

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. 158/2010

Made: October 21, 2010 (O.I.C.)

Filed: October 28, 2010

Belleisle Marsh Protected Site Designation

Order in Council 2010-387 dated October 21, 2010
Designation made by the Minister of Tourism, Culture and Heritage
and approved by the Governor in Council
pursuant to Section 7 of the *Special Places Protection Act*

The Governor in Council on the report and recommendation of the Minister of Tourism, Culture and Heritage dated October 6, 2010, and pursuant to Section 7 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Projection [Protection] Act*, is pleased to approve the designation by the Minister of Tourism, Culture and Heritage of a portion of the Belleisle Marsh as a protected site, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**In the matter of Section 7 of Chapter 438
of the Revised Statutes of Nova Scotia, 1989,
the *Special Places Protection Act***

I, Percy A. Paris, Minister of Tourism, Culture and Heritage for the Province of Nova Scotia, pursuant to Section 7 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act*, hereby designate a portion of the Belleisle Marsh described in Appendix A and shown on the map in Appendix B as a protected site.

This designation is effective on and after the date it is published in the Royal Gazette.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, , 2010 [sic].

Sgd.: *Percy A. Paris*
Honourable Percy A. Paris
Minister of Tourism, Culture and Heritage

Appendix A**Belleisle Marsh Protected Site**

All that certain tract of land shown on a Compiled Plan Showing Belleisle Marsh Parcel 82/03-1 Protected Site and Parcel 82/03-2 Wildlife Management Area, on file at Department of Natural Resources Office at Halifax, under Field Plot P-82/03, and recorded in the Crown Land Information Management Centre as plan No. E-15-65 at Belleisle in the County of Annapolis, Province of Nova Scotia, and Parcel P-82/03-1 being more particularly described as follows;

Beginning at the intersection of the western boundary of an access road defined by document 3465 at the Crown Lands Information Management Centre and the northern boundary of the designated parking area;

Thence southwesterly along the northern boundary of the designated parking area to the northwestern corner of the designated parking area;

Thence southeasterly along the western boundary of the designated parking area to the northern boundary of an access road defined by document 3380-B at the Crown Lands Information Management Centre;

Thence southwesterly along the northern boundary of an access road defined by document 3380-B at the Crown Lands Information Management Centre, to the southeast corner of lands now or formerly conveyed to Aldon Sayre and Edith S. Sayre in book 280, page 430 at the Lawrencetown Registry of Deeds;

Thence northerly along the northeastern boundary of lands now or formerly conveyed to Aldon Sayre and Edith S. Sayre in book 280, page 430 at the Lawrencetown Registry of Deeds to a point on a southern boundary of Parcel 82/03-2;

Thence easterly along a southern boundary of Parcel 82/03-2 to the western boundary of an access road defined by document 3465 at the Crown Lands Information Management Centre;

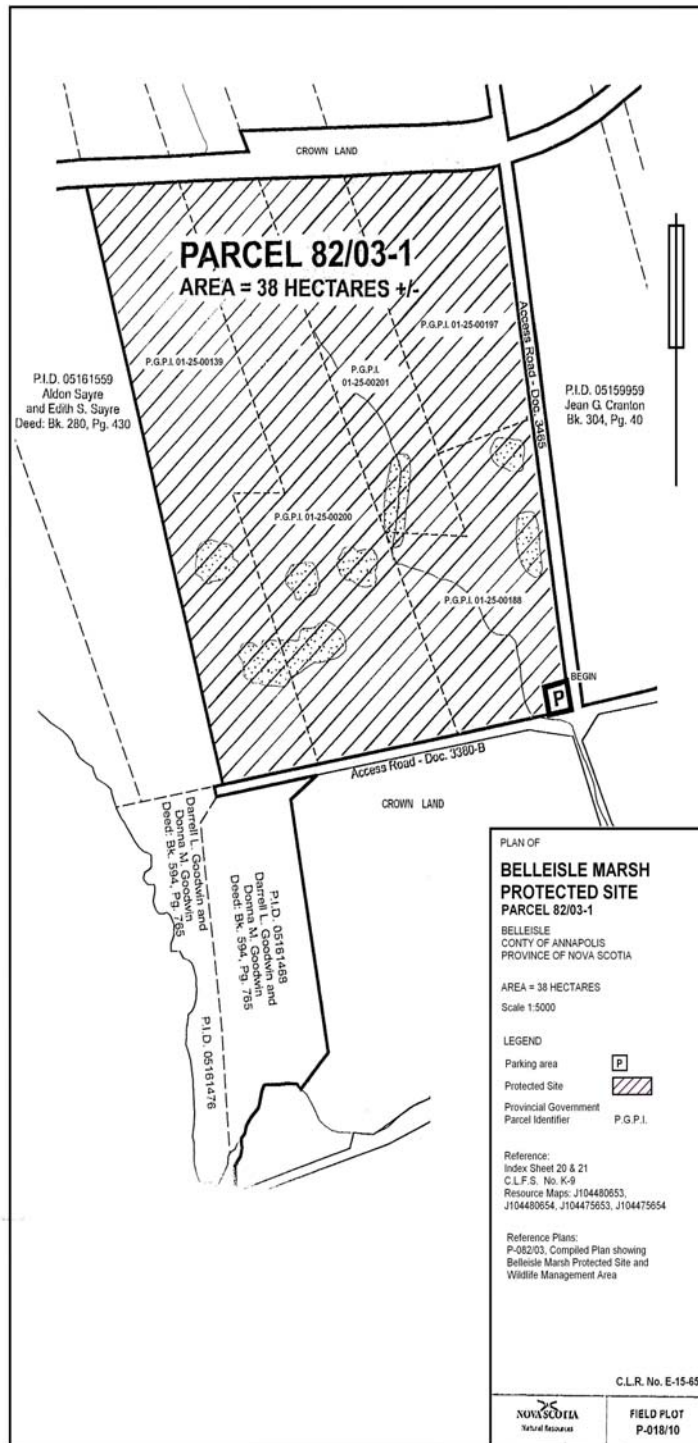
Thence southerly along the western boundary of an access road defined by document 3465 at the Crown Lands Information Management Centre to the **place of beginning**.

