

# Royal Gazette

## Part II Regulations under the Regulations Act

*Printed by the Queen's Printer*

Halifax, Nova Scotia

Vol. 34, No. 26

December 17, 2010

### Contents

Act	Reg. No.	Page
<b>Dairy Industry Act</b>		
Milk Pricing Regulations—amendment .....	174/2010	1188
<b>Employment Support and Income Assistance Act</b>		
Employment Support and Income Assistance Regulations—amendment .....	176/2010	1191
<b>Natural Products Act</b>		
Chicken Farmers of Nova Scotia Regulations—amendment .....	182/2010	1194
<b>Non-essential Pesticides Control Act</b>		
Proclamation, S. 17, S.N.S. 2010, c. 6 .....	183/2010	1198
List of Allowable Pesticides Regulations .....	181/2010	1193
Exceptions to Prohibitions on Non-essential Pesticides Regulations .....	184/2010	1199
<b>Petroleum Products Pricing Act</b>		
Prescribed Petroleum Products Prices .....	175/2010	1189
Prescribed Petroleum Products Prices .....	185/2010	1202
<b>Utility and Review Board Act</b>		
Assessment Appeal Rules—amendment .....	177/2010	1192
Board Regulatory Rules—amendment .....	180/2010	1193
Liquor Procedural Rules—amendment .....	179/2010	1192
Municipal Government Act Rules—amendment .....	178/2010	1192

**In force date of regulations:** As of March 4, 2005\*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

\*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

**N.S. Reg. 174/2010**

Made: November 16, 2010  
Approved: November 18, 2010  
Filed: November 25, 2010  
Milk Pricing Regulations

Order dated November 18, 2010  
Amendment to regulations made by the Dairy Farmers of Nova Scotia  
and approved by the Natural Products Marketing Council  
pursuant to clauses 14(1)(c) and 15(1)(g) of the *Dairy Industry Act*

**Dairy Farmers of Nova Scotia**

I certify that the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(c) [of] Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, and pursuant to clause 15(1)(g) of the *Dairy Industry Act*, at a meeting held on November 16, 2010, voted to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, to repeal and replace subsection 3(1) in the manner set out in Schedule A, effective on and after February 1, 2011.

**Signed** at Truro, Colchester County, Nova Scotia, on November 19, 2010.

Dairy Farmers of Nova Scotia  
per: sgd: *B. Cameron*  
Brian Cameron  
General Manager

-----  
**Approved by** the Natural Products Marketing Council at Truro, Nova Scotia on November 18, 2010.

Natural Products Marketing Council  
Per: sgd: *E. A. Crouse*  
Elizabeth A. Crouse, P.Ag.  
General Manager  
Natural Products Marketing Council

**Schedule A**

**Amendment to the *Milk Pricing Regulations*  
made by the Dairy Farmers of Nova Scotia under clauses 14(1)(c)  
and 15(1)(g) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act***

The *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, are amended by repealing subsection 3(1) and substituting the following subsection:

- 3 (1)** Except as provided in subsection (2), the prices payable by processors in Nova Scotia for milk components are as set out in the following table, and are payable on a free on board (FOB) plant basis:

Component Prices - Per Kilogram for Classes 1, 2, 3 and 4				
Class of Milk	\$ Per Kg of Butterfat	\$ Per kg of Protein	\$ Per kg of Other Solids	\$ Per hl Solids-Non Fat
1(a)	7.3661			69.13
1(b)	7.3661			56.35
1(c)	85% of the Class 1(a) or Class 1(b) Butterfat and Solids Non-fat [component prices]			
2	7.5523	5.7672	5.7672	
3(a)	7.5523	13.4394	0.8441	
3(b)	7.5523	12.9851	0.8441	
4(a)	7.5523	5.2108	5.2108	
4(b)	7.5523	5.3194	5.3194	
4(c)	85% of the Class 4(a) component prices			
4(d)	7.5523	5.2108	5.2108	

**N.S. Reg. 175/2010**

Made: November 25, 2010

Filed: November 26, 2010

Prescribed Petroleum Products Prices

Order dated November 25, 2010

made by the Nova Scotia Utility and Review Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

