

# Royal



# Gazette

## Part II Regulations under the Regulations Act

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

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

**N.S. Reg. 105/2010**

Made: July 8, 2010

Filed: July 12, 2010

Prescribed Petroleum Products Prices

Order dated July 8, 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-10-28****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 July 7, 2010, are:

|                             |                 |
|-----------------------------|-----------------|
| Grade 1 Regular gasoline    | 53.8¢ per litre |
| Ultra-low-sulfur diesel oil | 55.5¢ per litre |

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

|                             |                 |
|-----------------------------|-----------------|
| Gasoline:                   |                 |
| Grade 1                     | 53.8¢ per litre |
| Grade 2                     | 56.8¢ per litre |
| Grade 3                     | 59.8¢ per litre |
| Ultra-low-sulfur diesel oil | 55.5¢ 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:                    | minus 0.4¢ per litre |
| Ultra-low-sulfur diesel oil: | minus 0.6¢ per litre |

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 9, 2010.

Dated at Halifax, Nova Scotia, this 8th day of July, 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 July 9, 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                     | 59.7                 | 10.0            | 15.5      | 85.2                    | 102.6                    | 104.3 | 102.6                    | 999.9 |
| Mid-Grade Unleaded                   | 62.7                 | 10.0            | 15.5      | 88.2                    | 106.0                    | 107.8 | 106.0                    | 999.9 |
| Premium Unleaded                     | 65.7                 | 10.0            | 15.5      | 91.2                    | 109.5                    | 111.2 | 109.5                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 61.2                 | 4.0             | 15.4      | 80.6                    | 97.3                     | 99.0  | 97.3                     | 999.9 |
| <b>Zone 2</b>                        |                      |                 |           |                         |                          |       |                          |       |
| Regular Unleaded                     | 60.1                 | 10.0            | 15.5      | 85.6                    | 103.0                    | 104.8 | 103.0                    | 999.9 |
| Mid-Grade Unleaded                   | 63.1                 | 10.0            | 15.5      | 88.6                    | 106.5                    | 108.2 | 106.5                    | 999.9 |
| Premium Unleaded                     | 66.1                 | 10.0            | 15.5      | 91.6                    | 109.9                    | 111.7 | 109.9                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 61.6                 | 4.0             | 15.4      | 81.0                    | 97.8                     | 99.5  | 97.8                     | 999.9 |
| <b>Zone 3</b>                        |                      |                 |           |                         |                          |       |                          |       |
| Regular Unleaded                     | 60.6                 | 10.0            | 15.5      | 86.1                    | 103.6                    | 105.3 | 103.6                    | 999.9 |
| Mid-Grade Unleaded                   | 63.6                 | 10.0            | 15.5      | 89.1                    | 107.1                    | 108.8 | 107.1                    | 999.9 |
| Premium Unleaded                     | 66.6                 | 10.0            | 15.5      | 92.1                    | 110.5                    | 112.2 | 110.5                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 62.1                 | 4.0             | 15.4      | 81.5                    | 98.3                     | 100.1 | 98.3                     | 999.9 |
| <b>Zone 4</b>                        |                      |                 |           |                         |                          |       |                          |       |
| Regular Unleaded                     | 60.6                 | 10.0            | 15.5      | 86.1                    | 103.6                    | 105.3 | 103.6                    | 999.9 |
| Mid-Grade Unleaded                   | 63.6                 | 10.0            | 15.5      | 89.1                    | 107.1                    | 108.8 | 107.1                    | 999.9 |
| Premium Unleaded                     | 66.6                 | 10.0            | 15.5      | 92.1                    | 110.5                    | 112.2 | 110.5                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 62.1                 | 4.0             | 15.4      | 81.5                    | 98.3                     | 100.1 | 98.3                     | 999.9 |
| <b>Zone 5</b>                        |                      |                 |           |                         |                          |       |                          |       |
| Regular Unleaded                     | 60.6                 | 10.0            | 15.5      | 86.1                    | 103.6                    | 105.3 | 103.6                    | 999.9 |
| Mid-Grade Unleaded                   | 63.6                 | 10.0            | 15.5      | 89.1                    | 107.1                    | 108.8 | 107.1                    | 999.9 |
| Premium Unleaded                     | 66.6                 | 10.0            | 15.5      | 92.1                    | 110.5                    | 112.2 | 110.5                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 62.1                 | 4.0             | 15.4      | 81.5                    | 98.3                     | 100.1 | 98.3                     | 999.9 |
| <b>Zone 6</b>                        |                      |                 |           |                         |                          |       |                          |       |
| Regular Unleaded                     | 61.4                 | 10.0            | 15.5      | 86.9                    | 104.5                    | 106.3 | 104.5                    | 999.9 |
| Mid-Grade Unleaded                   | 64.4                 | 10.0            | 15.5      | 89.9                    | 108.0                    | 109.7 | 108.0                    | 999.9 |
| Premium Unleaded                     | 67.4                 | 10.0            | 15.5      | 92.9                    | 111.4                    | 113.2 | 111.4                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 62.9                 | 4.0             | 15.4      | 82.3                    | 99.2                     | 101.0 | 99.2                     | 999.9 |

