

# Royal



# Gazette

## Part II Regulations under the Regulations Act

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Halifax, Nova Scotia

Vol. 27, No. 7

April 18, 2003

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**N.S. Reg. 56/2003**

Made: March 24, 2003

Filed: March 28, 2003

Standard Expenditure Per Dwelling Unit (2003-2004) Regulations

Order dated March 24, 2003  
made by the Minister of Service Nova Scotia and Municipal Affairs  
pursuant to Section 11 of the *Municipal Grants Act*

***Regulation made by the Minister of Service Nova Scotia and  
Municipal Relations pursuant to Section 11 of Chapter 302 of the Revised  
Statutes of Nova Scotia, 1989, the Municipal Grants Act***

**STANDARD EXPENDITURE PER DWELLING UNIT**

1. The standard expenditure per dwelling unit for the purpose of calculating the grant referred to in Section 11 of the *Municipal Grants Act*, for the 2003-2004 fiscal year, shall be as follows:

CLASS	I	II
Standard Expenditure	1006	382

sgd: *P. G. Christie*  
Honourable Peter G. Christie  
Minister of Service Nova Scotia and Municipal Relations

Halifax, Nova Scotia  
March 24, 2003

**N.S. Reg. 57/2003**

Made: March 27, 2003

Filed: March 28, 2003

Proclamation - General Assembly

General Assembly  
Proclamation dated March 27, 2003

PROVINCE OF NOVA SCOTIA

sgd: *M.A. Freeman*

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 we have been advised by Our Executive Council that it is in the public interest that the Second Session of the Fifty-Eighth General Assembly should be prorogued this 27<sup>th</sup> day of March, A.D., 2003, and that the Third Session of the Fifty-Eighth General Assembly should meet on Thursday, the 27<sup>th</sup> day of March, A.D., 2003, at two o'clock in the afternoon, for the dispatch of business:

NOW KNOW YE THAT WE, by and with the advice of Our Executive Council, have thought fit to prorogue the Second Session of the Fifty-Eighth General Assembly on the 27<sup>th</sup> day of March, A.D., 2003, and to summon the said General Assembly and do hereby summon the said General Assembly to meet on Thursday, the 27<sup>th</sup> of March, A.D., 2003, at two o'clock in the afternoon, for the dispatch of business, 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 Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 27<sup>th</sup> day of March, in the year of Our Lord two thousand and three and in the fifty-second year of Our Reign.

BY COMMAND:

sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

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**N.S. Reg. 58/2003 to 69/2003**

Made: March 28, 2003

Filed: March 28, 2003

Crop Insurance Plans for Blueberries, Corn, Forage, Forage Production, Peas and Beans, Potatoes, Soybeans and Spring Grain, Strawberries, Tree Fruit, Vegetables and Winter Grain

Order in Council 2003-111 dated March 28, 2003  
Amendments to regulations made by Nova Scotia Crop and Livestock Insurance Commission  
and approved by the Governor in Council pursuant to Section 6  
of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated March 13, 2003, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased to approve, effective on and after March 28, 2003, the making by the Nova Scotia Crop and Livestock Insurance Commission of amendments to

- (a) the *Crop Insurance Plan for Blueberries* approved by the Governor in Council by Order in Council 2002-487 dated November 1, 2002, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (b) the *Crop Insurance Plan for Corn* approved by the Governor in Council by Order in Council 2002-487 dated November 1, 2002, in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation;
- (c) *The Nova Scotia Crop and Livestock Insurance Plan for Forage* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "C" attached to and forming part of the report and recommendation;

- (d) the *Nova Scotia Crop and Livestock Insurance Plan for Forage Production* approved by the Governor in Council by Order in Council 2000-434 dated August 30, 2000, in the manner set forth in Schedule "D" attached to and forming part of the report and recommendation;
- (e) *The Nova Scotia Crop and Livestock Insurance Plan for Peas and Beans* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "E" attached to and forming part of the report and recommendation;
- (f) the *Nova Scotia Crop and Livestock Insurance Plan for Potatoes* [*Crop Insurance Plan for Potatoes*] approved by the Governor in Council by Order in Council 2002-407 dated September 13, 2002, in the manner set forth in Schedule "F" attached to and forming part of the report and recommendation;
- (g) the *Crop Insurance Plan for Soybeans* approved by the Governor in Council by Order in Council 2003-89 dated March 14, 2003, in the manner set forth in Schedule "G" attached to and forming part of the report and recommendation;
- (h) the *Crop Insurance Plan for Spring Grain* approved by the Governor in Council by Order in Council 2003-88 dated March 14, 2003, in the manner set forth in Schedule "H" attached to and forming part of the report and recommendation;
- (i) *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "I" attached to and forming part of the report and recommendation;
- (j) the *Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, in the manner set forth in Schedule "J" attached to and forming part of the report and recommendation;
- (k) the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* approved by the Governor in Council by Order in Council 2000-571 dated November 17, 2000, in the manner set forth in Schedule "K" attached to and forming part of the report and recommendation;
- (l) the *Nova Scotia Crop and Livestock Insurance Plan for Winter Grain* [*Crop Insurance Plan for Winter Grain*] approved by the Governor in Council by Order in Council 2002-487 dated November 1, 2002, in the manner set forth in Schedule "L" attached to and forming part of the report and recommendation.

**N.S. Reg. 58/2003**

Crop Insurance Plan for Blueberries

**Schedule "A"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Crop Insurance Plan for Blueberries* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

1 Subsection 11(1) of the *Crop Insurance Plan for Blueberries* approved by the Governor in Council by

Order in Council 2002-487 dated November 1, 2002, is repealed and the following subsection substituted:

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

Crop	Option #1	Option #2	Option #3	Option #4
Lowbush blueberries	\$0.20/lb.	\$0.25/lb.	\$0.30/lb.	\$0.35/lb.
Highbush blueberries	\$0.75/pt.	\$1.00/pt.	\$1.25/pt.	n/a

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

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

Crop	Base Premium Rate		
	70% Coverage	80% Coverage	85% Coverage
Lowbush blueberries	\$3.50	\$5.00	\$6.00
Highbush blueberries	\$4.00	\$6.00	\$7.70

### N.S. Reg. 59/2003

Crop Insurance Plan for Corn

#### Schedule "B"

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Crop Insurance Plan for Corn* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

- 1 Subsection 11(1) of the *Crop Insurance Plan for Corn* approved by the Governor in Council by Order in Council 2002-487 dated November 1, 2002, is repealed and the following subsection substituted:

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

Crop	Option #1	Option #2	Option #3
Grain corn	\$150.00/tonne	\$170.00/tonne	\$190.00/tonne
Corn silage	\$21.43/tonne	\$24.29/tonne	\$27.14/tonne

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

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

Coverage Level	Base Premium Rate
70%	\$4.10
80%	\$6.60
85%	\$8.40

**N.S. Reg. 60/2003**

The Nova Scotia Crop and Livestock Insurance Plan for Forage

**Schedule "C"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Forage* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

Subsection 12(2) of *The Nova Scotia Crop and Livestock Insurance Plan for Forage* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following subsection substituted:

- (2) The base premium rate for each acre covered shall be as set out in the following table:

Coverage Option	Base Premium Rate
\$90.00/acre	\$7.40
\$140.00/acre	\$11.60

**N.S. Reg. 61/2003**

Nova Scotia Crop and Livestock Insurance Plan for Forage Production

**Schedule "D"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Forage Production* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

Subsection 12(1) of the *Nova Scotia Crop and Livestock Insurance Plan for Forage Production* approved by the Governor in Council by Order in Council 2000-434 dated August 30, 2000, is repealed and the following subsection substituted:

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

Coverage Level	Base Premium Rate
70%	\$4.00
80%	\$6.00

**N.S. Reg. 62/2003**

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

**Schedule "E"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Peas and Beans* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

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

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

Crop	Base Premium Rate	
	80% Coverage	85% Coverage
Peas	\$9.00	\$11.10
Beans	\$12.70	\$15.20



**N.S. Reg. 63/2003**

Crop Insurance Plan for Potatoes

**Schedule "F"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Crop Insurance Plan for Potatoes* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 25, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

Subsection 13(1) of the *Crop Insurance Plan for Potatoes* approved by the Governor in Council by Order in Council 2002-407 dated September 13, 2002, is repealed and the following subsection substituted:

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

Coverage Level	Base Premium Rate
60%	\$1.00
70%	\$3.00
80%	\$6.20
85%	\$7.70

**N.S. Reg. 64/2003**

Crop Insurance Plan for Soybeans

**Schedule "G"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Soybeans* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

- 1 Subsection 11(1) of the *Crop Insurance Plan for Soybeans* approved by the Governor in Council by Order in Council 2003-89 dated March 14, 2003, is repealed and the following subsection substituted:

- (1) The price options for each insurable soybean crop shall be
- (a) \$240 per tonne;
  - (b) \$260 per tonne; and
  - (c) \$280 per tonne.

