



Part II Regulations under the Regulations Act

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Halifax, Nova Scotia	Vol. 26, No. 7		April 5, 2002
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N.S. Reg. 29/2002
Made: March 28, 2002
Filed: March 28, 2002
Revenue Act Regulations

Order in Council 2002-115 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to Section 31C
of the *Revenue Act*

The Governor in Council on the report and recommendation of the Acting Minister of Finance dated February 15, 2002, and pursuant to Section 31C of Chapter 17 of the Acts of 1995-96, the *Revenue Act*, is pleased to amend the *Revenue Act Regulations* made by Order in Council 96-230 dated March 29, 1996, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 28, 2002.

Schedule "A"

Amendments to the *Revenue Act Regulations* made by the Governor in Council pursuant to Section 31C of Chapter 17 of the Acts of 1995-96, the *Revenue Act*

- 1 Section 70A of the *Revenue Act Regulations* made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, is amended by relettering clauses (a) and (b) as clauses (b) and (c) respectively and adding the following clause immediately before clause (b):
 - (a) "commercial activity" has the meaning assigned to it under subsection 123(1) of the *Excise Tax Act* (Canada);
- 2 Section 70D of the regulations is repealed and the following Section substituted:

~~70(D)~~ [70D] The Minister may, upon application, authorize a rebate of tax paid on a motor vehicle or other designated tangible personal property by a person who is a registrant pursuant to Part IX of the *Excise Tax Act* (Canada), in proportion to the use of the motor vehicle or other designated personal property by the registrant in the registrant's commercial activity.

N.S. Reg. 30/2002
Made: March 28, 2002
Filed: March 28, 2002
Civil Service General Regulations

Order in Council 2002-123 made March 28, 2002
Amendment to regulations approved by the Governor in Council
pursuant to Section 45
of the *Civil Service Act*

The Governor in Council on the report and recommendation of the Acting Minister of the Public Service Commission dated March 20, 2002, and pursuant to Section 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, is pleased to approve of amendments made by the Public Service Commission to the regulations made by the Civil Service Commission and approved by the Governor in Council by Order in Council 81-268, dated March 3, 1981, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

Amendments to the General Regulations made pursuant to Section 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*

- Section 90A of the regulations made by the Civil Service Commission and approved by the Governor in Council by Order in Council 81-268 dated March 3, 1981, is amended by
- (a) striking out "March 31, 2002" where it appears in subsections (1) and (2) and substituting "June 30, 2002"; and
 - (b) striking out "5 days" in subsection (2) and substituting "10 days".

Amendments to the General Regulations made by the Public Service Commission under the *Civil Service Act* on March 20, 2002.

Sgd. *Neil LeBlanc*
Honourable Neil LeBlanc
Acting Minister of the Public Service Commission

N.S. Reg. 31/2002
Made: March 28, 2002
Filed: March 28, 2002
Proclamation, S. 48, S.N.S. 2001, c. 12

Order in Council 2002-125 made March 28, 2002
Proclamation made by the Governor in Council
pursuant to Section 48
of the *Transportation Amendments (2001) Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 13, 2002, and pursuant to Section 48 of Chapter 12 of the Acts of 2001, the *Transportation Amendments (2001) Act*, is pleased to order and declare by proclamation that Sections 2 to 5, 10, 11 and 13 to 15 of Chapter 12 of the Acts of 2001, the *Transportation Amendments (2001) Act*, come into force on and not before April 1, 2002.

PROVINCE OF NOVA SCOTIA Sgd: *Constance R. Glube*

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 48 of Chapter 12 of the Acts of 2001, the *Transportation Amendments (2001) Act*, it is enacted as follows:

- 48 Sections 2 to 5, 10, 11 and 13 to 15 come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 2 to 5, 10, 11 and 13 to 15 of Chapter 12 of the Acts of 2001, the *Transportation Amendments (2001) Act*, come into force on and not before April 1, 2002;

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 Sections 2 to 5, 10, 11 and 13 to 15 of Chapter 12 of the Acts of 2001, the *Transportation Amendments (2001) Act*, come into force on and not before April 1, 2002, 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 Constance R. Glube,
Administrator of the Government of the
Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 28th day of March, in the
year of Our Lord two thousand and two and in
the 51st year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 32/2002

Made: March 28, 2002

Filed: March 28, 2002

Ferriage Charges Regulations

Order in Council 2002-127 made March 28, 2002
 Regulations made by the Governor in Council
 pursuant to Section 6
 of the *Ferries Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Public Works dated March 8, 2002, and pursuant to Section 6 of Chapter 168 of the Revised Statutes of Nova Scotia, 1989, the *Ferries Act*, is pleased to repeal Order in Council 2000-349 dated June 29, 2000, and is further pleased to order that ferriage charges on the respective ferries be those set out in Schedule "A" attached to and forming part of the report and recommendation, effective on and from April 1, 2002.

Schedule "A"

Ferriage Charges Set by the Governor in Council pursuant to Section 6 of Chapter 168 of the Revised Statutes of Nova Scotia, 1989, the *Ferries Act*

- 1 The ferriage charges on the respective ferries are those set out in the following table:

	Country Harbour	English-town	LaHave	Little Narrows	Petit & Grand Passage	Tancook Island
Tickets	\$1.25	\$1.25	\$1.25	\$1.25	\$1.00 round trip	\$2.00 round trip
Cash	\$5.00	\$5.00	\$5.00	\$5.00	\$4.00 round trip	\$5.00 round trip
Trucks weighing 1 ton or more	\$5.00	\$5.00	\$5.00	\$5.00	\$6.00 round trip	n/a

- 2 A ferry pass valid for 1 calendar year may be issued for 1 truck weighing 1 ton or more at a cost of \$1000, and passes for 2 or more trucks weighing 1 ton or more each that are owned by the same company may be issued at the costs shown in the following table:

Number of Trucks	Total Cost of Passes
2	\$1200
3	\$1500
4	\$1800
5	\$2100
6	\$2400
7	\$2700
8	\$3000
9	\$3300
10 or more	\$3600

- 3 A pass for a passenger vehicle may be issued for a period of less than 1 calendar year at a prorated cost, in accordance with the following table:

Month Issued	Cost
January	\$250
February	\$230
March	\$210
April	\$190
May	\$170
June	\$150
July	\$130
August	\$110
September	\$90
October	\$70
November	\$50
December	\$30

- 4 A pass for a truck weighing 1 ton or more may be issued for a period of less than 1 calendar year at a prorated cost, in accordance with the following table:

Month Issued	Cost
January	\$1000
February	\$917
March	\$834
April	\$751
May	\$668
June	\$585
July	\$502
August	\$419
September	\$336
October	\$253
November	\$170
December	\$87

N.S. Reg. 33/2002

Made: March 28, 2002

Filed: March 28, 2002

Fees and Allowances Regulations, Fees to be Taken by a Commissioner of the Supreme Court Regulations, Fees to be Taken at the Department of Justice Regulations and Solemnization of Marriage Fees Regulations

Order in Council 2002-128 made March 28, 2002
 Amendment to regulations made by the Governor in Council pursuant to Section 2 of the *Costs and Fees Act* and Section 33 of the *Solemnization of Marriage Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 8, 2002, and pursuant to Section 2 of Chapter 104 of the Revised Statutes of Nova Scotia, 1989, the *Costs and Fees Act*, is pleased to amend

- (a) the regulations respecting fees and allowances for departments, officials or persons in respect of the services mentioned in the Schedule to Part I of Chapter 104 of the Revised Statutes of Nova Scotia, 1989, the *Costs and Fees Act*, made by Order in Council 90-558 dated May 8, 1990, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (b) the Schedule to Part I of the *Costs and Fees Act* under the heading "Fees to be Taken by a Commissioner of the Supreme Court" made by Order in Council 90-1039 dated August 31, 1990, by striking out "\$10.00" in item (1) and substituting "\$15.00";
- (c) the Schedule to Part I of the *Costs and Fees Act* under the heading "Fees to be Taken at the Department of Justice" made by Order in Council 94-572 dated July 19, 1994, by striking out item (14) and substituting the following item:
 - (14) For commission for administrative justice of the peace \$100.00
- (d) the *Solemnization of Marriage Fee Regulations* made by Order in Council 2000-442 dated September 6, 2000, by striking out "\$50.00" where it appears in Sections 4 and 5 and substituting "\$75.00",

effective on and after April 15, 2002.

Schedule "A"

Amendments to the Regulations Respecting Fees and Allowances made by the Governor in Council pursuant to Section 2 of Chapter 104 of the Revised Statutes of Nova Scotia, 1989, the Costs and Fees Act

Schedule "C" (Court Fees) to the regulations respecting fees and allowances made by the Governor in Council by Order in Council 90-558 dated May 8, 1990, is repealed and the following Schedule is substituted:

Schedule "C" (Court Fees)

- (1) (a) Issuing and filing all documents pertaining to an action or application commenced in the Supreme Court other than a divorce action or an action for custody, access or support in the Family Division, and including a counterclaim, cross claim or third party action \$165.00
- (b) Despite item (1)(a), filing a defence to an action commenced in the Supreme Court other than a divorce action or action for custody, access or support in the Family Division or a defence filed in conjunction with a counterclaim or cross claim 75.00
- (c) Despite item (1)(a), entering and filing an interlocutory notice or interim application in the Supreme Court, including the Supreme Court (Family Division) in an action for custody, access or support 50.00
- (d) Issuing and filing all documents that commence a proceeding under Rule 70 of the Civil Procedure Rules in the Supreme Court (Family Division) pursuant to the *Family Maintenance Act* 33.00
- (2) Entering and filing a notice of appeal or an application to extend the time to file a notice of appeal to the Supreme Court of Nova Scotia, including the filing of an Appeal of a Residential Tenancy Board Report or an objection to a Family Court Report 110.00
- (3) Entering and filing a notice of appeal or an application to extend the time to file a notice of appeal to the Nova Scotia Court of Appeal or the Supreme Court of Canada 165.00
- (4) Preparing a judgment and execution order in a Residential Tenancies Board matter or to enforce a compensation or restitution order 33.00
- (5) Setting down or scheduling a matter for trial without a jury before the Supreme Court other than a divorce action or any proceeding in the Supreme Court (Family Division) 220.00
- (6) Setting down or scheduling a matter for trial with a jury before the Supreme Court, to be paid in addition to all expenses incurred for calling and empanelling the jury, juror fees and travel 330.00
- (7) Obtaining a settlement conference prior to setting down or scheduling a matter for trial before the Supreme Court 100.00
- (8) (a) Where a settlement conference has been held prior to the setting down or scheduling of the matter for trial without a jury before the Supreme Court, and the matter is not settled, setting down or scheduling the matter for trial 100.00
- (b) Where a settlement conference has been held prior to the setting down or scheduling of the matter for trial with a jury before the Supreme Court and the matter is not settled, setting down or scheduling the matter for trial 200.00