**N.S. Reg. 106/2010**

Made: June 22, 2010 and July 13, 2010

Filed: July 14, 2010

Insured Dental Services Tariff Regulations

Order in Council 2010-278 dated July 13, 2010

Amendment to regulations made by the Minister of Health and the Governor in Council pursuant to Section 13 and subsection 17(2) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated June 22, 2010, and pursuant to Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased, effective on and after July 13, 2010, to

- (a) pursuant to subsection 17(2) of the Act, amend the *Insured Dental Services Tariff Regulations*, N.S. Reg. 87/2001, made by the Minister of Health and the Governor in Council by Order in Council 2001-327 dated July 5, 2001, in accordance with the increased tariff amounts established by the Minister of Health pursuant to clause 13(1)(c) of the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) approve the authorization by the Minister of Health of payments in respect of the increased tariff amounts referred to in clause (a), in accordance with clause 13(1)(c) of the Act. [**Clause (b) not filed as a regulation.**]

**In the matter of an amendment to the *Insured Dental Services Tariff Regulations*  
made pursuant to Section 13 and subsection 17(2)  
of Chapter 197 of the Revised Statutes of Nova Scotia, 1989,  
the *Health Services Insurance Act***

- and -

**In the matter of an increase to the tariff of fees established by  
the Minister of Health pursuant to clause 13(1)(c)  
of the *Health Services Insurance Act*  
with respect to insured dental services**

**Order**

I, Maureen MacDonald, Minister of Health for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, do hereby establish that the tariff to be paid in respect of the *Insured Dental Services Tariff Regulations*, N.S. Reg. 87/2001, shall be increased as set forth in Schedule "A" and the tariff shall be paid in accordance with the amendments as set forth in Schedule "A".

This Order is effective on and after the making by the Governor in Council of the amendments to the *Insured Dental Services Tariff Regulations*, N.S. Reg. 87/2001, set forth in Schedule "A".

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, June 22, 2010.

Sgd.: *Maureen MacDonald*  
Honourable Maureen MacDonald  
Minister of Health

## Schedule "A"

**Amendment to the *Insured Dental Services Tariff Regulations*  
made by the Minister of Health and the Governor in Council  
pursuant to Section 13 and subsection 17(2)  
of Chapter 197 of the Revised Statutes of Nova Scotia, 1989,  
the *Health Services and Insurance Act***

The *Insured Dental Services Tariff Regulations*, N.S. Reg. 87/2001, made by the Minister of Health and the Governor in Council by Order in Council 2001-327 dated July 5, 2001, are amended by adding the following subsection immediately after subsection 2(5):

- (6) The tariff of fees referred to in subsection (1) shall be increased effective on and after the date this subsection comes into force by 1%.

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**N.S. Reg. 107/2010**

Made: June 22, 2010 and July 13, 2010

Filed: July 14, 2010

Insured Optometric Services Tariff Regulations

Order in Council 2010-279 dated July 13, 2010

Amendment to regulations made by the Minister of Health and the Governor in Council  
pursuant to Section 13 and subsection 17(2) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated June 22, 2010, and pursuant to Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased, effective on and after July 13, 2010, to

- (a) pursuant to subsection 17(2) of the Act, amend the *Insured Optometric Services Tariff Regulations*, N.S. Reg. 68/2002, made by the Minister of Health and the Governor in Council by Order in Council 2002-255 dated May 3, 2002, in accordance with the increased tariff amounts established by the Minister of Health pursuant to clause 13(1)(c) of the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) approve the authorization by the Minister of Health of payments in respect of the increased tariff amounts referred to in clause (a), in accordance with clause 13(1)(c) of the Act. **[Clause (b) not filed as a regulation.]**

