

# Royal Gazette

## Part II Regulations under the Regulations Act

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Halifax, Nova Scotia

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### Contents

Act	Reg. No.	Page
<b>Justice Administration Amendment (2004) Act</b>		
Proclamation, S. 32(1), S.N.S. 2004, c. 6 – S. 2, 15-20 .....	192/2004	352
<b>Oil Refineries and L.N.G. Plants Municipal Taxation Act</b>		
Dartmouth Imperial Oil Refinery Municipal Property Taxation Regulations .....	191/2004	351
Proclamation, S. 6, S.N.S. 2004, c. 8 .....	190/2004	350
<b>Order of Nova Scotia Act</b>		
Order of Nova Scotia Insignia Regulations .....	189/2004	348
<b>Retail Business Uniform Day Closing Act</b>		
Sunday Shopping Plebiscite Regulations .....	188/2004	334

**Please note:** The pages in the previous issue, No. 16 dated August 6, 2004, were numbered incorrectly. The pages should have been numbered from 300 to 332. (We apologize for any confusion or inconvenience this error may have caused.)

### *AVAILABLE NOW*

The third issue of the 2004 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, is available from the Office of the Registrar of Regulations. For information or subscription please call (902) 424-6723 or visit our website at [www.gov.ns.ca/just/regulations/cd](http://www.gov.ns.ca/just/regulations/cd).

**N.S. Reg. 188/2004**

Made: July 7, 2004

Filed: July 27, 2004

Sunday Shopping Plebiscite Regulations

Order dated July 7, 2004  
Regulations made by the Minister of Justice  
pursuant to subsection 10(4) of the *Retail Business Uniform Closing Day Act*

**ORDER**

**In the matter of:** Chapter 402 of the Revised Statutes of Nova Scotia [,1989], the *Retail Business Uniform Closing Day Act*

**and**

**In the matter of:** Regulations Respecting the Provincial Sunday Shopping Plebiscite pursuant to subsection 10(4) of the *Retail Business Uniform Closing Day Act*

I, Michael G. Baker, Q.C., Minister of Justice for the Province of Nova Scotia, pursuant to subsection 10(4) of Chapter 402 of the Revised Statutes of Nova Scotia, 1989, the *Retail Business Uniform Closing Day Act*, do hereby make regulations respecting the Provincial Sunday shopping plebiscite in the form set forth in Schedule "A", attached to and forming part of this Order, effective on and after July 7, 2004.

Made at Halifax, Nova Scotia, this 7<sup>th</sup> day of July, 2004.

Sgd: *Michael G. Baker*  
Michael G. Baker, Q.C.  
Minister of Justice

**Schedule "A"**

**Regulations Respecting the Provincial Sunday Shopping Plebiscite  
made by the Minister of Justice pursuant to subsection 10(4) of  
Chapter 402 of the Revised Statutes of Nova Scotia, 1989,  
the *Retail Business Uniform Closing Day Act***

**Citation**

**1** These regulations may be cited as the *Sunday Shopping Plebiscite Regulations*.

**Definitions**

**2 (1)** In these regulations

- (a) "Minister" means the Minister of Justice;
- (b) "plebiscite" means the vote of the electors required pursuant to Section 10 of the *Retail Business Uniform Closing Day Act*, which is to be held in conjunction with the regular municipal elections in 2004;

- (c) “municipal returning officer” means a returning officer appointed pursuant to the *Municipal Elections Act*;
  - (d) “qualified elector” means a person who meets the requirements of Section 3; and
  - (e) “voter” means a person who has voted in a plebiscite.
- (2) Words defined in the *Municipal Elections Act* have the same meaning when used in these regulations, unless the context requires otherwise.

