

Royal



Gazette

Part II Regulations under the Regulations Act

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N.S. Reg. 10/2003

Made: July 9, 2002

Filed: January 29, 2003

Bulk Haulage Rates

Order dated July 9, 2002
made by the Natural Products Marketing Council
pursuant to subclause 9(b)(iv) and clause 9(q) of the *Dairy Industry Act*

The Natural Products Marketing Council pursuant to subclause 9(b)(iv) and clause 9(q) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on July 9, 2002, made regulations respecting Bulk Haulage Rates in the form attached to this certificate as Schedule "A", effective on and after August 1, 2002.

DATED AND SIGNED at Truro, Nova Scotia, January 24, 2003

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

Regulations Respecting Bulk Haulage Rates made by the Natural Products Marketing Council pursuant to subclause 9(b)(iv) and clause 9(q) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, effective August 1, 2002

Citation

1 These regulations may be cited as the *Bulk Haulage Rates*.

2 Bulk Haulage Rates

The following rates shall be the maximum bulk haulage rates that may be charged to processors by transporters and shall be applicable to all transporters in the Province:

Transporter	Maximum Rate Per 100 Litres	Effective Date
(a) Farmers Co-op Dairy Ltd. Farm Pick Up	\$2.20	August 1, 2002
(b) Scotsburn Co-op Services Ltd. Farm Pick Up	\$2.52	August 1, 2002
(c) Fisher Transport Ltd. Farm Pick Up	\$2.06	August 1, 2002
(d) Rudy Burghardt Farm Pick Up	\$2.52	August 1, 2002
(e) Cook's Dairy Farm Ltd.	\$2.24	August 1, 2002
(f) All Transporters, milk to or from Truro		
Yarmouth to or from Truro Farmers Cheese Division	\$5.29/hl.	July 30, 1995
Yarmouth from Truro or Shubenacadie Pick Up	\$4.42/hl.	July 30, 1995
Yarmouth from Hammonds Plains or Dartmouth	\$4.04/hl.	July 30, 1995

Yarmouth from Valley or Bridgewater Pick Up \$3.14/hl July 30, 1995

- (g) Special Rates 125% Of Normal Rate On All Milk
 Every Day Pick Up \$50.00/Extra Trip *
 Return Trip - Additional Charge Minimum \$40.00/Week
 * At the discretion of the transporter

- 3 This regulation is made in substitution for the *Bulk Milk Transportation Rates* which was made July 3, 2001, and effective August 1, 2001.

N.S. Reg. 11/2003

Made: March 11, 2002

Filed: January 29, 2003

Ministerial Revocation Order re 2203696 Nova Scotia Limited,
 Sullivan Brothers Fuels Limited and Allen E. Sullivan

Order dated March 11, 2002
 made by the Minister of Environment and Labour
 pursuant to clause 131(1)(b) of the *Environment Act*

1-02

IN THE MATTER OF Clause 131(1)(b) of Chapter 1 of the Acts of 1994-95, the *Environment Act*

- and -

IN THE MATTER OF the revocation of a Ministerial Order issued pursuant to the provisions of the *Environment Act* to **2203696 Nova Scotia Limited**, a body corporate operating under the business name of "Sullivan Fuels", **Sullivan Brothers Fuels Limited**, a body corporate and **Allen E. Sullivan**, of Sydney, Cape Breton County, Nova Scotia

REVOCATION ORDER

WHEREAS by Ministerial Order issued pursuant to subsection 125(1) of the *Environment Act* dated May 19, 1993, signed by the Minister of the Environment, the Honourable Terence R.B. Donahoe, QC and duly filed in the Office of the Registrar of Regulations on May 21, 1993, ([N.S.] Reg. 78/93) and published in the Royal Gazette, Part II, Volume 17, Number 12, June 11, 1993, on pages 400-402, the persons named in the Ministerial Order were ordered to comply with the conditions set forth in Schedule "A" attached to the Ministerial Order respecting a service station known as Jackson's Ultramar located at or near Howie Centre, Cape Breton County, Nova Scotia;

AND WHEREAS the Honourable Minister of Environment and Labour wishes to revoke the Ministerial Order while maintaining the authority to issue further Ministerial Orders in future against the persons named in the Ministerial Order if the circumstances so merit;

IT IS HEREBY ORDERED that upon service of this Order of Revocation, the Ministerial Order dated May 19, 1993 is revoked and of no further force or effect.

