

# Royal



# Gazette

## Part II

### Regulations under the Regulations Act

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

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

**N.S. Reg. 68/2009**

Made: March 12, 2009

Filed: March 20, 2009

Prescribed Petroleum Products Prices

Order dated March 12, 2009  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005  
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*  
made by the Governor in Council  
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

**Order**

I, Richard Hurlburt, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated March 5, 2008 [2009], which prescribed prices March 6, 2009; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on March 13, 2009.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on March 12, 2009.

Sgd.: *Richard Hurlburt*  
Honourable Richard Hurlburt  
Minister of Service Nova Scotia and Municipal Relations

## 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 March 13, 2009**

<b>Table 1: Benchmark Prices for Regulated Petroleum Products</b> (cents/litre)	
Regular unleaded gasoline	40.0
Mid-grade unleaded gasoline	43.0
Premium unleaded gasoline	46.0
Ultra-low-sulfur diesel oil	46.1

<b>Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products</b> (cents/litre)									
	Fixed Wholesale Price (excludes GST)	Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
		Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>									
Regular Unleaded	71.8	4.0	5.5	4.0	999.9	85.7	87.3	85.7	999.9
Mid-Grade Unleaded	74.8	4.0	5.5	4.0	999.9	89.0	90.7	89.0	999.9
Premium Unleaded	77.8	4.0	5.5	4.0	999.9	92.4	94.1	92.4	999.9
Ultra-Low-Sulfur Diesel	71.8	4.0	5.5	4.0	999.9	85.7	87.3	85.7	999.9
<b>Zone 2</b>									
Regular Unleaded	72.2	4.0	5.5	4.0	999.9	86.1	87.8	86.1	999.9
Mid-Grade Unleaded	75.2	4.0	5.5	4.0	999.9	89.5	91.2	89.5	999.9
Premium Unleaded	78.2	4.0	5.5	4.0	999.9	92.9	94.6	92.9	999.9
Ultra-Low-Sulfur Diesel	72.2	4.0	5.5	4.0	999.9	86.1	87.8	86.1	999.9
<b>Zone 3</b>									
Regular Unleaded	72.7	4.0	5.5	4.0	999.9	86.7	88.4	86.7	999.9
Mid-Grade Unleaded	75.7	4.0	5.5	4.0	999.9	90.1	91.8	90.1	999.9
Premium Unleaded	78.7	4.0	5.5	4.0	999.9	93.5	95.1	93.5	999.9
Ultra-Low-Sulfur Diesel	72.7	4.0	5.5	4.0	999.9	86.7	88.4	86.7	999.9
<b>Zone 4</b>									
Regular Unleaded	72.7	4.0	5.5	4.0	999.9	86.7	88.4	86.7	999.9
Mid-Grade Unleaded	75.7	4.0	5.5	4.0	999.9	90.1	91.8	90.1	999.9
Premium Unleaded	78.7	4.0	5.5	4.0	999.9	93.5	95.1	93.5	999.9
Ultra-Low-Sulfur Diesel	72.7	4.0	5.5	4.0	999.9	86.7	88.4	86.7	999.9
<b>Zone 5</b>									
Regular Unleaded	72.7	4.0	5.5	4.0	999.9	86.7	88.4	86.7	999.9
Mid-Grade Unleaded	75.7	4.0	5.5	4.0	999.9	90.1	91.8	90.1	999.9
Premium Unleaded	78.7	4.0	5.5	4.0	999.9	93.5	95.1	93.5	999.9
Ultra-Low-Sulfur Diesel	72.7	4.0	5.5	4.0	999.9	86.7	88.4	86.7	999.9
<b>Zone 6</b>									
Regular Unleaded	73.5	4.0	5.5	4.0	999.9	87.6	89.3	87.6	999.9
Mid-Grade Unleaded	76.5	4.0	5.5	4.0	999.9	91.0	92.7	91.0	999.9
Premium Unleaded	79.5	4.0	5.5	4.0	999.9	94.4	96.1	94.4	999.9
Ultra-Low-Sulfur Diesel	73.5	4.0	5.5	4.0	999.9	87.6	89.3	87.6	999.9

