

Royal



Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 37, No. 4

February 22, 2013

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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. 25/2013 and N.S. Reg. 26/2013

Made: January 24, 2013

Filed: January 30, 2013

Bennery Lake Watershed Protected Water Area Designation and Regulations

Order dated January 24, 2013
made by the Minister of Environment
pursuant to subsections 106(1) and 106(6) of the *Environment Act*

**In the matter of subsections 106(1) and (6) of
Chapter 1 of the Acts of 1994-95, the *Environment Act***

- and -

**In the matter of amendments to the
Bennery Lake Watershed Protected [Water] Area Designation and Regulations**

Order

I, Sterling Belliveau, Minister of Environment for the Province of Nova Scotia, pursuant to Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act* (the “Act”), hereby

- (a) pursuant to subsection 106(1) of the Act, amend the designation of the Bennery Lake Watershed Protected Water Area, N.S. Reg. 210/2003, made by the Minister of Environment and Labour by order dated December 4, 2003, by adding, immediately after the boundary description of the Protected Water Area in Schedule “A” to the order, a map showing the approximate boundary of the Protected Water Area in the form set forth in the attached Schedule “A”; and
- (b) pursuant to subsection 106(6) of the Act, amend the *Bennery Lake Watershed Protected Area Regulations*, N.S. Reg. 211/2003, made by the Minister of Environment and Labour by order dated December 4, 2003, to restrict the use of vehicles and vessels, require advance notice and approval of forestry operations or road construction, restrict landfill contents and restrict the timing of landscaping, in the manner set forth in the attached Schedule “B”.

This order is effective on and after the date it is made.

Dated and made January 24, 2013, at Halifax Regional Municipality, Province of Nova Scotia.

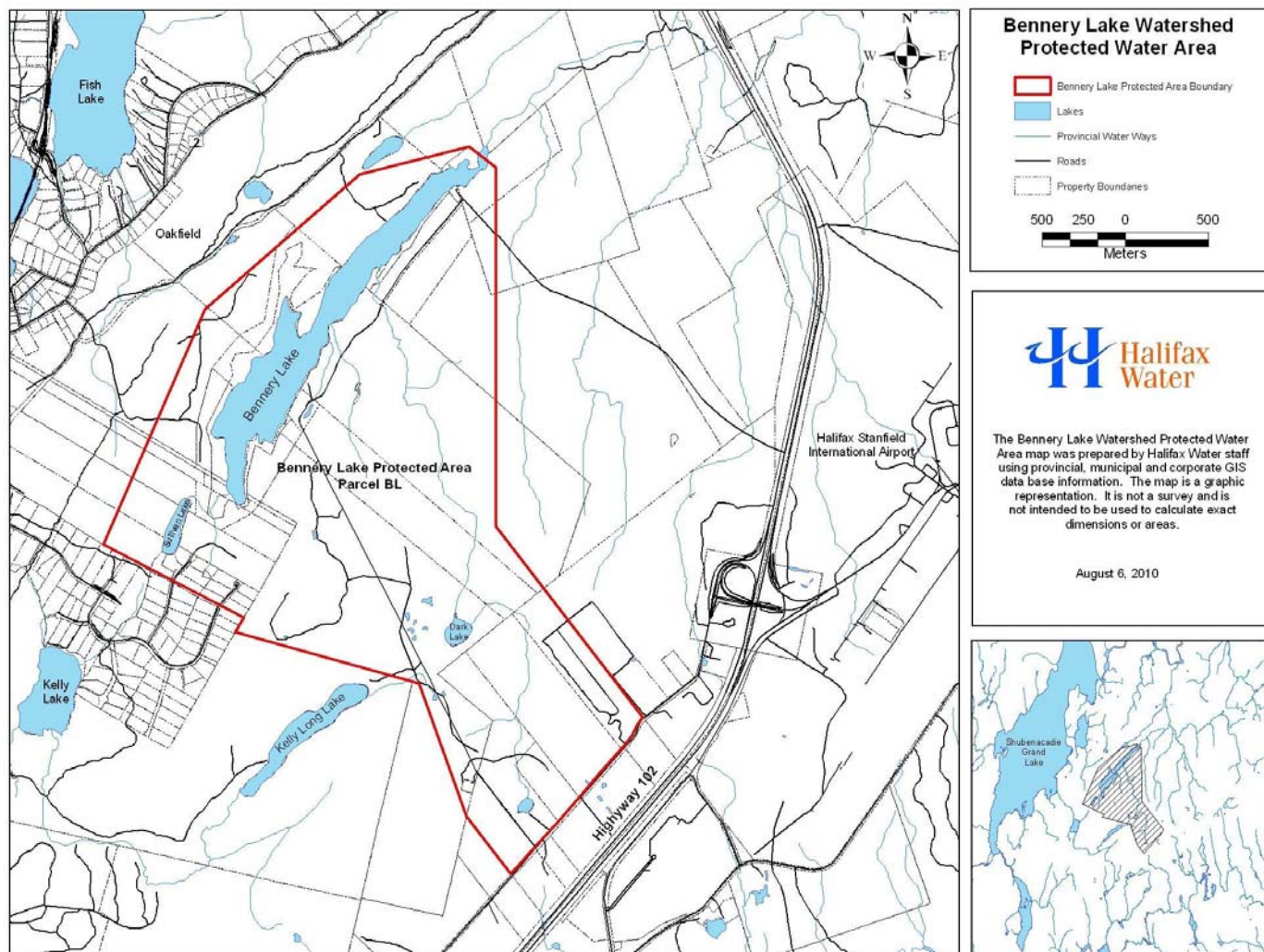
Sgd.: *Sterling Belliveau*
Honourable Sterling Belliveau
Minister of Environment

N.S. Reg. 25/2013

Bennery Lake Watershed Protected Water Area Designation

Schedule "A"

**Map Showing Approximate Boundaries of
Bennery Lake Watershed Protected Water Area**



N.S. Reg. 26/2013

Bennery Lake Watershed Protected Water Area Regulations

Schedule "B"**Amendment to the *Bennery Lake Watershed Protected Water Area Regulations*
made under subsection 106(6) of Chapter 1 of the Acts of 1994-1995,
the *Environment Act***

1 Section 2 of the *Bennery Lake Watershed Protected Water Area Regulations*, N.S. Reg. 211/2003, made by order of the Minister of Environment and Labour dated December 4, 2003, is repealed and the following Section substituted:

2 In these regulations,

"Act" means the *Environment Act*;

"certified forest technician" means a person who is a certified member in good standing of the Nova Scotia Forest Technicians Association;

"Committee" means the Bennery Lake Watershed Management Committee;

"developer" means a person who develops or proposes to develop land and includes any agent or contractor who works for the developer;

"development" means any disturbance of land for purposes of constructing a roadway, residential dwelling, commercial establishment, recreation area or parkland;

"forestry operation" means any activity related to the use of a forest for producing timber, wood fibre or Christmas trees, including all of the following activities:

- (i) forest management planning,
- (ii) silviculture,
- (iii) harvesting,
- (iv) protection,
- (v) road construction,
- (vi) operating, storing and using equipment and supplies used in any aspect of the activity;

"grab sample" means a sample that represents only the composition of the source of the sample at the particular time and place the sample is collected;

"grubbing" means removing vegetation and organic material to expose bare soil;

"landfill" means an area where solid waste is buried or, in a low-lying area, used as fill;

"Protected Water Area" means the land and water designated by the Minister under subsection 106(1) of the Act as the Bennery Lake Watershed Protected Water Area, as described in Schedule "A" to the designation;

“registered professional forester” means a registered member in good standing of the Registered Professional Foresters Association of Nova Scotia;

“road salt” means any de-icing agent that is applied to a road for the purpose of winter road maintenance;

“sulphide-bearing material” has the same meaning as set out in clause 2(o) of the *Sulphide Bearing Material Disposal Regulations* made under the Act;

“vegetation” means any living plant or tree growth;

“vehicle” means any vehicle propelled or driven otherwise than by muscular power, whether or not the vehicle is registered under the *Motor Vehicle Act*;

“vessel” means a means of conveyance of a kind used on water and includes any accessory to the vessel;

“Water Works Operator” means the Halifax Regional Water Commission, operator of the Bennery Lake Water Treatment Plant, and its successors and assigns.

