1600;
 - (h) \$1800; and
 - (i) \$2000.
- (3) The established price options for calves insured under subsection 11(3) are
- (a) \$200;
 - (b) \$400;
 - (c) \$600; and
 - (d) \$800.

Notice of loss of livestock from disease

- 13 (1)** To be eligible for a claim for the death of an animal from disease, an insured person must submit all of the following to the Commission within 72 hours of the death of the animal:
- (a) a Notice of Claim Form - Dairy Livestock Disease Insurance Plan provided by the Commission for loss of livestock from disease;
 - (b) a written statement from a veterinarian confirming the cause of death of the animal was a designated peril.
- (2) The insured person must do 1 of the following to assist in determining that the cause of death of the animal was a designated peril:

- (a) if the attending veterinarian performs a necropsy on the animal, ensure that the necessary tissue specimens and blood samples are forwarded to the Veterinary Pathology Laboratory;
 - (b) if a necropsy is not performed on the animal, deliver the animal's carcass to the Veterinary Pathology Laboratory.
- (3) Despite subsection (2), in the event of an outbreak of fibrinous pneumonia (shipping fever) or respiratory infectious bovine rhinotracheitis (respiratory form),
- (a) the first 3 animals to die must be necropsied or have their carcasses delivered to the Veterinary Pathology Laboratory; and
 - (b) if more than 3 animals die, the insured person must contact the Commission to determine whether additional sampling is required.

Evaluation of claim for loss of livestock from disease

- 14 (1) Subject to Section 9, the maximum indemnity that the Commission is liable for for a claim for loss of livestock from disease under a contract of insurance is the insured value of that livestock less payments received
- (a) under the *Health of Animals Act* (Canada);
 - (b) for salvage; and
 - (c) from any other government agency.
- (2) The Commission is not responsible for transportation costs for salvage, cleanup costs or costs incurred by an insured person to support a claim.
- (3) Animals that recover after a claim and remain in the herd for 60 or more days after diagnosis by a veterinarian are not eligible to be paid for under the original claim submitted.

Notice of loss of income

15 An insured person must do all of the following to be eligible for a claim for loss of income:

- (a) notify the Commission within 10 days of any event that may result in a loss of income claim;
- (b) submit a Notice of Claim Form - Dairy Livestock Disease Insurance Plan provided by the Commission for loss of income to the Commission within 10 days after the first monthly payment of income from the dairy that is less than 50% of the insured person's average gross monthly income as calculated under subsection 16(1).

Extent of coverage under loss of income benefit

- 16 (1) For the purpose of the loss of income benefit, an applicant's maximum insurable income is 50% of the applicant's average gross monthly income calculated under subsection (2).
- (2) The applicant's average gross monthly income must be
- (a) stated on the Dairy Livestock Insurance Plan - Application & Renewal form and based on the applicant's monthly receipts from the sale of milk over the 12-month period prior to a loss; and

- (b) pro-rated to reflect any reduction in the applicant's quota holding at the time a claim is made compared to the quota holding at the time of the application for the contract of insurance.

Evaluation of claim for loss of income benefit

- 17 (1) Subject to Section 9, the Commission will determine the reduction of income each month by subtracting the actual monthly payment received from the sale of milk and the value of any compensation from the lease or rental of quota or other such contractual arrangements that provide for the sale of milk for the month from the maximum insurable income described in subsection 16(1).
- (2) The maximum amount payable by the Commission, in accordance with subsection 16(1), is 50% of the applicant's average gross monthly income as calculated under subsection 16(2).
- (3) The maximum period of payments is 4 months and no payment will be made if the insured person does not continue in business.

Claim payable under loss of income benefit

- 18 If an insured person suffers a loss of income for a period of more than 4 months, the insured person may select the period during which the income benefit payment may be made.

Arbitration

- 19 (1) 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 insured person has filed a proof of loss form as required by their contract of insurance, either party may request that the dispute be resolved by arbitration in accordance with the *Arbitration Proceedings Regulations* made under the *Crop and Livestock Insurance Act*.
- (2) A request for arbitration must be made by giving notice in writing to the other party and the Crop and Livestock Insurance Arbitration Board within 90 days of the end of the insurance year in which the loss occurred.