**N.S. Reg. 69/2009**

Made: March 19, 2009

Filed: March 20, 2009

Prescribed Petroleum Products Prices

Order dated March 19, 2009  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005  
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*  
made by the Governor in Council  
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

**Order**

I, Richard Hurlburt, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated March 12, 2008 [2009], which prescribed prices March 13, 2009; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on March 20, 2009.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on March 19, 2009.

Sgd.: *Richard Hurlburt*  
Honourable Richard Hurlburt  
Minister of Service Nova Scotia and Municipal Relations

## 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 March 20, 2009**

<b>Table 1: Benchmark Prices for Regulated Petroleum Products</b> (cents/litre)	
Regular unleaded gasoline	42.6
Mid-grade unleaded gasoline	45.6
Premium unleaded gasoline	48.6
Ultra-low-sulfur diesel oil	47.5

<b>Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products</b> (cents/litre)									
	<b>Fixed Wholesale Price</b> (excludes GST)	<b>Retail Mark-up</b>				<b>Retail Price</b> (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
		Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>									
Regular Unleaded	74.4	4.0	5.5	4.0	999.9	88.6	90.3	88.6	999.9
Mid-Grade Unleaded	77.4	4.0	5.5	4.0	999.9	92.0	93.7	92.0	999.9
Premium Unleaded	80.4	4.0	5.5	4.0	999.9	95.4	97.1	95.4	999.9
Ultra-Low-Sulfur Diesel	73.2	4.0	5.5	4.0	999.9	87.2	88.9	87.2	999.9
<b>Zone 2</b>									
Regular Unleaded	74.8	4.0	5.5	4.0	999.9	89.0	90.7	89.0	999.9
Mid-Grade Unleaded	77.8	4.0	5.5	4.0	999.9	92.4	94.1	92.4	999.9
Premium Unleaded	80.8	4.0	5.5	4.0	999.9	95.8	97.5	95.8	999.9
Ultra-Low-Sulfur Diesel	73.6	4.0	5.5	4.0	999.9	87.7	89.4	87.7	999.9
<b>Zone 3</b>									
Regular Unleaded	75.3	4.0	5.5	4.0	999.9	89.6	91.3	89.6	999.9
Mid-Grade Unleaded	78.3	4.0	5.5	4.0	999.9	93.0	94.7	93.0	999.9
Premium Unleaded	81.3	4.0	5.5	4.0	999.9	96.4	98.1	96.4	999.9
Ultra-Low-Sulfur Diesel	74.1	4.0	5.5	4.0	999.9	88.3	89.9	88.3	999.9
<b>Zone 4</b>									
Regular Unleaded	75.3	4.0	5.5	4.0	999.9	89.6	91.3	89.6	999.9
Mid-Grade Unleaded	78.3	4.0	5.5	4.0	999.9	93.0	94.7	93.0	999.9
Premium Unleaded	81.3	4.0	5.5	4.0	999.9	96.4	98.1	96.4	999.9
Ultra-Low-Sulfur Diesel	74.1	4.0	5.5	4.0	999.9	88.3	89.9	88.3	999.9
<b>Zone 5</b>									
Regular Unleaded	75.3	4.0	5.5	4.0	999.9	89.6	91.3	89.6	999.9
Mid-Grade Unleaded	78.3	4.0	5.5	4.0	999.9	93.0	94.7	93.0	999.9
Premium Unleaded	81.3	4.0	5.5	4.0	999.9	96.4	98.1	96.4	999.9
Ultra-Low-Sulfur Diesel	74.1	4.0	5.5	4.0	999.9	88.3	89.9	88.3	999.9
<b>Zone 6</b>									
Regular Unleaded	76.1	4.0	5.5	4.0	999.9	90.5	92.2	90.5	999.9
Mid-Grade Unleaded	79.1	4.0	5.5	4.0	999.9	93.9	95.6	93.9	999.9
Premium Unleaded	82.1	4.0	5.5	4.0	999.9	97.3	99.0	97.3	999.9
Ultra-Low-Sulfur Diesel	74.9	4.0	5.5	4.0	999.9	89.2	90.9	89.2	999.9