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

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

Coverage Level	Base Premium Rate
70%	\$6.30
80%	\$9.70
85%	\$12.10

**N.S. Reg. 65/2003**

Crop Insurance Plan for Spring Grain

**Schedule "H"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

1 Subsection 11(1) of the *Crop Insurance Plan for Spring Grain* approved by the Governor in Council by Order in Council 2003-88 dated March 14, 2003, is repealed and the following subsection substituted:

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

Crop	Option #1	Option #2	Option #3
Oats	\$130/tonne	\$150/tonne	\$170/tonne
Barley	\$130/tonne	\$150/tonne	\$170/tonne
Milling wheat	\$150/tonne	\$170/tonne	\$190/tonne
Feed wheat	\$150/tonne	\$170/tonne	\$190/tonne
Mixed grain	\$130/tonne	\$150/tonne	\$170/tonne

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

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

Crop	Base Premium Rate		
	70% Coverage	80% Coverage	85% Coverage
Oats	\$6.00	\$7.90	\$9.00
Barley	\$5.80	\$8.20	\$9.70
Milling wheat	\$4.60	\$7.50	\$9.20
Feed wheat	\$4.60	\$7.50	\$9.20
Mixed grain	\$8.00	\$10.80	\$12.30

**N.S. Reg. 66/2003**

The Nova Scotia Crop and Livestock Insurance Plan for Strawberries

**Schedule "I"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

Subsection 12(1) of *The Nova Scotia Crop and Livestock Insurance Plan for Strawberries* approved by the Governor in Council by Order in Council 95-21 dated January 3, 1995, is repealed and the following subsection substituted:

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

Coverage Level	Base Premium Rate
70%	\$6.60
80%	\$9.90
85%	\$11.60

**N.S. Reg. 67/2003**

Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit

**Schedule "J"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Tree Fruit* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

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

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

Crop	Base Premium Rate	
	80% Coverage	85% Coverage
Apples	\$5.40	\$7.60
Pears	\$4.90	\$7.10

**N.S. Reg. 68/2003**

Nova Scotia Crop and Livestock Insurance Plan for Vegetables

**Schedule "K"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

Subsection 12(1) of the *Nova Scotia Crop and Livestock Insurance Plan for Vegetables* approved by the Governor in Council by Order in Council 2000-571 dated November 17, 2000, is repealed and the following subsection substituted:

- (1) The base premium rate for each \$100.00 of coverage shall be \$9.00.

**N.S. Reg. 69/2003**

## Crop Insurance Plan for Winter Grain

**Schedule "L"**

I certify that at a meeting held February 12, 2003, the Crop and Livestock [Insurance] Commission passed a motion to amend the *Crop Insurance Plan for Winter Grain* in the manner set forth below.

Dated and signed at Truro, Nova Scotia, February 21, 2003.

Crop and Livestock Insurance Commission

per: sgd: *Gerald Post*  
Gerald Post, Manager

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

- 1 Subsection 11(1) of the *Crop Insurance Plan for Winter Grain* approved by the Governor in Council by Order in Council 2002-487 dated November 1, 2002, is repealed and the following subsection substituted:

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

<b>Crop</b>	<b>Option #1</b>	<b>Option #2</b>	<b>Option #3</b>
Milling wheat	\$150.00	\$170.00	\$190.00
Feed wheat	\$150.00	\$170.00	\$190.00
Fall rye	\$130.00	\$150.00	\$170.00

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

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

<b>Coverage Level</b>	<b>Base Premium Rate</b>
70%	\$3.60
80%	\$6.90
85%	\$8.60

**N.S. Reg. 70/2003**

Made: March 28, 2003

Filed: March 28, 2003

Proclamation, S. 17, S.N.S. 2002, c. 31

Order in Council 2003-114 made March 28, 2003  
Proclamation made by the Governor in Council  
pursuant to Section 17  
of the *Université Sainte-Anne - Collège de l'Acadie Act*

The Governor in Council on the report and recommendation of the Minister of Education dated March 6, 2003, pursuant to Section 17 of Chapter 31 of the Acts of 2002, the *Université Sainte-Anne - Collège de l'Acadie Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that clause (b) of Section 9 of Chapter 31 of the Acts of 2002, the *Université Sainte-Anne - Collège de l'Acadie Act*, come into force on and not before March 28, 2003.

PROVINCE OF NOVA SCOTIA

sgd: *Myra A. Freeman*

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 17 of Chapter 31 of the Acts of 2002, the *Université Sainte-Anne - Collège de l'Acadie Act*, it is enacted as follows:

17. 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 clause (b) of Section 9 of Chapter 31 of the Acts of 2002, the *Université Sainte-Anne - Collège de l'Acadie Act*, come into force on and not before March 28, 2003;

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 clause (b) of Section 9 of Chapter 31 of the Acts of 2002, the *Université Sainte-Anne - Collège de l'Acadie Act*, come into force on and not before March 28, 2003, 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 Myra A. Freeman, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 28<sup>th</sup> day of March, in the year of Our Lord two thousand and three and in the 52<sup>nd</sup> year of Our Reign.  
BY COMMAND:

sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

---

**N.S. Reg. 71/2003**

Made: March 28, 2003

Filed: March 28, 2003

Proclamation, S. 41, S.N.S. 2001, c. 38

Order in Council 2003-130 made March 28, 2003  
Proclamation made by the Governor in Council  
pursuant to Section 41  
of the *Youth Justice Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 19, 2003, and pursuant to Section 41 of Chapter 38 of the Acts of 2001, the *Youth Justice Act*, is pleased to order and declare by proclamation that Chapter 38 of the Acts of 2001, the *Youth Justice Act*, come into force on and not before April 1, 2003.

PROVINCE OF NOVA SCOTIA

sgd: *Myra A. Freeman*

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 41 of Chapter 38 of the Acts of 2001, the *Youth Justice Act*, it is enacted as follows:

41. 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 38 of the Acts of 2001, the *Youth Justice Act*, come into force on and not before April 1, 2003;

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 38 of the Acts of 2001, the *Youth Justice Act*, come into force on and not before April 1, 2003, 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 Myra A. Freeman, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 28<sup>th</sup> day of March, in the  
year of Our Lord two thousand and three and  
in the 52<sup>nd</sup> year of Our Reign.

BY COMMAND:

sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

**N.S. Reg. 72/2003**

Made: March 28, 2003

Filed: March 28, 2003

Proclamation, S. 62, S.N.S. 2002, c. 9

Order in Council 2003-132 made March 28, 2003  
Proclamation made by the Governor in Council  
pursuant to Section 62  
of the *Interjurisdictional Support Orders Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 7, 2003, pursuant to Section 62 of Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, is pleased to order and declare by proclamation that Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, come into force on and not before March 31, 2003.

PROVINCE OF NOVA SCOTIA

sgd: *Myra A. Freeman*

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 62 of Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, it is enacted as follows:

- 62.** 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 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, come into force on and not before March 31, 2003;

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 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, come into force on and not before March 31, 2003, 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 Myra A. Freeman, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 28<sup>th</sup> day of March, in the  
year of Our Lord two thousand and three and  
in the 52<sup>nd</sup> year of Our Reign.

BY COMMAND:

sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

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**N.S. Reg. 73/2003**

Made: March 28, 2003

Filed: March 28, 2003

Interjurisdictional Support Orders Regulations

Order in Council 2003-133 dated March 28, 2003  
Regulations made by the Governor in Council  
pursuant to Sections 54 and 55 of the *Interjurisdictional Support Orders Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated March 7, 2003, and pursuant to Sections 54 and 55 of Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, is pleased to make regulations respecting interjurisdictional support orders in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 31, 2003.

**Schedule "A"**

**Regulations Respecting Interjurisdictional Support Orders  
made by the Governor in Council pursuant to Sections 54 and 55 of  
Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act***

**Citation**

1 These regulations may be cited as the *Interjurisdictional Support Orders Regulations*.

**Definitions**

2 (1) For the purpose of these regulations,

- (a) "Act" means the *Interjurisdictional Support Orders Act*;
- (b) "application" means a support application or a support-variation application, as the context requires;
- (c) "court" means a Nova Scotia court, as defined in clause 2(f) of the Act;

- (d) “foreign order” means a support order made in a reciprocating jurisdiction outside of Canada;
  - (e) “order” includes reasons for the order, if any;
  - (f) “support application” means an application made by a claimant pursuant to subsection 6(2) of the Act for a support order to be made in a reciprocating jurisdiction; and
  - (g) “support-variation application” means an application made by an applicant pursuant to subsection 29(2) of the Act for a variation order to be made in a reciprocating jurisdiction.
- (2) Words and expressions that are used in clause 9(1)(b) and that are not defined in these regulations have the meanings assigned to them under the *Income Tax Act* (Canada).

#### **Application for support order**

- 3 (1) In addition to the information and documents required by subsection 6(2) of the Act, a claimant’s support application must include any other information or documents required by the reciprocating jurisdiction.
- (2) In addition to meeting the requirements of subsection 7(1) for submission of a support application, a claimant must submit 3 additional copies of the support application and, if applicable, the certified translation to the designated authority.

#### **Application for support-variation order**

- 4 (1) For the purposes of clause 29(3)(f) of the Act, an applicant’s affidavit must include a sworn statement that sets out in detail
- (a) the financial circumstances of the applicant at the time the statement is sworn; and
  - (b) the basis for the support-variation application, including changes in the applicant’s financial circumstances from the time the support order was made until the time the applicant’s statement is sworn.
- (2) In addition to the information and documents required by subsection 29(2) of the Act, an applicant’s support-variation application must include any other information or documents required by the reciprocating jurisdiction.
- (3) In addition to meeting the requirements of subsection 30(1) for submission of a support-variation application, an applicant must submit 3 additional copies of the support-variation application and, if applicable, the certified translation to the designated authority.