Being and intended to be P.G.P.I. nos. 01-25-00188, 01-25-00197, 01-25-00199, 01-25-00200 and 01-25-00201.

Together with a right of way, for access purposes, over the portions of the access road described in Crown Purchase Document No. 3380-B that adjoins the southern boundary Parcel 82/03-1 and the portion of the access road (described in Purchase Document No. 3465) that adjoins the eastern boundary of Parcel 82/03-1, the eastern boundary of lands of David Eugene Cranton and Sharon Elizabeth Cranton as described in book 590, page 109 in the Lawrencetown Land Registry Office and a portion of the southern boundary of Old Highway No. 1;

Containing an approximate area of 38 hectares, more or less.

Appendix B



PLAN OF
**BELLEISLE MARSH
 PROTECTED SITE
 PARCEL 82/03-1**
 BELLEISLE
 COUNTY OF ANnapolis
 PROVINCE OF NOVA SCOTIA
 AREA = 38 HECTARES
 Scale 1:5000

LEGEND
 Parking area P
 Protected Site
 Provincial Government
 Parcel Identifier P.G.P.I.

Reference:
 Index Sheet 20 & 21
 C.L.F.S. No. K-9
 Resource Maps: J104480653,
 J104480654, J104475653, J104475654

Reference Plans:
 P-062/03, Compiled Plan showing
 Belleisle Marsh Protected Site and
 Wildlife Management Area

C.L.R. No. E-15-65

NOVA SCOTIA
 Natural Resources

FIELD PLOT
 P-018/10

N.S. Reg. 159/2010

Made: October 21, 2010

Filed: October 28, 2010

Proclamation, S. 3, S.N.S. 2009 c. 21

Order in Council 2010-389 dated October 21, 2010

Proclamation made by the Governor in Council
pursuant to Section 3 of*An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act,
to Increase the Penalties for Impaired Drivers*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated October 19, 2010, and pursuant to Section 3 of Chapter 21 of the Acts of 2009, ~~the~~ [*An Act to Amend Chapter 293 of the Revised Statutes, 1989, the*] *Motor Vehicle Act, to Increase the Penalties for Impaired Drivers*, is pleased to order and declare by proclamation that Chapter 21 of the Acts of 2009, ~~the~~ [*An Act to Amend Chapter 293 of the Revised Statutes, 1989, the*] *Motor Vehicle Act, to Increase the Penalties for Impaired Drivers*, do come into force on and not before October 26, 2010.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 21 of the Acts of 2009, ~~the~~ [*An Act to Amend Chapter 293 of the Revised Statutes, 1989, the*] *Motor Vehicle Act, to Increase the Penalties for Impaired Drivers*, 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 21 of the Acts of 2009, ~~the~~ [*An Act to Amend Chapter 293 of the Revised Statutes, 1989, the*] *Motor Vehicle Act, to Increase the Penalties for Impaired Drivers*, do come into force on and not before October 26, 2010;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 21 of the Acts of 2009, ~~the~~ [*An Act to Amend Chapter 293 of the Revised Statutes, 1989, the*] *Motor Vehicle Act, to Increase the Penalties for Impaired Drivers*, do come into force on and not before October 26, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 21st day of October in the year
of Our Lord two thousand and ten and in the
fifty-ninth year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 160/2010

Made: October 28, 2010

Filed: November 1, 2010

Prescribed Petroleum Products Prices

Order dated October 28, 2010
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order

NSUARB-GAS-W-10-44

In the Matter of the *Petroleum Products Pricing Act*

- and -

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

Before: Roberta J. Clarke, Q.C., Member

Order

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended October 27, 2010, are:

Grade 1 Regular gasoline	56.7¢ per litre
Ultra-low-sulfur diesel oil	61.6¢ per litre

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

Gasoline:	
Grade 1	56.7¢ per litre
Grade 2	59.7¢ per litre
Grade 3	62.7¢ per litre
Ultra-low-sulfur diesel oil	61.6¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	nil
Ultra-low-sulfur diesel oil:	nil

And whereas a winter blending adjustment of plus 0.6¢ per litre is required for ultra-low-sulfur diesel oil;

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., October 29, 2010.