**Order****NSUARB-GAS-W-10-48****In the Matter of the *Petroleum Products Pricing Act*****- and -****In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations*****Before:** Roberta J. Clarke, Q.C., Member**Order**

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

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

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended November 24, 2010, are:

Grade 1 Regular gasoline                      61.1¢ per litre

Ultra-low-sulfur diesel oil 62.6¢ per litre

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

Gasoline:

Grade 1 61.1¢ per litre

Grade 2 64.1¢ per litre

Grade 3 67.1¢ per litre

Ultra-low-sulfur diesel oil 62.6¢ per litre

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

Gasoline: 0.7¢ per litre

Ultra-low-sulfur diesel oil: 0.3¢ per litre

**And whereas** a winter blending adjustment of plus 1.7¢ per litre is required for ultra-low-sulfur diesel oil;

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule "A" effective on and after 12:01 a.m., November 26, 2010.

**Dated** at Halifax, Nova Scotia, this 25th day of November, 2010.

Sgd: *Elaine Wagner*  
Clerk of the Board

### Schedule "A"

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on November 26, 2010**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
<b>Zone 1</b>								
Regular Unleaded	68.1	10.0	15.5	93.6	112.2	114.0	112.2	999.9
Mid-Grade Unleaded	71.1	10.0	15.5	96.6	115.7	117.4	115.7	999.9
Premium Unleaded	74.1	10.0	15.5	99.6	119.1	120.9	119.1	999.9
Ultra-Low-Sulfur Diesel	70.9	4.0	15.4	90.3	108.4	110.2	108.4	999.9
<b>Zone 2</b>								
Regular Unleaded	68.5	10.0	15.5	94.0	112.7	114.4	112.7	999.9
Mid-Grade Unleaded	71.5	10.0	15.5	97.0	116.2	117.9	116.2	999.9
Premium Unleaded	74.5	10.0	15.5	100.0	119.6	121.3	119.6	999.9
Ultra-Low-Sulfur Diesel	71.3	4.0	15.4	90.7	108.9	110.6	108.9	999.9

<b>Zone 3</b>								
Regular Unleaded	69.0	10.0	15.5	94.5	113.3	115.0	113.3	999.9
Mid-Grade Unleaded	72.0	10.0	15.5	97.5	116.7	118.5	116.7	999.9
Premium Unleaded	75.0	10.0	15.5	100.5	120.2	121.9	120.2	999.9
Ultra-Low-Sulfur Diesel	71.8	4.0	15.4	91.2	109.5	111.2	109.5	999.9
<b>Zone 4</b>								
Regular Unleaded	69.0	10.0	15.5	94.5	113.3	115.0	113.3	999.9
Mid-Grade Unleaded	72.0	10.0	15.5	97.5	116.7	118.5	116.7	999.9
Premium Unleaded	75.0	10.0	15.5	100.5	120.2	121.9	120.2	999.9
Ultra-Low-Sulfur Diesel	71.8	4.0	15.4	91.2	109.5	111.2	109.5	999.9
<b>Zone 5</b>								
Regular Unleaded	69.0	10.0	15.5	94.5	113.3	115.0	113.3	999.9
Mid-Grade Unleaded	72.0	10.0	15.5	97.5	116.7	118.5	116.7	999.9
Premium Unleaded	75.0	10.0	15.5	100.5	120.2	121.9	120.2	999.9
Ultra-Low-Sulfur Diesel	71.8	4.0	15.4	91.2	109.5	111.2	109.5	999.9
<b>Zone 6</b>								
Regular Unleaded	69.8	10.0	15.5	95.3	114.2	115.9	114.2	999.9
Mid-Grade Unleaded	72.8	10.0	15.5	98.3	117.6	119.4	117.6	999.9
Premium Unleaded	75.8	10.0	15.5	101.3	121.1	122.8	121.1	999.9
Ultra-Low-Sulfur Diesel	72.6	4.0	15.4	92.0	110.4	112.1	110.4	999.9

**N.S. Reg. 176/2010**

Made: November 26, 2010

Filed: November 30, 2010

Employment Support and Income Assistance Regulations

Order in Council 2010-425 dated November 26, 2010  
Amendment to regulations made by the Governor in Council  
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated November 4, 2010, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, to exempt the caregiver's benefit provided by the Department of Health from the calculation of eligibility for assistance, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 26, 2010.