#### **Order respecting support variation made in absence of respondent**

- 5 For the purposes of subsection 39(2) of the Act, a copy of an order respecting a support-variation application made in the absence of a respondent must be sent
- (a) to the respondent by regular mail at their last known address on the court file; and
  - (b) to the designated authority by regular mail.

#### **Reciprocating jurisdiction requesting further information or documents**

- 6 (1) For the purposes of subsections 7(3) and 30(3) of the Act, if a reciprocating jurisdiction requests further information or documents, a claimant or applicant must provide the information or documents in the manner required by the designated authority.
- (2) If a claimant or applicant provides information or documents requested by a reciprocating jurisdiction as part of, or attached as exhibits to, a sworn document, the designated authority must forward the original sworn document to the appropriate authority in the reciprocating jurisdiction that requested it.

**Providing copies of order from reciprocating jurisdiction**

7 For the purposes of subsections 7(4) and 30(4) of the Act, a copy of an order received from a reciprocating jurisdiction must be sent

- (a) to a claimant or applicant by regular mail at the address specified on the application or the most current address provided by the claimant or applicant; and
- (b) to the court by sending it to the clerk of the court by regular mail.

**Service if respondent ordinarily resides in Nova Scotia**

8 (1) For the purposes of subsections 10(1) and 34(1) and Section 35 of the Act, service on a respondent may be by personal service or by regular or registered mail to the respondent's last known address.

(2) For the purposes of subsection 15(2) of the Act, a copy of an order made in the absence of a respondent must be sent

- (a) to the respondent by regular mail at the respondent's last known address as noted on the court file; and
- (b) to the designated authority by regular mail.

**Information required from respondent ordinarily resident in Nova Scotia**

9 (1) A notice referred to in clause 10(1)(b), 34(1)(b) or 35(b) of the Act must require a respondent to provide the following information and documents to the court specified in the notice within 20 days after service of the notice on the respondent:

- (a) a statement setting out the respondent's name and address for service;
- (b) a sworn statement of the financial circumstances of the respondent at the time the statement is sworn, containing the details of the respondent's income, income sources, expenses, assets and debts, and including
  - (i) a copy of every personal income tax return filed by the respondent for each of the 3 most recent taxation years,
  - (ii) a copy of every notice of assessment and re-assessment issued to the respondent for each of the 3 most recent taxation years,
  - (iii) if the respondent is an employee, the most recent statement of earnings indicating the total earnings paid in the year to date, including overtime or, if such a statement is not provided by the employer, a letter from the respondent's employer setting out that information including the respondent's rate of annual salary or remuneration,
  - (iv) if the respondent is self-employed, for the 3 most recent taxation years
    - (A) the financial statements of the respondent's business or professional practice, other than a partnership, and
    - (B) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the respondent does not deal at arm's length,
  - (v) if the respondent is a partner in a partnership, confirmation of the respondent's income and draw from, and capital in, the partnership for its 3 most recent taxation years,
  - (vi) if the respondent controls a corporation, for its 3 most recent taxation years

- (A) the financial statements of the corporation and its subsidiaries, and
  - (B) a statement showing the breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation, and every related corporation, does not deal at arm's length,
- (vii) if the respondent is a beneficiary under a trust, a copy of the trust settlement agreement and copies of the trust's 3 most recent financial statements, and
- (viii) if the respondent receives income from employment insurance, social assistance, a pension, workers' compensation, disability benefits or any other source, the most recent statement of income indicating the amount of income from the applicable source during the current year, or if such a statement is not provided, a letter from the applicable source stating the required information.
- (2) In addition to the information required in clause (1)(b), if the application includes a claim of undue hardship respecting child support under the *Child Maintenance Guidelines* made under the *Maintenance and Custody Act*, the sworn statement must include the names and sources of income of all persons with whom the respondent resides or with whom the respondent shares living expenses or from whom the respondent receives any benefit.
- (3) In addition to the information required in clause (1)(b), if support for a child over the age of majority is claimed or is an issue in the application, the sworn statement must include information about the child's financial circumstances, and the respondent must provide information on the child's other circumstances.

**Forwarding copy of support order from reciprocating jurisdiction**

10 For the purposes of subsection 18(2) of the Act, a certified copy of an order made in a reciprocating jurisdiction must be sent to the clerk of the court by regular mail.

**Service of foreign order notices**

- 11 (1) For the purposes of subsection 20(1) of the Act, notice of registration of a foreign order may be given by personal service or by regular or registered mail at the party's last known address on the court file.
- (2) For the purposes of subsection 20(3) of the Act, a notice of an application under subsection 20(2) of the Act to set aside registration of a foreign order must include the date, time, and place of the application and must be served, at least 60 days before the application is to be heard by the court, on
- (a) the designated authority by personal service or registered mail; and
  - (b) the party who claimed or applied for the foreign order
    - (i) by registered mail to the party's last known address on the court file, or
    - (ii) if there is no address for the party on the court file, by registered mail to the appropriate authority in the reciprocating jurisdiction that sent the foreign order.

**Service of decision or order respecting foreign order**

12 A notice made under subsection 20(7) of the Act of a decision or order of the court respecting a foreign order must be sent

- (a) to a party
  - (i) by regular mail at their last known address on the court file, or

- (ii) if there is no address for the party on the court file, by regular mail to the appropriate authority of the reciprocating jurisdiction in which the original order was made; and
- (b) to the designated authority by regular mail.

### **Conversion of amount of support expressed in non-Canadian currency**

- 13 (1)** In this Section, “exchange rate” means a rate of exchange established by a bank that is a member of the Canadian Deposit Insurance Corporation.
- (2)** For the purposes of Section 22 of the Act, conversion of an amount of support into Canadian currency is determined by applying the exchange rate that was in effect as of 3:30 p.m. Atlantic Standard Time on the day on which the support order was made or last varied.
- (3)** Despite subsection (2), if the exchange rate referred to in subsection (2) is not reasonably available, the designated authority may apply the exchange rate that was in effect
- (a) on the date on which the foreign order was registered; or
  - (b) on a date other than the date on which the foreign order was registered, if the other date is closer to the date on which the foreign order was made or last varied.
- (4)** An amount of support that is converted to Canadian currency must be certified on a foreign order by the designated authority, and the amount expressed in Canadian currency is deemed to be the amount of the order.

### **Declaration of reciprocating jurisdictions**

- 14** The jurisdictions named in Schedule A are declared to be reciprocating jurisdictions for the purposes of Section 54 of the Act.

## **Schedule A Reciprocating Jurisdictions**

### **Asia**

Singapore, Republic of

### **Canada**

Alberta  
 British Columbia  
 Manitoba  
 New Brunswick  
 Newfoundland and Labrador  
 Northwest Territories  
 Nunavut  
 Ontario  
 Prince Edward Island  
 Quebec  
 Saskatchewan  
 Yukon Territory

### **Europe**

Austria, Republic of  
 Germany, Federal Republic of  
 Gibraltar  
 Island of Guernsey  
 Isle of Man  
 Norway, Kingdom of  
 Poland, Republic of

United Kingdom of Great Britain and Northern Ireland

**Pacific Ocean**

Australian Capital Territory  
 New South Wales  
 Northern Territory  
 South Australia  
 Tasmania  
 Victoria  
 Western Australia  
 Independent State of Papua New Guinea  
 New Zealand (including Cook Islands)

**United States of America**

United States of America, including the District of Columbia, Puerto Rico, and the United States Virgin Islands

**N.S. Reg. 74/2003**

Made: March 28, 2003

Filed: March 28, 2003

Proclamation, S. 22, S.N.S. 2001, c. 29

Order in Council 2003-134 made March 28, 2003  
 Proclamation made by the Governor in Council  
 pursuant to Section 22  
 of the *Domestic Violence Intervention Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 4, 2003, pursuant to Section 22 of Chapter 29 of the Acts of 2001, the *Domestic Violence Intervention Act*, is pleased to order and declare by proclamation that Chapter 29 of the Acts of 2001, the *Domestic Violence Intervention Act*, come into force on and not before April 1, 2003.

PROVINCE OF NOVA SCOTIA

sgd: Myra A. Freeman

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 22 of Chapter 29 of the Acts of 2001, the *Domestic Violence Intervention Act*, it is enacted as follows:

22. 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 29 of the Acts of 2001, the *Domestic Violence Intervention Act*, come into force on and not before April 1, 2003;

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 29 of the Acts of 2001, the *Domestic Violence Intervention Act*,

come into force on and not before April 1, 2003, 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 Myra A. Freeman, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 28<sup>th</sup> day of March, in the  
year of Our Lord two thousand and three and  
in the 52<sup>nd</sup> year of Our Reign.

BY COMMAND:

sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

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**N.S. Reg. 75/2003**

Made: March 28, 2003

Filed: March 28, 2003

Domestic Violence Intervention Regulations

Order in Council 2003-135 dated March 28, 2003  
Regulations made by the Governor in Council  
pursuant to Section 21 of the *Domestic Violence Intervention Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 7, 2003, and pursuant to Section 21 of Chapter 29 of the Acts of 2001, the *Domestic Violence Intervention Act*, is pleased to make regulations respecting domestic violence intervention in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2003.