DATED at Halifax, Halifax County, Nova Scotia on March 11, 2002.

Sgd: *David Morse*
 Honourable David Morse
 Minister of Environment and Labour

N.S. Reg. 12/2003

Made: July 4, 2002

Filed: January 29, 2003

Ministerial Order re Peter Norman Richards

Order dated July 4, 2002
made by the Minister of Environment and Labour
pursuant to subsection 125(1) of the *Environment Act*

10-02**IN THE MATTER OF** Chapter 1 of the Statutes of Nova Scotia 1994-95, the *Environment Act*

- and -

IN THE MATTER OF an Order issued pursuant to the provisions of the said Act to **Peter Norman Richards** of Halifax, Halifax County, Nova Scotia**MINISTERIAL ORDER**

- I. **WHEREAS** Peter Norman Richards owns, occupies, operates or is responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: an apartment building located at or near 2390 Creighton Street (PID 00149385), Halifax, in the County of Halifax, Province of Nova Scotia, hereafter called the "Site";
- II. **AND WHEREAS** the Minister of Environment and Labour believes on reasonable and probable grounds that the person named in this Ministerial Order has contravened the *Environment Act*;

Environment Act

- 67 (2)** No person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, unless authorized by an approval or the regulations.
- 71** Any person responsible for the release of a substance under this Part shall, at that person's own cost, and as soon as that person knows or ought to have known of the release into the environment that has caused, is causing or may cause an adverse effect,
- (a) take all reasonable measures to
- (i) prevent, reduce and remedy the adverse effects of the substance, and
- (ii) remove or otherwise dispose of the substance in such a manner as to minimize adverse effects;
- (b) take any other measures required by an inspector or an administrator; and
- (c) rehabilitate the environment to a standard prescribed or adopted by the environment.
- III. **AND WHEREAS** the Minister is of the opinion that it is in the public interest to do all things and take all steps necessary to comply with the *Environment Act* or to repair any injury or damage, or to control, eliminate or manage an adverse effect;

IT IS HEREBY ORDERED:

That pursuant to subsection 125(1) of the *Environment Act*, the person named in this Ministerial Order shall, at their own cost, comply with the terms and conditions, including compliance times, set forth in Schedule "A" attached to and forming part of this Ministerial Order.

AND TAKE NOTICE if the person to whom this Ministerial Order is directed fails to comply with the Ministerial Order, or any part thereof, the Minister, pursuant to subsection 132(2) of the *Environment Act*, may take whatever action the Minister considers necessary to carry out the terms of the Ministerial Order and may recover any reasonable costs, expenses and charges incurred by the Minister pursuant to Section 132 of the *Environment Act*.

AND FURTHER TAKE NOTICE that the appeal provisions respecting the issuance of a Ministerial Order are more fully outlined in Section 138 of the *Environment Act*, including a 30 day time period from the date of the issuance of the Ministerial Order to file an appeal.

DATED at Halifax, Halifax County, Nova Scotia, on July 4, 2002.

Sgd: *David Morse*
The Honourable David Morse
Minister of Environment and Labour

Schedule "A"

TERMS AND CONDITIONS

Peter Norman Richards

1. **Remediation Plan**

On or before June 29, 2002, the person named in this Ministerial Order shall submit to the Nova Scotia Department of Environment and Labour for approval, a Remediation Plan prepared by an independent, qualified site professional which addresses the following items:

- (a) a complete assessment in compliance with "Guidelines for Management of Contaminated Sites in Nova Scotia" dated March 27, 1996, to define the extent and level of BTEX and total petroleum hydrocarbon contamination both on and off the Site;
- (b) a description of the remediation technologies and methodologies to be used to remediate the soil and groundwater both on and off the Site, if the assessment results in unacceptable contamination levels;
- (c) a time schedule to implement the Remediation Plan, including the removal or disposal of contaminants or waste, if there are unacceptable contamination levels.