- 2 (1) Subsection 3(3) of the regulations is amended by adding “or vessel” immediately after “vehicle”.
- (2) Subsection 3(4) of the regulations is amended by
 - (a) adding “vehicle or” immediately before “vessel”; and
 - (b) striking out “for the protection of the Protected Water Area”.
- (3) Section 3 of the regulations is further amended by adding the following subsections immediately after subsection (5):
 - (6) Except as provided in subsection (7), no person is permitted to operate a vehicle within the Protected Water Area, unless authorized by the Water Works Operator.
 - (7) Subsection (6) does not apply to
 - (a) a landowner accessing or maintaining their own land within the Protected Water Area; or
 - (b) the operation of a vehicle on a highway, as defined in the *Public Highways Act*, within the Protected Water Area.
 - (8) No person is permitted to construct or install a dock or wharf on any watercourse within the Protected Water Area, unless authorized in writing by the Water Works Operator.
- 3 The regulations are further amended by striking out the heading “Posting of signs” immediately before Section 4 and substituting “Public notification”.
- 4 Subsection 6(1) of the regulations is amended by
 - (a) striking out “professional forester” in clause (a) and substituting “registered professional forester or certified forest technician”;

- (b) striking out “and” at the end of clause (c); and
 - (c) repealing clause (d) and substituting the following clauses:
 - (d) is submitted to the Water Works Operator for review at least 30 days before the proposed start of the activity; and
 - (e) is approved in writing by the Water Works Operator before the activity is started.
- 5 Subsection 7(1) of the regulations is repealed and the following subsection substituted:
- (1) No person is permitted to undertake construction of any road or driveway within the Protected Water Area unless
 - (a) an application for approval and a map of the planned location is submitted to the Water Works Operator for review at least 30 days before the proposed start of construction;
 - (b) the proposed construction is approved in writing by the Water Works Operator before construction starts; and
 - (c) construction is carried out between June 1 and September 30, inclusive, in any year.
- 6 Clause 8(2)(b) of the regulations is amended by adding “and providing written notice to the Water Works Operator” immediately after “Department”.
- 7 Section 10 of the regulations is amended by striking out “or biocide”.
- 8 Section 13 of the regulations is amended by adding “, or any other type of material that may threaten the safety of the water supply,” immediately after “materials”.
- 9 (1) Clause 16(3)(a) of the regulations is amended by adding “or its successor document or code of practice” immediately after “Department”.
- (2) Clause 16(3)(b) of the regulations is repealed and the following clause substituted:
- (b) obtained prior written approval from the Water Works Operator.
- (3) Subsection 16(5) of the regulations is repealed and the following subsection substituted:
- (5) No person is permitted to conduct landscaping activities that require earth exposure or removal within the Protected Water Area except between May 1 and October 31, inclusive, in any year.
- 10 Subsection 19(1) of the regulations is amended by striking out “P-4” and substituting “PWS”.

N.S. Reg. 27/2013

Made: January 31, 2013

Filed: February 4, 2013

Prescribed Petroleum Products Prices

Order dated January 31, 2013
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-13-05****In the Matter of the *Petroleum Products Pricing Act*****- and -**

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

Before: Roland A. Deveau, Q.C., Vice-Chair**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 Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

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

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended January 30, 2013, are:

Grade 1 Regular gasoline	78.6¢ per litre
Ultra-low-sulfur diesel oil	82.9¢ per litre

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

Gasoline:	
Grade 1	78.6¢ per litre
Grade 2	81.6¢ per litre
Grade 3	84.6¢ per litre
Ultra-low-sulfur diesel oil	82.9¢ per litre

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

Gasoline:	plus 1.1¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.6¢ per litre

And whereas a winter blending adjustment of plus 5.8¢ 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., February 1, 2013.

Dated at Halifax, Nova Scotia, this 30th day of January, 2013.

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 February 1, 2013

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	86.9	10.0	15.5	112.4	134.8	136.8	134.8	999.9
Mid-Grade Unleaded	89.9	10.0	15.5	115.4	138.2	140.3	138.2	999.9
Premium Unleaded	92.9	10.0	15.5	118.4	141.7	143.8	141.7	999.9
Ultra-Low-Sulfur Diesel	96.4	4.0	15.4	115.8	138.7	140.8	138.7	999.9
Zone 2								
Regular Unleaded	87.4	10.0	15.5	112.9	135.4	137.4	135.4	999.9
Mid-Grade Unleaded	90.4	10.0	15.5	115.9	138.8	140.9	138.8	999.9
Premium Unleaded	93.4	10.0	15.5	118.9	142.3	144.3	142.3	999.9
Ultra-Low-Sulfur Diesel	96.9	4.0	15.4	116.3	139.3	141.3	139.3	999.9
Zone 3								
Regular Unleaded	87.8	10.0	15.5	113.3	135.8	137.9	135.8	999.9
Mid-Grade Unleaded	90.8	10.0	15.5	116.3	139.3	141.3	139.3	999.9
Premium Unleaded	93.8	10.0	15.5	119.3	142.7	144.8	142.7	999.9
Ultra-Low-Sulfur Diesel	97.3	4.0	15.4	116.7	139.7	141.8	139.7	999.9
Zone 4								
Regular Unleaded	87.9	10.0	15.5	113.4	135.9	138.0	135.9	999.9
Mid-Grade Unleaded	90.9	10.0	15.5	116.4	139.4	141.4	139.4	999.9
Premium Unleaded	93.9	10.0	15.5	119.4	142.8	144.9	142.8	999.9
Ultra-Low-Sulfur Diesel	97.4	4.0	15.4	116.8	139.8	141.9	139.8	999.9
Zone 5								
Regular Unleaded	87.9	10.0	15.5	113.4	135.9	138.0	135.9	999.9
Mid-Grade Unleaded	90.9	10.0	15.5	116.4	139.4	141.4	139.4	999.9
Premium Unleaded	93.9	10.0	15.5	119.4	142.8	144.9	142.8	999.9
Ultra-Low-Sulfur Diesel	97.4	4.0	15.4	116.8	139.8	141.9	139.8	999.9
Zone 6								
Regular Unleaded	88.6	10.0	15.5	114.1	136.7	138.8	136.7	999.9
Mid-Grade Unleaded	91.6	10.0	15.5	117.1	140.2	142.3	140.2	999.9
Premium Unleaded	94.6	10.0	15.5	120.1	143.6	145.7	143.6	999.9
Ultra-Low-Sulfur Diesel	98.1	4.0	15.4	117.5	140.6	142.7	140.6	999.9

N.S. Reg. 28/2013

Made: February 1, 2013

Filed: February 4, 2013

Proclamation, S. 28, S.N.S. 2011, c. 19

Order in Council 2013-28 dated February 1, 2013

Proclamation made by the Governor in Council

pursuant to Section 28 of

An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated January 10, 2013, and pursuant to Section 28 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that:

- (a) clauses (b), (d) and (g) of Section 1; clauses (ca) and (cd) to (cq) of Section 7 of the *Labour Standards Code* as enacted by Section 3; clause (e) of Section 5; subsections (3A) and (3C) of Section 21 of the *Labour Standards Code* as enacted by subsection (2) of Section 8; and the heading preceding Section 89H and Sections 89I to 89R and 89Z of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before February 1, 2013;
- (b) Sections 89C, 89H, 89S and 89U to 89Y of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before May 1, 2013; and
- (c) Section 89T of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before August 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: **J. J. Grant**

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 28 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, it is enacted as follows:

28 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 clauses (b), (d) and (g) of Section 1; clauses (ca) and (cd) to (cq) of Section 7 of the *Labour Standards Code* as enacted by Section 3; clause (e) of Section 5; subsections (3A) and (3C) of Section 21 of the *Labour Standards Code* as enacted by subsection (2) of Section 8; and the heading preceding Section 89H and Sections 89I to 89R and 89Z of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before February 1, 2013;

AND WHEREAS it is deemed expedient that Sections 89C, 89H, 89S and 89U to 89Y of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before May 1, 2013;

AND WHEREAS it is deemed expedient that Section 89T of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before August 1, 2013;

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:

- (a) clauses (b), (d) and (g) of Section 1; clauses (ca) and (cd) to (cq) of Section 7 of the *Labour Standards Code* as enacted by Section 3; clause (e) of Section 5; subsections (3A) and (3C) of Section 21 of the *Labour Standards Code* as enacted by subsection (2) of Section 8; and the heading preceding Section 89H and Sections 89I to 89R and 89Z of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before February 1, 2013;
- (b) Sections 89C, 89H, 89S and 89U to 89Y of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before May 1, 2013;
- (c) Section 89T of the *Labour Standards Code* as enacted by Section 21 of Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, do come into force on and not before August 1, 2013.

of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour
Brigadier-General, the Honourable J. J. Grant
(Retired), Lieutenant Governor of the Province of
Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 1st day of February in the year of Our Lord two thousand and thirteen and in the sixty-first year of Our Reign.

BY COMMAND:

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

N.S. Reg. 29/2013 and N.S. Reg. 30/2013

Made: February 1, 2013

Filed: February 4, 2013

General Labour Standards Code Regulations

Order in Council 2013-29 dated February 1, 2013
Amendment to regulations made by the Governor in Council
pursuant to Section 7 of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated January 10, 2013, and pursuant to Section 7 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased to amend the general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, to provide for changes related and consequential to Chapter 19 of the Acts of 2011, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Worker Recruitment and Protection*, in the manner set forth in

- (a) Schedule “A” attached to and forming part of the report and recommendation, effective on and after February 1, 2013; and
- (b) Schedule “B” attached to and forming part of the report and recommendation, effective on and after May 1, 2013.