**Schedule "A"**

**Amendment to the *Employment Support and Income Assistance Regulations*  
made pursuant to Section 21 of Chapter 27 of the Acts of 2000,  
the *Employment Support and Income Assistance Act***

Section 52 of the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by [the] Governor in Council by Order in Council 2001-138 dated March 23, 2001, is amended by

- (a) relettering the second clause (h) as clause (j);
- (b) striking out the period at the end of clause (i) and substituting a semicolon; and
- (c) adding the following clause immediately after clause (j):
  - (k) a caregiver's benefit under the Department of Health's Caregiver Benefit Program.

**N.S. Reg. 177/2010 to 180/2010**

Made: October 28, 2010

Filed: December 2, 2010

Assessment Appeal Rules, Municipal Government Act Rules,  
Liquor Procedural Rules and Board Regulatory Rules

Order dated October 28, 2010

Amendment to regulations made by the Utility and Review Board  
pursuant to Section 12 of the *Utility and Review Board Act*

**ORDER****NSUARB**

**Nova Scotia Utility and Review Board  
In the Matter of the *Utility and Review Board Act***

**- and -**

**In the Matter of a Motion to Amend the *Assessment Appeal Rules,*  
*Board Regulatory Rules, Liquor Procedural Rules and*  
*Municipal Government Act Rules***

**Before:** Peter W. Gurnham, Q.C., Chair  
David J. Almon, Member  
Roland A. Deveau, Q.C., Member  
Wayne D. Cochrane, Q.C., Member  
Kulvinder S. Dhillon, P. Eng., Member  
Murray E. Doehler, P. Eng., CA, Member  
Dawna J. Ring, Q.C., Member  
Roberta J. Clarke, Q.C., Member

**Order**

**Whereas** the Nova Scotia Utility and Review Board by Resolution in writing made on the 28th day of October, 2010, passed a motion to amend the *Assessment Appeal Rules, Board Regulatory Rules, Liquor Procedural Rules,* and *Municipal Government Act Rules,* respecting the filing of documents with the Board;

**It is hereby ordered** that the *Assessment Appeal Rules* (N.S. Reg. 79/2006 dated May 25, 2006) [N.S. Reg. 177/2010], and the *Municipal Government Act Rules* (N.S. Reg. 322/2008 effective August 12, 2008) [N.S. Reg. 178/2010], made pursuant to Section 12 of the *Utility and Review Board Act*, S.N.S. 1992, c. 11, be amended by striking out "4:00 p.m." in subsection 5(5) and substituting "2:00 p.m." and to further amend subsection 5(7) by striking out "three days" and substituting "one day";

**It is hereby ordered** that the *Liquor Procedural Rules* (N.S. Reg. 239/2009 dated June 25, 2009), made pursuant to Section 12 of the *Utility and Review Board Act*, S.N.S. 1992, c. 11, be amended by striking out "4:00 p.m." in subsection 5(4) and substituting "2:00 p.m." and to further amend subsection 5(6) by striking out "three days" and substituting "one day"; [N.S. Reg. 179/2010]

**It is hereby ordered** that the *Board Regulatory Rules* (N.S. Reg. 235/2005 dated December 23, 2005), made pursuant to Section 12 of the *Utility and Review Board Act*, S.N.S. 1992, c. 11, be amended by striking out “4:00 p.m.” in subsection 7(3) and substituting “2:00 p.m.” and to further amend subsection 7(4) by striking out “three days” and substituting “one day”; [N.S. Reg. 180/2010]