2. **Implementation**

Upon receipt of approval of the Remediation Plan by the Nova Scotia Department of Environment and Labour, the person named in this Ministerial Order shall immediately retain the services of a qualified site professional to commence the work set out in the Remediation Plan and to complete the work within the approved time periods.

3. **Final Report**

Once remediation has been completed pursuant to the Remediation Plan, the person named in this Ministerial Order shall submit to the Department of Environment and Labour a closure report prepared by a qualified site professional confirming, through the provision of quantitative and qualitative information, that the objectives of the Remediation Plan have been met.

4. **Department Contact**

Unless otherwise notified in writing by the Minister, the contact person in the Nova Scotia Department of Environment and Labour under this Ministerial Order to receive any reports and to issue any approvals is:

Darlene Fenton, District Manager
Central Regional Office
Nova Scotia Department of Environment and Labour
Suite 224, 1595 Bedford Highway
Bedford, Nova Scotia
B4A 3Y4

Telephone: (902) 424-2382
Fax: (902) 424-0597

N.S. Reg. 13/2003

Made: July 4, 2002

Filed: January 29, 2003

Ministerial Order re Mid Valley Construction (1997) Limited,
Craig Parsons, John Parsons, Bruce Parsons, Raymond Parsons
and Michael Yahnke

Amendment to Order dated July 4, 2002
made by the Minister of Environment and Labour
pursuant to subsection 125(1) of the *Environment Act*

11-02

IN THE MATTER OF the *Environment Act*, Statutes of Nova Scotia, 1994-95, Chapter 1

- and -

IN THE MATTER OF a Ministerial Order issued pursuant to the provisions of the Act to **Mid Valley Construction (1997) Limited** a body corporate, located at or near Wilmot, Annapolis County, Nova Scotia, **Craig Parsons** of Middleton, Annapolis County, Nova Scotia, **John Parsons** of Kingston, Kings County, Nova Scotia, **Bruce Parsons** of Kingston, Kings County, Nova Scotia, **Raymond Parsons** of Kingston, Kings County, Nova Scotia and **Michael Yahnke** of Greenwood Square, Kings County, Nova Scotia

AMENDMENT TO MINISTERIAL ORDER

- I. WHEREAS a Ministerial Order dated June 11, 2002 was issued by the Honourable David Morse, Minister of the Environment and Labour pursuant to the provisions of the *Environment Act* to Mid Valley Construction (1997) Limited, Craig Parsons, John Parsons, Bruce Parsons, Raymond Parsons, Michael Yahnke;
- II. AND WHEREAS a request has been made to the Minister of the Environment and Labour on behalf of the persons named in the Ministerial Order for an amendment to the Ministerial Order;

IT IS HEREBY ORDERED THAT the following amendment be made to the Ministerial Order:

Paragraph 1 of Schedule "A" of the Ministerial Order is revoked and replaced with the following paragraph:

1. On or before August 1, 2002, the persons named in this Ministerial Order shall remove all construction and demolition debris that has been buried at the Site.

DATED at Halifax, Halifax County, Nova Scotia on July 4, 2002.

Sgd: *David Morse*
The Honourable David Morse
Minister of Environment and Labour

N.S. Reg. 14/2003

Made: April 12, 2002

Filed: January 29, 2003

Ministerial Order re John William Cameron

Order dated April 12, 2002
made by the Minister of Environment and Labour
pursuant to subsection 125(1) of the *Environment Act*

5-02

IN THE MATTER OF Chapter 1 of the Statutes of Nova Scotia 1994-95, the *Environment Act*

- and -

IN THE MATTER OF an Order issued pursuant to the provisions of the said Act to **John William Cameron**, of Ashdale, Antigonish County, Nova Scotia

MINISTERIAL ORDER

- I. **WHEREAS** John William Cameron owns, occupies, operates or is responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: Underground Petroleum Storage Tank Systems located at or near Lochaber, Antigonish County, Nova Scotia, hereafter called the "Site";
- II. **AND WHEREAS** the Minister of Environment and Labour believes on reasonable and probable grounds that the person named in this Ministerial Order has contravened the *Environment Act* and regulations, including the following subsections:

Environment Act

- 67 (2)** No person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, unless authorized by an approval or the regulations.