Dated at Halifax, Nova Scotia, this 28th day of October, 2010.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule “A”

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on October 29, 2010**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	63.0	10.0	15.5	88.5	106.4	108.1	106.4	999.9
Mid-Grade Unleaded	66.0	10.0	15.5	91.5	109.8	111.6	109.8	999.9
Premium Unleaded	69.0	10.0	15.5	94.5	113.3	115.0	113.3	999.9
Ultra-Low-Sulfur Diesel	68.5	4.0	15.4	87.9	105.7	107.4	105.7	999.9
Zone 2								
Regular Unleaded	63.4	10.0	15.5	88.9	106.8	108.6	106.8	999.9
Mid-Grade Unleaded	66.4	10.0	15.5	91.9	110.3	112.0	110.3	999.9
Premium Unleaded	69.4	10.0	15.5	94.9	113.7	115.5	113.7	999.9
Ultra-Low-Sulfur Diesel	68.9	4.0	15.4	88.3	106.1	107.9	106.1	999.9
Zone 3								
Regular Unleaded	63.9	10.0	15.5	89.4	107.4	109.1	107.4	999.9
Mid-Grade Unleaded	66.9	10.0	15.5	92.4	110.9	112.6	110.9	999.9
Premium Unleaded	69.9	10.0	15.5	95.4	114.3	116.0	114.3	999.9
Ultra-Low-Sulfur Diesel	69.4	4.0	15.4	88.8	106.7	108.4	106.7	999.9

Zone 4								
Regular Unleaded	63.9	10.0	15.5	89.4	107.4	109.1	107.4	999.9
Mid-Grade Unleaded	66.9	10.0	15.5	92.4	110.9	112.6	110.9	999.9
Premium Unleaded	69.9	10.0	15.5	95.4	114.3	116.0	114.3	999.9
Ultra-Low-Sulfur Diesel	69.4	4.0	15.4	88.8	106.7	108.4	106.7	999.9
Zone 5								
Regular Unleaded	63.9	10.0	15.5	89.4	107.4	109.1	107.4	999.9
Mid-Grade Unleaded	66.9	10.0	15.5	92.4	110.9	112.6	110.9	999.9
Premium Unleaded	69.9	10.0	15.5	95.4	114.3	116.0	114.3	999.9
Ultra-Low-Sulfur Diesel	69.4	4.0	15.4	88.8	106.7	108.4	106.7	999.9
Zone 6								
Regular Unleaded	64.7	10.0	15.5	90.2	108.3	110.1	108.3	999.9
Mid-Grade Unleaded	67.7	10.0	15.5	93.2	111.8	113.5	111.8	999.9
Premium Unleaded	70.7	10.0	15.5	96.2	115.2	117.0	115.2	999.9
Ultra-Low-Sulfur Diesel	70.2	4.0	15.4	89.6	107.6	109.4	107.6	999.9

N.S. Reg. 161/2010

Made: November 2, 2010

Filed: November 3, 2010

Provincial Housing Emergency Repair Program Regulations

Order in Council 2010-401 dated November 2, 2010

Repeal of regulations and regulations made by the Governor in Council
pursuant to Section 26 of the *Housing Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated September 3, 2010, and pursuant to Section 26 of Chapter 211 of the Revised Statutes of Nova Scotia, 1989, the *Housing Act* is pleased, effective on and after November 3, 2010, to

- (a) repeal the *Provincial Housing Emergency Repair Program Regulations*, N.S. Reg. 214/2005, made by the Governor in Council by Order in Council 2005-496 dated November 4, 2005; and
- (b) make new regulations respecting the Provincial Housing Emergency Repair Program in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Regulations Respecting the Provincial Housing Emergency Repair Program
made [by the Governor in Council] pursuant to Section 26 of Chapter 211 of the
Revised Statutes of Nova Scotia, 1989,
the *Housing Act***

Citation

1 These regulations may be cited as the *Provincial Housing Emergency Repair Program Regulations*.

Definitions

2 In these regulations,

“occupant” of a single-family dwelling means a person, other than a foster child, who is at least 16 years old and

- (i) has occupied the dwelling for a continuous period of at least 1 year,
- (ii) does not have a principal place of residence elsewhere, and
- (iii) does not pay rent to any owner of the dwelling;

“Minister” means the Minister of Community Services;