**In the matter of an amendment to the  
*Insured Optometric Services Tariff Regulations*  
made pursuant to Section 13 and subsection 17(2) of Chapter 197  
of the Revised Statutes of Nova Scotia, 1989,  
the *Health Services Insurance Act***

- and -

**In the matter of an increase to the tariff of fees established by  
the Minister of Health pursuant to clause 13(1)(c)  
of the *Health Services Insurance Act*  
with respect to insured optometric services**

**Order**

I, Maureen MacDonald, Minister of Health for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, do hereby establish that the tariff to be paid in respect of the *Insured Optometric Services Tariff Regulations*, N.S. Reg. 68/2002, shall be increased as set forth in Schedule "A" and the tariff shall be paid in accordance with the amendments as set forth in Schedule "A".

This Order is effective on and after the making by the Governor in Council of the amendments to the *Insured Optometric Services Tariff Regulations*, N.S. Reg. 68/2002, set forth in Schedule "A".

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, June 22, 2010.

Sgd.: *Maureen MacDonald*  
Honourable Maureen MacDonald  
Minister of Health

**Schedule "A"**

**Amendment to the *Insured Optometric Services Tariff Regulations*  
made by the Minister of Health and the Governor in Council  
pursuant to Section 13 and subsection 17(2) of Chapter 197 of  
the Revised Statutes of Nova Scotia, 1989,  
the *Health Services and Insurance Act***

The *Insured Optometric Services Tariff Regulations*, N.S. Reg. 68/2002, made by the Minister of Health and the Governor in Council by Order in Council 2002-255 dated May 3, 2002, are amended by repealing Section 3 and substituting the following Section:

**Tariff of fees**

**3** The tariff of fees for insured optometric services is as follows:

- (a) effective on and after the date this Section comes into force, the Medical Services Unit (MSU) is \$2.65; and
- (b) effective April 1, 2011, the MSU is increased to \$2.68.

**N.S. Reg. 108/2010**

Made: July 13, 2010

Filed: July 14, 2010

Employment Support and Income Assistance Regulations

Order in Council 2010-280 dated July 13, 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 June 22, 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 certain amounts from the definition of chargeable income used to determine eligibility for income assistance, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 13, 2010.

**Schedule "A"**

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

- 1 Section 2 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 striking out "income tax refunds" in clause (f).
- 2 The regulations are further amended by repealing Section 52 and substituting the following Section:  
**52** Income from any of the following sources is not chargeable income:
  - (a) the Canada child tax benefit paid under the *Income Tax Act* (Canada), including all of the following:
    - (i) the national child benefit supplement,
    - (ii) the child tax benefit,
    - (iii) payments under the Nova Scotia Child Benefit Program under the *Income Tax Act*,
    - (iv) the child disability benefit;
  - (b) the universal child care benefit paid under the *Universal Child Care Benefit Act* (Canada);
  - (c) the goods and services tax credit paid under the *Income Tax Act* (Canada);
  - (d) income tax refunds;
  - (e) an adoption subsidy payment under the *Children and Family Services Act*;



- (f) payments made in support of a foster child paid under the *Children and Family Services Act*;
- (g) payments under a victims compensation program of a federal or provincial government;
- (h) payments to a victim of abuse by a church organization in compliance with a court order or under a victims compensation program;
- (h)\* the Nova Scotia Affordable Living Tax Credit under the *Income Tax Act*;
- (i)\* the Nova Scotia Poverty Reduction Credit under the *Income Tax Act*.

[\*Lettering as in original.]

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**N.S. Reg. 109/2010**

Made: July 13, 2010

Filed: July 14, 2010

Proclamation, S. 8, S.N.S. 2010, c. 19

Order in Council 2010-289 dated July 13, 2010

Proclamation made by the Governor in Council

pursuant to Section 8 of

*An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act*

The Governor in Council on the report and recommendation of the Minister of Economic and Rural Development dated June 16, 2010, and pursuant to Section 8 of Chapter 19 of the Acts of 2010, *An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act*, is pleased to order and declare by proclamation that Chapter 19 of the Acts of 2010, *An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act*, do come into force on and not before July 13, 2010.