Petroleum Management Regulations

- 26 (1)** Where a storage tank system has been unused for a period of 24 consecutive months or more or is declared abandoned by a person responsible, an Administrator or an inspector, the person responsible shall comply with the provisions regarding removal and abandonment set forth in the Standard.

- III. **AND WHEREAS** the Minister is of the opinion that it is in the public interest to do all things and take all steps necessary to comply with the *Environment Act* or to repair any injury or damage, or to control, eliminate or manage an adverse effect;

IT IS HEREBY ORDERED:

That pursuant to subsection 125(1) of the *Environment Act*, the person named in this Ministerial Order shall, at his own cost, comply with the terms and conditions, including compliance times, set forth in Schedule "A" attached to and forming part of this Ministerial Order.

AND TAKE NOTICE if the person to whom this Ministerial Order is directed fails to comply with the Ministerial Order, or any part thereof, the Minister, pursuant to subsection 132(2) of the *Environment Act*, may take whatever action the Minister considers necessary to carry out the terms of the Ministerial Order and may recover any reasonable costs, expenses and charges incurred by the Minister pursuant to Section 132 of the *Environment Act*.

AND FURTHER TAKE NOTICE that the appeal provisions respecting the issuance of a Ministerial Order are more fully outlined in Section 138 of the *Environment Act*, including a 30 day time period from the date of the issuance of the Ministerial Order to file an appeal.

DATED at Halifax, in the Halifax Regional Municipality, Province of Nova Scotia, on April 12, 2002.

Sgd: *David Morse*
The Honourable David Morse
Minister of Environment and Labour

Schedule "A"**TERMS AND CONDITIONS****John William Cameron****1. Petroleum Storage Tank Removal**

On or before April 26, 2002, the person named in this Ministerial Order shall obtain the services of a petroleum storage tank installer who holds a valid certificate of qualification issued pursuant to Section 16 of the *Petroleum Management Regulations* to provide the following services:

- (a) the installer will supervise the removal and disposal of any and all liquids from the petroleum storage tank systems at the Site;
- (b) the installer will supervise the removal and disposal of the petroleum storage tank systems from the Site in accordance with the *Petroleum Management Regulations* and the Standard; and
- (c) all work related to the removal and disposal of the petroleum storage tank systems shall be completed by May 30, 2002.

2. Report

Within 14 days of the removal of the petroleum storage tank systems, the person named in this Ministerial Order shall ensure that the installer completes and submits to the Department of Environment and Labour a petroleum storage tank system removal report on a form acceptable to the Department.

3. Contaminated Soil

- (a) The person named in this Ministerial Order shall ensure that any contamination caused or detected during the removal of the petroleum storage tank systems is reported immediately to the contact person at the Department of Environment and Labour.
- (b) The person named in this Ministerial Order shall ensure all remediation activity at the Site is conducted in accordance with current policies, procedures and guidelines administered by the Department including, but not limited to, the following:

- Atlantic Risk Based Corrective Action (RBCA) program for contaminated sites, including Reference Documentation dated April, 1999. The minimum site assessment requirements detailed
- in Appendix 3 of this reference documentation must be used as a basis for conducting the site assessment work. [sic]
- Guidelines for the Management of Contaminated Sites in Nova Scotia issued by the Department of the Environment, March 27, 1996.

