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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. 78/2021

Made: May 7, 2021

Filed: May 14, 2021

Summary Offence Tickets Regulations—amendment

Order dated May 7, 2021

Amendment to regulations made by the Attorney General and Minister of Justice
pursuant to Section 8 of the *Summary Proceedings Act***Order****Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Randy Delorey, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this order, hereby

- (a) amend Schedule M-2 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the Halifax Regional Municipality Animal By-law and C&D Materials Recycling and Disposal License By-law as summary offence ticket offences, in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made May 7, 2021, at Antigonish, Province of Nova Scotia.

sgd. *Randy Delorey*

Honourable Randy Delorey

Attorney General and Minister of Justice

Schedule “A”**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to Section 8
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

- 1 Schedule M-2 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, is amended by repealing items 29 to 32 under the heading “Animal By-law -A-700” and substituting the following items:

29	Creating nuisance by feeding or permitting feeding of birds	16(3)	\$352.50
30	Creating nuisance by feeding or permitting feeding of wildlife	16A	\$352.50

- | | | | |
|----|---|----------|----------|
| 31 | Violating by-law or order made under (specify Section of by-law or Section of by-law order issued under) | 32(1)(a) | \$467.50 |
| 32 | Failing to comply with order made under (specify Section of by-law order issued under) | 32(1)(b) | \$467.50 |
| 33 | Permitting violation of by-law or order (specify Section of by-law or Section of by-law order issued under) | 32(1)(c) | \$467.50 |
| 34 | Obstructing or hindering person performing duties under by-law or order made under by-law (specify) | 32(1)(d) | \$467.50 |
- 2 Schedule M-2 to the regulations is further amended by adding the following heading and items immediately before the heading “Cemeteries By-law - C-200”:

C&D Materials Recycling and Disposal License By-law - L-200

- | | | | |
|---|---|------|----------|
| 1 | Operating C&D processing facility, transfer station or C&D disposal site (specify) without license | 3(1) | \$697.50 |
| 2 | Owner of C&D processing facility, transfer station or C&D disposal site (specify) failing to maintain minimum insurance | 5(1) | \$679.50 |
| 3 | Owner of C&D processing facility, transfer station or C&D disposal site (specify) failing to post required bond or letter of credit | 5(2) | \$697.50 |

N.S. Reg. 79/2021

Made: May 13, 2021

Filed: May 14, 2021

Prescribed Petroleum Products Prices

Order dated May 13, 2021
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

M10123

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., Vice Chair

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 product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas on December 30, 2020, the Board issued an interim order in Matter M09952 increasing the wholesale margin for self-service and full-service gasoline and diesel, on an interim basis, by 2.50 cents per litre (cpl) to a total of 9.15 cpl;

And whereas the Board revised the retail markup and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016, and on February 1, 2021, the Board issued an order in Matter M09727 approving an increase to the minimum self-service and full-service retail markup by 0.3 cpl and to the maximum self-service retail markup by 0.4 cpl, to a total for the minimum of 5.4 cpl, and for the maximum of 7.4 cpl;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended May 12, 2021, are:

Grade 1 Regular gasoline	68.87¢ per litre
Ultra-low-sulfur diesel oil	65.14¢ per litre

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

Gasoline:	
Grade 1	68.87¢ per litre
Grade 2	71.87¢ per litre
Grade 3	74.87¢ per litre
Ultra-low-sulfur diesel oil	65.14¢ 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 1.02¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.9¢ 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., May 14, 2021.

Dated at Halifax, Nova Scotia, this 13th day of May, 2021.

sgd. *Bruce A. Kiley*
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 May 14, 2021