Form 1 - Contract of Insurance - Dairy

The *Crop and Livestock Insurance Act* Contract of Insurance

Contract: _____

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

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

Whereas the *Crop and Livestock Insurance Act* (the "Act") gives the Commission the power to administer insurance plans established by regulation for designated insurable livestock;

And whereas the *Dairy Livestock Insurance Plan* made under the Act (the "Plan") provides insurance against a loss of livestock resulting from 1 or more of the perils designated in subsection 4(1) of the Plan and provides a benefit for loss of income when, as a result of 1 or more of the perils designated in subsection 4(2) of the Plan,

the Insured Person's gross monthly income from the sale of milk falls below 50% of the average gross monthly income calculated in accordance with subsection 16(2) of the Plan;

And whereas the Commission and the Insured Person have entered into this contract of insurance to insure the dairy livestock and income offered by the Insured Person and accepted by the Commission for insurance (the "Insured Animal" and the "Loss of Income") in each year while this contract is in force, in accordance with the Plan made under the Act;

Now therefore, subject to the Act, the Plan, the regulations under the Act, and the conditions in this contract, if the Insured Person suffers Loss of Income or loss of or damage to an Insured Animal due to 1 or more of the perils designated in the Plan, the Commission, subject to the terms and conditions hereinafter set forth, agrees to indemnify the Insured Person in respect of the loss.

Terms and Conditions

Insured animal

1 In this contract, an insured animal means an animal insured under the Plan

Extent of insurance

- 2 (1) This contract applies to the dairy cows, heifers, and calves as specified in the certificate of insurance issued by the Commission to the Insured Person in each year.
- (2) An Insured Person under the Plan that produces milk under a licence issued by the Dairy Farmers of Nova Scotia is also eligible to be insured against Loss of Income.
- (3) This contract applies to livestock diseases and perils designated under the Plan.

Causes of loss not insured against

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

Cancelling insurance

- 4 (1) The Insured Person or the Commission may cancel insurance under this contract by giving written notice to the other party by December 31 prior to the year that the cancellation is to be effective.
- (2) The Commission may cancel insurance under this contract without notice if the Insured Person contravenes any of the terms or conditions of the Act, the regulations under the Act or this contract.

Contract terminates on bankruptcy or death

- 5 (1) This contract terminates on December 31 of any year that the Insured Person makes an authorized assignment under the *Bankruptcy Act* (Canada).
- (2) This contract terminates on December 31 of the year that the Insured Person dies, but the Commission may extend this contract to the Insured Person's estate at the request of a person who is a personal representative of the Insured Person within the meaning of the *Probate Act*.

Actions that invalidate claim

- 6 If an Insured Person does any of the following, a claim by the Insured Person is invalid and their right to recover indemnity is forfeited:
- (a) gives false particulars in their Dairy Livestock Insurance Plan - Application & Renewal form or Application Supplement form;
 - (b) knowingly misrepresents or fails to disclose any fact required in their Dairy Livestock Insurance Plan - Application & Renewal form or Application Supplement form;
 - (c) contravenes the Act, the regulations under the Act or a term or condition of this contract;
 - (d) commits a fraud;
 - (e) willfully makes a false statement in respect of any claim under this contract.

Waiver of alteration

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

Interest of insured person deemed to be full value of coverage

- 8 The interest of the Insured Person is deemed to be the full value of the total coverage provided, regardless of any interest that individuals other than the Insured Person may hold.

Insured person may assign right to be indemnified

- 9 (1) An indemnity will not be paid to any person other than the Insured Person, unless the Insured Person assigns the indemnity under this Section.
- (2) The Insured Person may assign all or part of their right to be indemnified under this contract.
- (3) An assignment under subsection (2) is not binding on the Commission and no payment of indemnity will be made to an assignee unless
- (a) the assignment is made on a form provided by the Commission; and
 - (b) the Commission consents to the assignment in writing.

Notice of loss

- 10 The Insured Person must notify the Commission in accordance with the Plan of the death or disease of an insured animal or the loss of income resulting from 1 or more designated perils.

Notice of claim

- 11 (1) A claim for indemnity must be made on a form provided by the Commission.
- (2) Subject to subsection (3), a claim for indemnity must be made by the Insured Person.
- (3) A claim for indemnity may be made
- (a) in the case of the absence or inability of the Insured Person, by an agent of the Insured Person;
or

- (b) in the case of the absence or inability of the Insured Person or on their failure or refusal to make the claim, by a person assigned under Section 9.