**It is further ordered** that the effective date for all the above amendments be December 1, 2010.

**Dated** at Halifax, Nova Scotia, this 28th day of October, 2010.

Sgd.: Elaine Wagner  
Clerk of the Board

---

**N.S. Reg. 181/2010**

Made: November 30, 2010

Filed: December 2, 2010

List of Allowable Pesticides Regulations

Order dated November 30, 2010  
Regulations made by the Minister of Environment  
pursuant to Section 6 of the *Non-essential Pesticides Control Act*

**In the matter of Section 6 of Chapter 6 of the Acts of 2010,  
the *Non-essential Pesticides Control Act***

**and**

**In the matter of regulations respecting the establishment of a list of allowable pesticides**

**Order**

I, Sterling Belliveau, Minister of Environment for the Province of Nova Scotia, pursuant to Section 6 of Chapter 6 of the Acts of 2010, the *Non-essential Pesticides Control Act*, hereby make regulations respecting the establishment of a list of allowable pesticides in the form set forth in the Schedule “A”, effective on and after April 1, 2011.

Dated and made in Halifax, Nova Scotia, Nov 30 2010, 2010.

Sgd: *Sterling Belliveau*  
The Honourable Sterling Belliveau  
Minister of Environment

**Schedule “A”**

- 1 These regulations may be cited as the “List of Allowable Pesticides Regulations”.
- 2 The pesticides listed below are allowable pesticides for the purposes of the *Non-essential Pesticides Control Act*:
  - acetic acid
  - ammonium soaps of fatty acids
  - Bacillus subtilis* mbi 600

*Bacillus subtilis* qst 713  
*Bacillus thuringiensis kurstaki*  
*Bacillus thuringiensis tenebrionis*  
borax  
boric acid  
capsaicin  
copper as elemental, present as tribasic copper sulphate  
copper as elemental, present as copper oxychloride  
corn gluten meal  
dried blood  
fatty acid  
hydrogen peroxide  
iron (ferrous or ferric) phosphate  
iron (ferrous or ferric) sodium  
iron (ferrous or ferric) sulfate  
iron, if present as FeHEDTA  
lime sulphur or calcium polysulphide  
mineral oil  
nuclear polyhedrosis virus of douglas fir tussock moth  
oil of black pepper  
piperine  
putrescent whole egg solid  
pyrethrins; without the addition of piperonyl butoxide  
*Sclerotinia minor*  
silicon dioxide (diatomaceous earth)  
soap (alkanolamine salts of fatty acid)  
soap (potassium salts of fatty acid)  
sodium chloride  
spinosad  
sulphur  
*Verticillium albo-atrum* strain WCS850

---

**N.S. Reg. 182/2010**

Made: November 26, 2010

Approved: November 26, 2010

Filed: December 2, 2010

Chicken Farmers of Nova Scotia Regulations

Order dated November 26, 2010

Amendment to regulations made by the Chicken Farmers of Nova Scotia  
and approved by the Natural Products Marketing Council  
pursuant to Section 9 of the *Natural Products Act*

**Chicken Farmers of Nova Scotia**

I certify that the Chicken Farmers of Nova Scotia, pursuant to Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, as delegated pursuant to clause 11(d) of the Act in subsection 7(1) of the *Nova Scotia Chicken Marketing Plan*, N.S. Reg. 241/82, at a meeting held on November 26, 2010, voted to amend the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 11/2005, made by the Natural Products Marketing Council on December 8, 2004, in the manner set out in Schedule "A", effective on and after November 26, 2010.



Signed at Kentville, Nova Scotia, on November 26, 2010.