**Qualifications to vote**

- 3 (1) Despite Section 14 of the *Municipal Elections Act*, every person who
- (a) is the full age of 18 years on ordinary polling day;
  - (b) is a Canadian citizen on ordinary polling day; and
  - (c) has been ordinarily resident in the Province for a period of 3 months immediately preceding ordinary polling day and continues to so reside,
- is entitled to vote in the plebiscite.
- (2) Persons disqualified from voting in a municipal election under Section 15 of the *Municipal Elections Act* are disqualified from voting in the plebiscite.
- (3) The place where a person is ordinarily resident is determined by Section 16 of the *Municipal Elections Act*.
- (4) For greater certainty, a person who meets the requirements of subsection (1) and who is not disqualified under subsection (2) is entitled to vote in the plebiscite even if the person is not qualified to vote in either a municipal or school board election.

**Ballots supplied for plebiscite**

- 4 (1) Despite Section 65 of the *Municipal Elections Act*, ballots for the plebiscite will be printed and supplied by the Province to each municipality by providing ballots to each municipal returning officer, who must then include the ballots with the supplies for each polling station in the municipality.
- (2) The plebiscite ballots will be printed on grey paper.
- (3) The Province will supply sufficient envelopes for securing the plebiscite ballots for each polling station in the municipality.

**Forms supplied for plebiscite**

- 5 The Province will make the following forms available to each municipality:
- (a) Form 23A - Directions to Electors - Provincial Sunday Shopping Plebiscite (2004);
  - (b) Form 34B - Statement of Poll, either hard copy or in electronic format;
  - (c) Form 36 - Tally Sheet for the Counting of Votes, either hard copy or in electronic format;
  - (d) Form 38A - Recapitulation Sheet.

**Number of electors and polling stations provided to Municipal Elections Officer**

- 6 (1) Upon certification of the final list, the municipal returning officer must provide the number of electors on the final list of electors to the Municipal Elections Officer to enable the Province to supply sufficient plebiscite ballots to the municipality in accordance with Section 4.
- (2) Following the close of nominations, the municipal returning officer must provide the number of polling stations in the municipality to the Municipal Elections Officer to enable the Province to supply sufficient plebiscite forms and envelopes to the municipality in accordance with Section 5 and subsection 4(3).

**Consolidation of polling divisions if acclamation**

- 7 If a council seat is acclaimed in a polling district, the municipal returning officer must determine the number of polling divisions and the number and location of polling stations necessary to conduct the plebiscite vote in the polling district, keeping in mind the need for convenient access for qualified electors and the number of other elections that are being held in conjunction with the plebiscite in the polling district.

**Notice of poll**

- 8 The notice of poll published under Section 50 of the *Municipal Elections Act* must include notice of the plebiscite and the wording of the plebiscite questions must be included in the advertisement.

**Identification of advertiser**

- 9 The plebiscite is not an election for the purposes of Section 143 of the *Municipal Elections Act*.

**Procedure if fewer than 10 electors vote at advance poll**

- 10 If fewer than 10 persons from any advance poll district vote at an advance poll for the plebiscite, the plebiscite ballots must be transferred in accordance with Section 119 of the *Municipal Elections Act*.

**Voting procedures**

- 11 (1) A copy of Form 23A - Directions to Electors - Provincial Sunday Shopping Plebiscite (2004) must be posted in a conspicuous place in every voting station, as well as in each voting compartment.
- (2) No agents representing any side of the plebiscite question are permitted to be present in a polling station, or during the counting of the plebiscite ballots after the close of voting.
- (3) Qualified electors whose names do not appear on the final list of electors may have their names added to the list and vote in the plebiscite provided that they take the oath or affirmation in Form 31, 31A or 31B, as appropriate.
- (4) All qualified electors must be given a plebiscite ballot by the deputy returning officer at the polling station.
- (5) After a voter returns a marked plebiscite ballot, a poll clerk must place a check mark in the "Voted for Other" column in Form 30 - Record of Poll.