4. **Department Contact**

Unless notified in writing by the Minister, the contact person to whom any reports shall be submitted and from whom any approvals may be requested is:

Don Feldman, District Manager
Nova Scotia Department of Environment and Labour
Suite 205, 219 Main Street
Antigonish, Nova Scotia B2G 2C1

Telephone: (902) 863-7389
Fax: (902) 863-7411

N.S. Reg. 15/2003

Made: August 1, 2002

Filed: January 30, 2003

Milk Pricing Regulations

Order dated August 1, 2002
made by the Dairy Farmers of Nova Scotia
pursuant to clause 14(1)(c) of the *Dairy Industry Act*

DAIRY FARMERS OF NOVA SCOTIA

The Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(c) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on June 27, 2002, amended the *Milk Pricing Regulations* in the ~~matter~~ [manner] set out in the form attached to this certificate as Schedule "A", effective on and after August 1, 2002.

DATED AND SIGNED at Truro, Nova Scotia, January 28, 2003

Sgd: *G. Comeau*
Gabriel Comeau
General Manager
Dairy Farmers of Nova Scotia

APPROVED AS TO FORM ONLY BY the Natural Products Marketing Council at Truro,
Nova Scotia, July 9, 2002.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause 14(1)(c) of
Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, effective August 1, 2002**

1. Subsection 2(1) of the *Milk Pricing Regulations* is amended by repealing subsection 2(1) and substituting the following subsection:
- 2 (1) The price components paid by processors in Nova Scotia, shall be the following on an F.O.B. plant basis:

Component Prices - Per Kilogram for Classes 1, 2, 3, and 4				
Class of Milk	\$ Per Kg Butterfat	\$ Per Kg Protein	\$ Per Kg Other Solids	\$ Per hl Solids-non-fat
1(a)	6.124			48.1
1(b)	6.124			34.49
1(c)	6.124			47.14
2	6.124	4.6985	4.6985	
3(a)	6.124	10.7884	0.6764	
3(b)	6.124	10.3341	0.6764	
4(a)	6.124	4.1421	4.1421	
4(b)	6.124	4.2507	4.2507	
4(c)	6.124	4.1421	4.1421	
4(d)	6.124	4.1421	4.1421	

N.S. Reg. 16/2003

Made: January 9, 2003

Filed: January 30, 2003

Milk Pricing Regulations

Order dated January 9, 2003
made by the Dairy Farmers of Nova Scotia
pursuant to clause 14(1)(c) of the *Dairy Industry Act*

DAIRY FARMERS OF NOVA SCOTIA

The Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(c) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held January 9, 2003, amended the *Milk Pricing Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after February 1, 2003.

DATED AND SIGNED at Truro, Nova Scotia, January 28, 2003.

Sgd: *G. Comeau*
Gabriel V. Comeau
General Manager
Dairy Farmers of Nova Scotia

APPROVED AS TO FORM ONLY BY the Natural Products Marketing Council at Truro, January 14, 2003.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

Amendments to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause 14(1)(c) of
Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, effective February 1, 2003

1. Subsection 2(1) of the *Milk Pricing Regulations* is amended by repealing subsection 2(1) and substituting the following subsection:
 - 2 (1) The price of milk components paid by processors in Nova Scotia, shall be the following on an F.O.B. plant basis:

Component Prices - Per Kilogram for Classes 1, 2, 3, and 4

Class of Milk	\$ Per Kg Butterfat	\$ Per Kg Protein	\$ Per Kg Other Solids	\$ Per hl Solids-non-fat
1(a)	6.3676			48.2708
1(b)	6.3676			37.7608
1(c)	6.3676			47.9508
2	6.3676	4.8587	4.8587	
3(a)	6.3676	11.1839	0.7016	
3(b)	6.3676	10.7296	0.7016	
4(a)	6.3676	4.3023	4.3023	
4(b)	6.3676	4.4109	4.4109	
4(c)	6.3676	4.3023	4.3023	
4(d)	6.3676	4.3023	4.3023	

N.S. Reg. 17/2003

Made: November 12, 2003

Filed: January 30, 2003

Total Production Quota Regulations

Order dated November 12, 2003
 made by the Dairy Farmers of Nova Scotia
 pursuant to subclauses 14(1)(e)(ix) and (x) of the *Dairy Industry Act*

DAIRY FARMERS OF NOVA SCOTIA

The Dairy Farmers of Canada, pursuant to subclauses 14(1)(e)(ix) and (x) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held November 12, 2002, amended the *Total Production Quota*

Regulations in the manner set out in the form attached to this certificate as Schedule "A", effective on and after January 1, 2003.