Sgd: *Shelley Acker*  
Shelley Acker  
General Manager  
Chicken Farmers of Nova Scotia

-----

**Approved by** the Natural Products Marketing Council at Truro, Nova Scotia on November 26, 2010.

Natural Products Marketing Council

Per: sgd: *E. A. Crouse*  
Elizabeth A. Crouse, P. Ag.  
General Manager  
Natural Products Marketing Council

**Schedule "A"**  
**Amendment to the *Chicken Farmers of Nova Scotia Regulations***  
**made by the Chicken Farmers of Nova Scotia pursuant to**  
**Sections 9 and 11 of Chapter 308 of the**  
**Revised Statutes of Nova Scotia, 1989,**  
**the *Natural Products Act***

- 1 (1) Section 2 of the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 11/2005, made by the Natural Products Marketing Council on December 8, 2004, is renumbered as subsection 2(1).
- (2) Section 2 of the regulations is further amended by adding the following definition where it belongs in alphabetical order [in subsection (1)]:
- “interest in base quota” means
- (i) the interest of a person who has a legal or beneficial interest in base quota, including all of the following:
- (A) the interest of a person that is a shareholder or beneficial shareholder of a corporation that has an interest in base quota,
- (B) the interest of a person that is a partner or has a partnership interest in a partnership that has an interest in base quota,
- (C) the interest of a person who is an income or capital beneficiary of a trust that has an interest in base quota, or
- (ii) the interest of a person who has a legal or beneficial interest in another person who has a legal or beneficial interest in base quota as defined in subclause (i), whether the legal or beneficial interest of the 1st-mentioned person is directly held in that other person or through a series of affiliated persons.
- (3) Section 2 of the regulations is further amended by moving the definition of “production and marketing agreement” to where it belongs in alphabetical order [in subsection (1)].

- (4) Section 2 of the regulations is further amended by adding the following subsection immediately after subsection (1):
- (2) For the purposes of the definition of “interest in base quota” in subsection (1), a person is affiliated with another person if that person has a legal or equitable interest in the other person or if the other person has a legal or equitable interest in that person, and if 2 or more persons are affiliated with the same other person, those persons are deemed to be affiliated with each other.
- 2 (1) Subsection 4(6) of the regulations is amended by striking out “be”.
- (2) Subsection 4(10) of the regulations is amended by adding “after applying to and obtaining approval from the Commodity Board in accordance with Section 7,” immediately after “Despite subsection (6),”.
- 3 (1) Subsection 6(1) of the regulations is repealed and the following subsection substituted:
- (1) A person to whom base quota has been issued and who wishes to transfer base quota must first apply to and obtain approval from the Commodity Board in accordance with Section 7.
- (2) Section 6 is further amended by renumbering subsections (2) to (4) as subsections (3) to (5), respectively.
- (3) Section 6 is further amended by adding the following subsection immediately after subsection (1):
- (2) A transfer of base quota for which Commodity Board approval is required includes all of the following:
- (a) any transfer of all or part of the base quota held by a person to another person;
- (b) any change in the shareholders or beneficial shareholders of a corporation that has been issued base quota;
- (c) any change in the partners or percentage interest of a partnership that has been issued base quota;
- (d) any change in the income or capital beneficiaries of a trust that has been issued base quota;
- (e) any change other than those listed in clauses (a) to (d) that results in a person acquiring or disposing of an interest in base quota or that otherwise affects a person’s interest in base quota.
- 4 (1) Subsection 7(1) of the regulations is repealed and the following subsection substituted:
- (1) An application for a transfer of base quota must be on a form approved by the Commodity Board and must include all of the following:
- (a) the name and address of each person who will have an interest in base quota as a result of the proposed transfer of base quota;
- (b) if only part of a producer’s base quota is being transferred, the name and address of each person who will continue to have an interest in base quota;

- (c) written evidence of a binding agreement between the producer and the transferee for the transfer of base quota and, if applicable, facilities on a specified transfer date;
- (d) the signatures of the producer and the proposed transferee;
- (e) for a proposed transfer without facilities, details about the facilities where chicken will be produced and, if chicken are to be produced in a leased facility, an application under subsection 10(8) for approval to produce chicken in a leased facility entirely dedicated to the transferee;
- (f) any additional information or documentation that the Commodity Board considers relevant to the application.

5 Subsection 10(6) of the regulations is repealed and the following subsection substituted:

- (6)** If the Commodity Board is not satisfied with the explanation given under subsection (5),
  - (a) the Commodity Board must refuse to issue, in whole or in part, the producer's producer licence for future marketing periods; or
  - (b) if the producer is currently a licence holder, the Commodity Board must refer the matter to Council, who may suspend or revoke the producer's producer licence.