PROVINCE OF NOVA SCOTIA

**sgd: Jamie W. S. Saunders**

G/S

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

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

GREETING:

**A PROCLAMATION**

WHEREAS in and by Section 8 of Chapter 19 of the Acts of 2010, *An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 19 of the Acts of 2010, *An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act*, do come into force on and not before July 13, 2010;



NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 19 of the Acts of 2010, *An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act*, do come into force on and not before July 13, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour the Honourable Jamie W. S. Saunders, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 13th day of July 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. 110/2010**

Made: July 15, 2010

Filed: July 16, 2010

Prescribed Petroleum Products Prices

Order dated July 15, 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-10-29**

**In the Matter of the *Petroleum Products Pricing Act***

**- and -**

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

**Before:** Roland A. Deveau, Q. C., 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 July 14, 2010, are:

|                             |                 |
|-----------------------------|-----------------|
| Grade 1 Regular gasoline    | 54.6¢ per litre |
| Ultra-low-sulfur diesel oil | 56.6¢ per litre |

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

|                             |                 |
|-----------------------------|-----------------|
| Gasoline:                   |                 |
| Grade 1                     | 54.6¢ per litre |
| Grade 2                     | 57.6¢ per litre |
| Grade 3                     | 60.6¢ per litre |
| Ultra-low-sulfur diesel oil | 56.6¢ 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:                    | 0.0¢ per litre |
| Ultra-low-sulfur diesel oil: | 0.0¢ per litre |

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 16, 2010.

Dated at Halifax, Nova Scotia, this 15th day of July, 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 July 16, 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                     | 60.9                 | 10.0            | 15.5      | 86.4                    | 104.0                    | 105.7 | 104.0                    | 999.9 |
| Mid-Grade Unleaded                   | 63.9                 | 10.0            | 15.5      | 89.4                    | 107.4                    | 109.1 | 107.4                    | 999.9 |
| Premium Unleaded                     | 66.9                 | 10.0            | 15.5      | 92.4                    | 110.9                    | 112.6 | 110.9                    | 999.9 |
| Ultra-Low-Sulfur Diesel              | 62.9                 | 4.0             | 15.4      | 82.3                    | 99.2                     | 101.0 | 99.2                     | 999.9 |

|                         |      |      |      |      |       |       |       |       |
|-------------------------|------|------|------|------|-------|-------|-------|-------|
| <b>Zone 2</b>           |      |      |      |      |       |       |       |       |
| Regular Unleaded        | 61.3 | 10.0 | 15.5 | 86.8 | 104.4 | 106.1 | 104.4 | 999.9 |
| Mid-Grade Unleaded      | 64.3 | 10.0 | 15.5 | 89.8 | 107.9 | 109.6 | 107.9 | 999.9 |
| Premium Unleaded        | 67.3 | 10.0 | 15.5 | 92.8 | 111.3 | 113.0 | 111.3 | 999.9 |
| Ultra-Low-Sulfur Diesel | 63.3 | 4.0  | 15.4 | 82.7 | 99.7  | 101.4 | 99.7  | 999.9 |
| <b>Zone 3</b>           |      |      |      |      |       |       |       |       |
| Regular Unleaded        | 61.8 | 10.0 | 15.5 | 87.3 | 105.0 | 106.7 | 105.0 | 999.9 |
| Mid-Grade Unleaded      | 64.8 | 10.0 | 15.5 | 90.3 | 108.4 | 110.2 | 108.4 | 999.9 |
| Premium Unleaded        | 67.8 | 10.0 | 15.5 | 93.3 | 111.9 | 113.6 | 111.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 63.8 | 4.0  | 15.4 | 83.2 | 100.3 | 102.0 | 100.3 | 999.9 |
| <b>Zone 4</b>           |      |      |      |      |       |       |       |       |
| Regular Unleaded        | 61.8 | 10.0 | 15.5 | 87.3 | 105.0 | 106.7 | 105.0 | 999.9 |
| Mid-Grade Unleaded      | 64.8 | 10.0 | 15.5 | 90.3 | 108.4 | 110.2 | 108.4 | 999.9 |
| Premium Unleaded        | 67.8 | 10.0 | 15.5 | 93.3 | 111.9 | 113.6 | 111.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 63.8 | 4.0  | 15.4 | 83.2 | 100.3 | 102.0 | 100.3 | 999.9 |
| <b>Zone 5</b>           |      |      |      |      |       |       |       |       |
| Regular Unleaded        | 61.8 | 10.0 | 15.5 | 87.3 | 105.0 | 106.7 | 105.0 | 999.9 |
| Mid-Grade Unleaded      | 64.8 | 10.0 | 15.5 | 90.3 | 108.4 | 110.2 | 108.4 | 999.9 |
| Premium Unleaded        | 67.8 | 10.0 | 15.5 | 93.3 | 111.9 | 113.6 | 111.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 63.8 | 4.0  | 15.4 | 83.2 | 100.3 | 102.0 | 100.3 | 999.9 |
| <b>Zone 6</b>           |      |      |      |      |       |       |       |       |
| Regular Unleaded        | 62.6 | 10.0 | 15.5 | 88.1 | 105.9 | 107.6 | 105.9 | 999.9 |
| Mid-Grade Unleaded      | 65.6 | 10.0 | 15.5 | 91.1 | 109.4 | 111.1 | 109.4 | 999.9 |
| Premium Unleaded        | 68.6 | 10.0 | 15.5 | 94.1 | 112.8 | 114.5 | 112.8 | 999.9 |
| Ultra-Low-Sulfur Diesel | 64.6 | 4.0  | 15.4 | 84.0 | 101.2 | 102.9 | 101.2 | 999.9 |