**Schedule "A"**

**Regulations Respecting Domestic Violence Intervention  
made by the Governor in Council pursuant to  
Section 21 of Chapter 29 of the Acts of 2001, the *Domestic Violence Intervention Act***

**Citation**

1 These regulations may be cited as the *Domestic Violence Intervention Regulations*.

**Interpretation**

2 (1) In these regulations

- (a) "Act" means the *Domestic Violence Intervention Act*;
- (b) "application" means an application for an emergency protection order, unless the context otherwise requires, and "applicant" has a corresponding meaning;
- (c) "designated person" means a member of a class of persons designated in Section 3;



- (d) “emergency protection order” means an order made by a justice pursuant to Section 6 of the Act;
  - (e) “justice” means a designated justice of the peace;
  - (f) “Law Courts” means the court located at 1815 Upper Water Street, Halifax, Nova Scotia;
  - (g) “peace officer” means a police officer appointed under the *Police Act* or the *Royal Canadian Mounted Police Act* (Canada);
  - (h) “telecommunication” means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by a wire, radio, visual or electromagnetic system and includes communication by telephone;
  - (i) “transition house” means a member agency of the Transition House Association of Nova Scotia.
- (2) For the purposes of clause 6(1)(b) of the Act, “forthwith” means without waiting for the appropriate relief from the Provincial, Family or Supreme Court.

### Designated persons

3 The following classes of persons are designated for the purposes of clause 7(1)(b) of the Act:

- (a) peace officers;
- (b) senior victim services officers, victim services officers and victim services support workers employed by the Policing and Victim Services Division of the Nova Scotia Department of Justice;
- (c) victim services officers employed by a municipal police department or the Royal Canadian Mounted Police; and
- (d) the executive director of a transition house or employees of the transition house designated by the executive director.

### Application for an emergency protection order

- 4 (1) An application by a victim or by a person acting on behalf of a victim with leave of a justice may be made only between 9:00 am and 9:00 pm.
- (2) An application may be made at any time by a designated person.
  - (3) An application must be made by telephone.
  - (4) A justice must record on tape an application made by telephone.
  - (5) Upon receipt of an application, a justice must complete an Emergency Protection Order Application Checklist in Form A.

### Conduct of the hearing of an application

- 5 (1) A justice who
- (a) is satisfied that a person is permitted to make an application pursuant to clause 7(1)(a) or (b) of the Act, or grants leave to a person to make an application pursuant to clause 7(1)(c) of the Act; and



(b) determines that the criteria in subsection 6(1) of the Act have been met

must hear and consider, in addition to the matters required by subsection 6(2) of the Act to be considered, the allegation of the applicant and, if there are witnesses, the evidence of the witnesses.

- (2) The hearing of an application must be concluded within 24 hours of the application being made.
- (3) Subject to subsection (2), the justice conducting the hearing may
  - (a) adjourn the hearing from time to time; and
  - (b) conduct the hearing in any manner that the justice considers appropriate and that is not inconsistent with the Act or these regulations.

#### **Record to be made of evidence**

- 6 (1) At the hearing of an application, a justice must
- (a) take the evidence under oath or affirmation pursuant to the *Evidence Act*; and
  - (b) ensure that the evidence of each person is recorded.
- (2) For the purposes of subsection (1),
- (a) an oath or affirmation must be administered by telecommunication; and
  - (b) an inquiry pursuant to the *Evidence Act* must be made by telecommunication.

#### **Inability of justice to continue**

- 7 If a justice begins to hear an application and is unable to continue the hearing for any reason, another justice may
- (a) if the evidence recorded by the previous justice pursuant to clause 6(1)(b) is available for review by the Justice, continue the application; or
  - (b) if the evidence recorded by the previous justice pursuant to clause 6(1)(b) is not available for review by the justice, begin hearing the application as if no evidence had been taken.

#### **Completion and service of an emergency protection order**

8 An emergency protection order must be in Form B.

- 9 (1) Upon making an emergency protection order, a Justice must either
- (a) provide a peace officer with a copy of the order by forwarding it to the municipal police department or detachment of the Royal Canadian Mounted Police closest to the last known address of the respondent by
    - (i) personal delivery,
    - (ii) courier delivery, or
    - (iii) telecommunication that produces a written record; or
  - (b) direct the peace officer to complete a copy of the order with the same information and provisions that are contained in the original.
- (2) A copy of an emergency protection order completed by a peace officer pursuant to clause (1)(b) has the same effect as the original of the order completed by the Justice.
- (3) Upon receipt or completion of copies of an emergency protection order pursuant to clause (1)(a) or (b), a peace officer must

- (a) provide 1 copy to the victim named in the order;
  - (b) serve 1 copy on the respondent named in the order; and
  - (c) provide 1 copy to the Prothonotary of the Law Courts together with an affidavit of service in Form C.
- (4) The copy of the emergency protection order and affidavit of service referred to in clause (3)(c) must be forwarded to the Prothonotary of the Law Courts by personal delivery or courier delivery.

**Substituted service**

- 10 (1) If it is impracticable for any reason for a peace officer to personally serve a respondent with an emergency protection order, the peace officer may effect substituted service of the emergency protection order.
- (2) Substituted service of an emergency protection order may be effected by serving it on a person who appears to be an adult who
- (a) resides with the respondent;
  - (b) is a member of the respondent's family; or
  - (c) is able to bring the order to the respondent's attention.

**Dispensing with service**

- 11 (1) An application by a peace officer in accordance with subsection 10(2) of the Act for an order dispensing with service of an emergency protection order must be supported by evidence setting out the peace officer's attempts at personal service or substituted service.
- (2) An order dispensing with service of an emergency protection order must be in Form D.
- (3) Upon making an order dispensing with service, a justice must forward the order and documentation of the evidence referred to in subsection (1), including, if applicable, tape recordings as referred to in subsection (2), to the Prothonotary of the Law Courts.

**Service of an order that has been varied**

- 12 An emergency protection order that is varied pursuant to subsection 11(2), 11(7) or 12(1) of the Act must be served on each of the victim and respondent named in the order, unless the victim or respondent is present in court,
- (a) personally by a peace officer; or
  - (b) if personal service on either party is impracticable for any reason, in any other manner ordered by the court.

**Copy of order sufficient notice**

- 13 A respondent is bound by the provisions in an emergency protection order as soon as he or she receives a copy of the order, whether or not it was personally served by a peace officer.

**Forwarding of documentation**

- 14 (1) Documentation forwarded by a justice to the court pursuant to subsection 11(1) of the Act must be forwarded by
- (a) personal delivery;
  - (b) courier delivery; or
  - (c) telecommunication that produces a written record.

- (2) If, after considering an application, a justice decides not to make an emergency protection order, the justice must forward the Emergency Protection Order Application Checklist in respect of the application and all supporting documentation, including a transcript or tape recording, to the Prothonotary of the Law Courts by any of the methods specified in subsection (1).

**Time period for review by judge**

- 15** For the purpose of subsection 11(2) of the Act, the time period within which a judge must review an emergency protection order is 7 business days following receipt of the emergency protection order and all supporting documentation.

**Maintenance and destruction of tape recording**

- 16 (1)** The Prothonotary of the Law Courts must retain the tape recording of an application heard by a justice for at least 2 years following the hearing date.
- (2) A tape recording maintained pursuant to subsection (1) must be destroyed at the end of the retention period in accordance with the applicable guidelines for destruction of court tape recordings.

**Summons**

- 17 (1)** A summons issued pursuant to clause 11(4)(a) of the Act for a hearing before a judge must be in Form E.
- (2) A summons must be served on the respondent personally by a peace officer.
- (3) If the emergency protection order that is the subject of a hearing by a judge was served on the respondent by substituted service pursuant to Section 10, the summons may be served by substituted service, unless the judge orders otherwise.
- (4) If the emergency protection order that is the subject of a hearing by a judge was not served on the respondent by substituted service and a peace officer is unable to personally serve the respondent before the return date of the summons, the judge may make any order regarding service that the judge considers appropriate.
- (5) Service of a summons in accordance with subsection (3) or pursuant to an order made by a judge pursuant to subsection (4) is deemed to be personal service on the respondent.

**Notice of hearing**

- 18** Notice of a hearing before a judge directed pursuant to subsection 11(3) of the Act must be given to the victim in Form F.

[Pursuant to subsection 3(5) of the *Regulations Act*, the Registrar of Regulations has dispensed with publication of the forms approved as part of the *Domestic Violence Intervention Regulations*. Copies of the forms are on file with the Registrar of Regulations.]

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**N.S. Reg. 76/2003**

Made: March 28, 2003

Filed: March 28, 2003

Summary Offence Tickets Regulations

Order in Council 2003-136 dated March 28, 2003  
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 March 21, 2003, 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 April 1, 2003.

### ORDER

I, Jamie Muir, 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 Schedules 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.