**Counting plebiscite ballots**

- 12 (1) The plebiscite ballots must be counted at each polling station, immediately following the count of any municipal and school board ballots.
- (2) The poll clerk must record the plebiscite votes on Form 36 - Tally Sheet for the Counting of Votes, and any other person present after the poll closes who wishes to have a tally sheet may have one and record the votes.

- (3) Subject to subsection (4), when counting the plebiscite ballots, the deputy returning officer must call out the vote for the answer to each question that the voter has marked on the ballot, before proceeding to the next ballot.
- (4) If only one question on a plebiscite ballot is voted on, the deputy returning officer must call out “no answer” for the question that is not voted on, and only the vote for the answer to the question that is voted on is tallied by the poll clerk.

**Counting votes for answers to question**

- 13** (1) Plebiscite ballots must be marked with an “x”, a cross “+”, or a check mark “✓”, or a facsimile thereof, in the circle to the right of an answer to a question.
- (2) A mark that is partially outside the circle may be counted, if there is no uncertainty which answer the voter intended to vote for.

**When to reject vote for answer to question**

- 14** (1) The vote for an answer to a question on a plebiscite ballot must not be counted if
- (a) both answers to the questions are marked;
  - (b) it is unclear which answer the elector intended to vote for;
  - (c) neither answer to the question is marked;
  - (d) the elector has marked the ballot other than with an “x”, a cross “+”, a check mark “✓”, or a facsimile thereof;
  - (e) the mark is not within the circular space on the ballot paper to the right of the answer to the question, in accordance with subsection 13(2).
- (2) A vote for an answer to one question on a plebiscite ballot can be rejected without affecting the vote on the answer to the other question.

**When to reject ballot - no votes on ballot are counted**

- 15** (1) The following plebiscite ballots must be rejected and the answer to neither question counted:
- (a) a ballot on which there is any writing or mark by which the voter can be identified;
  - (b) a ballot that is so torn, defaced or otherwise dealt with by the voter that the voter can be identified;
  - (c) a ballot on which the votes on the answers to both questions are rejected under Section 14.
- (2) Rejected plebiscite ballots must be placed in the envelope designated for rejected ballots at the polling station.

**Securing ballots following count**

- 16** (1) After the count is concluded, the plebiscite ballots that have been counted must be placed in the envelope designated for them, the envelope must then be sealed with a paper seal and the deputy returning officer and poll clerk must sign across the seal along with anyone else who wishes to sign.
- (2) The envelope containing the plebiscite ballots must be sealed in the ballot box.

- (3) The deputy returning officer must return the envelope containing the plebiscite ballots to the municipal returning officer, along with the other voting materials from the polling station.

**Official addition of votes**

- 17 (1) Each municipal returning officer must conduct the official addition of the votes cast in the plebiscite following the official addition of the votes of the municipal and the school board votes, and in the same manner.
- (2) The municipal returning officer must enter the results of the official addition of the votes cast in the plebiscite on Form 38A - Recapitulation Sheet.
- (3) Upon completion of the official addition, the municipal returning officer must send the completed Form 38A - Recapitulation Sheet to the Municipal Elections Officer who must collect and forward all the forms to the Chief Electoral Officer.

**Recount of plebiscite ballots**

- 18 (1) Sections 130 and 131 of the *Municipal Elections Act* do not apply to the plebiscite.
- (2) The Minister may make an application to the Supreme Court for a recount of the plebiscite ballots.

**Declaration of results**

- 19 The Province will declare the results of the plebiscite.