Adjustment of loss

- 12 (1)** The indemnity payable for the death of an insured animal or loss of income will be determined in the manner prescribed by the Plan.
- (2)** The Commission may appraise a claim by any method that it deems appropriate to fairly and accurately appraise the loss.
- (3)** No indemnity will be paid for the death of an insured animal or loss of income unless the Insured Person establishes the cause of loss as set out in the Plan.

Maximum indemnity

- 13 (1)** The maximum indemnity that the Commission is liable for under a contract of insurance is the insured value of the livestock and the insured value of the income loss less any payments received
- (a) under the *Health of Animals Act* (Canada);
 - (b) for salvage; or
 - (c) from any agency other than the Commission.
- (2)** The Commission is not responsible for transportation costs for salvage, cleanup costs or costs incurred by an Insured Person to support a claim.
- (3)** Indemnity payable by the Commission under this Plan is limited to the extent of the assets in the Livestock Insurance Fund balance held by the Commission.

Time for payment of indemnity

- 14 (1)** Except as otherwise provided in the Plan, no indemnity under this contract becomes due and payable until the end of the year that the loss or damage was sustained.
- (2)** Nothing in this Section prevents the Commission from paying indemnity under this contract at an earlier date.

Arbitration

- 15** If the Commission and the Insured Person cannot resolve a dispute regarding the adjustment of loss under this contract, the matter will be resolved by arbitration in accordance with the Plan.

Subrogation

- 16** If the Commission has paid a claim under this contract, the Commission is subrogated to the extent of the claim to all rights of recovery of the Insured Person against any person and may bring action for the full amount in the name of the Insured Person to endorse those rights.

Right of entry

- 17** The Insured Person must permit the Commission or its agents to have right of entry to the premises to view an insured animal and to furnish any information related to this contract and must comply with the requirements of the Commission or a veterinarian employed by the Commission.

Notice

- 18 (1)** Notice under this contract must be given by personal delivery or mail.

- (2) For the purposes of subsection (1), the Commission will give notice to the Insured Person using the most recent mailing address for the Insured Person that the Commission has on record.

In witness thereof, the Nova Scotia Crop and Livestock Insurance Commission has caused this contract of insurance to be signed by its Executive Secretary or an authorized member of the Commission and countersigned by a duly authorized representative of the Commission.

Countersigned and dated at _____ on _____, 20__ .

Duly authorized representative

Executive Secretary

N.S. Reg. 67/2021

Made: April 27, 2021

Filed: April 27, 2021

Animal Health and Protection Regulations—replacement

Order in Council 2021-107 dated April 27, 2021

Repeal of regulations and regulations made by the Governor in Council pursuant to Section 4 of the *Animal Health and Protection Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated March 11, 2021, and pursuant to Section 4 of Chapter 15 of the Revised Statutes of Nova Scotia, 1989, the *Animal Health and Protection Act*, is pleased, effective on and after April 27, 2021, to

- (a) repeal the *Animal Health and Protection Regulations*, N.S. Reg. 82/1987, made by the Governor in Council by Order in Council 87-457 dated April 14, 1987; and
- (b) make new regulations respecting animal health and protection in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

Regulations Respecting Animal Health and Protection made by the Governor in Council under Section 4 of Chapter 15 of the Revised Statutes of Nova Scotia, 1989, the *Animal Health and Protection Act*

Citation

- 1 These regulations may be cited as the *Animal Health and Protection Regulations*.

Definitions

- 2 In these regulations,

“Act” means the *Animal Health and Protection Act*;

“animal” includes animal by-product and animal product;

“animal by-product” includes blood and any of its components, bones, bristles, feathers, flesh, hair,

hoofs, horns, offal, hides, furs, skin and wool;

“animal product” includes butter, cheese, cream, milk, eggs, meat, ova, semen and antlers;

“Chief Veterinary Officer” means the provincial veterinarian as described in Section 4;

“custodian” means a person who has custody of an animal;

“Department” means the Department of Agriculture;

“disease” means any condition that adversely affects the health of an animal and is a threat to the public interest and includes a disease designated by the Minister as a disease within the meaning of these regulations, but does not include a reportable or notifiable disease designated under another enactment, including an enactment of Canada;

“inspector” means a person designated as an inspector under these regulations;