- (c) Where a settlement conference is held after the matter has been set down or scheduled for trial with or without a jury before the Supreme Court, and the matter is settled and a consent dismissal order is filed with the Court within 30 days of the settlement conference, \$100.00 shall be reimbursed to the party who filed the notice of trial.
- (9) (a) Requesting an adjournment of a hearing to a new date in the Nova Scotia Court of Appeal within the 30-day period preceding the date on which that hearing was scheduled to be heard \$220.00
- (b) Requesting an adjournment of a trial to a new date in the Supreme Court of Nova Scotia within the 90-day period preceding the date on which that trial was scheduled to be heard other than a divorce action or any proceeding in the Supreme Court (Family Division) ... 220.00
- (10) In lieu of all fees for duties pertaining to the *Controverted Elections Act* 275.00
- (11) In lieu of fees for discovery hearings or a hearing in aid of an execution order 66.00
- (12) Copies of any document made, per page 0.55
- (13) Certifying any document on file, not including copy charge (no charge for one certified copy requested at the time of filing the document) 11.00
- (14) (a) Filing and entry of all other documents in the Supreme Court, except a contingency fee agreement, that do not commence an action other than a divorce action or proceeding in the Supreme Court (Family Division) 25.00
- (b) Filing and entry of a contingency fee agreement 10.00
- (15) Issuing and filing all documents pertaining to an action for divorce or matrimonial cause (includes \$10.00 fee to Government of Canada for processing the registration of divorce forms) 220.00
- (16) Despite item (15), issuing and filing an answer or other document in defence in a divorce proceeding or matrimonial cause except a counter petition or counterclaim 55.00
- (17) Despite item (15), issuing and filing an answer and counter petition or defence and counterclaim in a divorce proceeding or matrimonial cause 110.00
- (18) (a) For mediation in the Supreme Court (Family Division), except in relation to protection actions under the *Children and Family Services Act*, all parties shall pay hourly fees in accordance with the number of their dependents and income as follows:

Gross Income	Fees per Hour per Party Based on Number of Dependants Including Self				
	1	2	3	4	5 or more
up to \$20 000	no fee	no fee	no fee	no fee	no fee
\$20 001-\$23 000	\$5.50	no fee	no fee	no fee	no fee
\$23 001-\$26 000	\$11.00	\$5.50	no fee	no fee	no fee
\$26 001-\$29 000	\$16.50	\$11.00	\$5.50	no fee	no fee
\$29 001-\$32 000	\$22.00	\$16.50	\$11.00	\$5.50	no fee
\$32 001-\$35 000	\$27.50	\$22.00	\$16.50	\$11.00	\$5.50
\$35 001-\$38 000	\$33.00	\$27.50	\$22.00	\$16.50	\$11.00
\$38 001-\$41 000	\$38.50	\$33.00	\$27.50	\$22.00	\$16.50
\$41 001-\$44 000	\$44.00	\$38.50	\$33.00	\$27.50	\$22.00
\$44 001-\$47 000	\$55.00	\$44.00	\$38.50	\$33.00	\$27.50
\$47 001-\$50 000	\$66.00	\$55.00	\$44.00	\$38.50	\$33.00
\$50 001-\$53 000	\$77.00	\$66.00	\$55.00	\$44.00	\$38.50
\$53 001-\$56 000	\$88.00	\$77.00	\$66.00	\$55.00	\$44.00
\$56 001-\$59 000	\$88.00	\$88.00	\$77.00	\$66.00	\$55.00
\$59 001-\$62 000	\$88.00	\$88.00	\$88.00	\$77.00	\$66.00
\$62 001-\$65 000	\$88.00	\$88.00	\$88.00	\$88.00	\$77.00
\$65 001 and up	\$88.00	\$88.00	\$88.00	\$88.00	\$88.00

- (b) The fees set out in item (18)(a) are payable in advance and apply to each party for each hour of mediation.
- (c) In determining the fees payable pursuant to items (18)(a) and (b),
- (i) "each party" refers to the parties directly involved in the mediation but does not include anyone who accompanies a party for advice or support,
- (ii) "income" shall be determined in the manner set out in Section 16 of the *Federal Child Support Guidelines* made pursuant to the *Divorce Act* (Canada),
- (iii) "number of dependants" includes the party and any children supported or partially supported by that party and any other person for whom the party is financially responsible; children supported or partially supported by both parents may be counted as dependants by both parents.

- (d) Where the total amount of the hourly fees for mediation payable by all parties pursuant to items (18)(a) and (b) exceeds the actual hourly cost of mediation, the fees shall be pro-rated based on the parties' incomes.
- (e) The Court may order one party to pay part or all of the mediation fees attributable to another party where, in the determination of the Court, to order otherwise would cause serious financial hardship to that other party or for any other appropriate reason.
- (19) (a) For the research for and preparation of a Court ordered custody/access assessment report in the Supreme Court, Family Court or Supreme Court (Family Division), except in relation to protection actions under the *Children and Family Services Act* or the *Adult Protection Act* or assessments under the *Young Offenders Act*, all parties shall pay fees in accordance with their income as follows:

Income	Deposit	Percentage of Cost of Report Payable
Up to \$20 000	0	0%
\$20 001-\$25 000	\$55.00	5%
\$25 001-\$30 000	\$110.00	10%
\$30 001-\$35 000	\$165.00	15%
\$35 001-\$40 000	\$220.00	20%
\$40 001-\$45 000	\$330.00	30%
\$45 001-\$50 000	\$440.00	40%
\$50 001-\$55 000	\$550.00	50%
\$55 001-\$60 000	\$660.00	70%
\$60 001-\$65 000	\$935.00	85%
\$65 001-over \$65 001	\$1100.00	95%

- (b) The fees set out in item (19)(a) apply to each party and are payable as follows:
- (i) the applicable deposit set out in item (19)(a) upon the Court ordering an assessment report, and
- (ii) the amount of the applicable percentage of the cost of the assessment report set out in item (19)(a) upon completion of the report, less the applicable deposit.
- (c) In determining the fees payable pursuant to items (19)(a) and (b),
- (i) "each party" refers to the parties directly involved in the Court application for which the assessment report is being prepared,
- (ii) "income" shall be determined in the manner set out in Section 16 of the *Federal Child Support Guidelines* made pursuant to the *Divorce Act* (Canada).

- (d) Where the total amount of the fees for an assessment report payable by all parties pursuant to items (19)(a) and (b) exceeds the actual cost of the assessment report, the fees shall be pro rated based on the parties' incomes.
- (e) The Court may order one party to pay part or all of the cost of an assessment report attributable to another party where, in the determination of the Court, to order otherwise would cause serious financial hardship to that other party or for any other appropriate reason.
- (20) Searching a file, including a telephone search, except bulk rate searches (free to parties to the action or their solicitors) \$6.00
- (21) Despite item (20), searching a file, if an agreement has been entered into with the Department of Justice for bulk rate search fees 1.00
- (22) Purchasing a tape of proceedings heard in any court, per tape 17.00
- (23) (a) For transcript of a preliminary hearing held in any court, per page 3.50
 - (b) For transcript of an oral decision in any court, per page (no charge for one copy to the parties to the action or their solicitors) 3.50
 - (c) For transcript of a matter in any court, per page 3.50
 - (d) For copies of transcripts prepared pursuant to items (23)(a), (b) or (c), per page 0.55
- (24) (a) For administering an oath by a commissioner of oaths or a notary public, per document 15.00
 - (b) For certifying documents by a notary public, per document 15.00
- (25) Where an applicant meets the financial eligibility criteria set out in item (26) and completes an application in Form I, the Prothonotary or designate shall waive the court filing fees in items (1)(a)(b) and (c), (2) and (3) and the following shall be provided free of charge:
 - (a) a maximum of 25 photocopies,
 - (b) a maximum of 3 court file searches, and
 - (c) the administration of an oath for an affidavit relating to the deponent's court action.
- (26) Where an applicant has the following number of dependents and the applicant's income is less than or equal to the following amounts, the applicant meets the financial eligibility criteria required to have the court fees set out in item (25) waived:

Monthly Income and Number of Dependents:

One adult - \$1067.00	Two adults - \$1424.00
and 1 child - \$1416.00	and 1 child - \$1708.00
and 2 children - \$1700.00	and 2 children - \$1932.00
and 3 children - \$1924.00	and 3 children - \$2156.00

- and 4 children - \$2148.00
- and 5 children - \$2372.00
- and 6 children - \$2596.00
- and 7 children - \$2820.00
- and 4 children - \$2380.00
- and 5 children - \$2604.00
- and 6 children - \$2828.00
- and 7 children - \$3052.00
- (27) An applicant shall attach proof of income in the form of a current pay stub, a current benefit stub, a copy of the applicant's most recent income tax return or a copy of the applicant's most recent notice of assessment to the application form for the waiver of fees set out in item (25).
- (28) Where an applicant is in receipt of no income, the applicant shall attach to the application form for the waiver of fees set out in item (25) a letter signed by the applicant's medical doctor, priest or other official confirming that the applicant is in receipt of no income and is not surviving from any savings.
- (29) Where applicable, the fees set out in this Schedule are payable in the Family Court.
- (30) Where in any enactment a fee or charge is prescribed for a search or service described in this Schedule and that fee or charge is in conflict with the fee set forth in this Schedule, the fee set forth in this Schedule shall govern.