**N.S. Reg. 111/2010**

Made: July 15, 2010

Filed: July 21, 2010

Processor Licensing Regulations

Order dated July 15, 2010  
Regulations made by the Natural Products Marketing Council  
pursuant to Section 9 of the *Dairy Industry Act*

The Natural Products Marketing Council, pursuant to Section 9 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held July 15, 2010, approved regulations respecting processor licensing in the form attached to this Certificate as Schedule "A", effective on and after August 1, 2010.

**Dated and signed** at Truro, Nova Scotia, July 15, 2010.

Natural Products Marketing Council

Sgd.: *E. A. Crouse*  
Elizabeth A. Crouse  
General Manager

**Schedule "A"****Regulations Respecting Processor Licensing  
made by the Natural Products Marketing Council under  
Section 9 of Chapter 24 of the Acts of 2000,  
the Dairy Industry Act****Citation**

1 These regulations may be cited as the *Processor Licensing Regulations*.

**Application**

2 These regulations apply to processors of cows' milk.

**Definitions**

3 In these regulations,

“Act” means the *Dairy Industry Act*;

“cow” means the mature female of domestic cattle, *genus Bos*.

**Licensing authority**

4 The Council is the licensing authority referred to in Section 7 of the Act for the issuance of a processor licence.

**Processor licence required for each dairy plant**

- 5 (1) A person who operates more than 1 dairy plant must hold a separate processor licence for each plant.
- (2) Each dairy plant operated by the same processor is deemed to be operated by a separate processor.

**Form of processor licence**

6 A processor licence must include all of the following:

- (a) the licence number;
- (b) the name and address of the licensee;
- (c) the name and address of the dairy plant for which the licence is issued;
- (d) the type of dairy plant for which the licence is issued;
- (e) the effective date and the expiry date of the licence;
- (f) the Council manager's signature; and
- (g) any terms and conditions imposed by the Council.

**Term of processor licence**

7 A processor licence becomes effective on the date stated on the licence and expires 3 years after the effective date or on an earlier date determined by the Council.

**Processor licence fee**

- 8 (1) The fee for a processor licence or for renewal of a processor licence is \$75.
- (2) If a processor licence expires on a day other than an anniversary of its effective date, the Council may prorate the licence fee payable for that part of the year from the last anniversary to the expiry.

**Conditions of processor licence**

- 9 (1)** It is a condition of every processor licence that
- (a) the licensee must not permit an employee to work in the dairy plant unless the employee is
    - (i) free of communicable disease, and
    - (ii) wearing outer clothing that is clean and light in colour;
  - (b) every milk grader at the licensee's dairy plant must hold a Graders' License issued by the appropriate authority;
  - (c) the licensee must observe, perform and carry out the provisions of the Act, the regulations, all applicable agreements and orders of the Board and the Council; and
  - (d) the applicant complies with the *Health Protection Act* and regulations.
- (2)** The Council may issue a processor licence subject to the condition that the licensee furnish a surety in the event of default of payment.

**Applying for processor licence**

- 10 (1)** An application for a processor licence must be made to the Council on an application form provided by the Council and must include all of the following:
- (a) the category and volumes of cows' milk to be processed;
  - (b) the types of dairy products to be processed;
  - (c) an outline of the proposed business plan, including all of the following:
    - (i) an executive summary,
    - (ii) the names of the parties involved,
    - (iii) the marketing approach,
    - (iv) a sales forecast,
    - (v) the amount of capital investment,
    - (vi) financial projections;
  - (d) a cheque in the amount of the licence fee specified in Section 8.
- (2)** A licence fee paid with an application is refundable if the application is refused.