“laboratory” includes the employees and representatives of the laboratory;

“outbreak of disease” means the presence of disease in animals which, in the opinion of the Chief Veterinary Officer, requires extraordinary means for control;

“owner” means a person who possesses or has charge of an animal;

“premises” means lands and buildings where animals are situated and includes sales barns and auction markets, but does not include a private dwelling;

“provincially notifiable disease” means an animal disease as described in Section 5;

“provincially reportable disease” means a reportable disease as described in Section 6;

“quarantine” means the isolation of premises and the prohibition of the movement of animals, animal products, hay, straw, fodder, or any other thing to or from the premises;

“vehicle” means any vehicle transporting animals and includes railroad cars;

“veterinarian” means a member of the Nova Scotia Veterinary Medical Association.

Designation of inspectors

3 The Minister may appoint veterinarians to be inspectors to administer the Act and these regulations.

Chief Veterinary Officer

- 4** (1) The Minister must appoint a provincial Chief Veterinary Officer to administer the Act and these regulations.
- (2) In the absence of the Chief Veterinary Officer, the Minister may temporarily delegate the powers and duties of the Chief Veterinary Officer to another veterinarian.
- (3) The Chief Veterinary Officer or another veterinarian, in exercising powers under these regulations, may be accompanied by any person they consider necessary to enable them to exercise those powers.

Provincially notifiable disease

- 5 (1) A provincially notifiable disease is a disease designated as a provincially notifiable disease by the Minister upon the recommendation of the Chief Veterinary Officer.
- (2) The following factors may be considered when determining whether a disease should be designated as a provincially notifiable disease:
- (a) the potential for the creation of trade barriers;
 - (b) the potential for the disease to spread;
 - (c) any other factors that concern the public interest.
- (3) If a disease is designated as a provincially notifiable disease, notice of that designation must be posted on the Department's website.

Provincially reportable disease

- 6 (1) A provincially reportable disease is a disease designated as a reportable disease by the Minister upon the recommendation of the Chief Veterinary Officer.
- (2) The following factors may be considered when determining whether a disease should be designated as a provincially reportable disease:
- (a) whether there is a requirement to implement control or eradication measures to minimize the risk of the disease spreading;
 - (b) whether products derived from a diseased animal are or might be unsafe or unfit for use or consumption;
 - (c) whether the disease may be a threat to animal health, public health or the health of other living organisms;
 - (d) threats to the economic interests of the animal industry;
 - (e) whether the disease may be transmitted between animals and humans.
- (3) If a disease is designated as a provincially reportable disease, notice of that designation must be posted on the Department's website.

Mandatory reporting of notifiable and reportable diseases

- 7 (1) All owners, custodians, veterinarians and laboratories that suspect or confirm that any animal is suffering from a provincially notifiable disease must report the suspicion or confirmation to the Chief Veterinary Officer in writing within 24 hours.
- (2) All owners, custodians, veterinarians and laboratories that suspect or confirm that any animal is suffering from a provincially reportable disease must immediately report the suspicion or confirmation to the Chief Veterinary Officer by telephone and provide a written report to the Chief Veterinary Officer no later than 24 hours after reporting by telephone.
- (3) Any report of suspected or confirmed disease made to the Chief Veterinary Officer under this Section must include all of the following information:
- (a) the name and contact information of the person who is making the report;

- (b) a description of the animal that is the subject of the report;
- (c) the civic address or premises identification number of the location of the animal, or any other directions necessary to find the animal;
- (d) the species of the animal;
- (e) the animal's presumptive diagnosis;
- (f) the name and contact information of the owner of the animal, if known;
- (g) any additional information required by the Chief Veterinary Officer, if known, including,
 - (i) the name and contact information of the animal's veterinarian,
 - (ii) the type of operation at which the animal is located,
 - (iii) a description of the identifier that distinguishes the animal or group of animals within the herd or group, such as a tag number, animal identifier, group lot number or pen number,
 - (iv) the total number of animals of the same species at the animal's location,
 - (v) a list of the other species of animals, and the number of animals of each species, present at the animal's location,
 - (vi) the total number of animals of all species that appear to be infected with the disease at the animal's location,
 - (vii) whether diagnostic samples have been submitted to a laboratory for testing,
 - (viii) the results of any laboratory tests.
- (4) If the Chief Veterinary Officer receives a report under subsection (1) or (2), the Chief Veterinary Officer may
 - (a) authorize an inspector to conduct an inspection; and
 - (b) take any steps necessary to suppress and control an outbreak of the disease.