DATED AND SIGNED at Truro, Nova Scotia,

Sgd: *G. Comeau*
Gabriel Comeau
General Manager
Dairy Farmers of Nova Scotia

APPROVED AS TO FORM ONLY BY the Natural Products Marketing Council at Truro, Nova Scotia, December 17, 2003.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Total Production Quota Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to subclauses 14(1)(e)(ix) and (x) of
Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, effective January 1, 2003**

1. Subsection 9(5) of the *Total Production Quota Regulations* is amended by striking out "or sell".
2. The regulations are further amended by adding the following subsection 9(6) immediately after subsection 9(5).
 - 9 (6) Offers to sell quota must be accompanied by a non-refundable service fee per offer, as per the following schedule:

Up to 1.0 kg	\$100.00
1.1 to 10 kg	\$200.00
More than 10 kg	\$300.00
3. The regulations are further amended by repealing subsection 12(1) and substituting the following subsection:
 - 12 (1) Money to be returned to unsuccessful purchasers shall be paid by the Board before the 28th day of the month of that quota exchange.

N.S. Reg. 18/2003

Made: January 31, 2003

Filed: February 3, 2003

Small Claims Court Residential Tenancies Appeal Regulations

Order in Council 2003-29 dated January 31, 2003
 Regulations made by the Governor in Council
 pursuant to Section 33 of the *Small Claims Court Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated January 10, 2003, and pursuant to Section 33 of Chapter 430 of the Revised Statutes of Nova Scotia, 1989, the *Small Claims Court Act*, is pleased to approve the regulations respecting Small Claims Court residential tenancies appeals in the form set out in Schedule "A" attached to and forming part of the report and recommendation, effective on and after the date of proclamation of Sections 23 to 37, 39 and 40, clauses 41(b) and (c), and Sections 42 and 43 of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*.

Schedule "A"

**Regulations Respecting Small Claims Court Residential Tenancies Appeals
 made by the Governor in Council pursuant to Section 33 of Chapter 430 of the
 Revised Statutes of Nova Scotia, 1989, the *Small Claims Court Act***

- 1 These regulations may be cited as the *Small Claims Court Residential Tenancies Appeal Regulations*.
- 2 A Notice of Appeal from an order of the Director of Residential Tenancies must be in Form A.
- 3 A Order for the Sheriff to deliver possession of property must be in Form B.
- 4 The fee for filing a Notice of Appeal is
 - (a) \$25.00 if the claim is in an amount less than \$2000.00 or for any other remedy not otherwise specified in this Section;
 - (b) \$75.00 if the claim is in an amount not less than \$2000.00 and not more than \$4999.00 or for vacant possession;
 - (c) \$150.00 if the claim is in an amount not less than \$5000.00 or is in relation to an application pursuant to Section 11A of the *Residential Tenancies Act*.
- 5 Sections 6 to 9, 13 to 16 and 18 to 24 of the regulations respecting Small Claims Court forms and procedures, and Form 7(c) as prescribed by Section 17 of those regulations, apply with the necessary changes in detail to an appeal from an order of the Director of Residential Tenancies.

Form A(Section 2 of the *Small Claims Court Residential Tenancies Appeal Regulations*)For Court Use Only
Claim No. _____**Notice of Appeal****From an Order of the Director of Residential Tenancies**

Appellant(s): Landlord 9 Tenant 9

Name _____

Address _____

Will this matter take longer
than 2 hours? Yes No

Postal code _____ Phone _____

Respondent(s): Landlord 9 Tenant 9

Name _____

Address _____

Postal code _____ Phone _____

I, the Appellant, appeal the Order of the Director dated _____, 20 ____ .