Form 1
WAIVER OF FEES APPLICATION -
SUPREME COURT OF NOVA SCOTIA

Please print in block letters:

Last Name: _____		Given Names: _____																						
Maiden Name/Alias: _____		Date of Birth: _____ (mm/dd/yr)																						
Mailing Address: _____ Apt # _____		Age: _____																						
City/Province: _____ Postal Code: _____		Telephones: Home: _____ Work _____ Msg _____																						
<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Employed <input type="checkbox"/> Unemployed <input type="checkbox"/> Unable to work <input type="checkbox"/> Student/Training	<input type="checkbox"/> Not married <input type="checkbox"/> Common Law <input type="checkbox"/> Divorced	<input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Widowed																					
I, herein, apply to have the following court filing fees waived: _____																								
HUSBAND OR WIFE (INCLUDING COMMON LAW) Name: _____ Address: _____ Phone: _____		DEPENDENTS (SPOUSE, CHILD, OTHER PERSON SUPPORTED BY APPLICANT): Total _____ Living with _____ Living Apart _____ Client _____																						
Do you receive social or Other Municipal Assistance <input type="checkbox"/> Yes <input type="checkbox"/> No		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Name</th> <th>Relationship</th> <th>Birth date (mm/dd/yr)</th> </tr> </thead> <tbody> <tr><td>1. _____</td><td>_____</td><td>_____</td></tr> <tr><td>2. _____</td><td>_____</td><td>_____</td></tr> <tr><td>3. _____</td><td>_____</td><td>_____</td></tr> <tr><td>4. _____</td><td>_____</td><td>_____</td></tr> <tr><td>5. _____</td><td>_____</td><td>_____</td></tr> <tr><td>6. _____</td><td>_____</td><td>_____</td></tr> </tbody> </table>		Name	Relationship	Birth date (mm/dd/yr)	1. _____	_____	_____	2. _____	_____	_____	3. _____	_____	_____	4. _____	_____	_____	5. _____	_____	_____	6. _____	_____	_____
Name	Relationship	Birth date (mm/dd/yr)																						
1. _____	_____	_____																						
2. _____	_____	_____																						
3. _____	_____	_____																						
4. _____	_____	_____																						
5. _____	_____	_____																						
6. _____	_____	_____																						
Person who can verify financial information Name: _____ Address: _____		Phone: _____																						

GROSS MONTHLY INCOME		MONTHLY EXPENSES:		MOTOR VEHICLE HOME	
Salary, Wages Tips	_____	Rent/Mortgage	_____	Value \$	_____
Unemployment Ins.	_____	Heat/Fuel	_____	Owing \$	_____
Social Assistance	_____	Taxes/Insurance	_____	Make	_____
Old Age Assistance	_____	Electricity	_____	Value \$	_____
Pension	_____	Water	_____	Owing \$	_____
Spouse's Income	_____	Food	_____	Condition	_____
(Including Common Law)	_____	Clothing	_____		
Maintenance Received	_____	Babysitter/Hsld	_____		
Specify Other Income	_____	Medical/Drugs	_____		
		Transportation	_____		
		Telephone	_____		
Gross Monthly Income	_____	Summary of Debts	_____		
Less Maintenance you pay per month	_____	Specify other expenses:	_____		
Monthly Income	=====	Total Monthly Expenses	=====		
Applicant declares:					
Information herein is true and complete, applicant will furnish information as required. Applicant consents to have information investigated for verification and will notify of any change.					
Signature of the Applicant _____					
Date _____					
Must be attached to this application so as to be processed - proof of income, either a letter from a doctor, priest or other official in your community stating that there is no family income or a pay stub, a benefit stub, a copy of the most recent Income Tax Return, a Notice of Assessment or any other documentation provided by an unrelated party indicating your source of income.					
<input type="checkbox"/> Approved <input type="checkbox"/> Denied by _____					
Date: _____					

N.S. Reg. 34/2002
 Made: March 28, 2002
 Filed: March 28, 2002
 Documents and Services Fees

Order in Council 2002-129 made March 28, 2002
 Amendment to regulations made by the Governor in Council pursuant to subsection 302(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting documents and services fees made by Order in Council 2000-276 dated May 24, 2000, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from May 1, 2002.

Schedule "A"

Amendments to the Regulations Respecting Documents and Services Fees made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

- The regulations respecting documents and services fees made by the Governor in Council by Order in Council 2000-276 dated May 24, 2000, are amended by striking out the table of fees in the item setting forth the fees for a driver's license and substituting the following table of fees:

Driver's License Class	1 Year	5 Year
1	\$14.20	\$71.00
2	\$13.20	\$66.00
3	\$12.20	\$61.00
4	\$11.20	\$56.00
5	\$10.20	\$51.00
6	\$10.20	\$51.00
8	\$ 9.20	\$46.00

- The regulations are further amended by striking out "\$25.00" and substituting "\$35.00" in the item setting forth the fee for a motorcycle permit.
- The regulations are further amended by adding the following item immediately after "Sample license plate.....\$5.00":

"Commercial carrier registration fee \$50.00"

N.S. Reg. 35/2002
 Made: March 28, 2002
 Filed: March 28, 2002

Registration Fees for Passenger Motor Vehicles Regulations

Order in Council 2002-130 made March 28, 2002
 Amendment to regulations made by the Governor in Council
 pursuant to subsection 302(1)
 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting registration fees for passenger motor vehicles in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from May 1, 2002.

Schedule "A"

Amendments to the Regulations Respecting Registration Fees for Passenger Motor Vehicles made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

Section 2 of the regulations respecting registration fees for passenger motor vehicles made by the Governor in Council by Order in Council 92-14 dated January 14, 1992, is repealed and the following Section substituted:

- 2 The registration fees for Passenger Class 1, 2 and 3 are as follows:
- (a) Passenger Class 1 (0 - 1000 kg) \$54.00 per year
 - (b) Passenger Class 2 (1001 - 1500 kg) \$67.00 per year
 - (c) Passenger Class 3 (1501 - 3200 kg) \$84.00 per year

N.S. Reg. 36/2002
 Made: March 28, 2002
 Filed: March 28, 2002

Registration Fees for Commercial Vehicles Regulations

Order in Council 2002-131 made March 28, 2002
 Amendment to regulations made by the Governor in Council
 pursuant to subsection 302(1)
 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting commercial vehicle registration fees made by the Governor in Council by Order in Council 89-502 dated May 2, 1989, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from May 1, 2002.

Schedule "A"

Amendments to the Regulations Respecting Commercial Vehicle Registration Fees made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

1 Section 3 of the regulations respecting commercial vehicle registration fees made by the Governor in Council by Order in Council 89-502 dated May 2, 1989, is repealed and the following Section substituted:

- 3 The registration fees for Class 1, 2, 3 and 4 Vehicles are as follows:
- Class 1 Vehicle (0 - 1500 kg) \$67.00 per year
 - Class 2 Vehicle (1501 - 3200 kg) \$84.00 per year
 - Class 3 Vehicle (3201 - 4100 kg) \$104.00 per year
 - Class 4 Vehicle (4101 - 5000 kg) \$126.00 per year

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

4 The registration fee for a Class 5 Vehicle shall be the amount set out below opposite the weight range within which the vehicle falls:

Weight Range (kg)	Fee (\$)
5001 - 6000	288.00
6001 - 7000	336.00
7001 - 8000	384.00
8001 - 9000	432.00
9001 - 10 000	480.00
10 001 - 11 000	528.00
11 001 - 12 000	576.00

Weight Range (kg)	Fee (\$)
12 001 - 13 000	624.00
13 001 - 14 000	672.00
14 001 - 15 000	720.00
15 001 - 16 000	768.00
16 001 - 17 000	816.00
17 001 - 18 000	864.00
18 001 - 19 000	912.00
19 001 - 20 000	960.00
20 001 - 21 000	1008.00
21 001 - 22 000	1056.00
22 001 - 23 000	1104.00
23 001 - 24 000	1152.00
24 001 - 25 000	1200.00
25 001 - 26 000	1248.00
26 001 - 27 000	1296.00
27 001 - 28 000	1344.00
28 001 - 29 000	1392.00
29 001 - 30 000	1440.00
30 001 - 31 000	1488.00
31 001 - 32 000	1536.00
32 001 - 33 000	1584.00
33 001 - 34 000	1632.00
34 001 - 35 000	1680.00
35 001 - 36 000	1728.00
36 001 - 37 000	1776.00
37 000 - 38 000	1824.00
38 001 - 39 000	1872.00
39 001 - 40 000	1920.00
40 001 - 41 000	1968.00
41 001 - 42 000	2016.00
42 001 - 43 000	2064.00
43 001 - 44 000	2112.00
44 001 - 45 000	2160.00
45 001 - 46 000	2208.00
46 001 - 47 000	2256.00
47 001 - 48 000	2304.00
48 001 - 49 000	2352.00
49 001 - 50 000	2400.00
50 001 - 51 000	2448.00
51 001 - 52 000	2496.00
52 001 - 53 000	2544.00
53 001 - 54 000	2592.00
54 001 - 55 000	2640.00
55 001 - 56 000	2688.00
56 001 - 57 000	2736.00
57 001 - 58 000	2784.00
58 001 - 58 500	2808.00

N.S. Reg. 37/2002

Made: March 28, 2002

Filed: March 28, 2002

Prorated Registration Fees for Inter-jurisdictional
Commercial Trucks RegulationsOrder in Council 2002-132 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to subsection 302(1)
of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the *Prorated Registration Fees for Inter-jurisdictional Commercial Trucks Regulations* in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from May 1, 2002.

Schedule "A"

Amendments to the Prorated Registration Fees for Inter-jurisdictional Commercial Trucks Regulations made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

The *Prorated Registration Fees for Inter-jurisdictional Commercial Trucks Regulations* made by the Governor in Council by Order in Council 97-322 dated June 3, 1997, are amended by repealing Table A and substituting the following table:

Table A - Mileage Prorated Registration Fees for Inter-jurisdictional Commercial Trucks

Weight Range (kg)	12 Months
5001 - 6000	\$288.00
6001 - 7000	\$336.00
7001 - 8000	\$384.00
8001 - 9000	\$432.00
9001 - 10 000	\$480.00
10 001 - 11 000	\$528.00
11 001 - 12 000	\$576.00
12 001 - 13 000	\$624.00
13 001 - 14 000	\$672.00
14 001 - 15 000	\$720.00
15 001 - 16 000	\$768.00
16 001 - 17 000	\$816.00
17 001 - 18 000	\$864.00

Weight Range (kg)	12 Months
18 001 - 19 000	\$912.00
19 001 - 20 000	\$960.00
20 001 - 21 000	\$1008.00
21 001 - 22 000	\$1056.00
22 001 - 23 000	\$1104.00
23 001 - 24 000	\$1152.00
24 001 - 25 000	\$1200.00
25 001 - 26 000	\$1248.00
26 001 - 27 000	\$1296.00
27 001 - 28 000	\$1344.00
28 001 - 29 000	\$1392.00
29 001 - 30 000	\$1440.00
30 001 - 31 000	\$1488.00
31 001 - 32 000	\$1536.00
32 001 - 33 000	\$1584.00
33 001 - 34 000	\$1632.00
34 001 - 35 000	\$1680.00
35 001 - 36 000	\$1728.00
36 001 - 37 000	\$1776.00
37 000 - 38 000	\$1824.00
38 001 - 39 000	\$1872.00
39 001 - 40 000	\$1920.00
40 001 - 41 000	\$1968.00
41 001 - 42 000	\$2016.00
42 001 - 43 000	\$2064.00
43 001 - 44 000	\$2112.00
44 001 - 45 000	\$2160.00
45 001 - 46 000	\$2208.00
46 001 - 47 000	\$2256.00
47 001 - 48 000	\$2304.00
48 001 - 49 000	\$2352.00
49 001 - 50 000	\$2400.00
50 001 - 51 000	\$2448.00
51 001 - 52 000	\$2496.00
52 001 - 53 000	\$2544.00
53 001 - 54 000	\$2592.00
54 001 - 55 000	\$2640.00
55 001 - 56 000	\$2688.00
56 001 - 57 000	\$2736.00
57 001 - 58 000	\$2784.00
58 001 - 58 500	\$2808.00

N.S. Reg. 38/2002

Made: March 28, 2002

Filed: March 28, 2002

Registration Fees for Trailers Regulations

Order in Council 2002-133 made March 28, 2002
 Regulations made by the Governor in Council
 pursuant to subsection 302(1)
 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to

- (a) repeal the regulations respecting registration fees for trailers made by Order in Council 92-16 dated January 14, 1992; and
- (b) make new regulations respecting fees for registration of trailers in the form set forth in Schedule "A" attached to and forming part of the report and recommendation,

effective on and from May 1, 2002.