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
Zone 1								
Regular Unleaded	80.91	10.0	15.5	106.41	128.6	130.9	128.6	999.9
Mid-Grade Unleaded	83.91	10.0	15.5	109.41	132.0	134.3	132.0	999.9
Premium Unleaded	86.91	10.0	15.5	112.41	135.5	137.8	135.5	999.9
Ultra-Low-Sulfur Diesel	77.41	4.0	15.4	96.81	117.5	119.8	117.5	999.9
Zone 2								
Regular Unleaded	81.41	10.0	15.5	106.91	129.2	131.5	129.2	999.9
Mid-Grade Unleaded	84.41	10.0	15.5	109.91	132.6	134.9	132.6	999.9
Premium Unleaded	87.41	10.0	15.5	112.91	136.1	138.4	136.1	999.9
Ultra-Low-Sulfur Diesel	77.91	4.0	15.4	97.31	118.1	120.4	118.1	999.9
Zone 3								
Regular Unleaded	81.81	10.0	15.5	107.31	129.6	131.9	129.6	999.9
Mid-Grade Unleaded	84.81	10.0	15.5	110.31	133.1	135.4	133.1	999.9
Premium Unleaded	87.81	10.0	15.5	113.31	136.5	138.8	136.5	999.9
Ultra-Low-Sulfur Diesel	78.31	4.0	15.4	97.71	118.6	120.9	118.6	999.9
Zone 4								
Regular Unleaded	81.91	10.0	15.5	107.41	129.7	132.0	129.7	999.9
Mid-Grade Unleaded	84.91	10.0	15.5	110.41	133.2	135.5	133.2	999.9
Premium Unleaded	87.91	10.0	15.5	113.41	136.6	138.9	136.6	999.9
Ultra-Low-Sulfur Diesel	78.41	4.0	15.4	97.81	118.7	121.0	118.7	999.9
Zone 5								
Regular Unleaded	81.91	10.0	15.5	107.41	129.7	132.0	129.7	999.9
Mid-Grade Unleaded	84.91	10.0	15.5	110.41	133.2	135.5	133.2	999.9
Premium Unleaded	87.91	10.0	15.5	113.41	136.6	138.9	136.6	999.9
Ultra-Low-Sulfur Diesel	78.41	4.0	15.4	97.81	118.7	121.0	118.7	999.9
Zone 6								
Regular Unleaded	82.61	10.0	15.5	108.11	130.5	132.8	130.5	999.9
Mid-Grade Unleaded	85.61	10.0	15.5	111.11	134.0	136.3	134.0	999.9
Premium Unleaded	88.61	10.0	15.5	114.11	137.4	139.7	137.4	999.9
Ultra-Low-Sulfur Diesel	79.11	4.0	15.4	98.51	119.5	121.8	119.5	999.9

N.S. Reg. 80/2021

Made: May 20, 2021

Filed: May 21, 2021

Prescribed Petroleum Products Prices

Order dated May 20, 2021
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**M10121****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:** Jennifer L. Nicholson, CPA, CA, Member

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 product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas on December 30, 2020, the Board issued an interim order in Matter M09952 increasing the wholesale margin for self-service and full-service gasoline and diesel, on an interim basis, by 2.50 cents per litre (cpl) to a total of 9.15 cpl;

And whereas the Board revised the retail markup and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016, and on February 1, 2021, the Board issued an order in Matter M09727 approving an increase to the minimum self-service and full-service retail markup by 0.3 cpl and to the maximum self-service retail markup by 0.4 cpl, to a total for the minimum of 5.4 cpl, and for the maximum of 7.4 cpl;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended May 19, 2021, are:

Grade 1 Regular gasoline	69.35¢ per litre
Ultra-low-sulfur diesel oil	65.05¢ per litre

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

Gasoline:	
Grade 1	69.35¢ per litre
Grade 2	72.35¢ per litre
Grade 3	75.35¢ per litre
Ultra-low-sulfur diesel oil	65.05¢ 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 0.54¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.40¢ 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., May 21, 2021.

Dated at Halifax, Nova Scotia, this 20th day of May, 2021.

sgd. *Lisa Wallace*
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 May 21, 2021**