**Forms for use in plebiscite**

- 20 (1) The ballot to be used for the plebiscite is as set out in Schedule A - Form of Ballot.
- (2) The declaration of results of the plebiscite is as set out in Schedule B - Declaration of Results.
- (3) The following forms, as attached in Schedule C - Forms Added for Plebiscite, are prescribed for the purposes of the plebiscite and must be included in the poll book where indicated:
  - Form 23A - Directions to Electors - Provincial Sunday Shopping Plebiscite (2004)
  - Form 34B - Statement of Poll, included in poll book
  - Form 36 - Tally Sheet for the Counting of Votes, included in poll book
  - Form 38A - Recapitulation Sheet
- (4) Despite subsection 167(1) of the *Municipal Elections Act*, the following forms, as attached in Schedule D - Forms Modified for Plebiscite, are prescribed for use in the plebiscite and must be used in substitution for the corresponding forms prescribed under the *Municipal Elections Act* in the election that is held in conjunction with the plebiscite:
  - Form 14 - Format of the Poll Book
  - Form 31B - Oath or Affirmation of Elector Not on the List of Electors

Schedule A - Form of Plebiscite Ballot

**Front:**

Stub	Counterfoil	
		<p>Please note that if there is to be Sunday shopping                      (a) it would only be from 1:00 p.m. to 6:00 p.m., and                      (b) it would not be on New Year's Day, Easter Sunday, July 1<sup>st</sup>, Remembrance Day, Christmas Day or Boxing Day</p> <hr/> <p><b>Please answer both questions.</b></p> <p><b>1. Should there be Sunday shopping (in retail businesses not now permitted to be open on Sunday)?</b></p> <p style="text-align: right;">Yes <input type="radio"/></p> <p style="text-align: right;">No <input type="radio"/></p> <p><b>2. If there is to be Sunday shopping (in retail businesses not now permitted to be open on Sunday), should it be</b></p> <p style="padding-left: 40px;"><b>on every Sunday (except as noted above)?</b> <input type="radio"/></p> <p style="padding-left: 40px;"><b>on only the six Sundays before Christmas?</b> <input type="radio"/></p>

**Back:**

No. 000000000000

.....

No. 000000000000

.....

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**D.R.O. Initials**

(Crest)

**Province of Nova Scotia**

**Retail Business Uniform Closing Day Act Plebiscite**

**October 16, 2004**

XXX Printer

**stub**  
 line of perforation  
**counterfoil**  
 line of perforation

**Schedule B - Declaration of Results**

**DECLARATION OF RESULTS  
PROVINCIAL SUNDAY SHOPPING PLEBISCITE  
(Retail Business Uniform Closing Day Act)**

**[October 16, 2004]**

The results of the plebiscite are:

**Question One:**

**YES:** \_\_\_\_\_

**NO:** \_\_\_\_\_

**Question Two:**

**Every Sunday:** \_\_\_\_\_

**Six Sundays Before Christmas:** \_\_\_\_\_

I declare that the following results are correct, based on the Recapitulation Sheets submitted by the Municipal Returning Officers. A summary is attached to and forms part of this declaration.

Date: \_\_\_\_\_

\_\_\_\_\_  
(signature of official who is declaring  
the results)

**Schedule C - Forms Added for Plebiscite**

**FORM 23A  
DIRECTIONS TO ELECTORS**

**PROVINCIAL SUNDAY SHOPPING PLEBISCITE (2004)  
(Retail Business Uniform Closing Day Act)**

**ATTENTION ELECTORS**

Mark the ballot by placing an "X", a cross "+" or a check mark "✓" in the circular space on the ballot paper at the right of the answer to the questions for which you intend to vote.

**PLEASE ANSWER BOTH QUESTIONS**

Please note that if there is to be Sunday shopping  
 (a) it would only be from 1:00 p.m. to 6:00 p.m., and  
 (b) it would not be on New Year's Day, Easter Sunday,  
 July 1<sup>st</sup>, Remembrance Day, Christmas Day or Boxing  
 Day

**Please answer both questions.**

1. **Should there be Sunday shopping (in retail businesses not now permitted to be open on Sunday)?**

Yes	<input type="radio"/>
No	<input type="radio"/>
  
2. **If there is to be Sunday shopping (in retail businesses not now permitted to be open on Sunday), should it be**