N.S. Reg. 29/2013

General Labour Standards Code Regulations

Schedule “A”

**Amendment to the General Regulations Respecting Labour Standards
made by the Governor in Council under subsection 4(2) and Section 7 of
Chapter 246 of the Revised Statutes of Nova Scotia, 1989,
the *Labour Standards Code***

1 Subsection 1(1) of the general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, is amended by adding the following clause immediately after clause (b):

- (ba) “criminal record check” means a record obtained from a law enforcement agency stating whether or not a person has any conviction or has any outstanding charge awaiting court disposition under a federal or provincial enactment;

- 2 (1) Subsection 2(1A) of the regulations is amended by striking out “Section 89F of the Code applies with respect to a foreign worker, that Section prevails” and substituting “Sections 89E, 89F and 89G of the Code apply with respect to a foreign worker, those Sections prevail”.
- (2) Section 2 of the regulations is further amended by adding the following subsection immediately after subsection (11):
- (12) Section 89F of the Code does not apply to an employer if the reduction in wages or the reduction or elimination of a benefit, term or condition of a foreign worker’s employment referred to in subsection 89F(1) of the Code results from any of the following:
- (a) a change in federal law or a law of the Province;
 - (b) a change to the provisions of a collective agreement;
 - (c) measures implemented by the employer in response to a dramatic and unforeseeable or unavoidable change in economic conditions that directly affects the business of the employer, if the measures are not directed disproportionately at the foreign worker;
 - (d) a good faith error in interpretation made by the employer respecting its obligations to the foreign worker that results in the foreign worker suffering a disadvantage, if the employer provides compensation to the foreign worker for the disadvantage;
 - (e) an unintentional accounting or administrative error made by the employer that results in the foreign worker suffering a disadvantage, if the employer provides compensation to the foreign worker for the disadvantage.
- 3 Section 7 of the regulations is amended by adding the following subsections immediately after subsection (2):
- (3) An appeal filed with the Board under subsection 21(5) of the Code by a person, other than an employee, against whom the Director has made an order under Section 21 of the Code must include 1 of the following:
- (a) the amount required by clause 84(1)(a) of the Code;
 - (b) the security required by clause 84(1)(b) of the Code.
- (4) The payment or security referred to in subsection (3) must be provided to the Board at the same time as the other documents comprising the appeal are required to be filed with the Board and an appeal is not considered filed, and will not proceed, until all required documents and the payment or security are received by the Board.
- 4 The regulations are further amended by adding the following Sections immediately after Section 14:

Qualifications and application for foreign worker recruitment licence

- 15 (1) An applicant for a licence must be a member in good standing of
- (a) the Nova Scotia Barristers’ Society, a bar of another province or the Chambre des notaires du Québec; or
 - (b) the Immigration Consultants of Canada Regulatory Council, incorporated under Part II of the *Canada Corporations Act* (Canada) on February 18, 2011.

- (2) An applicant for a licence must provide a photocopy of a membership card or other proof, acceptable to the Director, that the individual is a member in good standing of 1 of the organizations specified in subsection (1).
- (3) In addition to any information requested by the Director under clause 89I(2)(b) of the Code, an applicant for a licence must submit all of the following to the Director, in a form approved by the Director:
- (a) the applicant's name and date of birth;
 - (b) the business name under which the applicant will recruit foreign workers;
 - (c) the Canada Revenue Agency business number of the applicant or the applicant's employer;
 - (d) all names and addresses under which the applicant has conducted business in the previous 5-year period, including any changes of name, whether formal or informal;
 - (e) all of the following contact information for both the applicant and the recruitment business with which the applicant will be associated:
 - (i) civic and mailing address,
 - (ii) telephone number,
 - (iii) e-mail address,
 - (iv) website addresses, if any;
 - (f) the address where the business records for the recruitment work are kept, including the address where records will be located for any future recruitment work;
 - (g) a description of the nature and scope of the proposed foreign worker recruitment business, including all of the following information:
 - (i) whether the applicant will be carrying out the recruitment work as a self-employed individual or as an employee,
 - (ii) the approximate date when the recruitment business will begin if the licence is granted,
 - (iii) if the applicant is a resident of the Province, whether the applicant intends to reside in the Province on a full-time or a part-time basis if the licence is granted,
 - (iv) if the applicant does not intend to reside in the Province on a full-time basis, the applicant's plans for engaging in recruitment, how those plans are to be carried out and what portion of the applicant's business will involve placing workers in the Province,
 - (v) a list of the countries from which the applicant or the applicant's employer plans to recruit, and the names of any companies or individuals in those countries with which the applicant or the applicant's employer intends to deal and from which a benefit is expected to be received in relation to recruitment,

- (vi) the types of employment for which the applicant will recruit foreign workers;
- (h) a list of all bank accounts, both domestic and foreign, maintained by the applicant or by any other person or entity on the applicant's behalf in which the applicant has a current or anticipated future benefit in relation to recruitment work;
- (i) a list of all businesses, both domestic and foreign, associated with the applicant's recruitment work before the date of the application;
- (j) certified copies of all of the following:
 - (i) the registration of the name of the business entity that will be conducting the recruitment,
 - (ii) the registration of the partnership agreement, if the recruitment will be conducted by a partnership,
 - (iii) if the recruitment will be conducted by a corporation,
 - (A) the shareholders' agreement,
 - (B) the articles and certificate of incorporation,
 - (C) the bylaws of the corporation;
- (k) a description of the legal relationship between the foreign worker recruitment business and any other businesses, whether incorporated or unincorporated, that own, are owned or operated by, or are affiliated with the foreign worker recruitment business;
- (l) the individual's signed consent authorizing the Director to publish all of the information listed in Section 23 in the public registry;
- (m) a criminal record check of the applicant;
- (n) a statement as to whether
 - (i) the applicant has ever been refused admission to or been the subject of a disciplinary action by a law society, the Immigration Consultants of Canada Regulatory Council, the Canadian Society of Immigration Consultants or any other professional association,
 - (ii) the applicant is aware of any complaint or charge pending against them in their professional capacity that the professional body they are a member of may not yet be aware of,
 - (iii) the applicant has ever reported a claim to their professional liability insurer,
 - (iv) the applicant has, at any time, failed to obey an order of a court requiring the applicant to do or abstain from doing any act, and
 - (v) the applicant or any employer, partners, directors or officers of a proprietorship, partnership, corporation or other business entity with which the applicant is associated has been the subject of bankruptcy or receivership proceedings under any law in any jurisdiction in the last 5 years;

- (o) a statutory declaration concerning
 - (i) the applicant's compliance with the Code and these regulations,
 - (ii) the applicant's criminal record and findings of civil liability, and
 - (iii) any denial or revocation of a licence, permit or registration that required proof of good character and which was denied or revoked on that ground;
 - (p) the application fee required by Section 16 and security in accordance with Section 17.
- (4) If an individual who applies for a licence under this Section is employed by another person, the consent required by clause (3)(l), the criminal record check required by clause (3)(m) and the statutory declaration required by clause (3)(o) are also required from all of the following:
- (a) the person who employs the individual, if the employer is a sole proprietorship;
 - (b) each officer and director of the corporation that employs the individual, if the employer is a corporation;
 - (c) each partner of the partnership that employs the individual, if the employer is a partnership.

Fee for licence or renewal of licence

16 The fee for a licence or renewal of a licence is \$100.

Security to be provided by applicant for licence

17 (1) The security required by clause 89J(b) of the Code for a licence or renewal of a licence must be in 1 of the following forms:

- (a) an irrevocable letter of credit in the amount of \$5000 from a chartered bank, credit union, trust company or other company insured under the *Canada Deposit Insurance Corporation Act* (Canada) that carries on business in the Province;
 - (b) \$5000 payable by cash, certified cheque, money order or bank draft;
 - (c) a \$5000 bond with 1 or more sureties acceptable to the Director.
- (2) The Director must hold any cash provided as security under clause (1)(b) in an interest-bearing account.

Renewing licence

18 (1) In addition to any information requested by the Director under clause 89I(2)(b) of the Code, a licensee may apply to renew their licence before it expires by submitting all of the following to the Director:

- (a) a document, in a form approved by the Director, confirming that
 - (i) there are no changes to the information provided in the licence application under Section 15, or
 - (ii) there are changes to the information provided in the licence application under Section 15 and a statement detailing all of the changes to the information;

- (b) a list of all businesses, both domestic and foreign, associated with the applicant's recruitment work, if any, since the date of the most recent application for a licence to recruit;
 - (c) a statutory declaration, in a form approved by the Director, concerning the information specified in clause 15(3)(o);
 - (d) the renewal fee in Section 16.
- (2) If an individual who applies for a licence renewal under this Section is employed by another person, the statutory declaration required by clause (1)(~~b~~)(c) is also required from all of the following:
- (a) the person who employs the individual, if the employer is a sole proprietorship;
 - (b) each officer and director of the corporation that employs the individual, if the employer is a corporation;
 - (c) each partner of the partnership that employs the individual, if the employer is a partnership.