6 Subsection 14(8) of the regulations is repealed and the following subsection substituted:

- (8)** If a processor or producer does not pay a fee as required by this Section,
  - (a) the Council may suspend or revoke the producer's producer licence; and
  - (b) the Commodity Board may cancel or reduce the producer's base quota or any adjustment unit, or both.

7 Subsection 16(3) of the regulations is amended by striking out "Commodity Board" right after "may be suspended or revoked by the" and substituting "Council".

8 (1) The regulations are further amended by renumbering subsections 18(11) and (12) as subsections 18(13) and (14), respectively.

(2) Section 18 of the regulations is further amended by adding the following subsections immediately after subsection (10):

**(11)** On or before April 30 in 2011 and in every 3rd calendar year after 2011, each person that has been issued base quota must submit a certificate to the Commodity Board in a form approved by the Commodity Board, identifying all persons who have an interest in that base quota as of January 1 of the calendar year in which the certificate is provided.

**(12)** Despite subsection (11), the Commodity Board may at any time require any person that has been issued base quota to submit, no later than 30 days after receiving notice of the requirement, a certificate to the Commodity Board in a form approved by the Commodity Board identifying all persons who have an interest in that base quota.

(3) Subsection 18(14) of the regulations is repealed and the following subsection substituted:

- (14) The Council may suspend or revoke a licence, and the Commodity Board may refuse to issue a licence, if a licensee or applicant fails to provide a report required by these regulations.

---

**N.S. Reg. 183/2010**

Made: November 30, 2010

Filed: December 2, 2010

Proclamation, S. 17, S.N.S. 2010, c. 6

Order in Council 2010-426 dated November 30, 2010  
Proclamation made by the Governor in Council  
pursuant to Section 17 of the  
*Non-essential Pesticides Control Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated October 28, 2010, and pursuant to Section 17 of Chapter 6 of the Acts of 2010, *An Act to Prohibit the Sale and Use of Non-essential Pesticides*, is pleased to order and declare by proclamation that Chapter 6 of the Acts of 2010, *An Act to Prohibit the Sale and Use of Non-essential Pesticides*, do come into force on and not before April 1, 2011.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

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

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

GREETING:

**A PROCLAMATION**

WHEREAS in and by Section 17 of Chapter 6 of the Acts of 2010, *An Act to Prohibit the Sale and Use of Non-essential Pesticides*, 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 Chapter 6 of the Acts of 2010, *An Act to Prohibit the Sale and Use of Non-essential Pesticides*, do come into force on and not before April 1, 2011;

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 6 of the Acts of 2010, *An Act to Prohibit the Sale and Use of Non-essential Pesticides*, do come into force on and not before April 1, 2011, of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional  
Municipality, this 30th day of November in the  
year of Our Lord two thousand and ten and in the  
fifty-ninth year of Our Reign.

BY COMMAND:

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

---

**N.S. Reg. 184/2010**

Made: November 30, 2010

Filed: December 2, 2010

Exceptions to Prohibitions on Non-essential Pesticides Regulations

Order in Council 2010-427 dated November 30, 2010  
Regulations made by the Governor in Council  
pursuant to Section 16 of the *Non-essential Pesticides Control Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated October 28, 2010, and pursuant to Section 16 of Chapter 6 of the Acts of 2010, the *Non-essential Pesticides Control Act*, is pleased to make regulations respecting exceptions to prohibitions on non-essential pesticides in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2011.