**Current licensee applying for changes to terms and conditions**

- 11** Where a current licensee proposes changes to the terms and conditions of their licence, these must be reviewed and approved before any changes are made by the licensee.

**Applying for renewal of processor licence**

- 12 (1)** An application to renew a processor licence must be submitted to the Council at least 90 days before the expiry of the licence on an application form provided by the Council.

- (2) A renewal application must include details about any proposed changes to the dairy products being processed at the dairy plant for which the licence is issued.
- (3) Where the renewal application requests changes to its current terms and conditions, the applicant must provide a detailed explanation of the changes and the justification for these changes.

#### **Applying for transfer of processor licence**

- 13** (1) An application to transfer a processor licence must be submitted to the Council at least 90 days before the expiry of the licence on an application form provided by the Council.
- (2) A transfer application must include
- (a) details about any proposed changes to the dairy products and their related volumes currently being processed at the dairy plant for which the licence is issued; and
  - (b) details of the proposed transfer including:
    - (i) the rationale for the change,
    - (ii) the justification for the change, and
    - (iii) the potential impact of this change on the dairy industry.
- (3) A processor licence must not be transferred without the written approval of the Council.

#### **Application review procedure**

- 14** (1) An application for a processor licence or a renewal or transfer of a processor licence must be reviewed and assessed in accordance with the following procedure:
- (a) on receipt of an application, the Council must check it for completeness and, except as provided in subsection (2), forward it to the Board for a recommendation;
  - (b) on receipt of an application for review and recommendation, the Board must
    - (i) review the application to determine the availability and the best method of delivering raw milk supplies based on the location of the dairy plant and the volume of milk to be processed,
    - (ii) forward the application and the results of the Board's review to the Board's Advisory Committee for Milk,
    - (iii) forward a recommendation to Council for a final decision.
- (2) A renewal application that does not identify details about any proposed changes to the dairy products currently being processed at the dairy plant may be reviewed by the Council without a Board recommendation.
- (3) At least 90 days must be allowed for reviewing and assessing an application.

#### **Refusal to issue or renew a licence**

- 15** (1) In addition to the reasons specified in subsection 7(3) of the Act, the Council may refuse to issue or renew a processor licence for any of the following reasons:

- (a) the applicant does not comply with the Act, the regulations, an agreement or an order of the Board or the Council;
  - (b) the applicant has failed to comply with any condition of a processor licence held by the applicant;
  - (c) any material representation or information made or provided by or on behalf of the applicant is false or misleading;
  - (d) the applicant does not comply with the *Health Protection Act* and regulations;
  - (e) having regard to the needs of the industry and to the facilities of other dairy plants in operation, the dairy plant for which the licence is sought is not necessary or desirable.
- (2) In deciding whether to refuse to issue or renew a processor licence in accordance with subsection 7(3) of the Act because issuance or renewal is not in the public interest, the Council may consider the past conduct of the applicant or, if the applicant is a corporation, of its officers or directors.

#### **Council may suspend or revoke processor licence**

**16** The Council may, after a hearing, suspend or revoke a processor licence for failure to comply with any of the conditions on which it was issued.

#### **Council may impose penalty**

**17** If, after a hearing, the Council determines that a licensee or former licensee has contravened any condition of a processor licence, the Council may impose a penalty.

#### **Licensee ceasing to carry on business**

**18** If a licensed processor ceases to carry on the business for which the processor is licensed, the licensee must immediately surrender the licence to the Council.

#### **Category requirements**

- 19** (1) Processor licensees must segregate all different categories of milk for processing pursuant to the *Milk Classes and Categories Regulations*.
- (2) For products processed as certified, a proof and maintenance certificate issued by a national certification body recognized by the Board or the Council is required.

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#### **N.S. Reg. 112/2010**

Made: May 25, 2010

Approved: July 15, 2010

Filed: July 21, 2010

Total Production Quota Regulations

Order dated May 25, 2010

made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council pursuant to clause 14(1)(e) of the *Dairy Industry Act*

I certify that the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(e) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(h) of the *Delegation of Powers to Dairy Farmers of*



*Nova Scotia Regulations*, N.S. Reg. 136/2001, at a meeting held on May 25, 2010, amended the *Total Production Quota Regulations*, N.S. Reg. 271/2007, made by the Dairy Farmers of Nova Scotia on July 21, 2009, effective August 1, 2009, and made new regulations respecting total production quota in the form attached as Schedule “A”, effective on and after August 1, 2010.