“owner” of a single-family dwelling means a person who holds any of the following property interests in the dwelling:

- (i) a registered life estate recorded under the *Land Registration Act* or ownership in fee simple in real property,
- (ii) an interest in real property under an agreement with the Director of the *Veterans’ Land Act* (Canada) or the Nova Scotia Farm Loan Board under the *Agriculture and Rural Credit Act*,
- (iii) for a dwelling that is a mobile home, an interest as an owner of a mobile home that is located on property under an agreement to rent, lease or purchase;

“program” means the Provincial Housing Emergency Repair Program;

“single-family dwelling” means any of the following that is used for residential purposes:

- (i) detached house,
- (ii) semi-detached house,
- (iii) row housing,
- (iv) mobile home,
- (v) condominium unit;

“total household income” means the total income before taxes from all sources for the occupants of the dwelling as defined by Statistics Canada, but does not include any of the following:

- (i) scholarships and bursaries,
- (ii) the universal child care benefit paid under the *Universal Child Care Benefit Act* (Canada),
- (iii) the working income tax benefit under the *Income Tax Act* (Canada),
- (iv) compensation paid to prisoner of war veterans and amounts paid for a decoration of gallantry under the *War Veterans Allowance Act* (Canada),
- (v) payments made in support of foster children paid under the *Children and Family Services Act*,

- (vi) special needs allowances paid under income support programs of the Province or the federal government.

Program eligibility

3 To be eligible under the program, all of the following criteria must be met:

- (a) the dwelling in need of repairs must be an existing single-family dwelling located in the Province that is owned by 1 or more of the occupants of the dwelling;
- (b) the repairs to be made to the single-family dwelling must be
- (i) to the physical structure of the dwelling, including any systems that provide the dwelling with water, disposal of sewage or electrical hook-up,
- (ii) permanent,
- (iii) urgent and required for the continued safe occupancy of the dwelling, as determined by the Minister;
- (c) the occupants of the single-family dwelling must not have an annual financial capacity, including total household income and savings, to make the repairs;
- (d) the total household income for the occupants of the single-family dwelling must be within the total household income limits set out in the following table for the place where the dwelling is located and the number of bedrooms:

Location	Total Household Income Limit		
	1 Bedroom	2 Bedrooms	3+ Bedrooms
Halifax	\$28 000	\$34 000	\$44 000
Sydney	\$23 500	\$29 500	\$34 000
Small towns	\$22 000	\$27 500	\$31 500
Rest of Province	\$26 000	\$31 000	\$36 500

Application for assistance

- 4 (1) A person applying for assistance under the program must be both an owner and an occupant of the single-family dwelling in need of repairs and must intend to continue to be an occupant of the dwelling on an ongoing basis.
- (2) An applicant must submit an application in the form prescribed by the Minister, together with any of the following documentation or information, as requested:
- (a) for each occupant,
- (i) proof of age,
- (ii) proof of cohabitation,
- (iii) proof of divorce or separation,
- (iv) proof of residency, and

- (v) proof of liquid financial assets;
 - (vi) social insurance number;
 - (vii) for an occupant who is an owner, proof of ownership of the single-family dwelling,
 - (viii) proof of ownership of any other residential, resource, commercial, industrial, institutional or recreational properties,
 - (ix) a certified copy of the previous year's income tax return, Notice of Assessment with tax information slips or Notice of Reassessment with tax information slips from the Canada Revenue Agency;
- (b) proof that property taxes for the previous calendar year have been paid in full or proof that suitable arrangements to pay property taxes are in place with the municipality where the single-family dwelling is located;
 - (c) the most recent property tax assessment for the single-family dwelling;
 - (d) any additional documentation related to income taxes or property taxes requested by the Minister.
- (3) An application must be accompanied by a written authorization from each occupant that
- (a) authorizes the release of any information about the occupant that is relevant to the application, including the information and documents required under subsection (2); and
 - (b) authorizes the Minister to obtain or verify any information about the occupant that is relevant to the application, including the information and documents required under subsection (2).
- (4) If any occupant refuses to provide the information requested under subsection (2) or the authorization required by subsection (3), the application must be rejected.

Financial assistance in form of grant

- 5 (1) Financial assistance under the program must be paid in the form of a non-repayable grant.
- (2) The Minister may make a grant under the program to an eligible applicant in any amount up to a maximum of \$6500, subject to the availability of funding under the program.

Limits on what grant may be used for

- 6 A grant provided under the program must not be used for any expenses other than the following costs for repairs:
- (a) the cost of labour of qualified persons, at rates not exceeding standard industry rates, plus applicable taxes;
 - (b) the cost of materials used by qualified persons, at rates not exceeding standard industry rates for the materials, plus applicable taxes;
 - (c) any related disposal costs, plus applicable taxes.