My reason for this appeal is _____

(If you need more space, attach another sheet of paper)

Date

Appellant(s)

To be filled in by the Clerk of the Small Claims Court:

Appellant, serve this appeal on both the Respondent(s) and the Director within ____ days of _____, 20 ____ .

Date of hearing: _____, 20 ____

Time of hearing: _____ pm

Place of hearing: _____

Clerk of the Small Claims Court

Appellant: Personally serve a copy of the Notice of Appeal on both the Respondent and the Director of Residential Tenancies.

Appellant/Respondent: An appeal from a Residential Tenancies Director’s Order is a brand-new hearing. You must present all arguments and evidence at this appeal hearing. Include any new evidence that was not presented at the original Residential Tenancy hearing.

Respondent: If you do not attend the hearing the Adjudicator may issue an order in your absence.

Notice of Appeal From an Order of the Director of Residential Tenancies

Claim # _____
County: _____

Between:

Appellant: _____
and

Respondent: _____

Affidavit of Service to Respondent

I swear that I served the Respondent at the following time and place by leaving a copy of the Notice of Appeal with them personally:

Date: ____ day of _____, 20____

Time: _____ in the 9 am 9 pm

Name of Respondent: _____

Place of delivery: _____

Residential Tenancies case number: _____

Date Notice of Appeal issued by Small Claims Court: _____, 20____

Sworn by: _____

Sworn before: _____

Address: _____

Date: _____, 20____

Nova Scotia _____

A Commissioner of the Supreme Court of Nova Scotia,
Clerk of the Small Claims Court

Notice of Appeal From an Order of the Director
of Residential Tenancies

Claim # _____
County: _____

Between:

Appellant: _____
and

Respondent: _____

Affidavit of Service to Director

I swear that I served the Director at the following time and place by leaving a copy of the Notice of Appeal:

Date: _____, 20____

Time: _____ in the 9am 9 pm

Place of delivery: _____

Residential Tenancies case number: _____

Date Notice of Appeal issued by Small Claims Court: _____, 20____

Sworn by: _____

Sworn before: _____

Address: _____

Date: _____, 20_____

Nova Scotia _____

A Commissioner of the Supreme Court of Nova Scotia,
Clerk of the Small Claims Court

Form B

(Section 3 of the *Small Claims Court Residential Tenancies Appeal Regulations*)

20_____

Claim # _____

In the Small Claims Court of Nova Scotia

Between:

Applicant/Landlord:

and

Respondent:

**Order For Sheriff to Deliver Possession of Property
Before the Clerk of the Small Claims Court**

By Order of the Director of Residential Tenancies, copy attached, the Applicant shall recover possession of the premises from the Respondent.

The Small Claims Court authorizes the Sheriff for the County of _____ to enter upon the lands of the Applicant and to cause the Applicant/Landlord or its nominees to have possession of the property described below and thereupon the Sheriff must file a report with the Court describing what was done to comply with the Order.

Date of Order of Director: _____, 20_____

Name of Applicant: _____

Name of Respondent: _____

Description of the premises: _____

Address of the premises: _____

Current occupant: _____

County: _____

Granted and issued at Halifax, Nova Scotia, this _____ day of _____, 20_____.

Clerk of the Small Claims Court

N.S. Reg. 19/2003

Made: January 31 2003

Filed: February 3, 2003

Proclamation, S. 50, S.N.S. 2002, c. 10

Order in Council 2003-30 made January 31, 2003
Proclamation made by the Governor in Council
pursuant to Section 50
of the *Justice Administration Amendment (2002) Act*

The Governor in Council on the report and recommendation of the Minister of Justice and the Minister of Service Nova Scotia and Municipal Relations dated January 14, 2003, pursuant to Section 50 of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 23 to 37 in Part VII and Sections 39 and 40, clauses (b) and (c) of Section 41 and Sections 42 and 43 in Part VIII of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, come into force on and not before February 1, 2003.