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
Zone 1								
Regular Unleaded	80.91	10.0	15.5	106.41	128.6	130.9	128.6	999.9
Mid-Grade Unleaded	83.91	10.0	15.5	109.41	132.0	134.3	132.0	999.9
Premium Unleaded	86.91	10.0	15.5	112.41	135.5	137.8	135.5	999.9
Ultra-Low-Sulfur Diesel	76.82	4.0	15.4	96.22	116.9	119.2	116.9	999.9
Zone 2								
Regular Unleaded	81.41	10.0	15.5	106.91	129.2	131.5	129.2	999.9
Mid-Grade Unleaded	84.41	10.0	15.5	109.91	132.6	134.9	132.6	999.9
Premium Unleaded	87.41	10.0	15.5	112.91	136.1	138.4	136.1	999.9
Ultra-Low-Sulfur Diesel	77.32	4.0	15.4	96.72	117.4	119.7	117.4	999.9
Zone 3								
Regular Unleaded	81.81	10.0	15.5	107.31	129.6	131.9	129.6	999.9
Mid-Grade Unleaded	84.81	10.0	15.5	110.31	133.1	135.4	133.1	999.9
Premium Unleaded	87.81	10.0	15.5	113.31	136.5	138.8	136.5	999.9
Ultra-Low-Sulfur Diesel	77.72	4.0	15.4	97.12	117.9	120.2	117.9	999.9
Zone 4								
Regular Unleaded	81.91	10.0	15.5	107.41	129.7	132.0	129.7	999.9
Mid-Grade Unleaded	84.91	10.0	15.5	110.41	133.2	135.5	133.2	999.9
Premium Unleaded	87.91	10.0	15.5	113.41	136.6	138.9	136.6	999.9
Ultra-Low-Sulfur Diesel	77.82	4.0	15.4	97.22	118.0	120.3	118.0	999.9

Zone 5								
Regular Unleaded	81.91	10.0	15.5	107.41	129.7	132.0	129.7	999.9
Mid-Grade Unleaded	84.91	10.0	15.5	110.41	133.2	135.5	133.2	999.9
Premium Unleaded	87.91	10.0	15.5	113.41	136.6	138.9	136.6	999.9
Ultra-Low-Sulfur Diesel	77.82	4.0	15.4	97.22	118.0	120.3	118.0	999.9
Zone 6								
Regular Unleaded	82.61	10.0	15.5	108.11	130.5	132.8	130.5	999.9
Mid-Grade Unleaded	85.61	10.0	15.5	111.11	134.0	136.3	134.0	999.9
Premium Unleaded	88.61	10.0	15.5	114.11	137.4	139.7	137.4	999.9
Ultra-Low-Sulfur Diesel	78.52	4.0	15.4	97.92	118.8	121.1	118.8	999.9

N.S. Reg. 81/2021

Made: May 21, 2021

Filed: May 25, 2021

Ministerial Education Act Regulations—amendment

Order dated May 21, 2021

Amendment to regulations made by the Minister of Education and Early Childhood Development pursuant to Section 97 of the *Education Act***In the matter of Section 97 of Schedule A to Chapter 1
of the Acts of 2018, the *Education Act*****-and-****In the matter of an amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education and Early Childhood Development****Order**

I, Derek Mombourquette, Minister of Education and Early Childhood Development for the Province of Nova Scotia, pursuant to Section 97 of Schedule A to Chapter 1 of the Acts of 2018, the *Education Act*, hereby amend the *Ministerial Education Act Regulations*, N.S. Reg. 59/2018, made by the Minister of Education and Early Childhood Development by order dated March 29, 2018, to include provisions regarding record check requirements, in the manner set forth in the attached Schedule “A”, effective on and after the date that Chapter 14 of the Acts of 2019, the *Education Act*, comes into force.

Dated and made May 21, 2021, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Derek Mombourquette*

Honourable Derek Mombourquette

Minister of Education and Early Childhood Development

Schedule “A”**Amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education and Early Childhood Development
under Section 97 of Schedule A to Chapter 1 of the Acts of 2018,
the *Education Act***

The *Ministerial Education Act Regulations*, N.S. Reg. 59/2018, made by the Minister of Education and Early Childhood Development by order dated March 29, 2018, is [are] amended by adding the following Sections immediately after Section 75:

Student Protection**Interpretation for Sections 77 to 84**

76 In Sections 77 to 84,

“annual declaration” means a declaration by an employee regarding whether the employee has been convicted of a criminal offence;

“break in service” means any period of more than three consecutive calendar months during which a person who was an employee of an education entity was not employed by that education entity;

“Child Abuse Register search” means a search of the Child Abuse Register conducted in accordance with the *Children and Family Services Act*;

“criminal offence” means a criminal offence under the *Criminal Code (Canada)*, the *Controlled Drugs and Substances Act (Canada)* or the criminal law of a competent jurisdiction outside of Canada in which the offence occurred;