**N.S. Reg. 70/2009**

Made: March 17, 2009

Filed: March 23, 2009

Standard Expenditure Per Dwelling Unit (2009–2010) Regulations

Order dated March 17, 2009  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 11 of the *Municipal Grants Act*

**In the Matter of Section 11 of Chapter 302 of the Revised Statutes of Nova Scotia, 1989,  
the *Municipal Grants Act***

-and-

**In the Matter of the Regulations Respecting the Standard Expenditure Per Dwelling  
Unit (2009/2010) Regulations**

I, Richard Hurlburt, Minister of Service Nova Scotia and Municipal Relations, pursuant to Section 11 of Chapter 302 of the Revised Statutes of Nova Scotia, 1989, the *Municipal Grants Act*, hereby prescribe the standard expenditure per dwelling unit for the purpose of Section 11 of the Act, in the form set forth in the attached Schedule “A”, effective for the 2009-2010 fiscal year.

Made at Halifax, Nova Scotia, on March 17, 2009.

Sgd.: *Richard Hurlburt*  
Honourable Richard Hurlburt  
Minister of Service Nova Scotia and Municipal Relations

**Schedule “A”**

**Regulations Respecting the Standard Expenditure per Dwelling Unit for 2009–2010  
Made by the Minister of Service Nova Scotia and Municipal Relations pursuant to  
Section 11 of Chapter 302 of the Revised Statutes of Nova Scotia, 1989,  
the *Municipal Grants Act***

**Citation**

1 These regulations may be cited as the *Standard Expenditure per Dwelling Unit (2009–2010) Regulations*.

**Standard expenditure per dwelling unit**

2 The standard expenditure per dwelling unit for calculating the equalization grant for a municipality under Section 11 of the *Municipal Grants Act* for the 2009–2010 fiscal year is as set out in the following table:

Class of Municipality	Standard Expenditure Per Dwelling Unit
I	\$1340
II	\$523

**N.S. Reg. 71/2009**

Made: March 30, 2009

Filed: March 30, 2009

## Part-Time Employees Regulations

Order in Council 2009-141 dated March 30, 2009  
Regulations made by the Governor in Council  
pursuant to subclause 20(d)(vi) of the *Public Service Superannuation Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated March 13, 2009, and pursuant to subclause 20(d)(vi) of Chapter 377 of the Revised Statutes of Nova Scotia, 1989, the *Public Service Superannuation Act*, is pleased to make regulations respecting part-time employees in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 30, 2009.

**Schedule "A"**

**Regulations Respecting the Prescription of Part-Time Employees  
as Employees for the Purpose of the *Public Service Superannuation Act*  
made by Governor in Council under subclause 20(d)(vi) of  
Chapter 377 of the Revised Statutes of Nova Scotia, 1989,  
the *Public Service Superannuation Act***

**Citation**

1 These regulations may be cited as the *Part-Time Employees Regulations*.

**Interpretation**

2 In these regulations,

- (a) "Act" means the *Public Service Superannuation Act*;
- (b) "Fund" means the Superannuation Fund created and maintained under the Plan and referred to in the Act;
- (c) "overtime" means hours worked in excess of the normal full-time weekly hours or normal full-time biweekly hours specified for a similar or comparable position;
- (d) "participating employer" means an employer, other than the Province, who participates in the Plan;
- (e) "part-time employee" means a person employed by the Province or a participating employer who is a part-time employee as defined in the Act, regularly works at least 40% of the full-time hours specified for a similar or comparable position or at a higher threshold if specified in a collective agreement applicable to the person for the purposes of determining eligibility for Plan membership, and would be a member of the Plan if employed on a full-time basis;
- (f) "Plan" means the pension plan set out in the Act and the regulations made under the Act;
- (g) "salary" means salary as defined in Section 2 of the Act.