This 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 March 21, 2003**, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd: *J. Muir*  
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***

The *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, are amended by adding the following Schedule immediately after Schedule 23:

**Schedule 24  
Domestic Violence Intervention Act**

Offence	Section	Out of Court Settlement
1. Contravening Act (specify)	18	
first offence		NIL
second or subsequent offence		NIL

**N.S. Reg. 77/2003**

Made: March 24, 2003

Filed: March 28, 2003

Dugau/Ryerson Marsh Body Land Use Regulations

Order dated March 29, 1996  
made by the Dugau/Ryerson Marsh Body  
pursuant to clause 17(f) of the *Marshland Reclamation Act*

The regulations made by the Dugau/Ryerson Marsh Body of Annapolis Royal, Nova Scotia on March 29, 1996, respecting land use were made pursuant to Section [clause] 17(f) of Chapter 274, R.S.N.S. 1989, the *Marshland Reclamation Act*, in the manner set forth in Schedule "A" attached to and forming part of this certificate and were approved by the Marshland Reclamation Commission on June 5, 1996.

CERTIFIED by Hand Kolstee, Secretary to the Marshland Reclamation Commission

sgd: *H. W. Kolstee*  
Hank Kolstee

### Schedule "A"

Land Use Regulations of the Dugau Marsh Body:

- 1 (1) No person shall construct works or use or develop lands within, on, or ~~affective~~ [affecting] the Dugau/Ryerson Marsh marshland sections in any way that is not conducive to and in conformity with sound agricultural purposes and practices.
- (2) For the purposes of subsection (1) uses and activities deemed to be conducive to and in conformity with sound agricultural purposes and practices include the following:
  - (a) the tilling of soil;
  - (b) the planting and harvesting of crops;
  - (c) the growing of grains and forage crops for livestock feed;
  - (d) the growing of grass and legume crops;
  - (e) the growing of food crops for human consumption;
  - (f) the spreading of manure;
  - (g) the spreading of commercial (chemical) and natural fertilizer;
  - (h) the spreading of limestone;
  - (i) pest and weed control.
- (3) For the purposes of subsection (1) non-permitted works, uses or developments include the following:
  - (a) land-fill sites or dumps of any kind;
  - (b) recreational activities of any kind;
  - (c) residential or commercial structures;
  - (d) sewage treatment plants or lagoons;
  - (e) industrial structures or uses;
  - (f) ponds for non-agricultural uses.

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#### N.S. Reg. 78/2003

Made: May 23, 1989

Filed: April 2, 2003

Tusket River Ecological Site Designation

Order in Council 89-587 dated May 23, 1989  
Designation made by the Governor in Council  
pursuant to subsection 14(1) and (3) of the *Special Places Protection Act*

The Governor in Council on the report and recommendation of the Minister of Education dated the 2<sup>nd</sup> day of May, A.D., 1989, and pursuant to subsections (1) and (3) of Section 14 of Chapter 17 of the Statutes of Nova Scotia, 1980, the *Special Places Protection Act*, is pleased to:

- (a) rescind Order in Council 87-1475, dated the 8<sup>th</sup> day of December, A.D., 1987; and

- (b) designate the land described in Schedule "A" and as shown on a plan of survey in Schedule "B" attached to and forming part of the report and recommendation as the Tusket River Ecological Site, effective on the date of publication of this designation in the Royal Gazette.\*

[\*Note: this designation was published in the Royal Gazette, Part I, on May 31, 1989.]

### Schedule "A"

**ALL** that certain lot, piece, parcel or tract of land situate, lying and being at South Canaan, in the County of Yarmouth, Province of Nova Scotia, shown on a plan, Field Plot P-030/89, on file at The Department of Lands and Forests Office in Dartmouth, said lot being more particularly bounded and described as follows:

**BEGINNING** at S. M. Y636 set on the southeastern boundary of Canaan Road at the most northerly corner of lands of Greg Dean;

**THENCE** N 57E 14' 25" E distant 1737.92' along the said southeastern boundary of Canaan Road to S. M. Y637;

**THENCE** S 56E 54' 45" E distant 989.76' along the southwestern boundary of lands of Alfred Hurlburt to S. M. Y638;

**THENCE** S 56E 54' 45" E distant 15'± along the said southwestern boundary of lands of Alfred Hurlburt to the Ordinary High Water Mark of Wilsons Lake;

**THENCE** Southwesterly distant 1750'± along the said Ordinary High Water Mark of Wilsons Lake to a point being S 51E 39' 42" E distant 10'± from S. M. Y639;

**THENCE** N 51E 39' 42" W distant 10'± along the northeastern boundary of said lands of Greg Dean to S. M. No. Y639;

**THENCE** N 51E 39' 42" W distant 1762.87' along the said northeastern boundary of lands now or formerly of Greg Dean to the Place of Beginning.

The above described lot having an area of 54.2 acres±.

The above described bearings are magnetic for the year 1982.

**TOGETHER WITH** a small island as shown on Field Plot P-030/89 containing one acre± and lying to the east of the above described lot.

### N.S. Reg. 79/2003

Made: April 1, 2003

Filed: April 3, 2003

Communicable Diseases Regulations

Order in Council 2003-143 dated April 1, 2003  
Amendment to regulations approved by the Governor in Council  
pursuant to Section 12 of the *Health Act*

The Governor in Council on the report and recommendation of the Minister of Health dated April 1, 2003, and pursuant to Section 12 of Chapter 195 of the Revised Statutes of Nova Scotia, 1989, the *Health Act*, is pleased to approve of amendments made by the Minister of Health to the regulations respecting communicable diseases made by the Minister of Health and approved 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 April 1, 2003.

## Schedule "A"

**Amendments to the Regulations Respecting Communicable Diseases  
made by the Minister of Health pursuant to Section 12 of Chapter  
195 of the Revised Statutes of Nova Scotia, 1989, the *Health Act***

- 1 Subsection 11(1) of the regulations respecting communicable diseases approved by the Governor in Council by Order in Council dated May 14, 1957, is amended by
- adding "Severe acute respiratory syndrome (~~pnuemonia~~ [pneumonia])" immediately after "Salmonellosis";
  - adding "Smallpox" immediately after "Shigellosis"; and
  - adding "West nile virus (lethargic encephalitis or cerebrospinal meningitis)" immediately after "Vancomycin resistant enterocci (*VRE*)".
- 2 The table of communicable disease control procedures in Section 13 of the regulations is amended by
- adding the following row immediately after the row containing the control procedures for salmonellosis:

Diseases	Report	Isolation (Patient)	Placard	Quarantine (Contacts)	Disinfection	Specific Measures	Immunization
Severe acute respiratory syndrome (pneumonia)	Yes	Isolation in negative pressure room until asymptomatic	Yes	Yes - 10 days	See latest "Infection Control Guidelines for SARS" as issued by Health Canada	<ul style="list-style-type: none"> <li>Case finding</li> <li>Contact tracing</li> </ul>	No

- replacing the row containing the control procedures for smallpox with the following row:

Diseases	Report	Isolation (Patient)	Placard	Quarantine (Contacts)	Disinfection	Specific Measures	Immunization
Smallpox	Yes	Isolation in negative pressure room until all scabs fall off	Yes	Yes, from onset of fever until the separation of the scabs	See latest "Infection Control Guidelines for Smallpox" and "National Smallpox Contingency Plan"	<ul style="list-style-type: none"> <li>Case finding</li> <li>Contact tracing</li> <li>Educational measures</li> <li>Containment</li> </ul>	<ul style="list-style-type: none"> <li>Contacts of cases</li> <li>Health care workers</li> <li>In the presence of an outbreak, widespread immunization of essential workers and the general public may be required</li> </ul>

- adding the following row immediately after the row containing the control procedures for typhus fever (murine):

Diseases	Report	Isolation (Patient)	Placard	Quarantine (Contacts)	Disinfection	Specific Measures	Immunization
West nile virus (lethargic encephalitis or cerebrospinal meningitis) <del>Yes</del>	Yes	No	No	No	No	Prevent mosquito bites by avoidance of mosquitoes, barriers, personal use of insect repellants, habitat reduction and mosquito abatement as required	No



- 3 Section 20 of the regulations is amended by adding “Severe acute respiratory syndrome (~~pneumonia~~ [pneumonia])” immediately after “Typhus Fever”.
- 4 Subsection 21(1) of the regulations is amended by adding “Severe acute respiratory syndrome (pneumonia)” immediately after “Typhus Fever”.
- 5 Section 33 of the regulations is amended by adding “severe acute respiratory syndrome (pneumonia),” immediately after “typhoid fever.”.

MADE and dated at Halifax, Nova Scotia, this 1<sup>st</sup> day of April, 2003.

sgd: *Jane Purves*  
Minister of Health

**N.S. Reg. 80/2003**

Made: April 4, 2003

Filed: April 7, 2003

Proclamation, S. 47, S.N.S. 2001, c. 31

Order in Council 2003-144 made April 4, 2003  
Proclamation made by the Governor in Council  
pursuant to Section 47  
of the *Fatality Investigations Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated March 7, 2003, pursuant to Section 47 of Chapter 31 of the Acts of 2001, the *Fatality Investigations Act*, is pleased to order and declare by proclamation that Chapter 31 of the Acts of 2001, the *Fatality Investigations Act*, come into force on and not before April 4, 2003.

PROVINCE OF NOVA SCOTIA

sgd: *Myra A. Freeman*

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 47 of Chapter 31 of the Acts of 2001, the *Fatality Investigations Act*, it is enacted as follows:

47. 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 31 of the Acts of 2001, the *Fatality Investigations Act*, come into force on and not before April 4, 2003;

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 31 of the Acts of 2001, the *Fatality Investigations Act*, come into



force on and not before April 4, 2003, 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 Myra A. Freeman, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 4<sup>th</sup> day of April, in the year  
of Our Lord two thousand and three and in the  
52<sup>nd</sup> year of Our Reign.