Information protected by solicitor-client privilege

- 19 (1) Despite Sections 15 and 18, nothing in these regulations authorizes or compels the disclosure of information that is protected by solicitor-client privilege.
- (2) Any or all of the following persons may make an application to the Supreme Court of Nova Scotia for a determination of whether a claim of solicitor-client privilege is valid:
- (a) the Director;
 - (b) an individual claiming solicitor-client privilege.

Notice of proposed action by Director

- 20 (1) The Director must serve written notice on an applicant or licensee before refusing to issue or renew a licence under Section 89P of the Code.
- (2) Notice given in accordance with subsection (1) must contain all of the following information:
- (a) the reasons for and details of the Director's proposed action;
 - (b) a statement that the applicant or licensee is entitled to an opportunity to be heard before the Director to show cause why the Director should not take the proposed action.
- (3) Written notice of a proposal by the Director to impose terms or conditions on a licence under subsection 89L(1) of the Code or to cancel a licence under clause 89R(2)(a) of the Code must contain all of the information set out in subsection (2).

Opportunity to be heard before Director

- 21 (1) A person's request for an opportunity to be heard in response to a notice under the Code or these regulations must meet all of the following requirements:
- (a) it must be in writing and in a form approved by the Director;

- (b) it must include any written evidence and submissions that support the person's position;
 - (c) it must be made no later than the applicable deadline in clause 89R(2)(a) of the Code or 21 days after notice under Section 20 is served.
- (2) An opportunity to be heard may be conducted in writing.
- (3) In addition to any action the Director may take under the Code, if an applicant or licensee does not request an opportunity to be heard within the time permitted under clause (1)(c), the Director may take the proposed action.

Records maintained by licensees

- 22** (1) An individual who has been granted a licence, including in accordance with clause 15(2)(b) of the Code, an individual whose licence has been suspended or cancelled, must keep all of the following records and documents:
- (a) a copy of each agreement the individual has entered into respecting the recruitment of a foreign worker;
 - (b) a record of all fees charged in relation to recruitment activities, the dates on which those fees were charged and the persons to whom they were charged;
 - (c) a list of every foreign worker recruited by the individual for employment in the Province and the dates on which the foreign workers were recruited.
- (2) A record required to be kept under subsection (1) must be made at the time that the event to which it relates occurred and must be kept for at least 3 years after the date the record is made.

Public registry

- 23** The Director must maintain a public registry of licensees, in electronic or other form, that contains all of the following information about each licensee:
- (a) their name and the business name under which they operate;
 - (b) the name of their employer, if any, and the business name under which the employer operates;
 - (c) the expiry date of their licence;
 - (d) whether their licence is currently suspended;
 - (e) any terms or conditions imposed on the licence.

N.S. Reg. 30/2013

General Labour Standards Code Regulations

Schedule “B”

**Amendment to the General Regulations Respecting Labour Standards
made by the Governor in Council under subsection 4(2) and Section 7 of
Chapter 246 of the Revised Statutes of Nova Scotia, 1989,
the *Labour Standards Code***

- 1 The general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, are amended by repealing Section 14 and substituting the following Section:

“Family member” defined for purpose of exemption from licensing

14 For the purpose of the exemption from licensing in clause 89H(2)(c) of the Code, “family member” means, with respect to a person, all of the following:

- (a) a spouse or common-law partner of the person;
- (b) a child of the person or a child of the person’s spouse or common-law partner;
- (c) a parent of the person or a spouse or common-law partner of the parent.

- 2 Section 20 of the regulations is amended by

(1) repealing subsection (1) and substituting the following subsection:

(1) The Director must serve written notice on an applicant for a licence or registration or a licensee before refusing to issue or renew a licence under Section 89P of the Code or refusing to register an employer under Section 89W of the Code.

(2) repealing subsection (3) and substituting the following subsection:

(3) Written notice of a proposal by the Director to do any of the following must contain all of the information set out in subsection (2):

- (a) impose terms or conditions on a licence under subsection 89L(1) of the Code;
- (b) cancel a licence under clause 89R(2)(a) of the Code;
- (c) cancel a registration under clause 89Y(2)(a) of the Code.

- 3 Subsection 21(3) of the regulations is amended by striking out “applicant or licensee” and substituting “applicant for a licence or registration or a licensee”.

- 4 The regulations are further amended by adding the following Sections immediately after Section 23:

Applying for registration

24 In addition to any information required by the Director under clause 89U(2)(b) of the Code, an applicant for registration must submit all of the following information to the Director, in a form approved by the Director:

- (a) all of the following information about the employer:
 - (i) name,
 - (ii) civic and mailing address of the employer's business,
 - (iii) business telephone number,
 - (iv) e-mail address,
 - (v) a description of its principal business activities;
- (b) all of the following information about the employer's authorized representative:
 - (i) name,
 - (ii) job title,
 - (iii) civic and mailing address of the authorized representative's business,
 - (iv) business telephone number of the authorized representative,
 - (v) e-mail address;
- (c) all of the following information for any third-party recruitment company or individuals with whom the employer is contracting to recruit a foreign worker:
 - (i) name,
 - (ii) civic and mailing address,
 - (iii) business telephone number,
 - (iv) e-mail address;
- (d) the number of foreign workers the employer wishes to recruit and the location from which the workers will be recruited, if known;
- (e) the nature of employment and the anticipated start date and intended duration of each foreign worker's employment.

Information from registered employers

25 (1) A registered employer must provide all of the following information to the Director:

- (a) all of the following information for each foreign worker employed:
 - (i) the name of the foreign worker and the address and telephone number of the foreign worker in the Province, or, if the foreign worker does not yet maintain a residence in the Province, the address of the foreign worker in the jurisdiction in which they reside,
 - (ii) the date the foreign worker began employment with the registered employer,

- (iii) the foreign worker's job title and the location where they perform the majority of their employment duties;
 - (b) complete and accurate records respecting all of the following:
 - (i) in addition to the records referred to in clause 15(1)(e) of the Code, any expenses incurred directly or indirectly by the employer in recruiting a foreign worker,
 - (ii) any expenses incurred directly or indirectly by an employee of the employer who engages in the recruitment of 1 or more foreign workers for the employer,
 - (iii) any contract or agreement under which the employer retains or directs a licensee to recruit foreign workers,
 - (iv) any employment or other contract or agreement that the employer has entered into with a foreign worker.
 - (2) The information required by subsection (1) must be submitted to the Director no later than 15 days after the date it is requested in writing by the Director.
-

N.S. Reg. 31/2013

Made: February 1, 2013

Filed: February 4, 2013

Pension Plans Wind-up Date Order

Order in Council 2013-31 dated February 1, 2013

Order made by the Governor in Council

pursuant to Section 6 of the *NewPage Port Hawkesbury Pension Plans Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated December 14, 2012, and pursuant to Section 6 of Chapter 12 of the Acts of 2012, the *NewPage Port Hawkesbury Pension Plans Act*, is pleased to order that the effective date of the wind-up of the following pension plans is September 28, 2012:

- (a) Pension Plan for Mill Employees of NewPage Port Hawkesbury Corp.
- (b) Pension Plan for the Office and Clerical Hourly Employees of NewPage Port Hawkesbury Corp.
- (c) Pension Plan for the Woodland Hourly Employees of NewPage Port Hawkesbury Corp.
- (d) Pension Plan for the Salaried Non-Union Employees of NewPage Port Hawkesbury Corp. and Associated and Affiliated Companies.

N.S. Reg. 32/2013

Made: February 7, 2013

Filed: February 8, 2013

Prescribed Petroleum Products Prices

Order dated February 7, 2013
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-13-06****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: Peter W. Gurnham, Q.C., Chair**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 Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

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

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended February 6, 2013, are:

Grade 1 Regular gasoline	80.8¢ per litre
Ultra-low-sulfur diesel oil	84.7¢ per litre

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

Gasoline:	
Grade 1	80.8¢ per litre
Grade 2	83.8¢ per litre
Grade 3	86.8¢ per litre
Ultra-low-sulfur diesel oil	84.7¢ per litre

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

Gasoline:	plus 1.4¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.9¢ per litre

And whereas a winter blending adjustment of plus 5.3¢ 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., February 8, 2013.

Dated at Halifax, Nova Scotia, this 7th day of February, 2013.