Schedule "A"

Regulations Respecting Fees for Registration of Trailers made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

Citation

- 1 These regulations may be cited as the *Registration Fees for Trailers Regulations*.

Registration fees

- 2 (1) The annual registration fee for a trailer weighing up to 5000 kg is as set out below opposite the weight range within which the trailer falls:

Weight (kg)	Registration Fee
0 - 1500	\$35.00
1501 - 3200	\$84.00
3201 - 4100	\$104.00
4101 - 5000	\$126.00

- (2) For a trailer weighing 5001 kg or more, the annual registration fee is the amount that is payable for a heavy commercial vehicle of the same weight pursuant to the regulations respecting registration fees for commercial vehicles made under the *Motor Vehicle Act*.

N.S. Reg. 39/2002
Made: March 28, 2002
Filed: March 28, 2002
Registration of Campers Regulations

Order in Council 2002-134 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to subsection 302(1)
of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting camper registration in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from May 1, 2002.

Schedule "A"

Amendments to the Regulations Respecting Camper Registration made by the Governor in Council pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

The regulations respecting camper registration made by the Governor in Council by Order in Council 77-763 dated July 5, 1977, are amended by repealing subsection 3(3) and substituting the following subsection:

(3) The registration fees for campers are as follows:

Class 1 Camper	0 - 1500 kg	\$67.00 per year
Class 2 Camper	1501 - 3200 kg	\$84.00 per year
Class 3 Camper	3201 - 4100 kg	\$104.00 per year
Class 4 Camper	4101 - 5000 kg	\$126.00 per year

N.S. Reg. 40/2002
Made: March 28, 2002
Filed: March 28, 2002
Motor Vehicle Inspection Regulations

Order in Council 2002-135 made March 28, 2002
Amendment to regulations approved by the Governor in Council
pursuant to subsection 201(7)
of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to subsection 201(7) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve an amendment to the regulations respecting motor vehicle inspection made by the Minister of Transportation and approved by the Governor in Council by Order in Council 80-925 dated July 2, 1980, made by the Minister of Service Nova Scotia and Municipal Relations in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from April 1, 2002.

Schedule "A"

Amendment to the Regulations Respecting Motor Vehicle Inspection made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council pursuant to subsection 201(7) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

Subsection 14(1) of the regulations respecting motor vehicle inspection approved by the Governor in Council by Order in Council 80-925 dated July 2, 1980, is amended by striking out "fifteen dollars" and substituting "\$100.00".

N.S. Reg. 41/2002
Made: March 28, 2002
Filed: March 28, 2002

Restricted Vehicles - Identification and Proof of Registration Regulations

Order in Council 2002-136 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to subsection 302(1)
of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 13, 2002, and pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting restricted vehicles identification and proof of registration approved by the Governor in Council by Order in Council 90-945 dated July 31, 1990, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2002.

Schedule "A"

Amendment to the Regulations Respecting Restricted Vehicles Identification and Proof of Registration made by the Minister of Service Nova Scotia and Municipal Relations and the Governor in Council pursuant to subsections 38(1) and 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

- 1 Section 2 of the regulations respecting restricted vehicles identification and proof of registration made by the Minister of Service Nova Scotia and Municipal Relations and the Governor in Council by Order in Council 90-945 dated July 31, 1990, is repealed and the following Section substituted:
 - 2 No fee is payable for the registration or for the issuance of a number plate for an emergency vehicle while owned by a volunteer fire department.
- 2 Section 3 of the regulations is amended by striking out "1" and substituting "2".
- 3 Section 4 of the regulations is repealed and the following Section substituted:
 - 4 The fees payable for the registration and the issuance of a number plate for a vehicle mentioned in Section 1, except for a vehicle exempted in Section 2, are the standard fees for that type of vehicle as provided for in the Act and regulations, payable on or before October 15, 2002, and thereafter as required by the Act and regulations.

N.S. Reg. 42/2002
Made: March 28, 2002
Filed: March 28, 2002

Prescribed Fees

Order in Council 2002-137 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to Section 25
of the *Off-highway Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to Section 25 of Chapter 323 of the Revised Statutes of Nova Scotia, 1989, the *Off-highway Vehicles Act*, is pleased to amend the regulations respecting prescribed fees made by the Governor in Council by Order in Council 93-65 dated January 19, 1993, by striking out "\$10.00" after "Certificate of registration" in clause (a) and substituting "\$30.00", effective on and from May 1, 2002.

N.S. Reg. 43/2002
Made: March 28, 2002
Filed: March 28, 2002

Fees for Searches and Transactions Regulations

Order in Council 2002-138 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to Section 51
of the *Vital Statistics Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 11, 2002, and pursuant to Section 51 of Chapter 494 of the Revised Statutes of Nova Scotia, 1989, the *Vital Statistics Act*, is pleased to amend the regulations respecting fees for searches and transactions made by the Governor in Council by Order in Council 94-125 dated February 15, 1994, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 1, 2002.

Schedule “A”

Amendment to the Regulations Respecting Fees for Searches and Transactions made by the Governor in Council pursuant to Section 51 of Chapter 494 of the Revised Statutes of Nova Scotia, 1989, the *Vital Statistics Act*

Clause 1(c) of the regulations respecting fees for searches and transactions made by the Governor in Council by Order in Council 94-125 dated February 15, 1994, is repealed and the following clause is substituted:

- (c) Certificates:

Short form	\$25.00
Long form	\$30.00

N.S. Reg. 44/2002
Made: March 28, 2002
Filed: March 28, 2002

Petroleum Management Regulations

Order in Council 2002-139 made March 28, 2002
Regulations made by the Governor in Council
pursuant to Sections 25 and 84
of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated March 7, 2002, and pursuant to Sections 25 and 84 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to

- (a) repeal the *Petroleum Storage Regulations* made by the Governor in Council by Order in Council 95-301 dated April 11, 1995; and
- (b) make new regulations respecting petroleum management in the form set forth in Schedule “A” attached to and forming part of the report and recommendation,

effective on and after April 1, 2002.

Schedule “A”

Regulations Respecting Petroleum Management made by the Governor in Council pursuant to Sections 25 and 84 of Chapter 1 of the Acts of 1994-95, the *Environment Act*

Citation

1 These regulations may be cited as the *Petroleum Management Regulations*.

Definitions

2 In these regulations

- (a) “aboveground storage tank” means a storage tank with more than 90% of its volume above surface grade and that operates at atmospheric pressure plus or minus 10 kPa;
- (b) “aboveground storage tank system” means one or more commonly connected aboveground storage tanks and all connecting piping, both aboveground and underground, including pumps and product transfer apparatus, diking, overfill protection equipment, and associated spill containment and collection apparatus;
- (c) “Act” means the *Environment Act*;
- (d) “Administrator” means a person appointed by the Minister pursuant to Section 3 and includes a person acting for an Administrator;
- (e) “alter” means to
 - (i) enlarge, reduce, upgrade or remove a storage tank system,
 - (ii) change the configuration of the piping, storage tanks or dyking of a storage tank system, or

- (iii) replace any storage tank in a storage tank system,
but does not mean to carry out minor maintenance activities that do not affect the integrity of the system, and "alteration" has a corresponding meaning;
- (f) "bulk plant" means one or more aboveground storage tanks or underground storage tanks, including any appurtenances, where petroleum products are stored in bulk for subsequent transmission to other facilities, but does not include a service station or a facility storing petroleum products only for use at that facility;
- (g) "certified" when used in reference to a storage tank, component or accessory, means that the storage tank, component or accessory
- (i) has been investigated by the Underwriter's Laboratories of Canada (ULC),
 - (ii) has been found to be in compliance with ULC established requirements,
 - (iii) is being manufactured under the ULC follow-up service program, and
 - (iv) is identified with ULC authorized marking;
- (h) "containment system" means a system designed and installed to retain and collect any leak or spill of a petroleum product from a storage tank system;
- (i) "contingency plan" means a planned procedure for reporting, containing, removing and cleaning up a spill or leak;
- (j) "conveying" means using a storage tank system for the movement of petroleum products;
- (k) "Department" means the Department of Environment and Labour;
- (l) "emptied" means, in relation to a storage tank system, that the liquid contents of the storage tank system have been removed, as far as is practicable, by any means including suction, pouring, draining or pumping;
- (m) "flow-through process tank" means any tank that forms an integral part of an industrial process and through which there is a steady or uninterrupted flow of a petroleum product during operation of the industrial process, and includes an oil/water separator;
- (n) "inspector" means an inspector appointed pursuant to Section 21 of the Act;
- (o) "installer" means a person to whom a Certificate of Qualification has been issued pursuant to Section 16;
- (p) "inventory" means the amount of petroleum product calculated to be in a storage tank after considering the initial volume of petroleum product in the storage tank and the amount of petroleum product added to and removed from the storage tank during a period of time;