N.S. Reg. 162/2010

Made: November 2, 2010

Filed: November 3, 2010

Senior Citizens Assistance Program Regulations

Order in Council 2010-402 dated November 2, 2010
Repeal of regulations and regulations made by the Governor in Council
pursuant to Section 26 of the *Housing Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated September 3, 2010, and pursuant to Section 26 of Chapter 211 of the Revised Statutes of Nova Scotia, 1989, the *Housing Act*, is pleased, effective on and after November 2, 2010, to

- (a) repeal the *Senior Citizens Assistance Program Regulations*, N.S. Reg. 215/2005, made by the Governor in Council by Order in Council 2005-496 dated November 4, 2005; and
- (b) make new regulations respecting the Senior Citizens Assistance Program in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting the Senior Citizens Assistance Program
made [by the Governor in Council] pursuant to Section 26 of Chapter 211 of the
Revised Statutes of Nova Scotia, 1989,
the *Housing Act***

Citation

1 These regulations may be cited as the *Senior Citizens Assistance Program Regulations*.

Definitions

2 In these regulations,

“occupant” of a single-family dwelling means a person, other than a foster child, who is at least 16 years old and

- (i) has occupied the dwelling for a continuous period of at least 1 year,
- (ii) does not have a principal place of residence elsewhere, and
- (iii) does not pay rent to any owner of the dwelling;

“Minister” means the Minister of Community Services;

“owner” of a single-family dwelling means a person who holds any of the following property interests in the dwelling:

- (i) a registered life estate recorded under the *Land Registration Act* or ownership in fee simple in real property,
- (ii) an interest in real property under an agreement with the Director of the *Veterans’ Land Act* (Canada) or the Nova Scotia Farm Loan Board under the *Agriculture and Rural Credit Act*,

- (iii) for a dwelling that is a mobile home, an interest as an owner of a mobile home that is located on property under an agreement to rent, lease or purchase;

“program” means the Senior Citizens Assistance Program;

“single-family dwelling” means any of the following that is used for residential purposes:

- (i) detached house,
- (ii) semi-detached house,
- (iii) row housing,
- (iv) mobile home,
- (v) condominium unit;

“total household income” means the total income before taxes from all sources for the occupants of a dwelling as defined by Statistics Canada, but does not include any of the following:

- (i) scholarships and bursaries,
- (ii) the universal child care benefit paid under the *Universal Child Care Benefit Act* (Canada),
- (iii) the working income tax benefit under the *Income Tax Act* (Canada),
- (iv) compensation paid to prisoner of war veterans and amounts paid for a decoration of gallantry under the *War Veterans Allowance Act* (Canada),
- (v) payments made in support of foster children paid under the *Children and Family Services Act*,
- (vi) special needs allowances paid under income support programs of the Province or the federal government.

Program eligibility

3 To be eligible under the program, all of the following criteria must be met:

- (a) 1 of the owners of the single-family dwelling must be an occupant of the dwelling who is at least 65 years old;
- (b) the dwelling in need of repairs must be an existing single-family dwelling located in the Province that is owned by 1 or more of the occupants of the dwelling;
- (c) the repairs to be made to the single-family dwelling must be
 - (i) to the physical structure of the dwelling, including any systems that provide the dwelling with water, disposal of sewage or electrical hook-up,
 - (ii) permanent, and

- (iii) urgent and required for the continued safe occupancy of the dwelling, as determined by the Minister;
- (d) the occupants of the single-family dwelling must not have an annual financial capacity, including total household income and savings, to make the repairs;
- (e) the total household income for the occupants of the single-family dwelling must be within the total household income limits set out in the following table for the place where the dwelling is located and the number of bedrooms:

Location	Total Household Income Limit		
	1 Bedroom	2 Bedrooms	3+ Bedrooms
Halifax	\$28 000	\$34 000	\$44 000
Sydney	\$24 000	\$29 500	\$34 000
Small towns	\$24 000	\$27 500	\$31 500
Rest of Province	\$26 000	\$31 000	\$36 500

Applying for assistance

- 4 (1) A person applying for assistance under the program must be both an owner and an occupant of the single-family dwelling in need of repairs and must intend to continue to be an occupant of the dwelling on an ongoing basis.
- (2) An applicant must submit an application in the form prescribed by the Minister, together with any of the following documentation or information, as requested:
- (a) for each occupant,
 - (i) proof of age,
 - (ii) proof of cohabitation,
 - (iii) proof of divorce or separation,
 - (iv) proof of residency,
 - (v) proof of liquid financial assets,
 - (vi) social insurance number,
 - (vii) for an occupant who is an owner, proof of ownership of the single-family dwelling,
 - (viii) proof of ownership of any other residential, resource, commercial, industrial, institutional or recreational properties,
 - (ix) a certified copy of the previous year's income tax return, Notice of Assessment with tax information slips or Notice of Reassessment with tax information slips from the Canada Revenue Agency;

- (b) proof that property taxes for the previous calendar year have been paid in full or proof that suitable arrangements to pay property taxes are in place with the municipality where the single-family dwelling is located;
 - (c) the most recent property tax assessment for the single-family dwelling;
 - (d) any additional documentation related to income taxes or property taxes requested by the Minister.
- (3) An application must be accompanied by a written authorization from each occupant that
- (a) authorizes the release of any information about the occupant that is relevant to the application, including the information and documents required under subsection (2); and
 - (b) authorizes the Minister to obtain or verify any information about the occupant that is relevant to the application, including the information and documents required under subsection (2).
- (4) If any occupant refuses to provide the information requested under subsection (2) or the authorization required by subsection (3), the application must be rejected.