**Plan membership**

- 3 (1) A part-time employee of the Province must be a member of the Plan.
- (2) A part-time employee of a participating employer
- (a) must be a member of the Plan if so required under a collective agreement applicable to the employee;
  - (b) if not required to be a member of the Plan under a collective agreement applicable to the employee, may be a member of the Plan if the employee and participating employer so agree, the Minister consents in writing and Plan membership is not precluded by the terms of the collective agreement.
- (3) A part-time employee who becomes a member of the Plan in accordance with clause 2(b) must remain a Plan member while employed by the participating employer, if the employee continues to qualify for participation in the Plan under these regulations.

**Reduction in part-time employment**

- 4 (1) A person who is a member of the Plan, but who works less than the threshold set out in clause 2(e) applicable to the person, nevertheless continues to be a member of the Plan as long as the person's employment is continuous and the person would be a member of the Plan if employed on a full-time basis.
- (2) Subsection (1) does not apply if precluded by the terms of a collective agreement applicable to the person.

**Prorating of obligations and benefits**

5 Obligations to the Fund and benefits under the Plan for part-time employees are determined as follows:

- (a) contributions made by a person to the Fund are calculated based on the contributions the person would have made if employed on a full-time basis multiplied by the ratio of the person's actual hours worked, not including overtime, to the hours the person would have worked if employed on a full-time basis;
- (b) the salary recognized for the purposes of Section 13 of the Act is the salary the person would have earned if employed on a full-time basis;
- (c) the service recognized for the purposes of calculating the amount of a superannuation allowance under the Act is the service with which the person would have been credited if employed on a full-time basis multiplied by the ratio of the person's actual hours worked, not including overtime, to the hours the person would have worked if employed on a full-time basis;
- (d) the service recognized for the purposes of determining eligibility for a superannuation allowance under the Act is the service with which the person would have been credited if employed on a full-time basis.

**Contribution obligations and service recognition for part-time employees of participating employers**

- 6 Despite clauses 5(a) and (c), contributions made to the Fund and service recognized for the purposes of calculating the amount of the superannuation allowance under the Act for part-time employees of participating employers are calculated based on regularly scheduled hours worked rather than actual hours worked, unless the applicable collective agreement specifies that actual hours worked apply.



**N.S. Reg. 72/2009**

Made: March 19, 2009

Approved: March 30, 2009

Filed: March 30, 2009

## Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations

Order in Council 2009-146 dated March 30, 2009  
 Amendment to regulations made by the Public Service Commission  
 and approved by the Governor in Council  
 pursuant to Sections 7 and 45 of the *Civil Service Act*

The Governor in Council on the report and recommendation of the Minister of Human Resources dated March 19, 2009, and pursuant to Sections 7 and 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, is pleased to approve of amendments made by the Public Service Commission to the *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*, N.S. Reg. 395/2007, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2007-521 dated September 28, 2007, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective April 1, 2009.

**Schedule “A”**

The Public Service Commission, pursuant to Sections 7 and 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, hereby amends the *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*, N.S. Reg. 395/2007, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2007-521 dated September 28, 2007, in the manner attached.

Dated at Halifax, Nova Scotia, March 19, 2009.