BY COMMAND:

sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

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**N.S. Reg. 81/2003 and 82/2003**

Made: April 4, 2003

Filed: April 7, 2003

Fatality Investigations Regulations (81/2003)

Civil Emergency Planning Regulations (82/2003)

Order in Council 2003-145 dated April 4, 2003  
Regulations and amendment to regulations made by the Governor in Council  
pursuant to Section 41 of the *Fatality Investigations Act*  
and Section 25 of the *Emergency Measures Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 25, 2003, is pleased, effective on and after April 4, 2003,

- (a) pursuant to Section 41 of Chapter 31 of the Acts of 2001, the *Fatality Investigations Act*, to make regulations respecting fatality investigations in the form set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) pursuant to Section 25 of Chapter 8 of the Acts of 1990, the *Emergency Measures Act*, to amend clause 4.B.e. of the regulations respecting civil emergency planning made by the Governor in Council by Order in Council 71-764 dated August 10, 1971, by striking out “Supervising Coroner” and substituting “Chief Medical Examiner”.

**Schedule “A”**

**Regulations Respecting Fatality Investigations  
made by the Governor in Council pursuant to  
Section 41 of Chapter 31 of the Acts of 2001,  
the *Fatality Investigations Act***

**Citation**

**1** These regulations may be cited as the *Fatality Investigations Regulations*.

**Interpretation**

2 In these regulations,

- (a) “medical service unit” or “unit” means the factor used in identifying the complexity of a medical service for the purpose of calculating the monetary value of the service;
- (b) “Nova Scotia Medical Examiner Service” means the organization through which the Chief Medical Examiner coordinates the services provided for in the Act and any other enactments under which a role is assigned to the Chief Medical Examiner or the delegate of the Chief Medical Examiner; and
- (c) “unit value” means the monetary value of a medical service unit as negotiated in the Medical Agreement between the Medical Society of Nova Scotia and the Province of Nova Scotia for the purpose of calculating fees for Provincially- insured medical services, as set out in Schedule A.

**Appointments by Chief Medical Examiner**

- 3 (1) The Chief Medical Examiner must submit for publication in the Royal Gazette, Part I, a record that documents the appointment of a medical examiner or investigator made under subsection 3(4) or 4(1) of the Act.
- (2) A record required by subsection (1) must include
- (a) the appointee’s name and location; and
  - (b) the duration of the appointee’s term of appointment and its commencement date.
- (3) The Chief Medical Examiner must maintain at the office of the Nova Scotia Medical Examiner Service a current list of medical examiners and investigators holding appointments under the Act.

**Oath of office**

4 An oath in the following form, with the necessary changes, is prescribed for the purpose of subsections 3(5) and 4(2) of the Act:

**Oath to be taken by Chief Medical Examiner or Medical Examiner**

I, . . . . ., of . . . . ., in the County of . . . . ., make oath and say that I will well and faithfully perform all such duties as devolve upon me in the office of chief medical examiner (*or* medical examiner, *as the case may be*) for the Province of Nova Scotia without fear, favour or partiality and according to the best of my knowledge and ability.

Sworn at . . . . . ,  
in the County of . . . . . ,  
on . . . . . , 20 . . . . . ,  
before me,

.....  
(A Judge of the Supreme Court (*or Provincial Court as the case may be*) of Nova Scotia)

**Medical examiners’ fees**

5 (1) The fees payable to a medical examiner for one of the following services are calculated by multiplying the stated number of units for the service by the appropriate unit value based on date of the service:

Service	Number of Units
(a) viewing a body at a hospital or other appropriately equipped facility and preparing all necessary reports . . . . .	50
(b) viewing a body at a scene of death, other than a hospital or other appropriately equipped facility, and preparing all necessary reports . . . . .	base 50 + 50/hr.
(c) viewing a body at a hospital or other appropriately equipped facility, conducting an external examination, taking fluids for toxicological examination and preparing all necessary reports, if no autopsy is performed . . . . .	100
(d) completion of a medical certificate of death in accordance with the <i>Vital Statistics Act</i> . . . . .	12.5
(e) reviewing a request for, and completing a certificate for, release for cremation as provided in Section 20 of the Act . . . . .	25
(f) being on call as Acting Chief Medical Examiner, for each day . . . . .	75
(g) attending at an inquiry as required, for each hour . . . . .	75
 (2) A service listed in clause (1)(b), (c) or (g) is subject to a 35% premium fee for any hours worked from Saturday at 5:00 p.m. to the next following Monday at 8:00 a.m.	
 (3) No fee is payable to a medical examiner under clause (1)(d) if the medical examiner is entitled to any other fee under subsection (1) with respect to the same death.	

#### Medical examiners' allowances

6 The following allowances may be paid to a medical examiner:

- (a) reimbursement for actual and necessary travel at the rate paid from time to time to employees of the Government of Nova Scotia when using privately owned vehicles in the course of their employment;
- (b) when traveling by means other than a privately owned vehicle, reimbursement for the actual, necessary and reasonable return fare;
- (c) the actual, necessary and reasonable expenses, supported by receipts, incurred in conducting an investigation.

#### Fees related to autopsies

7 (1) The fees payable to a pathologist for one of the following services are calculated by multiplying the stated number of units for the service by the appropriate unit value based on date of the service:

Service	Number of Units
(a) a complete autopsy, with or without brain examination, in accordance with the standards established by the Chief Medical Examiner, including internal and external examination and, if required, collection of fluids for toxicology, tissue retrieval and microscopic examination, as well as preparation and submission of appropriate reports: . . . .	250
(b) a complete autopsy, with or without brain examination, in accordance with the standards established by the Chief Medical Examiner, including internal and external examination and, if required,	

collection of fluids for toxicology, tissue retrieval and microscopic examination, as well as preparation and submission of appropriate reports, if it is reasonably foreseeable that information from the pathologists will be considered in relation to potential judicial proceedings: . . . 375

- (c) services provided in a complex case arising under clause (a) or (b) that requires unusual involvement by the pathologist, such as visits to the scene or other unusually extensive examination, if the time or activity required exceeds the norm for a complete autopsy described in clause (b), or a case involving incomplete remains: . . . . . see subsection (3)
- (2) A service listed in clause (1)(a) or (b) is subject to a 35% premium fee for any hours worked on a week-end or on a statutory holiday.
- (3) For payment for services in a complex case as described in clause (1)(c), the pathologist may submit to the Chief Medical Examiner an explanation in writing of the case, together with a recommended fee, not to exceed \$225.00 per hour over and above the basic fee calculated pursuant to clause (1)(a) or (b).
- (4) Upon receipt from a pathologist of an explanation and fee recommendation pursuant to subsection (3), the Chief Medical Examiner must examine the merits of the case and pay the appropriate remuneration as determined by the Chief Medical Examiner after consulting with the pathologist.
- (5) The fee payable for
- (a) a toxicological testing procedure, other laboratory test or X-ray, or expert interpretation by a toxicologist, radiologist or other similar professional service is calculated at the rate of pay established in Nova Scotia for Provincially-insured medical services;
- (b) a dental service is calculated at the market rate for the service established by the membership of the Nova Scotia Dental Association;
- (c) another professional consulting or technical service provided by a person with appropriate forensic knowledge is calculated at the market rate for the service; and
- (d) the completion of a medical certificate of death by a physician authorized by a medical examiner under subsection 5(6) of the Act is calculated by multiplying the applicable unit value by 12.5 units.
- (6) A pathologist who agrees to remain available on a stand-by basis to perform services on the request of a Medical Examiner must be paid a fee calculated by multiplying the applicable unit value by 50 units for each day served on stand-by, plus a 35% premium fee for any hours served on stand-by on a week-end or statutory holiday.
- 8 Upon completion or discontinuance of an inquiry and transmission to the Minister by the judge holding the inquiry of a statement, certified by the judge, of
- (a) the judge's expenses;
- (b) witness fees and expenses; and
- (c) every other charge incurred by the judge in the discharge of the judge's responsibilities under the Act

in relation to the inquiry, the fees, expenses and charges must be paid by the Minister of Finance upon the request of the Minister.

**Schedule A****Medical Service Unit Value**

The following Medical Service Unit values were negotiated in the 2001-2004 Medical Agreement and the value of each unit is as follows during the term of the Agreement:

April 1, 2001 - September 30, 2001 .....	\$1.89
October 1, 2001 - March 31, 2002 .....	1.93
April 1, 2002 - September 30, 2002 .....	1.97
October 1, 2002 - March 31, 2003 .....	2.01
April 1, 2003 - March 31, 2004 .....	2.05

**N.S. Reg. 83/2003**

Made: April 4, 2003

Filed: April 7, 2003

Summary Offence Tickets Regulations

Order in Council 2003-146 dated April 4, 2003  
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 March 4, 2003, 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, to revise the penalty amounts for parking infractions in accordance with amendments to the Act made by Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act* and to include certain offences under the *Motor Vehicle Act* and various municipal by-laws, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 4, 2003.

**ORDER**

I, Jamie Muir, 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 Schedules 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.