- (q) "leak" means a gradual discharge or loss of petroleum product from a storage tank system, tank vehicle or vessel into the environment, other than through the usual function for which the storage tank system was designed, and "leakage" and "leaking" have corresponding meanings;
- (r) "marina" means premises at which a petroleum product is stored for use in a watercraft or aircraft equipped to float on water;
- (s) "Minister" means the Minister of Environment and Labour;
- (t) "oil/water separator" means a device used to separate petroleum products from mixtures of petroleum products and water;
- (u) "person responsible" means
- (i) a person who is responsible for the day-to-day maintenance and operation of a storage tank system or pipeline;
 - (ii) the person who has possessory rights to or has care, management or control of a storage tank system, tank vehicle or vessel;
 - (iii) the owner or occupier of land on which a storage tank system is located,
 - (iv) a successor, assignee, executor, administrator, receiver, receiver-manager or trustee of a person referred to in subclauses (i) to (iii), or
 - (v) a person who acts as the principal or agent of a person referred to in subclauses (i) to (iv);
- (v) "petroleum product" means a single product or mixture of at least 70% hydrocarbons refined from crude oil, natural gas, tar sands, coal or natural organic matter, with or without additives, that is used or could be used as a fuel, lubricant or power transmitter, and includes gasoline, diesel oil, aviation fuel, kerosene, naphtha, lubricating oil, fuel oil, engine oil including used oil and hydraulic fluid, but does not include liquified petroleum gas;
- (w) "release" means to spill, discharge, dispose of, spray, inject, inoculate, abandon, deposit, leak, seep, pour, emit, empty, throw, dump, place, drain, pump or exhaust;
- (x) "service station" means any premises where a petroleum product is sold and put into the fuel tank of a vehicle, tank vehicle, watercraft or aircraft, or into a portable container;
- (y) "spill" means a release of a substance
- (i) into the environment,
 - (ii) from or out of a storage tank system, containment system, structure, aircraft, vehicle, tank vehicle, vessel, process tank, pipeline or other container,

- (iii) that is abnormal in quantity or quality in light of all the circumstances of the release, or
- (iv) in excess of an amount specified in the *Emergency Spill Regulations* or an approval;
- (z) "Standard" means the document produced by the Department entitled "Nova Scotia Construction, Installation and Operation Standards for Petroleum Storage Tank Systems", as amended from time to time and available from the Department;
- (aa) "storage tank system" means one or more aboveground storage tanks or underground storage tanks and all connecting piping whether aboveground or underground, including pumps and product transfer apparatus, dyking, overfill protection equipment and associated spill containment and collection apparatus;
- (bb) "tank vehicle" means a tank truck, stake truck, trailer, semi-trailer, tractor or other conveyance and associated appurtenances designed for or capable of transporting a petroleum product, other than fuel carried for use in the operation of the vehicle;
- (cc) "transport" means to convey a petroleum product in or on a tank vehicle or vessel, other than the fuel carried for use in the operation of the vehicle or vessel;
- (dd) "underground storage tank" means a storage tank with 90% or more of its volume beneath the ground surface or covered or partially covered with material including, but not limited to, earth, backfill, or concrete;
- (ee) "underground storage tank system" means one or more underground storage tanks and all connecting piping whether aboveground or underground, including pumps and product transfer apparatus, dyking, overfill protection equipment and associated spill containment and collection apparatus;
- (ff) "vessel" means a tank vessel or other conveyance that is designed for or capable of transporting a petroleum product on the water, other than the fuel carried for use in the operation of the vessel.

Appointment of Administrator

3 The Minister may appoint an Administrator to administer these regulations.

Designation

4 For the purpose of the Act and these regulations, petroleum products are designated as dangerous goods.

Application

5 (1) These regulations do not apply to

- (a) an aboveground storage tank system having a nominal capacity of less than 4000 L, except for a storage tank system at a marina;
- (b) a storage tank system at a marina having a nominal capacity of less than 230 L;

- (c) a storage tank system in a petroleum refinery regulated under the Act;
- (d) a flow-through process tank.
- (2) Sections 11, 13 and 14 and subsections 15(1), (2) and (3) do not apply to a storage tank system that is required to be registered pursuant to the *Registration of Storage Tank Systems for Petroleum Products and Allied Petroleum Products on Federal Lands Regulations*, SOR/97-10, made pursuant to the *Canadian Environmental Protection Act*, as amended from time to time.
- (3) Where there is a conflict between these regulations and the National Fire Code of Canada, latest edition, these regulations prevail.

General requirements

- 6 (1) A person responsible for or a person who constructs, installs or alters a new or relocated storage tank system shall meet the minimum requirements set forth in the Standard.
- (2) On or after April 11, 1995, no person shall install or cause to be installed an underground storage tank system with a nominal capacity of less than 2000 L.
- (3) An Administrator or an inspector may require the person responsible for a storage tank system to submit a contingency plan for a storage tank system.

Bulk plant

- 7 (1) The area of land immediately surrounding the loading or unloading facilities at a bulk plant shall
 - (a) be sloped so any petroleum product will drain to an oil/water separator, a tank or another containment device approved by an Administrator;
 - (b) have concrete flooring or other impervious flooring that is compatible with the material being handled; and
 - (c) have a collecting device of a type described in the Standard, of sufficient size to contain any release of petroleum product during loading or unloading.
- (2) The area immediately surrounding a bulk plant shall be secured from public entry by fencing.
- (3) When a bulk plant is not in use or not under supervision,
 - (a) the gates and other access ways shall be closed and locked; and
 - (b) the loading valves, filling pipes and gauging pipes shall be locked, except for those operated by electrical remote controls.
- (4) An Administrator or an inspector may approve in writing alternative security measures to those required in subsections (2) and (3).

- (5) No person shall operate a bulk plant without having in place a contingency plan approved by an Administrator or an inspector.
- (6) No person shall operate a bulk plant using a tank vehicle as an aboveground storage tank without the prior written approval of an Administrator.

Release causing adverse effect

- 8 No person shall drop, leave or otherwise cause or permit the release of a petroleum product that causes or may cause an adverse effect.

Supervision of transfer

- 9 (1) No person shall transfer a petroleum product from a storage tank system to a tank vehicle or vessel, or from a tank vehicle or vessel to a storage tank system, without supervising the transfer at all times in such a manner as to be able to immediately shut off the flow of petroleum products during the transfer.

Overflow causing adverse effect

- (2) No person shall cause or permit the overflow of a petroleum product from a storage tank system, tank vehicle or vessel if the overflow of the petroleum product causes or may cause an adverse effect.

Spill requirements

- 10 In the event of a spill, the person responsible shall immediately, as soon as the person knows of the spill,
- (a) follow the reporting procedures prescribed in the *Emergency Spill Regulations*; and
 - (b) take such steps as are necessary to end the spill, clean the area affected and rehabilitate the environment to a standard prescribed or adopted by the Minister.

Storage tank registration

- 11 (1) A person responsible for a storage tank system shall register with the Administrator all underground storage tanks and aboveground storage tanks in a storage tank system that have a combined nominal capacity of
- (a) 2000 L or greater, in the case of underground storage tanks;
 - (b) 4000 L or greater, in the case of aboveground storage tanks; or
 - (c) 230 L or greater, in the case of an aboveground storage tank system at a marina.
- (2) An application for registration of a storage tank system pursuant to subsection (1) shall be made on a form prescribed by the Minister or an Administrator and shall be submitted to an Administrator or an inspector.
- (3) An Administrator or an inspector may accept or reject an application made pursuant to subsection (2) or may require additional information.
- (4) Where an application is accepted pursuant to subsection (3), an Administrator or an inspector shall register the storage tank system and issue a tank registration number for each storage tank in the storage tank system.

- (5) The Administrator may issue or cause to be issued a tag, label or similar device indicating the registration number for a storage tank.
- (6) A person responsible for a storage tank system shall affix a tag, label or other similar device in a location and manner determined by the Minister or an Administrator.
- (7) The issuance of a tag, label or other similar device shall be subject to terms and conditions prescribed by the Minister or an Administrator.
- (8) An Administrator may charge an administrative fee for the issuance of a tag, label, or similar device pursuant to subsection (5).
- (9) No person shall deliver or cause to be delivered a petroleum product to a storage tank system to which these regulations apply unless the system's storage tanks have been registered pursuant to this Section.
- (10) Within 30 days of the transfer or sale of a storage tank system, a person responsible for the storage tank system shall notify the Department in writing of the transfer or sale.

Installations prior to April 11, 1995

- 12 (1) Subject to subsection (2), a person responsible for a steel underground storage tank system or an underground steel pipeline that
- (a) was installed prior to April 11, 1995; and
 - (b) was not constructed, shop-tested and installed in accordance with the National Standard of Canada CAN 4-S603-M, in effect on April 11, 1995, for an impressed current cathodic system or CAN 4-S603.1-M, in effect on April 11, 1995, including Appendix "B", for a sacrificial anode system,
- shall remove the steel underground storage tank system or the underground steel pipeline no later than 15 years from the date of installation unless a further time period is approved in writing by an Administrator or an inspector.
- (2) Subsection (1) does not apply to a steel underground storage tank system or a steel underground pipeline that was abandoned prior to April 11, 1995, in accordance with regulations or policies adopted or established by the Minister, and was registered as abandoned with an Administrator prior to April 11, 1995.

Installations subsequent to April 11, 1995

- 13 (1) This Section applies to an
- (a) underground storage tank system installed on or after April 11, 1995;
 - (b) aboveground storage tank system installed on or after April 11, 1995, having a combined nominal capacity greater than 4000 L.
- (2) All installations of underground storage tank systems shall meet the requirements for a Class A site prescribed in the Standard.

- (3) No person shall install or cause to be installed a storage tank system unless an Administrator or an inspector is notified of the proposed installation in writing on a form approved by the Minister or an Administrator at least 3 working days prior to the starting date of the installation.
- (4) Within 30 days of the completion of the installation of a storage tank system, the installer who performed the installation shall complete and submit a storage tank system installation report, on a form approved by the Minister or an Administrator, to an Administrator or an inspector.

Alteration of storage tank system

- 14 (1)** No person shall alter or cause to be altered a storage tank system or a part thereof unless an Administrator or an inspector is notified of the proposed alteration in writing at least 3 working days prior to the starting date of the alteration.
- (2) An Administrator or an inspector may request further information about an alteration or impose conditions respecting an alteration.
 - (3) Within 30 days of the completion of an alteration, the installer who performed the alteration shall complete and submit a storage tank system alteration report, on a form approved by the Minister or an Administrator, to an Administrator or an inspector.
 - (4) Despite subsection (1), prior notification is not required for an emergency alteration that is required to prevent a leak or spill of a petroleum product.
 - (5) Within 72 hours of initiating an emergency alteration, the installer shall submit a detailed description of the alteration in writing to an Administrator or an inspector.