“direct contact” means physical interaction, verbal interaction or personal and sustained written or electronic interaction;

“position of authority” means a position in which an individual’s role or responsibilities gives them control or influence over a student or other vulnerable person;

“position of trust” means any of the following:

- (i) a position held by an individual with fiduciary responsibility in respect of a student or other vulnerable person,
- (ii) a position in which the role or responsibilities of the individual occupying the position may reasonably cause a student or other vulnerable person to believe that they are under the individual’s protection, care or control;

“signature” includes a written or electronic signature or other manner of identification approved by the Minister;

“superintendent” means the superintendent of the Conseil acadien under the *Education (CSAP) Act*.

Prescribed persons under subsection 53C(1) of the Act

77 For the purposes of subsection 53C(1) of the Act, an education entity must require a person who has applied for or been offered employment or engagement in a position of trust or position of authority by the

education entity to provide a vulnerable sector check and a Child Abuse Register search as a precondition to the person's employment or engagement with the education entity.

Exemption from subsection 53C(1) of the Act

- 78 (1)** A person described in Section 77 is exempt from the requirements of subsection 53C(1) of the Act if all of the following criteria are met:
- (a) there is no reasonable expectation that the person will work at a school or on school grounds when students or other vulnerable persons are present;
 - (b) the job functions of the position to be occupied by the person do not require the person to have direct contact with students;
 - (c) the regional executive director, superintendent or their designate approves the exemption of the person.
- (2)** An education entity may exempt a person from the requirement set out in clause 53C(1)(a) of the Act if the education entity is satisfied by evidence that an authorized body has refused to complete a vulnerable sector check for the person in accordance with the criteria required by the *Criminal Records Act* (Canada).
- (3)** Nothing in subsections (1) or (2) exempts an education entity from its obligation under subsection 53C(2) of the Act to require a person to provide a criminal record check.

Employee moving to a new role, position or engagement

- 79 (1)** Subject to subsection (2), an education entity is not required to collect a new vulnerable sector check or Child Abuse Register search for a current employee who is offered a new role, position or engagement by that education entity.
- (2)** Subsection (1) does not apply in any of the following circumstances:
- (a) the employee was exempt from the requirements of subsection 53C(1) of the Act under subsection 78(1) but does not meet the criteria for exemption in the new role, position or engagement;
 - (b) the employee has had or will have a break in service immediately prior to commencing the new role, position or engagement.

Verification of record checks

- 80 (1)** An education entity must not enter an employment or engagement relationship with a person until the education entity has collected and verified the record checks required under Section 53C of the Act and in accordance with these regulations.
- (2)** For the purposes of this Section and Section 53C of the Act, a record check must have been completed less than 6 months prior to the date the record check is provided to the education entity.

Criminal record check schedule

- 81** An education entity is required to collect the results of a criminal record check for each person employed or engaged by the education entity in a position of trust or position of authority no later than 5 years after the most recent of the following dates:
- (a) the date these regulations come into force;

- (b) the date the education entity collected
 - (i) the most recent vulnerable sector check of the person under clause 53C(1)(a) of the Act, or
 - (ii) the most recent criminal record check of the person under subsection 53C(2) of the Act.

Regional executive director

82 Except as otherwise provided in these regulations, the Department must collect and verify record checks from a regional executive director and any person applying for a position as a regional executive director in an equivalent form and manner as an education entity must collect and verify record checks from a person who has applied for employment or engagement with or is employed or engaged by the education entity in a position of trust or position of authority.

Collection of annual declaration

- 83** (1) An education entity must collect an annual declaration from each employee of the education entity at least once during every school academic year.
- (2) A regional executive director must provide an annual declaration to the Department in an equivalent form and manner as an employee of an education entity.

Form and content of annual declaration

84 An employee of an education entity must complete an annual declaration in a form acceptable to the Minister that includes all of the following information:

- (a) employee name and identifying number;
- (b) employer;
- (c) date of the declaration;
- (d) a declaration of whether the employee has been convicted of a criminal offence in the period since
 - (i) the employee's most recent declaration, or
 - (ii) the most recent criminal record check or vulnerable sector check collected by the employer, if the employee has not provided a prior declaration;
- (e) a description of any criminal offences of which the employee was convicted;
- (f) the employee's signature;
- (g) any additional information the Minister reasonably requires.