This 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** March 4, 2003, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd: *J. Muir*  
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***

- 1 (1) Subsection 6(1) 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 striking out "\$20" and substituting "\$30".
- (2) Subsection 6(2) of the regulations is amended by striking out "\$20" and substituting "\$30".
- 2 Schedule PT of the regulations is amended by increasing the amount in the Out of Court Settlement column under the heading "After 60 days" by \$10 in each item in the Schedule.
- 3 Schedule 4 of the regulations is amended by
- (a) adding the following items immediately after item 45:
- |  |    |     |
|--|----|-----|
| 45A. Altering certificate of registration or assignment of certificate of registration (specify)         | 46 | NIL |
| 45B. Knowingly holding or using altered or falsified certificate of registration or assignment (specify) | 46 | NIL |
| 45C. Altering serial number of vehicle or placing serial number on a vehicle (specify)                   | 49 | NIL |
- (b) repealing item 47 and substituting the following item:
- |   |       |     |
|---|-------|-----|
| 47. Operating, possessing or dealing with (specify one) motor vehicle where attempt has been made to alter identification | 51(1) | NIL |
|---|-------|-----|
- (c) adding the following items immediately after item 99:
- |  |       |     |
|--|-------|-----|
| 99A. Failing to immediately stop at scene of accident  | 97(1) | NIL |
| 99B. Failing to give name, address or registration number of vehicle or exhibit driver's license to person struck or driver or occupants of vehicle collided with, or witness (specify)                        | 97(3) | NIL |
| 99C. Failing to render reasonable assistance to person injured in accident   | 97(3) | NIL |
| 99D. Failing to take reasonable steps to locate and notify owner of, or person who has control over, unattended vehicle or property damaged in accident (specify) of circumstances of accident                 | 97(4) | NIL |
| 99E. Failing to give name and address of driver, registration number of vehicle and number of driver's license to owner of, or person who has control over, unattended vehicle or property damaged in accident | 97(4) | NIL |
| 99F. Failing to provide particulars of accident to police  | 97(5) | NIL |
- (d) adding the following item immediately after item 102:

102A.	Failing to drive or operate motor vehicle in a careful and prudent manner	100(2)	NIL
(e)	increasing each amount in the Out of Court Settlement column by \$10 in items 133, 200 to 203, 207 to 265 and 267;		
(f)	repealing item 270 and substituting the following item:		
270.	Operating motor vehicle on highway in race or on wager (specify)	163(1)	NIL
(g)	adding the following items immediately after item 369:		
369A.	Failure of registered owner to provide, within 48 hours, name and address of person in charge of vehicle	258(1)	NIL
369B.	Failure of person who has motor vehicle with consent of owner to supply, within 48 hours, name and address of person in charge of vehicle at time of violation	258(3)	NIL
(h)	adding the following items immediately after item 375:		
375A.	Operating motor vehicle while registration or permit cancelled, revoked or suspended (specify)	287(1)	NIL
375B.	Driving while license or privilege of obtaining license cancelled, revoked or suspended (specify)	287(2)	NIL
4	Schedule 14A of the regulations is amended by increasing the amount in the Out of Court Settlement column by \$10 in items 9 to 14.		
5	Schedule 18-A of the regulations is amended by		
(a)	adding the following headings and items immediately before the heading "Orderly Conduct By-law - S5":		
	<b>Automatic Vending Machines By-law:</b>		
1.	Operating automatic vending machine without licence	2.a.	\$215.00
	<b>Dog By-law:</b>		
1.	Owning dog that runs at large	4.a.1.	\$215.00
2.	Owning fierce or dangerous dog not in enclosure or not muzzled and restrained as required by By-law and under direct control and supervision of owner (specify)	4.a.2.	\$215.00
3.	Owning dog that persistently disturbs the quiet of the neighbourhood or a resident thereof by howling, barking or in any other manner	4.a.3.	\$215.00
4.	Owner of dog failing to obtain or cause dog to wear registration tag (specify)	4.a.6.	\$215.00
5.	Owner failing to pay kennel licence fee	4.a.7.	\$215.00
6.	Training dog to be attack dog outside impoundment area or within 152.4 m (500 ft.) of a residence other than trainer's	4.b.	\$215.00
(b)	adding the following headings and items immediately after item 4 under the heading "Orderly Conduct By-law - S5":		



**Taxi By-law:**

1. Owning or operating taxi without Taxi Vehicle Owner's Licence	5.a.	\$330.00
2. Failing to keep taxi in clean, sanitary condition or in good repair	7.a.	\$215.00
3. Owner failing to submit taxi for inspection when required by By-law Enforcement Officer or Peace Officer	7.b.	\$215.00
4. Operating taxi with Nova Scotia motor vehicle inspection certificate more than 7 months old	7.c.	\$215.00
5. Operating taxi without illuminated roof sign as required	8	\$215.00
6. Driving taxi without Taxi Driver's Licence	9.a.	\$330.00
7. Driving vehicle as taxi without licence to use vehicle as taxi	9.b.	\$330.00
8. Failing to wear required clothing in neat and tidy condition while operating taxi	10.a.4.	\$215.00
9. Failing to act in orderly manner or soliciting (specify) while operating taxi	10.a.5.	\$215.00
10. Operating shuttle service contrary to requirements	13.a.	\$330.00
11. Using vehicle not licensed as taxi to operate shuttle business	13.b.	\$330.00
12. Owner of taxi operating in Sydney Service Area failing to provide taxi with taximeter as required	14.a.	\$215.00
13. Transporting passengers for hire in the Sydney Service Area without causing taximeter to operate	14.c.	\$215.00
14. Passenger using taxi in Sydney Service Area refusing to pay rate shown on properly operating taximeter	14.d.	\$215.00
15. Owning or operating limousine service without limousine licence	15.a.	\$330.00
16. Parking limousine at common taxi stand depot	15.d.1	\$215.00
17. Making limousine available for hire in public place other than airport or cruise ship wharf	15.d.2.	\$215.00

**Vendors and Traders of Goods By-law:**

1. Vending or trading goods without licence	3.a	\$215.00
2. Leaving vending vehicle or stand unattended on street	5.a.	\$215.00
3. Leaving location without first picking up, removing or disposing of all trash or refuse remaining from sales	5.b.	\$215.00
4. Placing item relating to vending or trading goods other than in, on or under stand or vending vehicle	5.c.	\$215.00
5. Soliciting business orally or by sound emitted by a device	5.d.	\$215.00
6. Vending goods within 30.48 m (100 ft.) of doorway of permanent business establishment in building subject to property and business occupancy tax that sells similar products	5.e.	\$215.00
7. Allowing stand or vending vehicle or item relating to vending or trading goods to lean against or hang from building on private property or structure lawfully on public property without owner's permission	5.f.	\$215.00
8. Vending or trading goods from unsightly stand or vending vehicle	5.g.	\$215.00



9.	Locating stand or vending vehicle so that it restricts or interferes with vehicles using driveway that accesses street or pedestrians entering building	5.h.	\$215.00
10.	Placing vending vehicle or stand so that it obstructs the view of approved signage or display in storefront window	5.j.	\$215.00
11.	Vending from motor vehicle on sidewalk	6	\$215.00
12.	Vending from pedestrian-powered vending vehicle or stand on sidewalk in land-use zone not permitting retail of vended commodity	6	\$215.00
13.	Vending or trading at special event without vending licence and written approval of special event organizer	7.a.	\$330.00
14.	Retailing Christmas trees during Christmas season without licence	9.a.	\$215.00
15.	Retailing lobsters during normal lobster season without licence	9.b.	\$215.00
16.	Parking or placing vending vehicle or stand for the purposes of vending or trading in contravention of land-use by-law zoning provision (specify provision)	10	\$215.00
17.	Vending or trading without conspicuously displaying licence	13	\$215.00
6	Schedule 18-B of the regulations is amended by increasing the amount in the Out of Court Settlement column by \$10 in item 54 under the heading "Streets Ordinance - No. 180:".		
7	Schedule 18-J of the regulations is amended by increasing the amount in the Out of Court Settlement column by \$10 in item 9 under the heading "Public Market By-law - No. 10:".		
8	Schedule 18-K of the regulations is amended by increasing the amount in the Out of Court Settlement column by \$10 in item 2 under the heading "Town Property By-law:".		
9	Schedule 18-M of the regulations is amended by increasing the amount in the Out of Court Settlement column by \$10 in items 1 and 2 under the heading "Parking Meters By-law - No. 20:".		
10	Schedule 18-Q of the regulations is amended by		
	(a) repealing the heading "Garbage By-law" and items 1 through 8 under that heading;		
	(b) striking out "\$157.50" in the out of court settlement column in items 1 through 4 under the heading "Noise By-law" and substituting "\$215.00" in the out of court settlement column in each of those items;		
	(c) adding the following headings and items immediately after item 4 under the heading "Noise By-law":		
	<b>Open Air Fires By-law:</b>		
	1. Having open air fire or any other fire other than as permitted by by-law	2(1)	\$215.00
	2. Burning general waste or garden or yard waste	2(2)	\$215.00
	3. Operating acceptable fire pit, outdoor fireplace or structure within 4.5 m (15 ft.) of a building	3(1)(a)	\$215.00
	4. Operating acceptable fire pit, outdoor fireplace or structure without enclosed sides made of suitable non-combustible components	3(1)(b)	\$215.00

5. Operating acceptable fire pit, outdoor fireplace or structure without 1.27 cm (0.5 in.) expanded metal spark arrestor mesh screen over fire	3(1)(c)	\$215.00
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**Skateboarding By-law:**