Financial assistance in form of grant

- 5 (1) Financial assistance under the program must be paid in the form of a non-repayable grant.
- (2) The Minister may make a grant under the program to an eligible applicant in any amount up to a maximum of \$6500, subject to the availability of funding under the program.

Limits on what grant may be used for

- 6 A grant provided under the program must not be used for any expenses other than the following costs for repairs:
- (a) the cost of labour of qualified persons, at rates not exceeding standard industry rates, plus applicable taxes;
 - (b) the cost of materials used by qualified persons, at rates not exceeding standard industry rates for the materials, plus applicable taxes;
 - (c) any related disposal costs, plus applicable taxes.

N.S. Reg. 163/2010

Made: November 4, 2010

Filed: November 9, 2010

Prescribed Petroleum Products Prices

Order dated November 4, 2010
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-10-45****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: Murray E. Doehler, CA, P. Eng., Member**Order**

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended November 3, 2010, are:

Grade 1 Regular gasoline	57.5¢ per litre
Ultra-low-sulfur diesel oil	61.5¢ per litre

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

Gasoline:	
Grade 1	57.5¢ per litre
Grade 2	60.5¢ per litre
Grade 3	63.5¢ per litre
Ultra-low-sulfur diesel oil	61.5¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 0.3¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.1¢ per litre

And whereas a winter blending adjustment of plus 1.9¢ per litre is required for ultra-low-sulfur diesel oil;

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., November 5, 2010.

Dated at Halifax, Nova Scotia, this 4th day of November, 2010.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on November 5, 2010**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 15% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	64.1	10.0	15.5	89.6	107.6	109.4	107.6	999.9
Mid-Grade Unleaded	67.1	10.0	15.5	92.6	111.1	112.8	111.1	999.9
Premium Unleaded	70.1	10.0	15.5	95.6	114.5	116.3	114.5	999.9
Ultra-Low-Sulfur Diesel	69.8	4.0	15.4	89.2	107.2	108.9	107.2	999.9
Zone 2								
Regular Unleaded	64.5	10.0	15.5	90.0	108.1	109.8	108.1	999.9
Mid-Grade Unleaded	67.5	10.0	15.5	93.0	111.5	113.3	111.5	999.9
Premium Unleaded	70.5	10.0	15.5	96.0	115.0	116.7	115.0	999.9
Ultra-Low-Sulfur Diesel	70.2	4.0	15.4	89.6	107.6	109.4	107.6	999.9
Zone 3								
Regular Unleaded	65.0	10.0	15.5	90.5	108.7	110.4	108.7	999.9
Mid-Grade Unleaded	68.0	10.0	15.5	93.5	112.1	113.8	112.1	999.9
Premium Unleaded	71.0	10.0	15.5	96.5	115.6	117.3	115.6	999.9
Ultra-Low-Sulfur Diesel	70.7	4.0	15.4	90.1	108.2	109.9	108.2	999.9
Zone 4								
Regular Unleaded	65.0	10.0	15.5	90.5	108.7	110.4	108.7	999.9
Mid-Grade Unleaded	68.0	10.0	15.5	93.5	112.1	113.8	112.1	999.9
Premium Unleaded	71.0	10.0	15.5	96.5	115.6	117.3	115.6	999.9
Ultra-Low-Sulfur Diesel	70.7	4.0	15.4	90.1	108.2	109.9	108.2	999.9
Zone 5								
Regular Unleaded	65.0	10.0	15.5	90.5	108.7	110.4	108.7	999.9
Mid-Grade Unleaded	68.0	10.0	15.5	93.5	112.1	113.8	112.1	999.9
Premium Unleaded	71.0	10.0	15.5	96.5	115.6	117.3	115.6	999.9
Ultra-Low-Sulfur Diesel	70.7	4.0	15.4	90.1	108.2	109.9	108.2	999.9
Zone 6								
Regular Unleaded	65.8	10.0	15.5	91.3	109.6	111.3	109.6	999.9
Mid-Grade Unleaded	68.8	10.0	15.5	94.3	113.0	114.8	113.0	999.9
Premium Unleaded	71.8	10.0	15.5	97.3	116.5	118.2	116.5	999.9
Ultra-Low-Sulfur Diesel	71.5	4.0	15.4	90.9	109.1	110.9	109.1	999.9

N.S. Reg. 164/2010

Made: November 10, 2010

Filed: November 10, 2010

Ministerial Education Act Regulations

Order dated November 10, 2010
Amendment to regulations made by the Minister of Education
pursuant to Section 145 of the *Education Act*

**In the matter of Section 145 of Chapter 1 of the Acts of 1995-96,
the *Education Act***

- and -

**In the matter of an amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education pursuant to
Section 145 of the *Education Act***

Order

I, Marilyn More, Minister of Education for the Province of Nova Scotia, pursuant to Section 145 of Chapter 1 of the Acts of 1995-96, the *Education Act*, hereby amend the *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education on June 24, 1997, in the manner set forth in Schedule "A", effective on and after November 10, 2010.