Manner of disclosure under Section 53F of the Act

85 For the purpose of Section 53F of the Act,

- (a) an employee who becomes aware that they have been charged with or convicted of a criminal offence must disclose the charge or conviction without delay to the director of human resources, the regional executive director or the superintendent of every education entity that employs the employee;

- (b) a regional executive director who becomes aware that they have been charged with or convicted of a criminal offence must disclose the charge or conviction without delay to the Deputy Minister or a person designated by the Deputy Minister; and
- (c) a superintendent who becomes aware that they have been charged with or convicted of a criminal offence must disclose the charge or conviction without delay to the Chair of the Conseil or a person designated by the Conseil.

Content of disclosure

86 An employee making a disclosure under Section 53F of the Act must provide their employer with all of the following information in relation to the charge or conviction:

- (a) the relevant jurisdiction of the charge or conviction;
- (b) the nature of the charge or conviction and, if applicable, each section of the *Criminal Code* (Canada) or other enactment that the employee was charged or convicted under;
- (c) any additional information the employer reasonably requests in writing.

N.S. Reg. 82/2021

Made: May 21, 2021

Filed: May 25, 2021

Proclamation of amendments to Act, S. 3, S.N.S. 2019, c. 14

Order in Council 2021-137 dated May 21, 2021
 Proclamation made by the Governor in Council
 pursuant to Section 3 of
*An Act to Amend Schedule A to Chapter 1 of the Acts of 2018,
 the Education Act, Respecting Student Protection*

The Governor in Council on the report and recommendation of the Minister of Education and Early Childhood Development dated April 8, 2021, and pursuant to Section 3 of Chapter 14 of the Acts of 2019, *An Act to Amend Schedule A of Chapter 1 of the Acts of 2018, the Education Act, Respecting Student Protection*, is pleased to order and declare by proclamation that Chapter 14 of the Acts of 2019, *An Act to Amend Schedule A of Chapter 1 of the Acts of 2018, the Education Act, Respecting Student Protection*, do come into force on and not before May 21, 2021.

PROVINCE OF NOVA SCOTIA

sgd: Arthur J. LeBlanc

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,

G R E E T I N G:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 14 of the Acts of 2019, *An Act to Amend Schedule A of Chapter 1 of the Acts of 2018, the Education Act, Respecting Student Protection*, it is enacted as follows:

- 3 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 14 of the Acts of 2019, *An Act to Amend Schedule A of Chapter 1 of the Acts of 2018, the Education Act, Respecting Student Protection*, do come into force on and not before May 21, 2021;

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 14 of the Acts of 2019, *An Act to Amend Schedule A of Chapter 1 of the Acts of 2018, the Education Act, Respecting Student Protection*, do come into force on and not before May 21, 2021, 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
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 21st day of May in the year of Our
Lord two thousand and twenty-one and in the
seventieth year of Our Reign.

BY COMMAND:

sgd: Honourable Randy Delorey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 83/2021

Made: May 26, 2021

Filed: May 26, 2021

Liquor Licensing Regulations—amendment

Order in Council 2021-139 dated May 26, 2021
Amendment to regulations made by the Governor in Council
pursuant to Section 50 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated May 12, 2020, and pursuant to Section 50 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, to reduce regulatory burden and enable greater flexibility of operation of licensed establishments, in the manner set forth in Schedule “A”, attached to and forming part of the report and recommendation, effective on and after May 26, 2021.

Schedule “A”

**Amendment to the *Liquor Licensing Regulations*
made by the Governor in Council under Section 50
of Chapter 260 of the Revised Statutes of Nova Scotia, 1989,
the *Liquor Control Act***

1 Subsection 5(1) of the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, is amended by

- (a) adding “ - class A” in the first column of the table immediately after “cabaret license”; and
- (b) adding the following row to the table immediately after the row beginning “cabaret license - class A”:

cabaret license (bar) - class B	\$311.45
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2 Subsection 6(1) of the regulations is amended by

- (a) adding “ - class A” in the first column of the table immediately after “cabaret license”; and
- (b) adding the following row to the table immediately after the row beginning “cabaret license - class A”:

cabaret license (bar) - class B	\$1869.00
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3 (1) The heading immediately before Section 9 of the regulations is amended by adding “class A” immediately before “cabaret license”.