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 February 8, 2013**

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	89.3	10.0	15.5	114.8	137.5	139.6	137.5	999.9
Mid-Grade Unleaded	92.3	10.0	15.5	117.8	141.0	143.1	141.0	999.9
Premium Unleaded	95.3	10.0	15.5	120.8	144.4	146.5	144.4	999.9
Ultra-Low-Sulfur Diesel	98.0	4.0	15.4	117.4	140.5	142.6	140.5	999.9
Zone 2								
Regular Unleaded	89.8	10.0	15.5	115.3	138.1	140.2	138.1	999.9
Mid-Grade Unleaded	92.8	10.0	15.5	118.3	141.6	143.6	141.6	999.9
Premium Unleaded	95.8	10.0	15.5	121.3	145.0	147.1	145.0	999.9
Ultra-Low-Sulfur Diesel	98.5	4.0	15.4	117.9	141.1	143.2	141.1	999.9
Zone 3								
Regular Unleaded	90.2	10.0	15.5	115.7	138.6	140.6	138.6	999.9
Mid-Grade Unleaded	93.2	10.0	15.5	118.7	142.0	144.1	142.0	999.9
Premium Unleaded	96.2	10.0	15.5	121.7	145.5	147.5	145.5	999.9
Ultra-Low-Sulfur Diesel	98.9	4.0	15.4	118.3	141.6	143.6	141.6	999.9
Zone 4								
Regular Unleaded	90.3	10.0	15.5	115.8	138.7	140.8	138.7	999.9
Mid-Grade Unleaded	93.3	10.0	15.5	118.8	142.1	144.2	142.1	999.9
Premium Unleaded	96.3	10.0	15.5	121.8	145.6	147.7	145.6	999.9
Ultra-Low-Sulfur Diesel	99.0	4.0	15.4	118.4	141.7	143.8	141.7	999.9
Zone 5								
Regular Unleaded	90.3	10.0	15.5	115.8	138.7	140.8	138.7	999.9
Mid-Grade Unleaded	93.3	10.0	15.5	118.8	142.1	144.2	142.1	999.9
Premium Unleaded	96.3	10.0	15.5	121.8	145.6	147.7	145.6	999.9
Ultra-Low-Sulfur Diesel	99.0	4.0	15.4	118.4	141.7	143.8	141.7	999.9
Zone 6								
Regular Unleaded	91.0	10.0	15.5	116.5	139.5	141.6	139.5	999.9
Mid-Grade Unleaded	94.0	10.0	15.5	119.5	142.9	145.0	142.9	999.9
Premium Unleaded	97.0	10.0	15.5	122.5	146.4	148.5	146.4	999.9
Ultra-Low-Sulfur Diesel	99.7	4.0	15.4	119.1	142.5	144.6	142.5	999.9

N.S. Reg. 33/2013

Made: February 11, 2013

Filed: February 12, 2013

Pension Benefits Regulations

Order in Council 2013-37 dated February 11, 2013
Amendment to regulations made by the Governor in Council
pursuant to Section 105 of the *Pension Benefits Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated January 29, 2013, and pursuant to Section 105 of Chapter 340 of the Revised Statutes of Nova Scotia, 1989, the *Pension Benefits Act*, is pleased to amend the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by the Governor in Council by Order in Council 2002-607 dated December 20, 2002, to provide for a solvency deficiency funding extension in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 11, 2013.

Schedule "A"

**Amendment to the *Pension Benefits Regulations*
made by the Governor in Council under Section 105 of Chapter 340
of the Revised Statutes of Nova Scotia, 1989,
the *Pension Benefits Act***

- 1 (1) Section 4 of the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by the Governor in Council by Order in Council 2002-607 dated December 20, 2002, is amended by repealing
- (a) subsection (1B) as added by N.S. Reg. 228/2012 (O.I.C. 2012-396);
 - (b) subsection (1B) as added by N.S. Reg. 229/2012 (O.I.C. 2012-397); and
 - (c) subsection (1B) as added by N.S. Reg. 230/2012 (O.I.C. 2012-398).
- (2) Section 4 of the regulations is further amended by adding the following subsections immediately after subsection (1A):
- (1B)** If an amendment made to a pension plan referred to in subsection 5(1A) would do any of the following, the cost of the amendment must be fully paid to the pension fund at the time the amendment is made:
- (a) increase the cost of the pensions, pension benefits or ancillary benefits provided by the plan;
 - (b) create or increase a going concern unfunded actuarial liability under the plan;
 - (c) create or increase a solvency deficiency under the plan.
- (1C)** If an amendment made to the DIRECTIONS Council for Vocational Services Society Pension Plan—Registration No.: 908699 on or after December 21, 2012, and no later than December 31, 2017, would do any of the following, the cost of the amendment must be fully paid to the pension fund at the time the amendment is made:
- (a) increase the cost of the pensions, pension benefits or ancillary benefits provided by the plan;

- (b) create or increase a going concern unfunded actuarial liability under the plan;
 - (c) create or increase a solvency deficiency under the plan.
- 2
 - (1) Subsection 5(1A) of the regulations as added by N.S. Reg. 228/2012 (O.I.C. 2012-396) is repealed.
 - (2) Subsection 5(1A) of the regulations as added by N.S. Reg. 229/2012 (O.I.C. 2012-397) is amended by
 - (a) striking out the period at the end of clause (g); and
 - ~~(a)~~(b) adding the following clause immediately after clause (g):
 - (h) a university pension plan that provides defined benefits.
 - (3) Subsection 5(1A) of the regulations as added by N.S. Reg. 230/2012 (O.I.C. 2012-398) is re-designated as subsection 5(1B).
- 3
 - (1) Section 5 of the regulations is amended by repealing
 - (a) subsections (2A) and (2B) as added by N.S. Reg. 228/2012 (O.I.C. 2012-396);
 - (b) subsections (2A) and (2B) as added by N.S. Reg. 229/2012 (O.I.C. 2012-397); and
 - (c) subsections (2A) and (2B) as added by N.S. Reg. 230/2012 (O.I.C. 2012-398).
 - (2) Section 5 of the regulations is further amended by adding the following subsections immediately after subsection (2):
 - (2A)** Despite clause (2)(c), the employer in relation to a pension plan referred to in subsection (1A), or any person required to make contributions on behalf of the employer, is not required to make payments to the pension fund or to the insurance company, as applicable, of amounts in relation to special payments determined in accordance with clause 6(1)(d) or Section 6A.
 - (2B)** Despite clause (2)(c), the employer in relation to the DIRECTIONS Council for Vocational Services Society Pension Plan—Registration No.: 908699, or any person required to make contributions on behalf of the employer, is not required to make payments to the pension fund or to the insurance company, as applicable, of amounts in relation to special payments determined in accordance with clause 6(1)(d) or Section 6A, as the case may be, during the period from December 21, 2012, to December 31, 2017, both dates included.
 - (2C)** For greater certainty, nothing in subsection (2A) or (2B) relieves the employer, or any person required to make contributions on behalf of the employer, of the obligation under subsection 80(1A) of the Act (employer's payments on full or partial wind-up) and under these regulations to make payments into the pension fund of the amount that is
 - (a) necessary to fully fund the benefits provided for under the plan; and
 - (b) required by Section 79 of the Act (pension rights of member on full or partial wind-up).

4 The regulations are further amended by adding the following Sections immediately after Section 6A:

Temporary special payments—solvency deficiency

7 (1) In this Section,

- (a) “eligible former member” means, with respect to a plan, a former member whose deferred pension or pension benefit includes a defined benefit, other than a former member for whom a notice of death has been received by the administrator;
 - (b) “eligible member” means, with respect to a plan, a member whose pension benefit includes a defined benefit, other than
 - (i) a member who no longer has an entitlement to any payments from the plan, or
 - (ii) a member for whom a notice of death has been received by the administrator;
 - (c) “eligible retired member” means, with respect to a plan, a retired member whose pension or pension benefit includes a defined benefit, other than a retired member for whom a notice of death has been received by the administrator;
 - (d) “solvency relief report” means, with respect to a plan, the report referred to in subsection (4).
- (2) Despite subclause 6(1)(d)(i), the administrator of a defined benefit pension plan, other than a specified multi-employer pension plan referred to in Section 8A or a pension plan referred to in subsection 5(1A), may elect to make special payments to amortize a solvency deficiency in accordance with this Section, subject to the exceptions in subsection (3).
- (3) Special payments under this Section are not available for a pension plan if any of the following apply:
- (a) the administrator does not comply with subsection (7);
 - (b) the administrator receives notices of objection representing objections to the election from more than 1/3 of the persons who are eligible members, eligible former members or eligible retired members described in subsection (7);
 - (c) the administrator fails to file a certificate of consent under subsection (13) in accordance with that subsection.
- (4) Special payments under this Section must not be less than the following:
- (a) the amount required to fully liquidate a new solvency deficiency determined as at a valuation date on or after January 3, 2011, and no later than January 2, 2014, by equal instalments with interest at the solvency valuation interest rate, within 15 years of a date that is no later than 12 months after the valuation date, if the report in relation to the valuation date
 - (i) is filed on or after February 11, 2013, or
 - (ii) was filed before February 11, 2013, and a new report is filed after February 11, 2013, in accordance with subsection 13(5), in relation to the valuation date;