**Schedule "A"**

**Regulations Respecting Exceptions to the Prohibitions on Non-essential Pesticides  
made under Section 16 of the Chapter 6 of the Acts of 2010,  
the *Non-essential Pesticides Control Act***

**Citation**

1 These regulations may be cited as the *Exceptions to Prohibitions on Non-essential Pesticides Regulations*.

**Definition of "Act"**

2 In these regulations, "Act" means the *Non-essential Pesticides Control Act*.

**Exceptions to prohibition on use of pesticide on lawn**

- 3 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 4(2) of the Act.
- (2) A person may use or cause or permit the use of a pesticide in, on or over a lawn, as defined in subsection 4(1) of the Act, for 1 or more of the following purposes:

- (a) to destroy, prevent or control a species of animal that bites, stings, is venomous or carries disease;
  - (b) to destroy, prevent or control a species of fungus or species of animal that may negatively affect a building, structure or machine if the pesticide is used in the vicinity of the building, structure or machine;
  - (c) to destroy, prevent or control an alien invasive species, other than a plant species, that may negatively affect the health of humans, the environment or the economy.
- (3) A person may use or cause or permit the use of a pesticide containing glyphosate in, on or over a lawn, as defined in subsection 4(1) of the Act, for 1 or more of the following purposes:
- (a) to destroy, prevent or control a species of plant that is poisonous to humans by touch;
  - (b) to destroy, prevent or control a species of plant that may negatively affect the physical state of a building, structure or machine, but only if the pesticide is used in the vicinity of the building, structure or machine;
  - (c) to destroy, prevent or control an alien invasive plant species that may negatively affect the health of humans, the environment or the economy.

#### **Exceptions to prohibition on selling or supplying pesticide labelled for use on lawns or turf**

- 4 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 5(1) of the Act.
- (2) A person may sell, supply or offer for sale a pesticide labelled for use on lawns or labelled for use on turf if all of the following conditions are met:
- (a) the use of the pesticide is permitted under Section 3;
  - (b) any person to whom the pesticide is sold or supplied is provided with written information about the circumstances under which the pesticide is permitted to be used as set out in Section 3;
  - (c) the pesticide is sold or supplied through a person who holds a Class I certificate of qualification (Vendor's Certificate) issued under the *Pesticide Regulations* made under the *Environment Act*;
  - (d) before the pesticide is sold or supplied, the pesticide is located or secured in a manner that prevents it from being accessed directly by the public.

#### **Exceptions to prohibition on use of pesticides on outdoor tree, shrub, flower or other ornamental plant**

- 5 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 4(3) of the Act.
- (2) After April 1, 2012, a person may use or cause or permit the use of a pesticide in, on or over an outdoor tree, shrub, flower or other ornamental plant for one or more of the following purposes:
- (a) to destroy, prevent or control a species of animal that bites, stings, is venomous or carries disease;

- (b) to destroy, prevent or control a species of fungus or species of animal that may negatively affect a building, structure or machine, but only if the pesticide is used in the vicinity of the building, structure or machine;
  - (c) to destroy, prevent or control an alien invasive species, other than a plant species, that may negatively affect the health of humans, the environment or the economy.
- (3) After April 1, 2012, a person may use or cause or permit the use of a pesticide containing glyphosate in, on or over an outdoor tree, shrub, flower or other ornamental plant for one or more of the following purposes:
- (a) to destroy, prevent or control a species of plant that is poisonous to humans by touch;
  - (b) to destroy, prevent or control a species of plant that may negatively affect the physical state of a building, structure or machine, but only if the pesticide is used in the vicinity of the building, structure or machine;
  - (c) to destroy, prevent or control an alien invasive plant species that may negatively affect the health of humans, the environment or the economy.
- (4) After April 1, 2012, a person may use or cause or permit the use of a pesticide in an outdoor tree if the pesticide is applied through injection.

**Exceptions to prohibition on selling or supplying pesticide labelled for use on outdoor tree, shrub, flower or other ornamental plant**

- 6 (1) The circumstances set out in this Section are prescribed as exceptions to the prohibition in subsection 5(2) of the Act.
- (2) After April 1, 2012, a person may sell, supply or offer for sale a pesticide labelled for use on an outdoor tree, shrub, flower or other ornamental plant if all of the following conditions are met:
- (a) the use of the pesticide is permitted under Section 5;
  - (b) any person to whom the pesticide is sold or supplied is provided with written information about the circumstances under which the pesticide is permitted to be used as set out in Section 5;
  - (c) the pesticide is sold or supplied through a person who holds a Class I certificate of qualification (Vendor's Certificate) issued under the *Pesticide Regulations* made under the *Environment Act*;
  - (d) before the pesticide is sold or supplied, the pesticide is located or secured in a manner that prevents it from being accessed directly by the public.