**Dated and signed** at Truro, Nova Scotia on July 16, 2010.

Sgd.: *Brian Cameron*  
Brian Cameron  
General Manager  
Dairy Farmers of Nova Scotia

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**Approved as to form only** by the Natural Products Marketing Council at Truro, Nova Scotia, on July 15, 2010.

Sgd.: *E. A. Crouse*  
Liz Crouse  
General Manager  
Natural Products Marketing Council

### Schedule “A”

***Total Production Quota Regulations***  
**made by the Dairy Farmers of Nova Scotia**  
**under clause 14(1)(e) of Chapter 24 of the Acts of 2000,**  
**the *Dairy Industry Act***

- 1 Subsection 10(4) of these regulations is repealed.
- 2 Clause 16(4)(a) of the regulations is amended by striking out “were producers” and substituting “held total quota of less than 10 kg of butterfat”.
- 3 (a) Clause 26(8)(a) of the regulations is amended by striking out “sell” and substituting “buy”.
- (b) Clause 26(8)(b) of these regulations is amended by adding “successful” immediately after “must then be pro-rated for”.
- 4 Subsection 26(13) of the regulations is repealed and replaced with the following:
  - 26 (13)** In subsections (8) and (9) only, “new producer” includes a producer who was a new producer in the 6 months before the TPQ exchange; and
    - (a) where the producer is not an assisted new producer, the total quota held by the producer immediately prior to the TPQ exchange plus the amount of the producer’s successful offer to buy is 35 kg or less; or
    - (b) where the producer is an assisted new producer the total quota held by the producer immediately prior to the TPQ exchange plus the amount of the producer’s successful offer to buy is the amount of total quota prescribed by the Board’s policy or less.

**N.S. Reg. 113/2010**

Made: June 24, 2010

Approved: July 15, 2010

Filed: July 21, 2010

Bulk Haulage Regulations

Order dated July 15, 2010  
made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council  
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

**Dairy Farmers of Nova Scotia**

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on June 24, 2010, amended the *Bulk Haulage Regulations* [N.S. Reg. 23/2003,] in the manner set out attached to this certificate as Schedule "A", effective on and after August 1, 2010.

**Dated and signed** at Truro, Nova Scotia July 16, 2010.

Sgd.: *Brian Cameron*  
**Brian Cameron**  
**General Manager**  
**Dairy Farmers of Nova Scotia**

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**Approved by** the Natural Products Marketing Council at Truro, Nova Scotia, July 15, 2010.

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

**Schedule "A"**

**Amendments to the *Bulk Haulage Regulations*  
made by the Dairy Farmers of Nova Scotia  
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,  
the *Dairy Industry Act***

Clause 7(a) of the *Bulk Haulage Regulations* [N.S. Reg. 23, 2003,] made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on August 13, 2002, is amended by

- (a) striking out "\$2.300" directly opposite "Farmers Co-operative Dairy Limited" and substituting "\$2.380";
- (b) striking out "\$3.240" directly opposite "Scotsburn Co-operative Services Limited" and substituting "\$3.360";
- (c) striking out "\$1.600" directly opposite "Fisher Transport Limited" and substituting "\$1.630";
- (d) striking out "\$2.550" directly opposite "Winterthur Farm–Rudolph Burghardt" and substituting "\$2.590";
- (e) striking out "\$1.750" directly opposite "Cook's Dairy Farm Limited" and substituting "\$1.800".

**N.S. Reg. 114/2010**

Made: January 20, 2010

Approved: July 15, 2010

Filed: July 21, 2010

Dairy Farmers of Nova Scotia By-laws

Order dated July 15, 2010  
made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council  
pursuant to clause 15(1)(h) of the *Dairy Industry Act*

**Dairy Farmers of Nova Scotia**

I certify that The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(h) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, and pursuant to Section 2 of the Dairy Farmers of Nova Scotia By-laws, at a meeting held on January 20, 2010, voted to amend the Dairy Farmers of Nova Scotia By-laws, N.S. Reg. 366/2007, in the manner set forth in Schedule 'A' attached to this certificate, effective on and after August 1, 2010.

Signed at Truro, Colchester County, Nova Scotia, on July 16, 2010.

Dairy Farmers of Nova Scotia

per: sgd.: *Brian Cameron*  
Brian Cameron  
General Manager

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Approved by the Natural Products Marketing Council at Truro, Nova Scotia on July 15, 2010.