- (b) the amount required to fully liquidate an existing solvency deficiency that has not been fully liquidated as at a valuation date on or after January 3, 2011, and no later than January 2, 2014, by equal instalments with interest at the solvency valuation interest rate, within 15 years of a date that is no later than 12 months after that valuation date, if the report in relation to the valuation date
 - (i) is filed on or after February 11, 2013, or
 - (ii) was filed before February 11, 2013, and a new report is filed after February 11, 2013, in accordance with subsection 13(5), in relation to the valuation date.
- (5) During the period beginning with the valuation date and ending on the date that is 10 years following the beginning of the 15-year amortization period under subsection (4), a pension plan must not be amended to do any of the following, unless the cost of the amendment is fully paid to the pension fund at the time the amendment is made:
 - (a) increase the cost of the pensions, pension benefits or ancillary benefits provided by the plan;
 - (b) create or increase a going concern unfunded actuarial liability under the plan;
 - (c) create or increase a solvency deficiency under the plan.
- (6) The election of an administrator to make special payments under this Section
 - (a) must be in writing;
 - (b) may be made only once;
 - (c) cannot be rescinded; and
 - (d) must be filed with the the Superintendent no later than the day on which the solvency relief report is filed.
- (7) An administrator that proposes to make an election in accordance with this Section must do all of the following:
 - (a) send an information statement and a notice of objection form to each person
 - (i) who
 - (A) was an eligible member on the valuation date of the solvency relief report; and
 - (B) is an eligible member, eligible former member or eligible retired member on the day the information statement and notice of objection form are sent, and
 - (ii) who was not represented by a collective bargaining agent on the valuation date of the solvency relief report;
 - (b) send an information statement and a notice of objection form to each person who was an eligible former member or eligible retired member on the valuation date of the solvency relief report and is still an eligible former member or eligible retired member on the day the information statement and notice of objection form are sent;

- (c) send an information statement to each person
 - (i) who
 - (A) was an eligible member on the valuation date of the solvency relief report, and
 - (B) is an eligible member, eligible former member or eligible retired member on the day the information statement is sent, and
 - (ii) who is represented by a collective bargaining agent on the valuation date of the solvency relief report;
 - (d) send an information statement and a notice of objection form to each collective bargaining agent that represented eligible members on the valuation date of the solvency relief report;
 - (e) provide to the Superintendent a copy of the information statement and the notice of objection form at the time the administrator sends the statements and forms in accordance with clauses (a), (b), (c) and (d) and advise the Superintendent of when the last notice of objection form was sent.
- (8)** An information statement sent to a person who is an eligible member, eligible former member or eligible retired member must be sent to the person's last known address and inform the recipient of all of the following:
- (a) the name and Provincial registration number of the plan;
 - (b) the name and status of the recipient as an eligible member, eligible former member or eligible retired member on the valuation date of the solvency relief report;
 - (c) the name of and the contact information for the administrator;
 - (d) if the recipient was an eligible member on the valuation date of the solvency relief report, whether he or she was represented by a collective bargaining agent on that day;
 - (e) that the administrator of the plan is seeking the consent of eligible members, eligible former members and eligible retired members to extend the period of time during which the solvency deficiency must be liquidated from 5 years to a period not exceeding 15 years, beginning on a date that is no later than 12 months after the valuation date;
 - (f) the amount of the solvency deficiency for which the amortization period would be extended;
 - (g) the transfer ratio of the plan as of the valuation date;
 - (h) the estimated annual contributions that would be required to fund the normal cost of the plan and all special payments if the 5-year period is not extended and the estimated annual contributions if the payment period is extended;
 - (i) an explanation of how the security of the pension benefits and the ancillary benefits for eligible members, eligible former members and eligible retired members might be affected as a result of the election;

- (j) if the recipient was an eligible member on the valuation date of the solvency relief report and was represented by a collective bargaining agent on that day, a statement that the collective bargaining agent will consent or object to the extension on behalf of the eligible members represented by the collective bargaining agent on that day;
 - (k) if the recipient was an eligible member on the valuation date of the solvency relief report and was not represented by a collective bargaining agent on that day, or was an eligible former member or eligible retired member on that day,
 - (i) that the person may object to the extension by completing and submitting a notice of objection, in the form provided, and
 - (ii) the date, specified in accordance with clause (10)(f), of the final day on which the administrator will accept receipt of notices of objection;
 - (l) that if the number of notices of objection received by the administrator confirms that no more 1/3 of the persons who were eligible members, eligible former members or eligible retired members on the valuation date of the solvency relief report, and when the information statement was sent, object to the extension, the extension of the 5-year period will proceed.
- (9)** An information statement sent to a collective bargaining agent must contain all of the following:
- (a) the information listed in clauses (8)(a), (c), (e), (f), (g), (h), (i) and (l);
 - (b) a statement that the collective bargaining agent may object to the extension by submitting a notice of objection in the form provided, on behalf of the persons who
 - (i) are currently eligible members, eligible former members or eligible retired members,
 - (ii) were eligible members on the valuation date of the solvency relief report, and
 - (iii) were represented by the collective bargaining agent on the valuation date of the solvency relief report;
 - (c) the number of persons who
 - (i) were eligible members on the valuation date of the solvency relief report and represented by the collective bargaining agent on the valuation date, and
 - (ii) were still eligible members or were eligible former members or eligible retired members when the administrator sent the information statement to them;
 - (d) the date, specified in accordance with clause (10)(f), of the final day on which the administrator will accept receipt of notices of objection.
- (10)** A notice of objection must include all of the following:
- (a) the name and Provincial registration number of the plan;
 - (b) the name of the administrator;

- (c) the address to which the notice of objection form is to be sent;
 - (d) if the notice of objection is for use by a collective bargaining agent, the number of persons represented by the collective bargaining agent in submitting the objection who were eligible members on the valuation date of the solvency relief report and were either eligible members, eligible former members or eligible retired members when the information statement was sent to them by the administrator;
 - (e) a statement objecting to the extension of the 5-year period during which the solvency deficiency must be liquidated to a period not exceeding 15 years, beginning on a date that is no later than 12 months after the valuation date;
 - (f) the date of the final day on which the administrator will accept receipt of notices of objection, which must be no earlier than 45 days after the date the information statement is mailed by the administrator.
- (11) There must be nothing related to a notice of objection or the process for objecting that enables an administrator to identify an eligible member, eligible former member or eligible retired member who submits a notice of objection.
- (12) An administrator must retain all notices of objection it receives until the solvency deficiency that is the subject of an election under this Section is liquidated, and must provide copies of the notices to the Superintendent on request.
- (13) An administrator that is required by subsection (7) to send an information statement and a notice of objection form to any person in connection with an election under this Section must file a certificate of consent containing the following information, as applicable:
- (a) the total number of persons who were eligible members, eligible former members or eligible retired members on the valuation date of the plan's solvency relief report and on the day the information statement was sent by the administrator;
 - (b) the number of persons described in clause (a) who either submitted notices of objection to the election or were represented by a collective bargaining agent that submitted a notice of objection on their behalf;
 - (c) confirmation that the number of objections to the election that were received by the administrator represents objections from no more than 1/3 of the total number of persons described in clause (a).
- (14) The certificate of consent required by subsection (13) must be filed with the Superintendent no more than 60 days after the date the solvency relief report is filed.
- (15) An administrator who makes an election under this Section must send a notice containing all of the following information to each person who is an eligible member, eligible former member or eligible retired member on the day the notice is sent and to every collective bargaining agent that represents eligible members on that day:
- (a) the name and Provincial registration number of the plan;
 - (b) the name of and the contact information for the administrator;
 - (c) the valuation date of the applicable solvency relief report;