<b>on every Sunday (except as noted above)?</b>	<input type="radio"/>
<b>on only the six Sundays before Christmas?</b>	<input type="radio"/>

**Then fold and return to the Deputy Returning Officer.**

**A spoiled ballot may be exchanged for a new one.**

**WARNING: It is an offence to mark the ballot paper so that you may be identified.**

**FORM 34B  
 STATEMENT OF POLL**

**PROVINCIAL SUNDAY SHOPPING PLEBISCITE  
 (Retail Business Uniform Closing Day Act)  
 October 16, 2004**

Municipality: \_\_\_\_\_

Polling District: \_\_\_\_\_ Polling Station No.: \_\_\_\_\_

1. \_\_\_\_\_ Number of blank ballots received
2. \_\_\_\_\_ Add number of ballots from advance poll, if any
- 3.\* \_\_\_\_\_ **TOTAL BALLOTS TO BE ACCOUNTED FOR (1 + 2)**
4. \_\_\_\_\_ Number of unused ballots



**FORM 36**

**TALLY SHEET FOR THE COUNTING OF VOTES  
PROVINCIAL SUNDAY SHOPPING PLEBISCITE (2004)  
(Retail Business Uniform Closing Day Act)**

To be used by the Deputy Returning Officer or the poll clerk and the candidates' agents at the counting of the votes cast for the plebiscite on polling day. A cross or check mark of any kind will be made consecutively in the small squares under the question number, in the appropriate column, as each vote is called out by the Deputy Returning Officer.

Column of Votes Cast for <b>Question 1:</b> .....YES.....					Column of Votes Cast for <b>Question 1:</b> .....NO.....				
5									
10									
15									
20									
25									
30									
35									
40									
45									
50									
55									
60									
65									
70									
75									
80									
85									
90									
95									
100									
105									
110									
115									

Column of Votes Cast for <b>Question 2:</b> "Every Sunday"					Column of Votes Cast for <b>Question 2:</b> "6 Sundays before Christmas"				
									5
									10
									15
									20
									25
									30
									35
									40
									45
									50
									55
									60
									65
									70
									75
									80
									85
									90
									95
									100
									105
									110
									115

**FORM 38A**

**RECAPITULATION SHEET  
PROVINCIAL SUNDAY SHOPPING PLEBISCITE (2004)  
(Retail Business Uniform Closing Day Act)  
Municipality of \_\_\_\_\_**

Note: "Rejected Ballots" are only those cast but not counted. Do not enter cancelled ballot papers on this sheet.

POLLING STATION (Result of voting must be given for each station)		Number of Names on Final List of Electors  plus Electors added to list	BALLOTS CAST					
Number of Polling Division	Name or Number of Polling District (if any) and name or location of Polling Station		Question 1		Question 2			
			Yes	No	Every Sunday	Six Days before Christmas	Rejected Ballots	

I certify that the foregoing statement is the correct result of the polling at the election held on

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Returning Officer

Sheet Number \_\_\_\_\_

**Schedule D - Forms Modified for Plebiscite****FORM 14***(Modified for use in Provincial Sunday Shopping Plebiscite (2004))***SECTION 68****FORMAT OF POLL BOOK**

1. The cover of the poll book shall bear the subject of the election, the polling district number, and the date of ordinary polling day.
2. The first page of the poll book shall contain Form 2.
3. The second page of the poll book shall contain Form 16.
4. Form 24 shall be on the third page, then Forms 25, 26, 26A, 27, 28, and 29 shall follow.
5. Then shall follow twelve pages of Form 30.
6. Then shall follow three pages of Form 31.
7. Then shall follow two pages of Form 31A.
8. Then shall follow two pages of Form 31B.
9. Then shall follow three pages of Form 32.
10. Then shall follow eight pages of Form 33 or 34 for each matter for which a poll was granted.
11. Then shall follow one page of Form 34A for each school board office to be elected.
12. Then shall follow one page of Form 34B (Sunday Shopping Plebiscite).
13. Then shall follow eight pages of Form 35 for each matter for which a poll was granted.
14. Then shall follow one page of Form 36 (Sunday Shopping Plebiscite).
15. Then shall follow two pages of Form 46, and the back cover.