Establishment of quarantine area

- 8** (1) The Chief Veterinary Officer may order that an area or specific premises where there is an outbreak of disease be established as a quarantine area and may set out the geographical limits of that area.
- (2) A quarantine area established under subsection (1) is subject to any restrictions regarding conduct in the quarantine area that are stipulated by the Chief Veterinary Officer, including restrictions regarding any of the following:
- (a) the movement of persons into, from or within the quarantine area;
 - (b) the possession of animals or things within the quarantine area;
 - (c) the transportation of animals or things within the quarantine area;

- (d) the handling or managing of quarantined animals or things.
- (3) A notice must be prepared regarding the establishment of a quarantine area under subsection (1) in a form prescribed by the Chief Veterinary Officer.
- (4) A notice prepared under subsection (3) must be
 - (a) delivered to the owner or occupier of the premises in the quarantine area; or
 - (b) if the form cannot be delivered to the owner or occupier of the premises in the quarantine area, posted on the property.

Establishment of a surveillance zone

- 9** (1) The Chief Veterinary Officer may order that an area around a quarantine area be established as a surveillance zone and may set out the geographical limits of that area.
- (2) A surveillance zone established under subsection (1) must be
 - (a) established using a form prescribed by the Chief Veterinary Officer; and
 - (b) subject to any restrictions determined by the Chief Veterinary Officer.

Powers of inspectors

- 10** An inspector appointed under Section 5 of the Act may
 - (a) enter any premises or vehicle
 - (i) to inspect that premises or vehicle,
 - (ii) to test for any disease, or
 - (iii) for the purpose of diagnosis, treatment and control of any disease;
 - (b) determine identification procedures to be employed and publicize those procedures;
 - (c) require the production for inspection of any books, records or other documents that contain or that an inspector believes may contain any information regarding the keeping or transporting of animals infected or suspected of being infected with a disease and examine and make copies of those documents in whole or part;
 - (d) inspect any animal infected or suspected of being infected with a disease;
 - (e) seize, analyze and detain any of the following until they are released either by an inspector or upon the final disposition of any prosecution instituted for contravention of the Act or these regulations:
 - (i) any animal or specimen infected with or suspected of being infected with a disease,
 - (ii) any part or dung of any animal infected with or suspected of being infected with a disease,
 - (iii) any hay, straw, litter, specimen or other thing related to an animal that is contaminated or suspected of being contaminated or otherwise associated with a disease;

- (f) for the purpose of conducting an examination or inspection of an animal in order to determine whether the animal is infected with a disease, stop and inspect any vehicle and its load if an inspector believes the animal is or has been transported in the vehicle;
- (g) direct the means by which an animal infected or suspected of being infected with a disease may be moved or transported from or into a quarantine area;
- (h) prohibit the movement or transportation of animals infected or suspected of being infected with a disease;
- (i) prohibit the sale or disposition of an animal infected with a disease;
- (j) under the direction of the Chief Veterinary Officer,
 - (i) impose any restrictions with respect to the quarantine area that an inspector deems advisable,
 - (ii) order the manner of destruction and disposal of an animal infected with a disease,
 - (iii) order the slaughter of an animal infected with a disease and prescribe the manner and place of the slaughter,
 - (iv) order the method of disposal of carcasses or contaminated material and the cleansing and decontamination of infected premises,
 - (v) vaccinate or order the vaccination of an animal,
 - (vi) order the removal of animals from a quarantine area or outbreak area directly to meat plants, slaughterhouses or abattoirs for immediate slaughter despite subsection 8(2);
- (k) carry out any measures that the Chief Veterinary Officer deems advisable to eradicate, control or prevent an outbreak of a disease.

Owner obligations

- 11 (1)** The owner of an animal that is suspected of having a disease must provide appropriate facilities and render any necessary assistance to an inspector to enable the inspector to properly examine the animal and collect necessary specimens.
- (2)** If an owner fails to provide appropriate facilities, an inspector may, at the owner's expense, remove the suspect animal to a location where the examination may take place.
- (3)** An owner must comply with any order or direction made under this Act or these regulations.