Dated and made at Halifax, Nova Scotia, this 10th day of November, 2010.

Sgd: *Marilyn More*
Marilyn More,
Minister of Education

Schedule "A"

**Amendment to the *Ministerial Education Act Regulations*
made by the Minister of Education pursuant to Section 145 of
Chapter 1 of the Acts of 1995-96, the *Education Act***

- 1 (1) The *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education by order dated June 24, 1997, are amended by repealing subsection 14(2).
- (2) Subsection 14(3) of the regulations is repealed and the following subsection substituted:
 - (3) In subsections 89(1) and 89(6) of the Act and Sections 16 to 21, "permanently close", in relation to a public school, means to permanently discontinue the use of the public school building for the offering of the public school program.
- 2 (1) The regulations are further amended by striking out the heading immediately before Section 15 and substituting the heading "Exceptions to school review".
- (2) Subsection 15(2) of the regulations is repealed and the following subsection substituted:
 - (2) Section 89 of the Act and Sections 16 to 21 do not apply to any of the following public schools:

- (a) one public school that will be permanently closed and replaced by one public school that will be provided by the Province as its replacement school;
 - (b) a public school that will be replaced by another public school provided by the Province in respect of a direction, request or order of a court.
- (3) Subsection 15(3) of the regulations is repealed.
- 3 Section 16 of the regulations is amended by renumbering subsection (3) as subsection (4) and adding the following subsection immediately after subsection (2):
 - (3) An Identification Report must cite all sources of data and statistics and document the methodologies used in the creation of the report.
- 4 (1) Subsection 17(1) of the regulations is amended by striking out “May 31” and substituting “September 30”.
- (2) Clause 17(2)(c) of the regulations is amended by striking out the text preceding subclause (i) and substituting the following:
 - (c) outline a comprehensive review of the potential impact of a school board decision to permanently close the public school that is subject to review, including data, statistics, and any additional information about all of the following:
- (3) Clause 17(2)(c) of the regulations is further amended by
 - (a) striking out the comma at the end of subclause (xii) and substituting a period; and
 - (b) repealing subclause (xiii).
- (4) Section 17 of the regulations is further amended by adding the following subsection immediately after subsection (2):
 - (3) An Impact Assessment Report must cite all sources of data and statistics and document the methodologies used in the creation of the report.
- 5 (1) Subsection 18(1) of the regulations is amended by striking out “June 15” and substituting “October 7”.
- (2) Subsection 18(6) of the regulations is amended by striking out “June 30” and substituting “October 21”.
- (3) Subsections 18(12) and (13) of the regulations are repealed and the following subsections substituted:
 - (12) A Study Committee shall prepare a written response to the Impact Assessment Report and submit the response to the school board no later than February 1 of the year following the year in which the school review process was initiated.
 - (13) Before preparing its written response to the Impact Assessment Report, a Study Committee shall conduct at least 1 public meeting.

- (4) Section 18 is further amended by adding the following subsection immediately after subsection 18(13):
- (14) The response of the Study Committee shall include a recommendation about a decision of the school board to permanently close the public school that is subject to review.
- 6 (1) The regulations are further amended by striking out the heading immediately before Section 19 and substituting the heading “Public hearing”.
- (2) Subsection 19(1) of the regulations is amended by adding “, in the year immediately following the year in which the school review process was initiated,” immediately after “shall” in the text preceding clause (a).
- (3) Clause 19(1)(a) of the regulations is amended by striking out “January 31 of the year immediately following the year the response was submitted” and substituting “February 28”.
- (4) Subsections 19(2) and (3) of the regulations are repealed and the following subsections substituted:
- (2) After a school board releases a Study Committee’s response to the public under subsection (1), and no later than March 24, the school board shall conduct at least 1 public hearing to give the public an opportunity to make representations in respect of the Impact Assessment Report and the Study Committee’s response.
- (3) No later than 14 days before the date of the public hearing, a school board shall give notice of the public hearing and invite public comments by
- (a) advertising in a newspaper having general circulation in the school region at least 3 times; and
- (b) posting on the school board’s website.
- (5) Subsection 19(4) of the regulations is amended by striking out “meeting” wherever it occurs and substituting “hearing”.
- (6) Clause 19(4)(e) of the regulations is repealed and the following clause substituted:
- (e) a description of the powers of the school board under Section 89 of the Act.
- (7) Subsection 19(5) of the regulations is amended by striking out “meeting” and substituting “hearing”.
- (8) Subsection 19(6) of the regulations is amended by striking out “under Section 89A of the Act” and substituting “with respect to the outcome of the school review process”.
- (9) Section 19 of the regulations is further amended by adding the following subsection immediately after subsection (6):
- (7) In conducting a public hearing to afford any person an opportunity to make representations in respect of an Impact Assessment Report and a Study Committee’s response, a school board is deemed to be performing a legislative and not a judicial function.
- 7 (1) Subsection 20(1) of the regulations is amended by