Removal of storage tank system

- 15 (1)** No person shall remove or cause to be removed a storage tank system unless an Administrator or an inspector is notified of the proposed removal in writing at least 3 working days prior to the starting date of the removal.
- (2) When a storage tank system is removed, all associated underground piping and related materials, including hold-down pads, anchors and protective liners, shall be removed unless otherwise authorized in writing by an Administrator or an inspector.
 - (3) Within 30 days of the completion of the removal, the installer who performed the removal shall complete and submit a storage tank system removal report, on a form approved by the Minister or an Administrator, to an Administrator or an inspector.
 - (4) A site that is contaminated as a result of the removal of a storage tank system or at which contamination is detected at the time of the removal of the storage tank system shall be rehabilitated by the person responsible for the storage tank system to standards prescribed or adopted by the Minister.

Installer certificate of qualification

- 16 (1)** An Administrator may issue a certificate of qualification as an installer to a person who
- (a) provides the Administrator with information documenting the person's training and experience;
 - (b) demonstrates knowledge of the Standard, the Act and these regulations;
 - (c) demonstrates their expertise in a manner and at a level of proficiency satisfactory to the Administrator; and
 - (d) meets all other requirements prescribed by the Minister or an Administrator.
- (2)** A certificate of qualification issued pursuant to subsection (1) is valid for a period of 3 years from the date of issuance unless
- (a) it is voluntarily surrendered by the certificate holder; or
 - (b) it is amended, suspended or cancelled by the Minister.
- (3)** No person shall install, alter or remove a storage tank system that is required to be registered pursuant to these regulations unless that person holds a certificate of qualification pursuant to this Section.
- 17 (1)** An installer shall be present at all times while a storage tank system is being installed, altered or removed and the installer shall carry or have readily available the installer's certificate of qualification.
- (2)** An installer shall produce the installer's certificate of qualification for inspection if requested to do so by an Administrator or an inspector.

Storage tank system monitoring

- 18 (1)** A person responsible for a storage tank system shall comply with the following monitoring requirements:
- (a) all maintenance checks on the proper operation of corrosion protection systems for an underground storage tank system shall be conducted in accordance with the National Standard of Canada Can 4-S603.1-M, latest edition, for a sacrificial anode system (SAS) and with the National Association of Corrosion Engineers (NACE) Standard RP-02, latest edition, for an impressed current system (ICS);
 - (b) maintenance checks on a sacrificial anode system shall be conducted
 - (i) immediately after installation,
 - (ii) 6 months after installation, and
 - (iii) every 2 years thereafter;
 - (c) maintenance checks on an impressed current system shall be conducted
 - (i) before energizing the system,

- (ii) immediately after energizing the system,
 - (iii) 1 month after installation, and
 - (iv) once yearly thereafter;
- (d) maintenance checks on all electrical and mechanical leak detection systems shall be conducted at least annually or more frequently if prescribed by the manufacturer of the leak detection system;
- (e) visual inspections of an aboveground storage tank system shall be made to ensure that there has been no leakage in the containment system and shall be conducted either
- (i) on each day the storage tank system is in operation, or
 - (ii) at a frequency approved by an Administrator or an inspector;
- (f) all observation wells installed with a storage tank system shall be checked for liquid product or vapours
- (i) at least once a month,
 - (ii) whenever there is an actual or suspected release, and
 - (iii) whenever inventory reconciliation performed in accordance with Sections 19 or 20 indicates an unexplained loss of petroleum products.
- (2) Where there is an indication of a corrosion protection system failure or a mechanical problem, a person responsible shall ensure that the storage tank system is immediately repaired and shall notify the Administrator or an inspector of the repair within three 3 days of completion of the repair.

Underground storage tank system inventory control

- 19 (1) A person responsible for an underground storage tank system that is not directly connected to a heating appliance shall ensure that
- (a) the petroleum product level in an underground tank is measured, reconciled and recorded pursuant to subsections (2) and (3)
 - (i) on each day that petroleum product is added to or removed from the underground tank, or
 - (ii) where petroleum product is added to or removed from the underground tank less than once a week, at least weekly;
 - (b) the water level in an underground tank shall be reconciled and shall be included in all reconciliation computations required pursuant to subsections (2) and (3).
- (2) Inventory control measurements shall be reconciled by comparing petroleum product and water level measurements with measurements obtained from dispenser metre readings, shipments, deliveries, and internal transfers.
- (3) Any gain or loss of petroleum product shall be recorded and included in a monthly summary of cumulative losses or gains of the petroleum

product on a form approved by the Minister or an Administrator.

- (4) A person responsible for an underground storage tank system shall immediately notify the Department in the manner prescribed in Section 69 of the Act or in the *Emergency Spill Regulations* when a leak is indicated in any one of the following circumstances:
- (a) an unexplained loss or gain of 0.5% or more of the inventory in any month;
 - (b) inventory reconciliations showing 5 or more consecutive days of petroleum product losses or gains when the petroleum product level is measured every day;
 - (c) inventory reconciliations showing 18 or more days per month of losses or gains when the petroleum product level is measured every day; or
 - (d) the water level in the bottom of an underground tank exceeding 50 mm.

Aboveground storage tank system inventory control

- 20 (1) Subject to subsection (3), a person responsible for an aboveground storage tank system that is not directly connected to a heating appliance shall ensure that the petroleum product level is measured, reconciled and recorded in accordance with subsections 19(2) and (3) at least weekly.
- (2) A person responsible for an aboveground storage tank system shall immediately notify the Department in the manner prescribed in Section 69 of the Act and in the *Emergency Spill Regulations* when a leak is indicated in any one of the following circumstances:
- (a) an unexplained loss or gain of 1.0% or more of the inventory in any month; or
 - (b) inventory reconciliations showing 4 or more consecutive weeks of unexplained petroleum product losses or gains in excess of 1.0% of the inventory for each week.
- (3) Inventory control measures described in subsections (1) and (2) are not required for an aboveground storage tank system where the storage tank system is located such that all exterior surfaces are visible for inspection and are inspected in accordance with the requirements of subsection 18(1) or as approved in writing by an Administrator and
- (a) has secondary containment and leak monitoring devices that meet the requirements of the Standard, or
 - (b) is equipped with a continuous leak detection device, system or method providing an equivalent level of safety and approved in writing by an Administrator.

Inventory control for storage tank system connected to heating appliance

- 21 A person responsible for a storage tank system that is connected to a heating appliance shall ensure that the storage tank system

- (a) has secondary containment and leak monitoring devices that meet the requirements of the Standard; or
- (b) is equipped with a continuous leak detection device, system or method providing an equivalent level of safety and approved in writing by an Administrator.

Record keeping

- 22 (1) All inventory control records and reconciliation data shall be maintained by a person responsible for a storage tank system at the location of the storage tank system for a period of 2 years.
- (2) Where computerized inventory reconciliation is conducted, the records and data referred to in subsection (1) may be stored at a different location than that described in subsection (1), but must be made available within 48 hours of a request from an Administrator or inspector.
 - (3) The Minister or an Administrator may prescribe the format for records required under subsection (2).
 - (4) A person responsible for a newly acquired storage tank system shall obtain and maintain any required records from the person from whom the system was transferred.

Upgrade program

- 23 (1) The Minister may require an upgrade program for storage tank systems where the upgrade program shows significant technological progress or potential for reduction or avoidance of adverse effects.
- (2) Before an upgrade program is required, the Minister may
 - (a) order a review of current storage tank system requirements and practices; or
 - (b) consult with whomever the Minister determines appropriate.
 - (3) A person responsible for an storage tank system for which an upgrade program is required, shall comply with the upgrade requirements within the time frame specified in the upgrade program.

Leakage

- 24 (1) An Administrator or an inspector who believes on reasonable and probable grounds that there is leakage in a storage tank system may require a leak detection test to be conducted by, and at the expense of, a person responsible for the storage tank system.
- (2) An Administrator or an inspector may require a person responsible for a storage tank system to replace, repair or remove all or any portion of the storage tank system that is shown by a leak detection test to have a leak, and the person shall comply with the requirement which the time frame prescribed.
 - (3) A leak detection test required pursuant to subsection (1) shall be conducted by a testing agent using
 - (a) the Petrotite method;

- (b) the Vacutect method; or
 - (c) a method approved in writing by an Administrator.
- (4) A testing agent shall forward the written results of a leak detection test required pursuant to subsection (3) to an Administrator or an inspector within 3 days of the test.
 - (5) If a leak is detected in a storage tank system, a person responsible for the storage tank system shall notify the Department in the manner prescribed in Section 69 of the Act and in the *Emergency Spill Regulations* immediately upon learning that the storage tank system failed a leak detection test.

Requirements for out of service storage tank systems

- 25 (1) A person responsible for an underground storage tank system that has been unused for 12 consecutive months or more and that does not require ballasting shall
- (a) empty all liquids and purge the storage tank system of all hydrocarbon vapours by a method acceptable to an Administrator or an inspector;
 - (b) lock all fill and gauged pipe openings and block access to aboveground storage tank tops; and
 - (c) ensure that if an impressed current cathodic protection system is used, the protection system is operated and maintained throughout the period the storage tank system is unused.
- (2) A person responsible for an aboveground storage tank system that has been unused for 12 consecutive months or more shall ensure that
 - (a) all fill and gauged pipe openings are locked and access to aboveground storage tank tops is blocked; and
 - (b) if an impressed current cathodic protection system is used, the protection system is operated and maintained throughout the period the storage tank system is unused.
 - (3) Where an underground storage tank system that has been unused for a period of 6 consecutive months or more requires ballasting, a person responsible for the storage tank system shall gauge or dip each storage tank in the storage tank system on a monthly basis, including dips for the measurement of water in the storage tank system.
 - (4) Where an underground storage tank system that has been unused for 12 consecutive months or more is to be reused, a person responsible for the storage tank system shall perform a leak detection test in accordance with subsection 24(3) and shall submit the results to an Administrator or an inspector prior to reuse of the system.
 - (5) Where the results of a test referred to in subsection (4) reveal leakage, an Administrator or inspector may require a person responsible for the storage tank system to replace, repair or remove all or any portion of the

storage tank system shown to have a leak, and the person responsible shall comply with requirement within the time frame prescribed.