No interference, obstruction, provision of false information or withholding of information

- 12 (1)** A person must not interfere with or obstruct another person in the exercise of their powers or the performance of their duties under the Act.
- (2)** A person must not knowingly provide the Chief Veterinary Officer or inspector with false information or neglect or refuse to provide information required by the Chief Veterinary Officer or inspector to exercise their powers or perform their duties under the Act or these regulations.

Receipt by owner of written notice by Chief Veterinary Officer or inspector

- 13** Any written notice by the Chief Veterinary Officer or an inspector that is required by these regulations is

deemed to be received by the owner or occupier

- (a) on the day it is delivered in person to the owner or occupier;
- (b) on the day it is posted in a prominent place on the premises of the owner or occupier; or
- (c) 5 days after it was sent by prepaid certified mail to the last known address of the owner or occupier.

N.S. Reg. 68/2021

Made: April 27, 2021

Filed: April 27, 2021

Livestock Health Services Regulations—amendment

Order in Council 2021-108 dated April 27, 2021

Amendment to regulations made by the Governor in Council pursuant to Section 16 of the *Livestock Health Services Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated March 11, 2021, and pursuant to Section 16 of Chapter 8 of the Acts of 2001, the *Livestock Health Services Act*, is pleased to amend the *Livestock Health Services Regulations*, N.S. Reg. 36/1998, made by the Minister of Agriculture and Marketing and approved by the Governor in Council by Order in Council 98-216 dated May 19, 1998, to increase the travel time assistance rates paid to enrolled veterinarians, change program eligibility requirements and remove references to the Livestock Health Services Board, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 27, 2021.

Schedule “A”

**Amendment to the *Livestock Health Services Regulations*
made by the Governor in Council
under Section 16 of Chapter 8 of the Acts of 2001,
the *Livestock Health Services Act***

- 1 Section 2 of the *Livestock Health Services Regulations*, N.S. Reg. 36/1998, made by the Minister of Agriculture and Marketing and approved by the Governor in Council by Order in Council 98-216 dated May 19, 1998, is amended by
- (a) striking out the clause letter before each definition;
 - (b) repealing the definition of “agreement”;
 - (c) in the definition of “Department”, striking out “and Marketing”;
 - (d) in the definition of “eligible livestock owner”,
 - (i) striking out “is currently registered under the *Farm Registration Act* and that”,
 - (ii) striking out the semicolon at the end of subclause (ii) and substituting “, or”, and
 - (iii) adding the following subclause immediately after subclause (ii):

- (iii) owns livestock designated as livestock for farming purposes under the *Designation of Livestock for Farming Purposes*;
 - (e) repealing the definition of “LHSB”.
- 2
- (1) Clause 3(2)(f) of the regulations is amended by striking out “and food safety programs”.
 - (2) Subsection 3(5) of the regulations is amended by striking out “to the LHSB that is responsible for the zone where the animals are kept, and in such cases, that practice centre may claim for services”.
- 3
- The regulations are further amended by repealing Section 4 and substituting the following Section:
- Distance and travel time assistance claims**
- 4
- (1) Distance and travel time assistance claims are unlimited for veterinarian calls made to livestock owners who are currently registered under the *Farm Registration Act*.
 - (2) Distance and travel time assistance claims are limited to one call per year for veterinarian calls made to livestock owners who are not currently registered under the *Farm Registration Act*.
- 4
- (1) Subsection 5(1) of the regulations is amended by
 - (a) striking out “a LHSB” and substituting “the Administrator”;
 - (b) striking out “\$1.21” in subclause (b)(i) and substituting “\$1.31”;
 - (c) striking out “\$0.61” in subclause (b)(ii) and substituting “\$0.66”;
 - (d) striking out the comma at the end of subclause (b)(ii) and substituting a period; and
 - (e) striking out all of the text after subclause b(ii).
 - (2) Subsection 5(2) of the regulations is amended by
 - (a) striking out “\$0.61” in clause (a) and substituting “\$0.66”; and
 - (b) striking out “\$0.305” in clause (b) and substituting “\$0.33”.
 - (3) Subsection 5(3) of the regulations is amended by striking out “secretary of the LHSB, the Provincial Veterinarian,” and substituting “Administrator”.
- 5
- Section 8 of the regulations is repealed.
- 6
- (1) Clause 9(1)(b) of the regulations is amended by striking out “\$82.00” and substituting “\$88.56”.
 - (2) Subsection 9(2) of the regulations is repealed.
- 7
- Subsection 12(1) of the regulations is amended by
- (a) striking out “Provincial Veterinarian, a LHSB may make arrangements” and substituting “Administrator, arrangements can be made”; and
 - (b) striking out “LHSB” the second time it appears and substituting “Administrator”.