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 50 of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, it is enacted as follows:

50 Parts V, VII, VIII and IX come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 23 to 37 in Part VII and Sections 39 and 40, clauses (b) and (c) of Section 41 and Sections 42 and 43 in Part VIII of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, come into force on and not before February 1, 2003;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 23 to 37 in Part VII and Sections 39 and 40, clauses (b) and (c) of Section 41 and Sections 42 and 43 in Part VIII of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, come into force on and not before February 1, 2003, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 31st day of January, in the year of Our Lord two thousand and three and in the fifty-first year of Our Reign.

BY COMMAND:

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

N.S. Reg. 20/2003

Made: January 31, 2003

Filed: February 3, 2003

Residential Tenancies Regulations

Order in Council 2003-32 dated January 31, 2003
 Amendment to regulations made by the Governor in Council
 pursuant to Section 26 of the *Residential Tenancies Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated January 10, 2003, and pursuant to Section 26 of Chapter 401 of the Revised Statutes of Nova Scotia, 1989, the *Residential Tenancies Act*, is pleased to amend the *Residential Tenancies Regulations* made by the Governor in Council by Order in Council 89-1118 dated September 26, 1989, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after the date on which [~~Sections 23 through 43~~] Sections 23 to 37, 39 and 40, clauses 41(b) and (c), and Sections 42 and 43 of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, are proclaimed.

Schedule "A"

**Amendments to the *Residential Tenancies Regulations*
 made by the Governor in Council pursuant to Section 26 of
 Chapter 401 of the Revised Statutes of Nova Scotia, 1989, the *Residential Tenancies Act***

- 1 Subsection 1(2) of the *Residential Tenancies Regulations* made by the Governor in Council by Order in Council 89-1118 dated September 26, 1989, is repealed and the following subsection substituted:
 - (2) For greater certainty, "date on which a lease was first entered into" in clause 2(a) of the Act means the date on which the term of the lease begins.
- 2 Section 19 of the regulations is amended by striking out "Director of Landlord/Tenant Relations of the Department of Consumer Affairs" and substituting "Director of Residential Tenancies".
- 3 Section 20 of the regulations is repealed.
- 4 Section 24 of the regulations is amended by striking out "\$200" and substituting "\$500".
- 5 Subsection 25(1) of the regulations is amended by
 - (a) striking out "or an appeal pursuant to subsection 17C(1)";
 - (b) striking out "or appellant"; and
 - (c) striking out "or appeal".

- 6 Section 37 of the regulations is repealed.
- 7 Form "A" of the regulations is amended by
- (a) striking out "\$200" wherever it appears and substituting "\$500"; and
 - (b) striking out "Housing and Consumer Affairs" and substituting "Service Nova Scotia and Municipal Relations"
- 8 Forms "C", "D", and "E" of the regulations are amended by striking out "Business and Consumer Services" wherever it appears and substituting in each case "Service Nova Scotia and Municipal Relations".
- 9 Form "F" of the regulations is repealed.
- 10 Form "G" of the regulations is amended by
- (a) striking out "Business and Consumer Services" wherever it appears and substituting in each case "Service Nova Scotia and Municipal Relations"; and
 - (b) striking out " _____ Notice of Appeal to the Residential Tenancies Board/Notice of Board Hearing;".
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N.S. Reg. 21/2003

Made: February 6, 2003

Filed: February 10, 2003

Government Service Organization and
Government Business Enterprise Designations Regulations

Order in Council 2003-45 dated February 6, 2003
Amendment to regulations made by the Governor in Council
pursuant to Section 80 of the *Provincial Finance Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated January 22, 2003, and pursuant to Section 80 of Chapter 365 of the Revised Statutes of Nova Scotia, 1989, the Provincial Finance Act, is pleased to amend, effective on and after February 6, 2003, the *Government Service Organization and Government Business Enterprise Designations Regulations* made by the Governor in Council by Order in Council 2002-72 dated March 1, 2002, by adding "Nova Scotia Government Fund Limited - April 1, 2002" immediately after "Nova Scotia Business Incorporated - March 31, 2001" in subsection 2(1).