- (d) the length of the solvency deficiency amortization period that has been elected;
 - (e) the transfer ratio of the plan as of the valuation date;
 - (f) the estimated annual contributions that would have been required to fund the normal cost of the plan and all special payments if no election had been made and the estimated annual contributions that are required after the election;
 - (g) an explanation of how the security of the pension benefits and ancillary benefits for eligible members, eligible former members and eligible retired members might be affected as a result of the election;
 - (h) confirmation that the collective bargaining agent, if any, objected or chose not to object on behalf of eligible members represented by the collective bargaining agent on the valuation date of the applicable solvency relief report; and
 - (i) confirmation that any objections to the election received by the administrator represented objections to the election from no more than 1/3 of the eligible members, eligible former members and eligible retired members.
- (16)** An administrator that makes an election under this Section must send progress reports containing the information required by subsection (18) to the persons and collective bargaining agents specified in subsection (17).
- (17)** A progress report must be sent no later than 6 months after the end of each fiscal year of the pension plan in which a report under Section 4 or 13 is filed until the solvency deficiency that is the subject of an election under this Section has been liquidated, and it must be sent to each person who is an eligible member, eligible former member or eligible retired member on the day the particular progress report is sent and to each collective bargaining agent that represents eligible members on that day.
- (18)** Each progress report must contain all of the following information:
- (a) the name and Provincial registration number of the plan;
 - (b) the name of and the contact information for the administrator;
 - (c) the valuation date of the solvency relief report and of the most recently filed report under Section 4 or 13;
 - (d) the length of the solvency deficiency amortization period that has been elected;
 - (e) the transfer ratio of the plan as of the valuation date of the solvency relief report;
 - (f) the transfer ratio of the plan as of the valuation date of the most recently filed report under Section 4 or 13 in which the transfer ratio was determined;
 - (g) the estimated annual contributions required to fund the normal cost of the plan and all special payments set out in the report referred to in clause (f); and
 - (h) an explanation of how the security of the pension benefits and ancillary benefits for eligible members, eligible former members and eligible retired members might be affected as a result of the election.

(19) A progress report may be included in the written statement that is required to be sent to members under Section 33 of the Act for the same fiscal year.

5 Section 11 of the regulations is amended by repealing

- (a) subsection (2) as added by N.S. Reg. 228/2012 (O.I.C. 2012-396);
- (b) subsection (2) as added by N.S. Reg. 229/2012 (O.I.C. 2012-397); and
- (c) subsection (2) as added by N.S. Reg. 230/2012 (O.I.C. 2012-398), and substituting the following subsection:

(2) If the date of filing of an actuarial valuation report under Section 4, 12 or 13 is later than the review date of the report, and the report indicates that an increase is required in the amounts of any contributions in respect of the normal cost or contributions that were previously reduced in accordance with subsection 9(4), or that special payments are required in accordance with Section 6, 6A or 7, the employer must pay into the pension fund, within 12 months of the valuation date of the report in which the requirement for the increase or special payments was indicated, the increased contributions or special payments due under the report on the date the report is filed or submitted, plus interest on the amount calculated at the going concern valuation rate or the solvency valuation rate, as applicable.

6 Clause 12(1)(h) of the regulations is amended by repealing

- (a) subclause (iii) as added by N.S. Reg. 228/2012 (O.I.C. 2012-396); and
- (b) subclause (iii) as added by N.S. Reg. 229/2012 (O.I.C. 2012-397).

7 (1) Subclause 13(2)(g)(iii) of the regulations is amended by repealing

- (a) paragraph (D) as added by N.S. Reg. 228/2012 (O.I.C. 2012-396); and
- (b) paragraph (D) as added by N.S. Reg. 229/2012 (O.I.C. 2012-397).

(2) Subclause 13(2)(g)(iii) of the regulations is further amended by adding the following paragraphs immediately after paragraph (C):

- (D) for special payments made in accordance with clause 7(4)(a), over a term not exceeding 15 years from a date that is no later than 12 months after the valuation date of the report referred to in clause 7(4)(a),
- (E) for special payments made in accordance with clause 7(4)(b), over a term not exceeding 15 years from a date that is no later than 12 months after the valuation date of the report referred to in clause 7(4)(b).

8 Subsection 13(2) of the regulations is amended by repealing

- (a) clause (h) as added by N.S. Reg. 228/2012 (O.I.C. 2012-396); and
- (b) clause (h) as added by N.S. Reg. 229/2012 (O.I.C. 2012-397).

- 9 (1) The regulations are further amended by repealing
- (a) Section 13A of the regulations as added by N.S. Reg. 228/2012, O.I.C. 2012-396;
 - (b) Section 13A of the regulations as added by N.S. Reg. 229/2012, O.I.C. 2012-397; and
 - (c) Section 13A of the regulations as added by N.S. Reg. 230/2012, O.I.C. 2012-398.
- (2) The regulations are further amended by adding the following Section immediately after Section 13:
- 13A (1)** For the purposes of subsections (2), (3) and (4), an actuarial valuation report indicates solvency concerns if the ratio of the solvency assets, as determined in accordance with clause 16(1)(c), to the solvency liabilities, as determined in accordance with clause 16(1)(a) or (b), is less than 0.85.
- (2) If an actuarial valuation report filed under Section 12 or 13 on or after February 11, 2013, indicates solvency concerns in relation to a pension plan in relation to which an election has been made under Section 7 to extend the period for funding a solvency deficiency, the next report filed under Section 13 in respect of the pension plan must be prepared and certified with a valuation date within 1 year rather than the 3-year period set out in subsection 13(1).
 - (3) If an actuarial valuation report filed under Section 12 or 13 on or after December 21, 2012, indicates solvency concerns in relation to a pension plan that is referred to in subsection 5(1A) or a specified multi-employer pension plan, the next report filed under Section 13 in respect of the pension plan must be prepared and certified with a valuation date within 1 year rather than the 3-year period set out in subsection 13(1).
 - (4) If an actuarial valuation report filed under Section 13 on or after December 21, 2012, and before the first actuarial valuation report with a valuation date that is on or after January 1, 2018, indicates solvency concerns in relation to the DIRECTIONS Council for Vocational Services Society Pension Plan—Registration No.: 908699, the next report filed under Section 13 in respect of the pension plan must be prepared and certified with a valuation date within 1 year rather than the 3-year period set out in subsection 13(1).
- 10 Clause 16(1)(c) of the regulations is amended by
- (a) striking out “within 5 years of the review date, and” in subclause (iv) and substituting “within 5 years of the review date or 15 years of a date that is no later than 12 months after the review date, as the case may be,”;
 - (b) striking out “within 5 years of the review date” in paragraph (v)(A) and substituting “within 5 years of the review date or 15 years of a date that is no later than 12 months after the review date, as the case may be,”; and
 - (c) striking out the period at the end of paragraph (v)(B) and substituting “, and”.

N.S. Reg. 34/2013

Made: February 13, 2013

Filed: February 14, 2013

Summary Offence Tickets Regulations

Order dated February 13, 2013
made by the Attorney General and Minister of Justice
pursuant to Section 8 of the *Summary Proceedings Act*

Order

**Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Ross Landry, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, hereby

- (a) replace Schedule 9 and amend Schedule 9A to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the *Approval and Notification Procedures Regulations* and *Environmental Emergency Regulations* made under the *Environment Act* as summary offence ticket offences, and make other amendments for consistency with amendments to the *Environment Act* made by Chapter 61 of the Acts of 2011, in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the amount of the out-of-court settlement set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

This Order is effective on and after the date it is made.

Dated and made February 13, 2013, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Ross Landry*

Honourable Ross Landry

Attorney General and Minister of Justice

Schedule “A”

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

- 1 Schedule 9 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, is repealed and Schedule 9 in the form attached is substituted.
- 2 Schedule 9A to the regulations is amended by adding the following heading and items immediately before the heading “Asbestos Waste Management Regulations”:

Approval and Notification Procedures Regulations

1	Failing to apply for approval on form required	4(1)	\$457.41
2	Failing to apply for approval in manner required	4(2)	\$687.41
3	Failing to keep financial security in effect for abandoned site	13(2)	\$687.41
4	Failing to notify Minister at least 60 days before abandoning site	20(1)	\$457.41
5	Failing to comply with requirement after abandoning site (specify)	20(2)	\$572.41
6	Failing to rehabilitate site	21(1)	\$687.41
7	Failing to submit rehabilitation plan at least 60 days before abandonment	21(2)	\$687.41
8	Providing notification for activity not designated	22(1)	\$687.41
9	Commencing activity before obtaining notification receipt	22(2)	\$457.41
10	Carrying out activity without notification receipt on site	22(3)	\$802.41
11	Failing to produce notification receipt on demand for activity being carried out	22(3)	\$802.41
12	Carrying out activity outside time period indicated on notification receipt	22(4)	\$457.41
13	Failing to provide new notification before making substantial change to activity	22(7)	\$457.41
14	Failing to obtain Type A approval before commencing or continuing activity for which notification requirements not met	22(8)	\$687.41
15	Carrying on activity after notification cancelled	22(10)(a)	\$1147.41
16	Carrying on activity after notification deemed cancelled	22(10)(b)	\$1147.41
17	Failing to provide notification on form required	24(2)	\$457.41
18	Failing to provide notification in manner required	24(3)	\$687.41
19	Failing to provide information requested by inspector for compliance audit	26(1)	\$687.41
20	Failing to provide notice to Department of completion of activity as required by inspector	26(2)	\$687.41
21	Failing to undertake compliance monitoring as required by approval	28(1)	\$687.41