- 8 (1) Subsection 13(1) of the regulations is amended by striking out “appropriate LHSB secretary, or the Provincial Veterinarian” and substituting “Administrator”.
- (2) Subsection 13(2) of the regulations is amended by striking out “appropriate LHSB secretary or the Provincial Veterinarian” and substituting “Administrator”.
- (3) Subsection 13(3) of the regulations is repealed.
- 9 Section 17 of the regulations is repealed.
- 10 Subsection 18(2) of the regulations is amended by striking out “internal”.
- 11 Section 19 of the regulations is repealed.
- 12 Section 20 of the regulations is repealed.
- 13 Section 21 of the regulations is repealed.
- 14 Clause 22(1)(a) of the regulations is amended by
- (a) striking out the comma immediately after “owner” in subclause (i) and substituting a semicolon; and
- (b) repealing subclause (ii).
-

N.S. Reg. 69/2021

Made: February 10, 2021

Approved: April 27, 2021

Filed: April 27, 2021

Registration, Licensing and Professional Accountability Regulations—amendment

Order in Council 2021-109 dated April 27, 2021

Amendment to regulations made by the Council of the Nova Scotia College of Pharmacists
and approved by the Governor in Council
pursuant to Section 82 of the *Pharmacy Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated March 30, 2021, and pursuant to Section 82 of Chapter 11 of the Acts of 2011, the *Pharmacy Act*, is pleased to approve an amendment to the *Registration, Licensing and Professional Accountability Regulations*, N.S. Reg. 252/2013, made by the Council of the Nova Scotia College of Pharmacists and approved by the Governor in Council by Order in Council 2013-237 dated July 9, 2013, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 27, 2021.

Schedule “A”

I hereby certify that the Council of the Nova Scotia College of Pharmacists, at a duly convened meeting of the Council held on February 10, 2021, and pursuant to Section 82 of Chapter 11 of the Acts of 2011, the *Pharmacy Act*, carried a motion to amend the *Registration, Licensing and Professional Accountability Regulations*, N.S. Reg. 252/2013, made by the Council of the Nova Scotia College of Pharmacists and approved by the Governor in Council by Order in Council 2013-237 dated July 9, 2013, in the manner set forth in the attached.

Signed at Halifax, Nova Scotia, on March 16, 2021.

Council of the Nova Scotia College of Pharmacists

per: *sgd. Beverley Zwicker*

Beverley Zwicker

Registrar and CEO, Nova Scotia College of Pharmacists

**Amendment to the *Registration, Licensing and Professional Accountability Regulations*
made by the Council of the Nova Scotia College of Pharmacists
under Section 82 of Chapter 11 of the Acts of 2011,
the *Pharmacy Act***

Section 36 of the *Registration, Licensing and Professional Accountability Regulations*, N.S. Reg. 252/2013, made by the Council of the Nova Scotia College of Pharmacists and approved by the Governor in Council by Order in Council 2013-237 dated July 9, 2013, is amended by adding the following subsection immediately after subsection (2):

- (3) Subsection (2) does not apply to the dispensing of a vaccine against SARS-CoV-2.

N.S. Reg. 70/2021

Made: undated

Approved: April 27, 2021

Filed: April 27, 2021

Regulations respecting the exemption from registration of certain new vehicles
driven by Autoport Limited—replacement

Order in Council 2021-112 dated April 27, 2021

Repeal of regulations and regulations made by the Minister of Transportation
and Active Transit and approved by the Governor in Council
pursuant to subsection 25(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Active Transit dated March 9, 2021, and pursuant to subsection 25(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased effective on and after April 27, 2021 to