Natural Products Marketing Council

per: sgd.: *E. A. Crouse*  
Elizabeth A. Crouse  
General Manager

**Schedule 'A'**

**Dairy Farmers of Nova Scotia By-laws**  
**made under clause 15(1)(h) of the**  
***Dairy Industry Act***  
**S.N.S. 2000, c. 24**  
**N. S. Reg. 366/2007 (August 14, 2007)**

Section 60 of the Dairy Farmers of Nova Scotia By-laws, N.S. Reg. 366/2007, made by [the] Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on August 14, 2007, is repealed.

**N.S. Reg. 115/2010**

Made: June 16, 2010

Approved: July 15, 2010

Filed: July 21, 2010

Nova Scotia Egg Producers Levy Order

Order dated July 15, 2010  
made by the Egg Producers of Nova Scotia and approved by the Natural Products Marketing Council  
pursuant to Section 11 of the *Natural Products Act*

**Egg Producers of Nova Scotia**

**I certify that** the Egg Producers of Nova Scotia at their Board meeting on June 16, 2010, pursuant to subsection 6(g) of the *Nova Scotia Egg Producers' Marketing Plan*, carried a motion amending the [Nova Scotia] *Egg Producers Levy Order* in the manner set forth in the attached Schedule "A" effective on July 15, 2010.

**Dated and signed** at Truro, Nova Scotia, on July 15, 2010.

Sgd.: *Patti Wyllie*Patti Wyllie  
Manager

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**I certify that** the Natural Products Marketing Council at its meeting of July 15, 2010 at Truro, Nova Scotia, approved the request of the Egg Producers of Nova Scotia for the change of levy reflected in Schedule "A" attached.

**Dated and signed** at Truro, Nova Scotia, on July 15, 2010.

Sgd.: *E. A. Crouse*  
Elizabeth Crouse  
General Manager  
Natural Products Marketing Council**Schedule "A"**

**Amendment to the**  
***Nova Scotia Egg Producers Levy Order***  
**made under Section 11 of the**  
***Natural Products Act*** and subsection 6(g) of the  
***Nova Scotia Egg Producers' Marketing Plan***

- 1 Subsection 3(1) of the *Nova Scotia Egg Producers Levy Order* is amended by striking out "\$0.3500" and substituting "\$0.3650".

**N.S. Reg. 116/2010**

Made: February 25, 2010

Approved: July 15, 2010

Filed: July 22, 2010

Milk Producer Licensing Regulations

Order dated July 15, 2010

made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council pursuant to clauses 9(f)-(i), subsection 13(1) Section 14 and clause 15(1)(a) of the *Dairy Industry Act*

**Dairy Farmers of Nova Scotia**

The Dairy Farmers of Nova Scotia, pursuant to clause[s] 9(f)-(i), subsection 13(1), Section 14 and clause 15(1)(a) [of Chapter 24 of the Acts of 2000], the *Dairy Industry Act*, at a meeting held on February 25, 2010, approved regulations respecting the licensing of milk producers in the form attached to this certificate as Schedule "A", effective on and after August 1, 2010.

**Dated and signed** at Truro, Nova Scotia, July 16, 2010.

Sgd.: *Brian Cameron*  
Brian Cameron  
General Manager  
Dairy Farmers of Nova Scotia

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**Approved by** the Natural Products Marketing Council at Truro, Nova Scotia, July 15, 2010.

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

**Schedule 'A'**

**Amendment to the *Milk Producer Licensing Regulations*  
made by the Dairy Farmers of Nova Scotia  
pursuant to clauses 9(f)-(i), subsection 13(1),  
Section 14 and clause 15(1)(a)  
of Chapter 24 of the Acts of 2000,  
the *Dairy Industry Act***

**Citation**

1 Insert new Section 11 after Section 10.

**Procedure for hearing before licence suspension or cancellation**

- 11 (1)** Before the Board suspends or cancels a producer's licence under Section 10 the producer must be given the opportunity for a hearing before the board of directors.
- (2)** The board of directors must notify an affected producer in writing of the date, time and location and reason for the hearing.

- (3) The board of directors must notify the processor representative of the hearing details referred to in subsection (2).
- (4) A processor representative may attend a hearing but must not vote with respect to matters at issue in the hearing.
- (5) Subject to procedures established by the board of directors, a processor representative may make representation[s] at a hearing.