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|----|---|-------|----------|
| 22 | Failing to undertake compliance monitoring as required by Act, regulation or standard (specify) | 28(1) | \$687.41 |
| 23 | Failing to submit results of compliance monitoring to Department as required | 28(2) | \$457.41 |
| 24 | Failing to report release of substance in excess of level authorized | 28(3) | \$687.41 |
- 3 Schedule 9A to the regulations is further amended by striking out the heading “Approvals Procedure Regulations” and items 1 to 8 under that heading.
- 4 Schedule 9A to the regulations is further amended by striking out the heading “Emergency Spill Regulations” and items 1 to 8 under that heading and substituting the following heading and items:

Environmental Emergency Regulations

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|----|---|------|----------|
| 1 | Failing to report unauthorized release | 6(1) | \$687.41 |
| 2 | Failing to report reportable release | 6(2) | \$687.41 |
| 3 | Failing to notify Minister | 7(a) | \$687.41 |
| 4 | Failing to notify owner of land where release occurred | 7(b) | \$687.41 |
| 5 | Failing to notify directly affected person | 7(c) | \$687.41 |
| 6 | Failing to submit written report as required by regulations | 8 | \$687.41 |
| 7 | Failing to comply with directive recognizing environmental emergency area | 9(a) | \$687.41 |
| 8 | Failing to comply with directive restricting entry into environmental emergency area | 9(b) | \$687.41 |
| 9 | Failing to comply with directive restricting vehicle access into environmental emergency area | 9(c) | \$687.41 |
| 10 | Failing to comply with directive recognizing unsafe area | 9(d) | \$687.41 |
| 11 | Failing to comply with directive to construct works | 9(e) | \$687.41 |
| 12 | Failing to comply with directive to take immediate action | 9(f) | \$687.41 |
| 13 | Failing to comply with directive to take measures to remediate as directed | 9(g) | \$687.41 |
- 5 Schedule 9A to the regulations is further amended, under the heading “Pesticide Regulations”, by
- (a) striking out “notification” in item 21 and substituting “notice”;
 - (b) striking out “give public notification” in item 22 and substituting “provide notice to public”; and
 - (c) striking out item 50.

- 6 Schedule 9A to the regulations is further amended, under the heading “Used Oil Regulations”, by
- (a) striking out item 25; and
 - (b) striking out “registering with” in item 33 and substituting “notifying”.

**Schedule 9
Environment Act**

Offence	Section	Out of Court Settlement
1 Commencing work on undertaking without approval	32(1)	\$687.41
2 Failing to comply with conditions respecting approved undertaking	32(2)	\$687.41
3 Knowingly commencing or continuing activity without approval	50(1)	\$1147.41
4 Commencing or continuing activity without approval	50(2)	\$687.41
5 Changing activity without approval	55(1)	\$687.41
6 Transferring, selling, leasing or assigning approval without consent of Minister	59(1)	\$687.41
7 Failing to supply new and relevant information to Minister	60	\$687.41
8 Knowingly commencing or continuing activity without providing notification	61A(1)	\$1147.41
9 Commencing or continuing activity without providing notification	61A(2)	\$687.41
10 Knowingly commencing or continuing activity not in compliance with standard (specify)	61C(1)	\$1147.41
11 Commencing or continuing activity not in compliance with standard (specify)	61C(2)	\$687.41
12 Commencing or continuing activity without certificate of qualification	62	\$687.41
13 Knowingly releasing substance into the environment so that it causes or may cause adverse effect	67(1)	\$1147.41
14 Releasing substance into the environment so that it causes [causes] or may cause adverse effect	67(2)	\$687.41
15 Knowingly releasing substance into environment in amount, concentration or level in excess of approval level or regulations (specify)	68(1)	\$1147.41
16 Releasing substance into environment in amount, concentration or level in excess of approval level or regulations (specify)	68(2)	\$687.41
17 Failing to report release of substance to Department	69(1)(a)	\$687.41
18 Failing to report release of substance to owner of substance	69(1)(b)	\$687.41
19 Failing to report release of substance to person having care, management or control of substance	69(1)(c)	\$687.41
20 Failing to report release of substance to any person who may be directly affected by release	69(1)(d)	\$687.41

21	Person responsible failing to report release of substance in excess of approval level or regulations (specify)	69(2)	\$687.41
22	Person aware failing to report release of substance in excess of approval level or regulations (specify)	69(3)	\$687.41
23	Failing to take reasonable measures to prevent, reduce or remedy adverse effects of release	71(a)(i)	\$687.41
24	Failing to take reasonable measures to remove or otherwise dispose of substance to minimize adverse effects	71(a)(ii)	\$687.41
25	Failing to rehabilitate environment to standard (specify)	71(c)	\$687.41
26	Handling dangerous goods, waste dangerous goods or pesticides (specify) in manner that causes adverse effect	75	\$1147.41
27	Selling or distributing crop, food, feed, animal, plant, water, produce, product or other matter (specify) that contains dangerous goods, waste dangerous goods or pesticides (specify) in excess of permissible levels	76(a)	\$687.41
28	Selling or distributing crop, food, feed, animal, plant, water, produce, product or other matter (specify) that person knows or ought to know contains dangerous goods, waste dangerous goods or pesticides (specify) in excess of permissible levels	76(b)	\$1147.41
29	Selling, distributing, using, applying, handling, storing or transporting (specify) pesticide contrary to regulations and filed label	79(1)(a)	\$687.41
30	Operating or cleaning machinery, equipment, vehicle, aircraft or vessel (specify) containing pesticide contrary to regulations and filed label	79(1)(b)	\$687.41
31	Using or cleaning pesticide container contrary to regulations and filed label	79(1)(c)	\$687.41
32	Disposing of pesticide, thing treated with pesticide or pesticide container (specify) contrary to regulations	79(3)	\$687.41
33	Failing to notify Department before commencing pesticide research	80(1)(a)	\$687.41
34	Failing to furnish information to Department	80(1)(b)	\$687.41
35	Failing to prevent crops used for pesticide research from entering food-marketing channels	80(3)	\$687.41
36	Storing or selling motive fuel or fuel oil (specify) at terminal, bulk plant, bulk station or other facility without approval	83(1)(a)	\$687.41
37	Storing or selling motive fuel or fuel oil (specify) at outlet without approval	83(1)(b)	\$687.41
38	Storing or selling motive fuel or fuel oil (specify) at facility without approval	83(1)(c)	\$687.41
39	Selling or storing (specify) motive fuel or fuel oil (specify) not purchased from wholesaler with valid approval	83(2)(a)	\$687.41
40	Selling or storing (specify) motive fuel or fuel oil (specify) as wholesaler-retailer without valid approval	83(2)(b)	\$687.41
41	Violating term of written agreement respecting contaminated site	89(5)	\$687.41
42	Releasing litter into environment contrary to Act or regulations	99(2)	\$457.41
43	Failing to collect surcharge for designated material	100(2)(a)	\$687.41

44	Failing to deposit surcharge in Resource Recovery Fund	100(2)(b)	\$687.41
45	Failing to provide depots and other methods for collection and recovery of designated material	100(3)	\$687.41
46	Selling or using designated material whose use is banned or to be reduced or that requires recycling (specify)	100(4)	\$687.41
47	Using, offering for sale or selling packaging, product containers, disposable products or packaging material (specify) contrary to Act or regulations	101(3)	\$687.41
48	Failing to give all reasonable assistance to inspector	118(a)	\$802.41
49	Dismissing or threatening to dismiss employee who reports contravention of Act	124(1)(a)	\$687.41
50	Disciplining or suspending employee who reports contravention of Act	124(1)(b)	\$687.41
51	Imposing penalty on employee who reports contravention of Act	124(1)(c)	\$687.41
52	Intimidating or coercing employee who reports contravention of Act	124(1)(d)	\$687.41
53	Knowingly providing false or misleading information	158(a)	\$1147.41
54	Providing false or misleading information	158(b)	\$802.41
55	Failing to provide information	158(c)	\$802.41
56	Hindering or obstructing inspector or administrator (specify)	158(d)	\$802.41
57	Knowingly contravening term or condition of approval, certificate of variance or certificate of qualification (specify)	158(e)	\$1147.41
58	Contravening term or condition of approval, certificate of variance or certificate of qualification (specify)	158(f)	\$687.41
59	Knowingly contravening order (specify)	158(g)	\$1147.41
60	Knowingly contravening directive (specify)	158(ga)	\$1147.41
61	Contravening order (specify)	158(h)	\$802.41
62	Contravening directive (specify)	158(ha)	\$802.41
63	Contravening regulation in protected water area (specify)	158(hb)	\$687.41
64	Contravening Act or regulations (specify)	158(j)	\$687.41