- (a) approve the repeal by the Minister of Transportation and Active Transit of the regulations respecting the exemption from registration of certain new vehicles driven by Autoport Limited, N.S. Reg. 43/1976, made by the Minister of Highways and approved by the Governor in Council by Order in Council 76-600 dated May 18, 1976; and
- (b) approve new regulations respecting exemption from registration of vehicles for Autoport Limited made by the Minister of Transportation and Active Transit in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule "A"**In the matter of Section 25 of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*****-and-****In the matter of the repeal and replacement of regulations respecting exemption
from registration of vehicles for Autoport Limited****Order**

I, Lloyd P. Hines, Minister of Transportation and Active Transit for the Province of Nova Scotia, pursuant to Section 25 of Chapter 293 of the Revised Statutes [Statutes] of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby

- (a) repeal the regulations respecting the exemption from registration of certain new vehicles driven by Autoport Limited, N.S. Reg. 43/1976, made by the Minister of Highways and approved by the Governor in Council by Order in Council 76-600 dated May 18, 1976; and
- (b) make new regulations respecting exemption from registration of vehicles for Autoport Limited in the form set forth in the attached Schedule "A",

effective on and after the date this Order is approved by the Governor in Council.

Dated and made _____, 2021, at Halifax Regional Municipality, Province of Nova Scotia. [sic]

sgd. *Lloyd Hines*

Honourable Lloyd P. Hines

Minister of Transportation and Active Transit

**Regulations Respecting Exemption from Registration of Vehicles for Autoport Limited
made by the Minister of Transportation and Active Transit
under Section 25 of Chapter 293
of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

Citation

- 1 These regulations may be cited as the *Exemption from Registration of Vehicles for Autoport Limited Regulations*.

Definitions

- 2 In these regulations,

“Act” means the *Motor Vehicle Act*;

“Autoport Limited” means a company incorporated under the laws of Nova Scotia with the Nova Scotia Joint Stock Companies Registry Identification number 1045646;

“Autoport Limited vehicle” means a vehicle under the direction or control of Autoport Limited;

“Autoport marine terminal” means the marine terminal site located at 1180 Main Street, Eastern Passage, Nova Scotia, which is owned, leased, licensed or used by Autoport Limited;

“dealer number plate” means a plate issued to Autoport Limited under Section 29 of the Act;

“PDI” means a pre-delivery inspection prescribed by the manufacturer of a new vehicle and completed by a tester;

“storage areas” means those pieces of land owned, leased, licensed or used by Autoport Limited that are no more than 15 km away from the main entrance of the Autoport marine terminal and that are used for the storage of vehicles;

“tester” means a person in the employment or direction and control of Autoport Limited who is licensed under Section 9 of the *Vehicle Inspection Regulations* made under subsection 201(7) of the Act.

Exemption from registration for purpose of vehicle storage

- 3** (1) An Autoport Limited vehicle is exempt from the requirements for registration under the Act while being driven by an employee, agent or contractor of Autoport Limited to or from the storage areas, if all of the following conditions are met:
- (a) the vehicle is being driven on a highway for the purpose of its loading, unloading or storage;
 - (b) the vehicle travels a distance of no more than 15 km one way from the main entrance of the Autoport marine terminal;
 - (c) the vehicle is only operated on a highway with a posted speed limit of 80 km/h or less;
 - (d) the driver of the vehicle is licensed for the class of vehicle being driven;
 - (e) the vehicle is covered by an insurance policy as required by the Act;
 - (f) except as provided in subsection (2), the vehicle is operated with a dealer number plate affixed.
- (2) A dealer number plate is not required to be affixed to the Autoport Limited vehicle if it is being driven 3 km or less from the main entrance of the Autoport marine terminal.

Exemption from registration for the purpose of conducting a PDI

- 4** (1) An Autoport Limited vehicle is exempt from the requirements for registration under the Act while being driven by a tester from the Autoport marine terminal for the purpose of conducting a PDI, if all of the following conditions are met:
- (a) Autoport Limited is licensed as an official testing station under the *Vehicle Inspection Regulations*;
 - (b) the vehicle travels a distance of no more than 15 km round trip from the main entrance of the Autoport marine terminal;
 - (c) the vehicle is only operated on a highway with a posted speed limit of 80 km/h or less;
 - (d) the driver of the vehicle is licensed for the class of vehicle being driven;
 - (e) the vehicle is covered by an insurance policy as required by the Act;

- (f) the vehicle is operated with a dealer number plate affixed.
- (2) Immediately after the PDI is complete, the tester must place the PDI work order in the Autoport Limited vehicle.