This format may be varied by altering the number of copies of forms required to be included to suit the circumstances of the election. Additional or loose copies of some forms also may be used; these should be added to the poll book at the end of voting.

FORM 31B
(Modified for use in Provincial Sunday Shopping Plebiscite (2004))

SECTION 98

OATH OR AFFIRMATION OF ELECTOR NOT ON LIST OF ELECTORS
FOR USE WHEN ELECTOR CAN VOTE ONLY FOR
CONSEIL SCOLAIRE ACADIEN PROVINCIAL
or
PROVINCIAL SUNDAY SHOPPING PLEBISCITE (2004)

I swear (or solemnly affirm) that:

- 1. On this date I actually reside in Polling Division Number \_\_\_\_\_ of the Town/Municipality/Regional Municipality of \_\_\_\_\_.
2. I have been ordinarily resident in the province of Nova Scotia for a period of three months immediately preceding ordinary polling day in this election.
3. I have not voted before in this election at any other polling place and will not do so or attempt to do so.
4. I am a Canadian citizen and of the full age of eighteen years, or will be on ordinary polling day.
5. I am not the returning officer, a person serving a sentence in a penal or reform institution, or a person convicted of bribery under the Municipal Elections Act in the six years preceding ordinary polling day.

Table with 4 columns: Address of Elector, Elector's Date of Birth, Signature of Elector, Consents to Name being added to Voters List\*. Includes horizontal lines for data entry and a note (\* write yes or no).

Sworn (or affirmed) at \_\_\_\_\_
in the County of \_\_\_\_\_
this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me

Deputy Returning Officer

(A translation of this form is available in French.)

The Voters List may be used in future municipal, provincial, or federal elections.
(Date of birth will be removed from the final list of electors.)

**FORMULAIRE 31B**

*(Révisé pour utilisation dans le plébiscite provincial concernant le magasinage le dimanche 2004)*

**ARTICLE 98**

**SERMENT OU DÉCLARATION SOLENNELLE DE L'ÉLECTEUR(TRICE)  
NON INSCRIT(E) SUR LA LISTE DES ÉLECTEURS, À UTILISER LORSQUE  
L'ÉLECTEUR(TRICE) NE PEUT VOTER QUE LORS DES ÉLECTIONS DU  
CONSEIL SCOLAIRE ACADIEN PROVINCIAL**

**ou**

**PLÉBISCITE PROVINCIAL CONCERNANT LE MAGASINAGE LE DIMANC[H]E (2004)**

Je jure (ou déclare solennellement) que

1. À la date d'aujourd'hui je réside dans la section de vote numéro \_\_\_\_\_ de la ville/municipalité/municipalité régionale de \_\_\_\_\_.
2. J'ai ordinairement résidé dans la province de la Nouvelle-Écosse pendant la période de trois mois précédant immédiatement le jour ordinaire du scrutin de ces élections.
3. Je n'ai voté, lors de ces élections, dans aucun autre bureau de vote et n'essayerai pas de le faire.
4. Je suis citoyen(ne) canadien(ne), j'ai dix-huit ans ou plus ou les aurai le jour du scrutin.
5. Je ne suis pas le(la) directeur(trice) du scrutin, une personne purgeant une peine dans un établissement pénitentiaire ou un centre d'éducation surveillée ou une personne condamnée pour corruption ou subornation au cours des six années précédant le jour du scrutin selon la loi sur les élections municipales.