Sgd.: *Len Goucher*  
 Honourable Len Goucher  
 Minister of Human Resources

**Amendment to the *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*  
 made by the Public Service Commission  
 under Sections 7 and 45 of Chapter 70 of the Revised Statutes  
 of Nova Scotia, 1989, the *Civil Service Act***

- 1 The *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*, N.S. Reg. 395/2007, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2007-521 dated September 28, 2007, are amended by striking out “2008” wherever it appears and substituting “2009”.
- 2 Section 4 of the regulations is renumbered as subsection 4(1), and amended by
  - (a) adding “subsection (2) and” immediately after “provided in”;
  - (b) striking out the table and substituting the following table:

Kilometres Driven	Rate
0–16 000 km	40.92¢/km
16 000.1–27 000 km	36.11¢/km
27 000.1 km +	27.68¢/km

3 Section 4 of the regulations is further amended by adding the following subsection immediately after subsection (1):

- (2) An employee of the Department of Natural Resources who has been designated to be paid a supplementary reimbursement rate per kilometre for use of their privately owned light truck in connection with employment must be paid in accordance with the rates set out in the following table for all kilometres driven in connection with employment:

Kilometres Driven	Rate
0–16 000 km	44.65¢/km
16 000.1–27 000 km	39.84¢/km
27 000.1 km +	31.41¢/km

- 4 (1) Subsection 5(1) of the regulations is amended by striking out “\$847.05” and substituting “\$855.69”.
- (2) Subsection 5(2) of the regulations is amended by striking out the table and substituting the following table:

Kilometres Driven	Rate
8–24 km	\$63.78
24–48.3 km	\$97.19
Over 48.3 km	\$164.03

- (3) Subsection 5(4) of the regulations is repealed and the following subsection substituted:

- (4) Effective April 1, 2009, an employee who has opted to receive a monthly allowance under subsection (3) must be paid the following monthly allowance for all kilometres driven in connection with employment:
- (a) for an employee other than as described in clause (b), \$318.09 plus 23.47¢/km;
  - (b) for an employee of the Department of Natural Resources designated to be paid a supplementary rate for use of their light truck, \$318.09 plus 27.18 ¢/km.

5 Section 12 of the regulations is amended by

- (a) striking out “\$9.13” in subsection (1) and substituting “\$9.22”; and
- (b) striking out “\$7.56” in subsection (2) and substituting “\$7.64”.

**N.S. Reg. 73/2009**

Made: March 30, 2009

Filed: March 30, 2009

## Tobacco Access Regulations

Order in Council 2009-148 dated March 30, 2009  
Amendment to regulations made by the Governor in Council  
pursuant to subsection 9(2) and Section 13 of the *Tobacco Access Act*

The Governor in Council on the report and recommendation of the Minister of Health Promotion and Protection dated March 25, 2009, and pursuant to subsection 9(2) and Section 13 of Chapter 14 of the Acts of 1993, the *Tobacco Access Act*, is pleased to amend the regulations respecting tobacco access, N.S. Reg. 9/96, made by the Governor in Council by Order in Council 96-29 dated January 16, 1996, to allow tobacco vendors to use a reference catalogue in order to inform customers about the availability of tobacco brands and their prices, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 30, 2009.

**Schedule "A"**

**Amendment to the Regulations Respecting Tobacco Access  
made by the Governor in Council pursuant to subsection 9(2) and Section 13  
of Chapter 14 of the Acts of 1993, the *Tobacco Access Act***

- 1 Subsection 3B(1) of the regulations [respecting tobacco access, N.S. Reg. 9/96, made by the Governor in Council by Order in Council 96-29 dated January 16, 1996,] is amended by adding "or a magazine or other publication described in Section 3C" immediately after "described in subsection 3(1)".
- 2 The regulations are amended by renumbering Section 3C as Section 3D and adding the following Section immediately before Section 3D:

**Display of magazine or other publication**

**3C** For the purposes of subsection 9(2) of the Act, a vendor may display a magazine or other publication that contains tobacco advertising only if all of the following conditions are met:

- (a) the magazine or publication must be displayed in such a way that the tobacco advertisement is not visible to the public;
- (b) the magazine or publication must meet any requirements set out in the *Tobacco Act* (Canada) or regulations made under that Act.