1. Using or operating skateboard or scooter (specify) in Prohibited Area 1	2	\$157.50
2. Operating a skateboard or scooter (specify) in Prohibited Area 2	2	\$157.50

**Smoke Free Indoor Public Places By-law:**

1. Smoking in place of public assembly	4(a)	\$215.00
2. Smoking within radius of 1 m (3.28 ft.) of public entrance or air intake to building	4(b)	\$215.00
3. Smoking at service counter	4(c)	\$215.00
4. Smoking in service line	4(d)	\$215.00
5. Smoking in reception area	4(e)	\$215.00
6. Smoking in public elevator, escalator or stairway (specify)	4(f)	\$215.00
7. Smoking in public transportation facility or vehicle	4(g)	\$215.00
8. Smoking in public rest room	4(h)	\$215.00
9. Smoking in drinking establishment	4(i)	\$215.00
10. Smoking in restaurant	4(j)	\$215.00
11. Smoking in arena, bowling alley or pool hall (specify)	4(k)	\$215.00
12. Smoking in retail store	4(l)	\$215.00
13. Individual failing to ensure clearly visible no smoking signs are displayed at entrance to and within establishment	5	\$215.00
14. Corporation failing to ensure clearly visible no smoking signs are displayed at entrance to and within establishment	5	\$675.00

11 The regulations are further amended by adding Schedules 18-T and 18-U, in the form attached as Appendix A, immediately after Schedule 18-S.

12 Schedule 19 of the regulations is amended by increasing the amount in the Out of Court Settlement column by \$10 in item 16 under the heading "Halifax-Dartmouth Bridge Commission By-laws".

**Appendix A**

**Schedule 18-T**  
**Municipality of the District of Barrington By-laws**

Offence	Section	Out of Court Settlement
<b>Animals By-law No. 11:</b>		
1. Owner or harbourer of domestic animal failing to prevent it from going at large	3	\$215.00
2. Owner permitting domestic fowl to run at large	5(a)	\$215.00

**Schedule 18-T**  
**Municipality of the District of Barrington By-laws**

Offence	Section	Out of Court Settlement
<b>Dogs By-law No. 12:</b>		
1. Owning dog that runs at large	3(a)	\$215.00
2. Owning fierce or dangerous dog	3(b)	\$215.00
3. Owning dog that, without provocation, attacked or injured person or property	3(c)	\$215.00
4. Owning dog that persistently disturbs quiet of neighbourhood by howling, barking or another manner	3(d)	\$215.00
<b>Collection, Storage and Disposal of Waste - By-law No. 8:</b>		
1. Depositing solid waste in place other than approved solid waste disposal area	3	\$215.00

**Schedule 18-U**  
**Town of Clark's Harbour By-laws**

Offence	Section	Out of Court Settlement
<b>Peace and Order By-law - No. 14:</b>		
1. Posting notice or advertisement on private property without owner's permission	1	\$157.50
2. Making unnecessary noise on public street or place that would disturb quiet of neighbourhood	2	\$157.50
3. Throwing dirt, filth or rubbish on sidewalk, street, or public place (specify)	3	\$157.50
4. Interfering with a grave in cemetery or burying ground	4	\$157.50
5. Giving false fire alarm	5	\$157.50
6. Urinating in public	6	\$157.50
7. Disturbing good order of public meeting	7	\$157.50
8. Expectorating in public place or building	8	\$157.50
9. Discharging firearm without a written permit from Town Clerk	9	\$157.50
10. Entering or remaining in private dwelling, place of business or school	10	\$157.50
11. Loitering in public place	11	\$157.50
<b>Public Property By-law - No. 11:</b>		
1. Destroying, damaging or causing to be destroyed or damaged (specify) property owned by or under care of Town	1(a)	\$157.50
2. Removing or causing to be removed soil, gravel, trees, sand, or stones (specify) from property owned by or under care of Town	1(b)	\$157.50
3. Leaving vehicle in or on property owned by or under care of Town	1(c)	\$157.50

**Schedule 18-U  
Town of Clark's Harbour By-laws**

<b>Offence</b>	<b>Section</b>	<b>Out of Court Settlement</b>
<b>Trade and Licensing By-law - No. 15:</b>		
1. Auctioning, peddling, hawking or trading (specify) goods without license	1	\$157.50
2. Taking or soliciting orders for photographs or enlargements of photographs for fee without license	2	\$157.50
3. Operating taxicab business or operating taxicab as owner (specify) without Taxi License for vehicle	3(a)	\$157.50
4. Driving taxicab owned by another for compensation without Taxi Driver's License	3(b)	\$157.50
5. Operating circus or itinerant amusement without license	6(a), (b)	\$157.50
6. Operating amusement or place of amusement licensed under By-law (specify) between midnight and 8 a.m. or on Sunday (specify)	6(c)	\$157.50
7. Having or permitting operation of automatic amusement machine without license	8(b)	\$157.50
8. Permitting operation of automatic amusement machine between midnight and 8 a.m.	8(d)	\$157.50
9. Operating public billiard room, pool room, bowling alley or gaming room (specify) between midnight and 8 a.m.	9	\$157.50
10. Doing business as junk dealer or establishing or keeping rag or junk store (specify) without license	10(a)	\$157.50
11. Doing business as junk dealer at place other than place specified in license	10(b)	\$157.50
12. Failing to surround junk dealer business site with solid fence that blocks contents from public view	10(c)	\$157.50
13. Moving junk dealer business from place designated in license without committee's permission	10(d)	\$157.50
14. Failing to have required signage on warehouse, shop, store or place of deposit owned or used by licensee in junk dealer business	10(e)	\$157.50
15. Failing to isolate and keep apart combustible or inflammable material from other articles at junk dealer's place of business	10(g)	\$157.50

**N.S. Reg. 84/2003**

Made: April 4, 2003

Filed: April 7, 2003

## Summary Offence Tickets Regulations

Order in Council 2003-147 dated April 4, 2003  
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 March 4, 2003, 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, to include certain offences under the *Smoke-free Places Act* and the Town of Kentville Non-Smoking By-laws in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 4, 2003.

**ORDER**

I, Jamie Muir, 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 Schedules 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.

This 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** March 4, 2003, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd: *J. Muir*  
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***

- 1 The *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, are amended by adding the following Schedule immediately after Schedule 22:

**Schedule 23**  
***Smoke-Free Places Act***

Offence	Section	Out of Court Settlement
1. Contravening Act or regulations (by person other than manager or employer)	14(1)	\$387.50
2. Contravening Act or regulations (by manager or employer)	14(2)	NIL

- 2 The regulations are further amended by adding the following Schedule immediately after Schedule 18-U.

**Schedule 18-V  
Town of Kentville By-laws**

<b>Offence</b>	<b>Section</b>	<b>Out of Court Settlement</b>
<b>Non-Smoking By-law:</b>		
1. Smoking in place of public assembly, for first offence second offence third offence	3(a)	\$272.50 \$330.00 \$445.00
2. Smoking within 3 m of public entrance or air intake to building open to public, for first offence second offence third offence	3(b)	\$272.50 \$330.00 \$445.00
3. Smoking within 3 m of service counter or reception area in building, for first offence second offence third offence	3(c)	\$272.50 \$330.00 \$445.00
4. Smoking in public transportation roadside shelter or terminal, or vehicle used to transport public, except taxi (specify), for first offence second offence third offence	3(d)	\$272.50 \$330.00 \$445.00
5. Owner or tenant (specify) permitting smoking in place of public assembly, building open to public, public transportation roadside shelter or terminal, or vehicle used to transport public, except taxi (specify), for first offence second offence third offence	4	\$272.50 \$330.00 \$445.00
6. Owner or tenant (specify) failing to erect no smoking sign at each public entrance to place of public assembly, building open to public, public transportation roadside shelter or terminal, or vehicle used to transport public, except taxi (specify), for first offence second offence third offence	5	\$272.50 \$560.00 \$675.00

**N.S. Reg. 85/2003**

Made: April 4, 2003

Filed: April 7, 2003

Shubenacadie Wildlife Sanctuary Regulations

Order in Council 2003-150 dated April 4, 2003  
Amendment to regulations made by the Governor in Council  
pursuant to Section 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated March 17, 2003, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the regulations respecting Shubenacadie Wildlife Sanctuary made by the Governor in Council by Order in Council 77-1268 dated October 11, 1977, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 4, 2003.

**Schedule "A"**

**Amendments to the Regulations Respecting Shubenacadie Wildlife Sanctuary  
made by the Governor in Council pursuant to Section 113 of  
Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Subsection 2(4A) of the regulations respecting Shubenacadie Wildlife Sanctuary made by the Governor in Council by Order in Council 77-1268 dated October 11, 1977, is amended by
  - (a) striking out "\$3.00" in clause (a) and substituting "\$4"; and
  - (b) striking out "\$1.00" in clause (b) and substituting "\$1.50".
- 2 Subsection 2(4B) of the regulations is amended by
  - (a) striking out "\$7.50" in clause (a) and substituting "\$10";
  - (b) striking out "\$10.00" in clause (c) and substituting "\$12.50";
  - (c) striking out "\$3.50" in clause (d) and substituting "\$4.50"; and
  - (d) striking out "\$25.00" in clause (e) and substituting "\$30".