Abandonment of storage tank system

- 26 (1) Where a storage tank system has been unused for a period of 24 consecutive months or more or is declared abandoned by a person responsible, an Administrator or an inspector, the person responsible shall comply with the provisions regarding removal and abandonment set forth in the Standard.
- (2) A person responsible for an underground storage tank system may apply in writing to the Administrator for authorization to abandon the storage tank system in place.
- (3) Where written authorization is issued by an Administrator pursuant to subsection (2), the abandonment shall be done in the manner set forth in the Standard.

Decommissioning or re-use of storage tanks

- 27 (1) An underground tank that has been removed from the ground
- (a) shall be decommissioned at a facility approved for that purpose by the Minister or an Administrator; or
- (b) may be reused if re-certified in accordance with one of the following ULC standards:
- (i) Underwriters Laboratories of Canada Technical Supplement ULC-S603(A), latest edition, for steel storage tanks, or
- (ii) National Standard of Canada Technical Supplement CAN 4-S615(A), latest edition, for "Refurbishing of Reinforced Plastic Underground Tanks for Petroleum Fuels".
- (2) Re-certification pursuant to clause (1)(b) shall be completed within 60 days from the date of removal of the storage tank unless an extension is approved in writing by an Administrator.
- (3) Where re-certification has not been successfully completed within the time frame prescribed in subsection (2), the storage tank shall be decommissioned in accordance with clause (1)(a).
- (4) If acceptable to an Administrator or an inspector, an underground storage tank may be reused for the aboveground storage of petroleum products if it meets or exceeds the requirements for aboveground storage tanks as prescribed in the Standard.
- (5) An aboveground storage tank that has been moved from its permanent foundation
- (a) shall be decommissioned at a facility approved for that purpose by the Minister or an Administrator; or

(b) may be reused if re-certified in accordance with one of the following ULC standards:

- (i) CAN/ULC-S601(A), "Shop Refurbishing of Steel Aboveground Horizontal Tanks for Flammable and Combustible Liquids", latest edition,
- (ii) CAN/ULC-630(A), "Shop Refurbishing of Steel Aboveground Vertical Tanks for Flammable and Combustible Liquids", latest edition,
- (iii) API Standard 653, "Tank Inspection, Repair, Alteration and Reconstruction", latest edition, as applicable.
- (6) Decommissioning of an aboveground storage tank system may be undertaken at the installation site, subject to the written authorization of an Administrator or an inspector.

N.S. Reg. 45/2002
 Made: March 28, 2002
 Filed: March 28, 2002
 Amusement Devices Safety Regulations

Order in Council 2002-140 made March 28, 2002
 Amendment to regulations made by the Governor in Council
 pursuant to Section 20
 of the *Amusement Devices Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated March 7, 2002, and pursuant to Section 20 of Chapter 12 of the Revised Statutes of Nova Scotia, 1989, the *Amusement Devices Safety Act*, is pleased to amend the regulations respecting amusement devices safety made by the Governor in Council by Order in Council 75-465 dated April 29, 1975, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 1, 2002.

Schedule "A"

Amendments to the Regulations Respecting Amusement Devices Safety made by the Governor in Council pursuant to Section 20 of Chapter 12 of the Revised Statutes of Nova Scotia, 1989, the *Amusement Devices Safety Act*

Section 8 of the regulations respecting amusement devices safety made by the Governor in Council by Order in Council 75-465 dated April 29, 1975, is repealed and the following Section substituted:

- 8 The following fees respecting an amusement device or structure are prescribed in accordance with the Act:
- (a) registration, initial inspection and granting of licence for new amusement device or structure \$150.00
 - (b) annual inspection and licence renewal \$100.00
 - (c) special inspection \$100.00

N.S. Reg. 46/2002
 Made: March 28, 2002
 Filed: March 28, 2002
 Elevators and Lifts Regulations

Order in Council 2002-141 made March 28, 2002
 Amendment to regulations made by the Governor in Council
 pursuant to Section 25
 of the *Elevators and Lifts Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated March 7, 2002, and pursuant to Section 25 of Chapter 143 of the Revised Statutes of Nova Scotia, 1989, the *Elevators and Lifts Act*, is pleased to amend the general regulations respecting elevators and lifts made by the Governor in Council by Order in Council dated May 14, 1957, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 1, 2002.

Schedule "A"

Amendments to the General Regulations Respecting Elevators and Lifts made by the Governor in Council pursuant to Section 25 of Chapter 143 of the Revised Statutes of Nova Scotia, 1989, the *Elevators and Lifts Act*

The general regulations respecting elevators and lifts made by the Governor in Council by Order in Council dated May 14, 1957, are amended by repealing Table 1 - Prescribed Fees and substituting the following table:

Table 1 - Prescribed Fees

Item	Nature of Fee or Circumstance	Amount (\$)
1	Grant of a licence for	
	(a) a passenger elevator	125.00
	(b) a freight elevator	125.00
	(c) an escalator	125.00
	(d) a dumb-waiter	100.00
	(e) a manlift	125.00
	(f) a lift for physically disabled	75.00
	(g) a rope tow	150.00
	(h) a pony lift	150.00
	(i) a chair ski lift	400.00
	(j) a T bar lift	350.00
	(k) a gondola lift	400.00
	(l) a reversible ropeway	400.00
2	Transfer of a licence	50.00
3	Application for a certificate of competency	50.00
4	Renewal of a certificate of competency	50.00
5	Upon submission of drawings and specifications for	
	(a) a passenger elevator	225.00
	(b) a freight elevator	225.00

(c)	an escalator	225.00
(d)	a dumb-waiter	225.00
(e)	a manlift	225.00
(f)	a lift for physically disabled	100.00
(g)	a rope tow	125.00
(h)	a pony lift	125.00
(i)	a chair ski lift	400.00
(j)	a T bar lift	300.00
(k)	a gondola lift	400.00
(l)	a reversible ropeway	400.00

6 Registration of a contractor

(a)	initial registration	200.00
(b)	annual registration	100.00

7 Upon annual or special inspection of

(a)	a passenger elevator	100.00 per hour
(b)	a freight elevator	100.00 per hour
(c)	an escalator	100.00 per hour
(d)	a dumb-waiter	100.00 per hour
(e)	a manlift	100.00 per hour
(f)	a lift for physically disabled	50.00 per hour
(g)	a rope tow	100.00 per hour
(h)	a pony lift	100.00 per hour
(i)	a chair ski lift	100.00 per hour
(j)	a T bar lift	100.00 per hour
(k)	a gondola lift	100.00 per hour
(l)	a reversible ropeway	100.00 per hour

8 Upon inspection of a new

(a)	passenger elevator	100.00 per hour
(b)	freight elevator	100.00 per hour
(c)	escalator	100.00 per hour
(d)	dumb-waiter	100.00 per hour
(e)	manlift	100.00 per hour
(f)	lift for physically disabled	50.00 per hour
(g)	rope tow	100.00 per hour
(h)	pony lift	100.00 per hour
(i)	chair ski lift	100.00 per hour
(j)	T bar lift	100.00 per hour
(k)	gondola lift	100.00 per hour
(l)	reversible ropeway	100.00 per hour

9 Duplicate of a lost, mislaid or damaged

(a)	licence	50.00
(b)	certificate of competency	50.00
(c)	notice in form of plate or label	50.00
(d)	report	50.00

N.S. Reg. 47/2002

Made: March 28, 2002

Filed: March 28, 2002

Fish Inspection Regulations

Order in Council 2002-142 made March 28, 2002
Amendment to regulations made by the Governor in Council
pursuant to subsection 77(2)
of the *Fisheries and Coastal Resources Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated February 8, 2002, and pursuant to subsection 77(2) of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, is pleased to amend the regulations respecting fish inspection made by the Governor in Council by Order in Council 84-1404 dated December 4, 1984, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2002.

Schedule "A"

**Amendments to the Regulations Respecting Fish Inspection
made pursuant to subsection 77(2) of Chapter 25
of the Acts of 1996, the *Fisheries and Coastal Resources Act***

- 1 Section 1 of the regulations respecting fish inspection made by the Governor in Council by Order in Council 84-1404 dated December 4, 1984, is renumbered as Section 1A and the following Section is added immediately before Section 1A:
 - 1 These regulations may be cited as the *Fish Inspection Regulations*.
- 2 Section 2 of the regulations is repealed and the following Section is substituted:
 - (1) The Minister may appoint a Registrar and such other employees of the Department as are necessary for the purpose of administering these regulations.
 - (2) The Registrar shall establish and maintain a Registry containing the names of all licence holders.
 - (3) The Minister may issue general directions to the Registrar regarding the issuance, amendment, renewal, suspension, termination and conditions of a fish processing licence.
- 3 (1) Section 4 of the regulations is renumbered as subsection 4(3) and the following subsections are added immediately before subsection 4(3):
 - (1) A person may apply for a licence by completing an application on a form supplied by the Department and submitting it to the Minister with a non-refundable application fee of \$200.00, which is in addition to the annual licence fee prescribed in subsection 4(5).
 - (2) The Minister shall advise an applicant of the outcome of their application, in writing, within 21 days of receiving all information relating to the application.

(2) Section 4 of the regulations is further amended by adding the following subsections immediately after subsection (3):

(4) Unless otherwise specified in the licence, a licence expires on December 31 of the calendar year for which it is issued.

(5) The annual fee for a licence is \$200.00.

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

5 (1) Subject to subsection (2), a licence is not assignable or transferable.

(2) Where the Minister is satisfied that a licence is being transferred to a corporation in which the current licence holder owns the majority of voting shares, the Minister may transfer the licence.

(3) If a majority of voting shares of a corporation that is a licence holder are transferred, its licence ceases to be in force.

5 The regulations are further amended by adding the following Section immediately after Section 6:

6A (1) A licence holder may request that their licence be renewed, amended or cancelled by submitting the request in writing to the Minister in the form and manner determined by the Department.

(2) A request to amend a licence shall be accompanied by a fee of \$25.00.

(3) A request to renew a licence shall be accompanied by the annual licence fee prescribed in subsection 4(5).