<b>Adresse de l'électeur(trice)</b>	<b>Date de naissance de l'électeur(trice)</b>	<b>Signature de l'électeur(trice)</b>	<b>Consent à ce que son nom soit ajouté à la liste des électeurs</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
			(Indiquer Oui ou Non)

Juré (ou déclaré solennellement) à :

.....  
dans le comté de.....  
le.....  
devant moi

.....  
Scrutateur

**(Le présent formulaire est également disponible en anglais.)**

**La liste des électeurs pourra servir lors d'élections municipales, provinciales ou fédérales ultérieures.**  
(La date de naissance ne figurera pas sur la liste finale des électeurs.)

**N.S. Reg. 189/2004**

Made: July 30, 2004

Filed: August 3, 2004

## Order of Nova Scotia Insignia Regulations

Order in Council 2004-311 dated July 30, 2004  
Regulations made by the Governor in Council  
pursuant to Section 24 of the  
*Order of Nova Scotia Act*

The Governor in Council on the report and recommendation of the Minister of Tourism, Culture and Heritage dated June 16, 2004, and pursuant to Section 24 of Chapter 9 of the Acts of 2001, the *Order of Nova Scotia Act*, is pleased to make regulations prescribing the insignia of the Order of Nova Scotia and governing their use and display in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 30, 2004.

**Schedule "A"**

**Regulations Respecting the Insignia of the Order of Nova Scotia  
made by the Governor in Council pursuant to  
Section 24 of Chapter 9 of the Acts of 2001,  
the *Order of Nova Scotia Act***

**Citation**

1 These regulations may be cited as the *Order of Nova Scotia Insignia Regulations*.

**Definitions**

2 In these regulations,

- (a) "Act" means the *Order of Nova Scotia Act*;
- (b) "insignia" means the insignia of the Order prescribed in Section 3;
- (c) "member" means a member of the Order;
- (d) "Order" means the Order of Nova Scotia established by Section 4 of the Act.

**Form of insignia**

3 The insignia must be

- (a) in the form of a stylized mayflower with the Shield of Arms of Nova Scotia at its centre surmounted by St. Edward's crown; and
- (b) generally in accordance with the depiction in Schedule "A".

**Insignia property of Order**

4 An insignia remains the property of the Order and must not be used, transferred or otherwise disposed of except in accordance with the Act and these regulations.

**Repair and replacement of insignia**

5 If the Order receives evidence satisfactory to it that an insignia has been damaged, lost or stolen, the Order may, upon application by a member, arrange for the repair or replacement of the insignia at the member's cost and expense.

**Disposition of insignia by member**

- 6 (1) If a member wishes to dispose of the insignia, the member must
- (a) return it to the Order;
  - (b) donate or bequeath it to a provincially owned museum located in Canada; or
  - (c) give or bequeath it to another person as an heirloom or keepsake.
- (2) When a member dies, the member's personal representative must return the insignia to the Order unless the member has disposed of the insignia in accordance with subsection (1).
- (3) A person who receives an insignia in accordance with clause (1)(c) is permitted to hold the insignia only as an heirloom or keepsake and, in accordance with Section 23 of the Act, under no circumstances is the person permitted to wear the insignia or otherwise represent or hold themselves out as a member.

**Return of insignia required**

- 7 If the Order, in its sole discretion, determines that
- (a) a person who is in possession of an insignia is in violation of the Act or these regulations;
  - (b) an insignia is in the possession of a person not lawfully entitled to it; or
  - (c) an insignia is being used, transferred or displayed by a person in a manner that is inconsistent with the purpose and intent of the Act and these regulations,

the person must immediately return the insignia to the Order.

**Schedule "A"**

**N.S. Reg. 190/2004**

Made: July 30, 2004

Filed: August 3, 2004

Proclamation, S. 6, S.N.S. 2004, c. 8

Order in Council 2004-314 dated July 30, 2004  
Proclamation made by the Governor in Council  
pursuant to Section 6 of the  
*Oil Refineries and L.N.G. Plants Municipal Taxation Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 16, 2004, pursuant to Section 6 of Chapter 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*, is pleased to order and declare by proclamation that Chapter 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*, come into force on and not before July 30, 2004, with effect on and after April 1, 2004.