(2) Section 9 of the regulations is amended by

- (a) adding “class A” immediately before “cabaret” in subsection (1); and
- (b) adding the following subsection immediately after subsection (2):

- (3) A cabaret license held by a person on the date that this subsection comes into force is deemed to be a class A cabaret license.

4 Section 45 of the regulations is repealed and the following Section substituted:

When minor may be in tavern, lounge, beverage room or class A cabaret

45 (1) This Section applies to a premises where full meal service is provided and for which 1 of the following types of permanent licences is in effect:

- (a) tavern license;
- (b) beverage room license;
- (c) lounge license;
- (d) class A cabaret license.

(2) Except as prohibited in Section 47, a person who is under 19 years old may enter and be in a licensed premises to which this Section applies until 10:00 p.m. if 1 of the following conditions is met:

- (a) the person is accompanied by a parent, legal guardian or spouse who is 19 years old or older;
- (b) the person is employed by the licensee, at work on premises and under adult supervision.

5 (1) The heading immediately before Section 46 of the regulations is amended by adding “class A” immediately before “cabaret”.

(2) Subsection 46(1) of the regulations is amended by adding “class A” immediately before “cabaret license”.

6 Subsection 53(1) of the regulations is amended by

- (a) striking out “12:00 p.m.” in the second column of the row beginning “beverage room license” and substituting “10:00 a.m.”;
- (b) adding “ - class A” in the first column of the table immediately after “cabaret license”;
- (c) striking out “12:00 p.m.” in the second column of the row beginning “cabaret license - class A” and substituting “10:00 a.m.”;
- (d) adding the following row immediately after the row beginning “cabaret license - class A”:

cabaret license (bar) - class B	11:00 a.m. Monday to 2:00 a.m. Tuesday 11:00 a.m. Tuesday to 2:00 a.m. Wednesday 11:00 a.m. Wednesday to 2:00 a.m. Thursday 11:00 a.m. Thursday to 2:00 a.m. Friday 11:00 a.m. Friday to 2:00 a.m. Saturday 11:00 a.m. Saturday to 2:00 a.m. Sunday 10:00 a.m. Sunday to 2:00 a.m. Monday
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- (e) striking out “12:00 p.m.” in the second column of the row beginning “lounge license” and substituting “10:00 a.m.”; and
 - (f) striking out “12:00 p.m.” in the second column of the row beginning “tavern license” and substituting “10:00 a.m.”
- 7 Clause 56(1)(a) of the regulations is amended by striking out “or an agency store” and substituting “, an agency store or manufacturer permitted by the Corporation”.
- 8 (1) Subsection 61(1) of the regulations is amended by
- (a) adding “or drugs” immediately after “liquor” in clause (a); [and]
 - (b) striking out “drunk” and substituting “intoxicated” in clause (b); ~~and~~ [.]
- (2) Subsection 61(2) of the regulations is amended by striking out “drunk” and substituting “intoxicated”.
- 9 (1) Subsection 63(1) of the regulations is amended by
- (a) striking out “with the customer” in clause (b) and substituting “on site”;
 - (b) striking out the period at the end of clause (b) and substituting a semicolon; and
 - (c) adding the following clauses ~~immediate~~ [immediately] after clause (b):
 - (c) samples are provided by the manufacturer or registered representative no more than once a month;
 - (d) the duration of the sampling event is no longer than 1 hour;
 - (e) the sampling event is not held after 12:00 a.m.
- (2) Section 63 of the regulations is further amended by repealing subsections (2) and (3) and substituting the following subsections:
- (2) A licensee must ensure that a manufacturer or registered representative does not serve more than 1 regular serving to each customer during a sampling event.
 - (3) A licensee must keep a record of all of the following information about a sampling event in accordance with Section 75:
 - (a) the name of the manufacturer or registered representative;
 - (b) a list of the products sampled;
 - (c) the amount of products sampled.
- 10 (1) The heading immediately before Section 69 of the regulations is amended by striking out “Cabaret” and substituting “Class A cabaret”.
- (2) Section 69 of the regulations is amended by adding “class A” and immediately before “cabaret”.