**N.S. Reg. 185/2010**

Made: December 2, 2010

Filed: December 6, 2010

Prescribed Petroleum Products Prices

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

**Order****NSUARB-GAS-W-10-49****In the Matter of the *Petroleum Products Pricing Act*****- and -**

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

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

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

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

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

Grade 1 Regular gasoline	62.6¢ per litre
Ultra-low-sulfur diesel oil	64.5¢ per litre

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

Gasoline:	
Grade 1	62.6¢ per litre
Grade 2	65.6¢ per litre
Grade 3	68.6¢ per litre
Ultra-low-sulfur diesel oil	64.5¢ per litre

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

Gasoline:	plus 1.0¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.6¢ per litre

**And whereas** a winter blending adjustment of plus 2.5¢ per litre is required for ultra-low-sulfur diesel oil;

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

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

Sgd: *Mora Stevens*  
 Clerk of the Board



## Schedule "A"

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

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 15% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
<b>Zone 1</b>								
Regular Unleaded	69.9	10.0	15.5	95.4	114.3	116.0	114.3	999.9
Mid-Grade Unleaded	72.9	10.0	15.5	98.4	117.8	119.5	117.8	999.9
Premium Unleaded	75.9	10.0	15.5	101.4	121.2	122.9	121.2	999.9
Ultra-Low-Sulfur Diesel	73.9	4.0	15.4	93.3	111.9	113.6	111.9	999.9
<b>Zone 2</b>								
Regular Unleaded	70.3	10.0	15.5	95.8	114.8	116.5	114.8	999.9
Mid-Grade Unleaded	73.3	10.0	15.5	98.8	118.2	119.9	118.2	999.9
Premium Unleaded	76.3	10.0	15.5	101.8	121.7	123.4	121.7	999.9
Ultra-Low-Sulfur Diesel	74.3	4.0	15.4	93.7	112.4	114.1	112.4	999.9
<b>Zone 3</b>								
Regular Unleaded	70.8	10.0	15.5	96.3	115.3	117.1	115.3	999.9
Mid-Grade Unleaded	73.8	10.0	15.5	99.3	118.8	120.5	118.8	999.9
Premium Unleaded	76.8	10.0	15.5	102.3	122.2	124.0	122.2	999.9
Ultra-Low-Sulfur Diesel	74.8	4.0	15.4	94.2	112.9	114.7	112.9	999.9
<b>Zone 4</b>								
Regular Unleaded	70.8	10.0	15.5	96.3	115.3	117.1	115.3	999.9
Mid-Grade Unleaded	73.8	10.0	15.5	99.3	118.8	120.5	118.8	999.9
Premium Unleaded	76.8	10.0	15.5	102.3	122.2	124.0	122.2	999.9
Ultra-Low-Sulfur Diesel	74.8	4.0	15.4	94.2	112.9	114.7	112.9	999.9
<b>Zone 5</b>								
Regular Unleaded	70.8	10.0	15.5	96.3	115.3	117.1	115.3	999.9
Mid-Grade Unleaded	73.8	10.0	15.5	99.3	118.8	120.5	118.8	999.9
Premium Unleaded	76.8	10.0	15.5	102.3	122.2	124.0	122.2	999.9
Ultra-Low-Sulfur Diesel	74.8	4.0	15.4	94.2	112.9	114.7	112.9	999.9
<b>Zone 6</b>								
Regular Unleaded	71.6	10.0	15.5	97.1	116.3	118.0	116.3	999.9
Mid-Grade Unleaded	74.6	10.0	15.5	100.1	119.7	121.4	119.7	999.9
Premium Unleaded	77.6	10.0	15.5	103.1	123.2	124.9	123.2	999.9
Ultra-Low-Sulfur Diesel	75.6	4.0	15.4	95.0	113.9	115.6	113.9	999.9