- (a) striking out “a public meeting under Section 19” and substituting “a public hearing under Section 19”; and
 - (b) striking out “pursuant to Section 89A of the Act” and substituting “with respect to the outcome of the school review process”.
- (2) Subsection 20(2) of the regulations is repealed and the following subsection substituted:
- (2) No later than 15 days after the day the members of a school board make their decision, the school board shall give public notice of the decision by posting it on the school board website.
- (3) Section 20 of the regulations is further amended by adding the following subsection immediately after subsection (4):
- (5) For greater certainty, a school board may decide to discontinue the school review process in respect of a public school at any time after identifying the public school for review under Section 16.
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N.S. Reg. 165/2010

Made: November 9, 2010

Filed: November 10, 2010

Proclamation, S. 26(2), S.N.S. 2010, c. 3

Order in Council 2010-408 dated November 9, 2010

Proclamation made by the Governor in Council

pursuant to subsection 26(2) of the

Financial Measures (2010) Act

The Governor in Council on the report and recommendation of the Minister of Finance dated October 5, 2010, and pursuant to subsection (2) of Section 26 of Chapter 3 of the Acts of 2010, the *Financial Measures (2010) Act*, is pleased to order and declare by proclamation that Sections 24 and 25 of Chapter 3 of the Acts of 2010, the *Financial Measures (2010) Act*, which amend Chapter 31 of the Acts of 1996, the *Sales Tax Act*, do come into force on and not before November 9, 2010.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by subsection (2) of Section 26 of Chapter 3 of the Acts of 2010, the *Financial Measures (2010) Act*, it is enacted as follows:

- (2) Sections 24 and 25 come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 24 and 25 of Chapter 3 of the Acts of 2010, the *Financial Measures (2010) Act*, which amend Chapter 31 of the Acts of 1996, the *Sales Tax Act*, do come into force on and not before November 9, 2010;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 24 and 25 of Chapter 3 of the Acts of 2010, the *Financial Measures (2010) Act*, which amend Chapter 31 of the Acts of 1996, the *Sales Tax Act*, do come into force on and not before November 9, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 9th day of November in the year of Our Lord two thousand and ten and in the fifty-ninth year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 166/2010

Made: November 9, 2010

Filed: November 10, 2010

Public Service Superannuation Plan Regulations

Order in Council 2010-409 dated November 9, 2010
Regulations made by the Governor in Council
pursuant to Section 20 of the *Public Service Superannuation Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated October 4, 2010, and pursuant to Section 20 of Chapter 377 of the Revised Statutes of Nova Scotia, 1989, the *Public Service Superannuation Act*, is pleased to make new regulations to define words and expressions used but not defined in the *Public Service Superannuation Act*, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 11, 2010.

Schedule "A"

**Regulations Respecting the Public Service Superannuation Plan
made by [the] Governor in Council under Section 20 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 *Public Service Superannuation Plan Regulations*.

Definitions

2 In these regulations,

“Act” means the *Public Service Superannuation Act*;

“employer” means an employer that participates in the pension plan.

Definition of “employee who first commences employment on or after the sixth day of April, 2010”

- 3 (1) In the Act, “employee who first commences employment on or after the sixth day of April, 2010” means a person who, on April 5, 2010, was not an employee of an employer or a member of the pension plan, and who first becomes an employee of an employer on or after April 6, 2010, but does not include an employee who meets the criteria set out in subsection (2).
- (2) To be excluded from the definition in subsection (1), a person must meet 1 of the following criteria:
- (a) they entered into negotiations with an employer before April 6, 2010, either directly or through a representative or intermediary, regarding employment with the employer, and subsequently become an employee of the employer and entitled to receive compensation from the employer on or before March 31, 2011;
 - (b) their employment by an employer was approved by the Executive Council, either specifically or in principle, before April 6, 2010, and they become an employee of the employer and entitled to receive compensation from the employer on or before March 31, 2011;
 - (c) they were employed by an employer before April 6, 2010, but are subsequently laid off or their employment terminated, and then later become an employee of an employer and entitled to receive compensation from the employer on or before March 31, 2016.
- (3) A determination of whether an employee meets the criteria in subsection (2) is made by the Trustee.