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 6 of Chapter 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*, it is enacted as follows:

- 6 This Act has effect on and after April 1, 2004, upon the Governor in Council so ordering by proclamation.

AND WHEREAS it is deemed expedient that Chapter 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*, come into force on and not before July 30, 2004, with effect on and after April 1, 2004;

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 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*, come into force on and not before July 30, 2004, with effect on and after April 1, 2004, 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 30<sup>th</sup> day of July, in the year of Our Lord two thousand and four and in the fifty-third year of Our Reign.

BY COMMAND:

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

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**N.S. Reg. 191/2004**

Made: July 30, 2004

Filed: August 3, 2004

Dartmouth Imperial Oil Refinery Municipal Property Taxation Regulations

Order in Council 2004-315 dated July 30, 2004  
Regulations made by the Governor in Council  
pursuant to Section 5 of the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*

The Governor in Council on the report and recommendation of Minister of Service Nova Scotia and Municipal Relations dated July 7, 2004, and pursuant to Section 5 of Chapter 8 of the Acts of 2004, the *Oil Refineries and L.N.G. Plants Municipal Taxation Act*, is pleased to make regulations respecting the municipal property taxation of the Dartmouth Imperial Oil Refinery in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 30, 2004.

**Schedule "A"**

**Regulations Respecting the Municipal Property Taxation of the  
Dartmouth Imperial Oil Refinery made by the Governor in Council  
pursuant to Section 5 of Chapter 8 of the Acts of 2004,  
the *Oil Refineries and L.N.G. Plants Municipal Taxation Act***

**Citation**

- 1 These regulations may be cited as the *Dartmouth Imperial Oil Refinery Municipal Property Taxation Regulations*.

**Municipal taxes payable per annum**

- 2 The municipal taxes payable per annum pursuant to clause 2(1)(a) of the *Oil Refineries and L.N.G. Plants Municipal Taxation Act* in respect of the oil refinery of Imperial Oil Limited located at 600 Pleasant Street, Dartmouth, Halifax Regional Municipality and known as the Dartmouth Imperial Oil Refinery, are \$41.00 per barrel of daily capacity, based on a deemed daily capacity of 88 000 barrels.

**Application**

- 3 These regulations apply to the 2004-2005 municipal taxation year.

**N.S. Reg. 192/2004**

Made: July 30, 2004

Filed: August 3, 2004

Proclamation, S. 32(1), S.N.S. 2004, c. 6 – S. 5, 15-20

Order in Council 2004-316 dated July 30, 2004  
Proclamation made by the Governor in Council  
pursuant to subsection 32(1) of the *Justice Administration Amendment (2004) Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated June 23, 2004, pursuant to subsection (1) of Section 32 of Chapter 6 of the Acts of 2004, the *Justice Administration Amendment (2004) 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 Sections 2 and 15 to 20 of Chapter 6 of the Acts of 2004, the *Justice Administration Amendment (2004) Act*, come into force on and not before July 30, 2004.

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 subsection (1) of Section 32 of Chapter 6 of the Acts of 2004, the *Justice Administration Amendment (2004) Act*, it is enacted as follows:

- 32 (1)** This Act, except Sections 3, 4, 6 and 27 to 29, comes into force on such day as the Governor in Council order and declares proclamation.

AND WHEREAS it is deemed expedient that Sections 2 and 15 to 20 of Chapter 6 of the Acts of 2004, the *Justice Administration Amendment (2004) Act*, come into force on and not before July 30, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 2 and 15 to 20 of Chapter 6 of the Acts of 2004, the *Justice Administration Amendment (2004) Act*, come into force on and not before July 30, 2004, 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 30<sup>th</sup> day of July, in the year of Our Lord two thousand and four and in the fifty-third year of Our Reign.

BY COMMAND:

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