N.S. Reg. 84/2021

Made: May 26, 2021

Filed: May 26, 2021

Liquor Licensing Regulations—amendment

Order in Council 2021-140 dated May 26, 2021
Amendment to regulations made by the Governor in Council
pursuant to Section 50 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated May 11, 2021, and pursuant to Section 50 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, to enable the delivery of ready-to-drink beverages and higher-value wine from licensed restaurants and eating establishments, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 26, 2021.

Schedule “A”

**Amendment to the *Liquor Licensing Regulations*
made by the Governor in Council under Section 50
of Chapter 260 of the Revised Statutes of Nova Scotia, 1989,
the *Liquor Control Act***

- 1 (1) Section 2 of the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, is amended by adding the following clause immediately after clause (b):
- (ba) “cider” means a liquor that is produced by the complete or partial alcoholic fermentation of apples, and contains no less than 2.5 percent and no more than 13.0 percent alcohol by volume;
- (2) Section 2 of the regulations is further amended by adding the following clause immediately after clause (i):
- (ia) “ready-to-drink beverage” means a ready-to-drink liquor mixture that is
- (i) pre-mixed and pre-packaged by a manufacturer,
 - (ii) intended to be consumed as purchased,
 - (iii) does not contain more than 16 percent alcohol by volume, and
 - (iv) consists of
 - (A) more than one type of liquor, or
 - (B) at least one type of liquor and at least one additional liquid;
- 2 Clause 50A(2)(a) of the regulations is amended by striking out “cooler” and substituting “ready-to-drink beverage”.

- 3 (1) Section 58C of the regulations is amended by adding “, ready-to-drink beverage” immediately after “wine” wherever it appears.
- (2) Subclause 58C(2)(g)(ii) of the regulations is amended by adding “except as provided in clause (h),” immediately before “valued at not more than 3”.
- (3) Subsection 58C(2) of the regulations is further amended by
- (a) striking out the period at the end of subclause (g)(ii) and substituting a semicolon; and
- (b) adding the following clause immediately after clause (g):
- (h) if a person’s purchase of liquor is one bottle of wine only, then the value of the wine may exceed 3 times the value of the food portion of the order.
- 4 The table in clause 62(1)(b) of the regulations is amended by striking out “coolers” in row 1 of the “Type of Product” column and substituting “ready-to-drink beverages”.

N.S. Reg. 85/2021

Made: May 26, 2021

Filed: May 26, 2021

Liquor Licensing Regulations—amendment

Order in Council 2021-141 dated May 26, 2021

Amendment to regulations made by the Governor in Council
pursuant to Section 50 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated May 25, 2021, and pursuant to Section 50 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, to enable the take away and delivery of mixed drinks from licensed restaurants and eating establishments during a state of emergency, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 26, 2021.

Schedule “A”

**Amendment to the *Liquor Licensing Regulations*
made by the Governor in Council under Section 50
of Chapter 260 of the Revised Statutes of Nova Scotia, 1989,
the *Liquor Control Act***

- 1 Subsection 50A(1) of the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, is amended by striking out “Section 58B” and substituting “Sections 58B, 58C and 58D”.
- 2 Section 58 of the regulations is amended by striking out “and 58C” and substituting “, 58C and 58D”.
- 3 Section 58B of the regulations is amended by striking out “that was purchased in the licensee’s licensed premises” and substituting “that was produced by a licensee and purchased in the licensee’s licensed premises”.

- 4 (1) Clause 58C(2)(c) of the regulations is amended by adding “is at least 19 years old and” immediately after “clause (b)”.
- (2) Clause 58C(2)(g) of the regulations is amended by striking out “the total beer, wine or cider sold to a person under this Section per take away or delivery order is” and substituting “the total liquor sold to a person per takeaway or ~~deliver~~ [delivery] order under this Section and Section 58D together is”.
- (3) Subsection 58C(3) of the regulations is amended by
- (a) striking out the period at the end of clause (b) and substituting a semicolon; and
 - (b) adding the following clauses immediately after clause (b):
 - (c) refuse to deliver to a beach, park or other public place;
 - (d) return the liquor portion of the order to the licensee if any of the following applies with respect to the person to receive the order:
 - (i) they are intoxicated,
 - (i) their age cannot be verified,
 - (iii) they are under 19 years old,
 - (iv) they cannot be located.
- 5 The regulations are further amended by adding the following Section immediately after Section 58C:

Sale of mixed drinks for consumption with food for take away or delivery from licensed premises during state of emergency

58D (1) With the approval of the Executive Director, during a state of emergency declared by the Minister of Municipal Affairs under the *Emergency Management Act*, a licensee may prepare and sell mixed drinks from their licensed premises for take away or delivery from the licensed premises.

(2) A licensee must not prepare or sell a mixed drink under this Section except in accordance with this Section and any terms and conditions set by the Executive Director under this Section.

(3) In this Section,

“glass” means a single-serving glass or other container used to hold and transport a mixed drink;

“mixed drink” means a liquor mixture that meets all of the following:

- (i) it is not pre-mixed, batch-prepared or pre-packaged by a manufacturer or the licensee,
- (ii) it is made and packaged by the licensee after it is ordered,
- (iii) it is no greater than 400 ml in volume,
- (iv) it consists of

- (A) more than 1 type of liquor, or
 - (B) at least 1 type of liquor and at least 1 additional liquid;
 - (v) it contains no more than 90 ml of liquor in total;
 - (vi) it only contains liquor that is purchased directly by the licensee within the Province.
- (4) A purchase of a mixed drink for take away or delivery from a licensed premises must meet all of the following requirements for the purchase:
- (a) the mixed drink must be purchased as part of a take away or delivery order that includes food produced by the licensee under a food establishment permit issued under *Food Safety Regulations* made under the *Health Protection Act*;
 - (b) the mixed drink sold for delivery must be sold by and delivered by an employee of the licensed premises that it is sold from;
 - (c) an employee who performs any actions under clause (b) is at least 19 years old and has training, acceptable to the Executive Director, in the skills necessary to implement responsible beverage service;
 - (d) the mixed drink is made by the licensee and the glass provided for its transport is sealed and tamper-proof;
 - (e) the container used for the mixed drink must be clearly labelled with all of the following information:
 - (i) all the ingredients in the drink,
 - (ii) the percentage of alcohol by volume of the drink,
 - (iii) whether the drink must be refrigerated or any other special storage instructions required for the mixed drink,
 - (iv) the liquor name, brand name and volume of each liquor used;
 - (f) a person purchasing the mixed drink for take away must leave the licensed premises immediately after the purchase and must be informed of the requirements in subsections 54(6) and (7) of the Act for transporting liquor in a motor vehicle;
 - (g) the total liquor sold to a person per take away or delivery order under this Section and Section 58C together is
 - (i) no more than the amount that would be reasonably consumed with the number of meals being sold in the order, and
 - (ii) valued at no more than 3 times the value, calculated before taxes or gratuities, of the food portion of the order.
- (5) When an employee is providing a mixed drink under this Section, subsection 58C(3) applies with respect to the mixed drink.

- (6) A licensee must keep a record of all mixed drink sales made under this Section for at least a year after the sale, with all of the following information recorded for each order:
- (a) the date and time of the order;
 - (b) an indication of whether the sale was for pick-up or the address for delivery;
 - (c) the value of the food purchased;
 - (d) the value and type of alcohol purchased;
 - (e) the information included on the mixed drink label;
 - (f) the delivery fee charged;
 - (g) the total amount paid.
- (7) Despite the hours during which a licensee is authorized to sell or dispense a mixed drink under these regulations, a licensee must not sell a mixed drink under this Section before 10:00 a.m. or after 10:00 p.m.
- (8) The Executive Director may establish any additional terms and conditions for licensees that the Executive Director determines are reasonable or necessary for take away or delivery sales under this Section to ensure the intent of this Section is met, including but not limited to record keeping or tracking requirements.
- 6 (1) Subsection 59(1) of the regulations is amended by striking out “and 58C ” and substituting “, 58C and 58D”.
- (2) Subsection 59(2) of the regulations is amended by striking out “Section 58B” and substituting “Sections 58B and 58D”.