N.S. Reg. 48/2002

Made: March 28, 2002

Filed: March 28, 2002

Proclamation, S. 12, S.N.S. 2001, c. 44

Order in Council 2002-154 made March 28, 2002
Proclamation made by the Governor in Council
pursuant to Section 12
of *An Act to Amend Chapter 298 of the Revised Statutes, 1989,*
the Motor Vehicle Act and Chapter 371 of the Revised Statutes, 1989,
the Public Highways Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 13, 2002, and pursuant to Section 12 of Chapter 44 of the Acts of 2001, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act, and Chapter 371 of the Revised Statutes, 1989, the Public Highways Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 1, 4 and 6 to 10 of Chapter 44 of the Acts of 2001, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act, and Chapter 371 of the Revised Statutes, 1989, the Public Highways Act*, come into force on and not before April 1, 2002.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

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 12 of Chapter 44 of the Acts of 2001, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act, and Chapter 371 of the Revised Statutes, 1989, the Public Highways Act*, it is enacted as follows:

12 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 Sections 1, 4 and 6 to 10 of Chapter 44 of the Acts of 2001, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act, and Chapter 371 of the Revised Statutes, 1989, the Public Highways Act*, come into force on and not before April 1, 2002;

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 Sections 1, 4 and 6 to 10 of Chapter 44 of the Acts of 2001, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act, and Chapter 371 of the Revised Statutes, 1989, the Public Highways Act*, come into force on and not before April 1, 2002, 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 Constance R. Glube, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 28th day of March, in the year of Our Lord two thousand and two and in the 51st year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 49/2002

Made: March 28, 2002

Filed: March 28, 2002

Proclamation, S. 4, S.N.S. 2001, c. 51

Order in Council 2002-157 made March 28, 2002
Proclamation made by the Governor in Council
pursuant to Section 4
of the *Halifax Regional Municipality Marketing Levy Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 20, 2002, and pursuant to Section 4 of Chapter 51 of the Acts of 2001, the *Halifax Regional Municipality Marketing Levy Act*, is pleased to order and declare by proclamation that Chapter 51 of the Acts of 2001, the *Halifax Regional Municipality Marketing Levy Act*, come into force on and not before April 1, 2002.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

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 4 of Chapter 51 of the Acts of 2001, the *Halifax Regional Municipality Marketing Levy Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 51 of the Acts of 2001, the *Halifax Regional Municipality Marketing Levy Act*, come into force on and not before April 1, 2002;

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 51 of the Acts of 2001, the *Halifax Regional Municipal Marketing Levy Act*, come into force on and not before April 1, 2002, 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 Constance R. Glube, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 28th day of March, in the year of Our Lord two thousand and two and in the 51st year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 50/2002

Made: March 28, 2002

Filed: March 28, 2002

Summary Offence Tickets Regulations

Order in Council 2002-158 made March 28, 2002
Amendment to regulations made by the Governor in Council pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated February 7, 2002, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend the *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 28, 2002.

ORDER

I, Michael G. Baker, Q.C., Minister of Justice and Attorney General of Nova Scotia, do hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of any offence set out in the amendments to the Schedule to the *Summary Offence Tickets Regulations* as set forth in Schedule "A", shall be the amount of the out of court settlement set out opposite the description of that offence, and the out of court settlement amount shall include the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

The Order shall be effective on and from the making by the Governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

DATED AND MADE February 7, 2002, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd. *Michael Baker*
Minister of Justice
and Attorney General of Nova Scotia

Schedule "A"

Amendments to the Summary Offence Tickets Regulations made by the Governor in Council pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*

Schedule 9A of the *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by adding the following items immediately after item 6 under Water and Wastewater Facility Regulations:

- | | | | |
|----|--|----|----------|
| 7. | Failing to register a public drinking water supply with the Department | 15 | \$675.00 |
|----|--|----|----------|

N.S. Reg. 50/2002	ROYAL GAZETTE	Part II Regulations	
8.	Failing to monitor a public drinking water supply for microbiological quality	16(1)(a)	\$675.00
9.	Failing to monitor a public drinking water supply for chemical and physical quality	16(1)(b)	\$675.00
10.	Failing to monitor a public drinking water supply for disinfection residual	16(1)(c)	\$675.00
11.	Failing to monitor a public drinking water supply for source and treated water turbidity	16(1)(d)	\$675.00
12.	Failing to monitor a public drinking water supply for fluoride concentrations	16(1)(e)	\$675.00
13.	Failing to monitor a public drinking water supply for other substances as required by Minister or Administrator	16(1)(f)	\$675.00
14.	Failing to ensure that water samples are tested	16(2)	\$675.00
15.	Failing to record water test results	16(3)	\$675.00
16.	Failing to forward water test results to Administrator	16(3)	\$675.00
17.	Failing to notify that public drinking water supply does not meet criteria set out in the <i>Guidelines for Canadian Drinking Water Quality</i>	17(a)	\$675.00
18.	Failing to take corrective action upon becoming aware public drinking water supply does not meet the <i>Guidelines for Canadian Drinking Water Quality</i>	17(a)	\$675.00
19.	Failing to notify of an incident of raw water contamination	17(b)	\$675.00
20.	Failing to take corrective action upon becoming aware of incident of raw water contamination	17(b)	\$675.00
21.	Failing to notify of outbreak of waterborne illness	17(c)	\$675.00
22.	Failing to take corrective action upon becoming aware of outbreak of waterborne illness	17(c)	\$675.00
23.	Failing to notify of suspected cross-connection or negative pressure	17(d)	\$675.00
24.	Failing to take corrective action upon becoming aware of suspected cross-connection or negative pressure	17(d)	\$675.00
25.	Failing to notify upon becoming aware of ineffective disinfection	17(e)	\$675.00
26.	Failing to take corrective action upon becoming aware of ineffective disinfection	17(e)	\$675.00

N.S. Reg. 50/2002	ROYAL GAZETTE	Part II Regulations	
27.	Failing to ensure that microbiological, physical and chemical characteristics of public drinking water supply meet the <i>Guidelines for Canadian Drinking Water Quality</i>	18	\$675.00

N.S. Reg. 51/2002
Made: March 28, 2002
Filed: March 28, 2002
Justices of the Peace Regulations

Order in Council 2002-159 made March 28, 2002
Regulations made by the Governor in Council
pursuant to Section 12
of the *Justices of the Peace Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 27, 2002, and pursuant to Section 12 of Chapter 244 of the Revised Statutes of Nova Scotia, 1989, the *Justices of the Peace Act*, is pleased to make regulations respecting justices of the peace in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on after March 31, 2002.

Schedule "A"

Regulations Respecting Justices of the Peace made pursuant to Section 12 of Chapter 244 of the Revised Statutes of Nova Scotia, 1989, the *Justices of the Peace Act*

Citation

1 These regulations may be cited as the *Justices of the Peace Regulations*.

Definitions

2 In these regulations, "Act" means the *Justices of the Peace Act*.

Jurisdiction

3 Every justice of the peace has jurisdiction throughout Nova Scotia.

Duties of staff justice of the peace

4 A staff justice of the peace may only

- (a) swear an information;
- (b) issue a summons;
- (c) issue a subpoena;
- (d) conduct an arraignment in respect of an application for a peace bond;
- (e) conduct an arraignment and take a plea in respect of an offence under a Provincial enactment and impose the minimum penalty for the offence, or enter an automatic conviction in respect of an offence charged in a summary offence ticket that provides the amount of the out of court settlement for the offence and impose that amount for the offence;
- (f) administratively release a person on an undertaking or recognizance where the order was made by a judge or presiding justice of the peace;
- (g) administer an oath;
- (h) perform a civil wedding

- (i) in the course of their employment, during working hours, and
- (ii) when they regularly perform civil weddings in the course of their employment during working hours, outside working hours;
- (i) when exercising the authority of a judge in the absence of the judge, adjourn a matter before a court;
- (j) make a detention order for the initial 90-day detention only;
- (k) receive the report respecting things seized that is required in connection with the execution of a telewarrant.

Duties of administrative justice of the peace

5 (1) An administrative justice of the peace may only

- (a) perform a civil wedding;
- (b) administer an oath;
- (c) swear an information;
- (d) issue a summons; and
- (e) issue a subpoena.

(2) The fees for the services referred to in clauses (1)(b), (c), (d) and (e) shall be as set out in the Schedule to Part I of the *Costs and Fees Act*.

Term of appointment of administrative justice of the peace

6 An administrative justice of the peace holds office for a term of 5 years and may be reappointed.

Duties of presiding justice of the peace

7 (1) A presiding justice of the peace may, subject to the Act and in accordance with the directions of the Chief Judge of the Provincial Court, the Chief Judge of the Family Court or the Chief Justice of the Supreme Court of Nova Scotia, as the case may be,

- (a) deal with all matters prescribed to a justice of the peace in the *Criminal Code* and the *Summary Proceedings Act*;
- (b) swear an information;
- (c) issue a summons;
- (d) issue a subpoena;
- (e) issue a search warrant;
- (f) issue an arrest warrant;
- (g) issue a warrant to enter a dwelling-house;
- (h) issue a telewarrant;
- (i) make a detention order;
- (j) make a sealing order;

- (k) conduct a judicial interim release hearing;
 - (l) conduct an arraignment in respect of an offence charged in a summary offence ticket;
 - (m) preside over a trial in respect of an offence charged in a summary offence ticket;
 - (n) conduct a hearing in respect of an application for a peace bond;
 - (o) process an out-of-province warrant;
 - (p) hear an application to set aside a conviction entered pursuant to subsection 8(15) of the *Summary Proceedings Act*;
 - (q) preside over a trial in respect of a provincial enactment.
- (2) A presiding justice of the peace may perform any of the duties listed in subsection (1) between the hours of 9 p.m. of one day and 9 a.m. of the following day only when, in the opinion of the presiding justice of the peace, it is not reasonable to wait until 9 a.m. of the next day to deal with the matter.

Duty roster

- 8 A presiding justice of the peace shall perform their duties and functions in accordance with the duty rosters established by the Chief Judge of the Provincial Court, the Chief Judge of the Family Court or the Chief Justice of the Supreme Court of Nova Scotia, as the case may be.
- 9 The duty rosters established by the Chief Judge of the Provincial Court pursuant to subsection 9(1) of the Act, the Chief Judge of the Family Court pursuant to subsection 10(1) of the Act and the Chief Justice of the Supreme Court of Nova Scotia pursuant to subsection 10A(1) of the Act, shall include evening and week-end assignments.

Presiding justice of the peace salary

- 10 (1) A full-time presiding justice of the peace shall be paid an annual salary equal to 50% of the salary of a judge of the Provincial Court, less any deductions required by law.
- (2) A part-time presiding justice of the peace shall be paid at an hourly rate based on the salary of a full-time presiding justice of the peace as prescribed in subsection (1).
- (3) For the purpose of calculating salary payments in accordance with subsection (2), one hour during which a part-time presiding justice of the peace is on call to the Justices of the Peace Centre is equivalent to one-third of an hour during which the justice is in attendance at the Centre.