

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. 240/2016

Made: November 3, 2016

Filed: November 4, 2016

Prescribed Petroleum Products Prices

Order dated November 3, 2016
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**M07725**

In the matter of the *Petroleum Products Pricing Act*

- and -

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roland A. Deveau, Q.C., Vice-Chair

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

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

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

And whereas the Board revised the retail margin and transportation allowance effective October 28, 2016, in its decision, 2016 NSUAB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended November 2, 2016, are:

Grade 1 Regular gasoline	54.6¢ per litre
Ultra-low-sulfur diesel oil	53.3¢ per litre

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

Gasoline:	
Grade 1	54.6¢ per litre
Grade 2	57.6¢ per litre
Grade 3	60.6¢ per litre
Ultra-low-sulfur diesel oil	53.3¢ 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 0.2¢ per litre

And whereas a winter blending adjustment of plus 3.4¢ 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 4, 2016.

Dated at Halifax, Nova Scotia, this 3rd day of November, 2016.

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 4, 2016**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices (Pump Prices includes 15% HST)		Full-Service Pump Prices	
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	62.1	10.0	15.5	87.6	106.6	108.8	106.6	999.9
Mid-Grade Unleaded	65.1	10.0	15.5	90.6	110.1	112.2	110.1	999.9
Premium Unleaded	68.1	10.0	15.5	93.6	113.5	115.7	113.5	999.9
Ultra-Low-Sulfur Diesel	64.2	4.0	15.4	83.6	102.0	104.2	102.0	999.9
Zone 2								
Regular Unleaded	62.6	10.0	15.5	88.1	107.2	109.4	107.2	999.9
Mid-Grade Unleaded	65.6	10.0	15.5	91.1	110.6	112.8	110.6	999.9
Premium Unleaded	68.6	10.0	15.5	94.1	114.1	116.3	114.1	999.9
Ultra-Low-Sulfur Diesel	64.7	4.0	15.4	84.1	102.6	104.8	102.6	999.9
Zone 3								
Regular Unleaded	63.0	10.0	15.5	88.5	107.6	109.8	107.6	999.9
Mid-Grade Unleaded	66.0	10.0	15.5	91.5	111.1	113.3	111.1	999.9
Premium Unleaded	69.0	10.0	15.5	94.5	114.5	116.7	114.5	999.9
Ultra-Low-Sulfur Diesel	65.1	4.0	15.4	84.5	103.0	105.2	103.0	999.9
Zone 4								
Regular Unleaded	63.1	10.0	15.5	88.6	107.8	109.9	107.8	999.9
Mid-Grade Unleaded	66.1	10.0	15.5	91.6	111.2	113.4	111.2	999.9
Premium Unleaded	69.1	10.0	15.5	94.6	114.7	116.8	114.7	999.9
Ultra-Low-Sulfur Diesel	65.2	4.0	15.4	84.6	103.2	105.3	103.2	999.9
Zone 5								
Regular Unleaded	63.1	10.0	15.5	88.6	107.8	109.9	107.8	999.9
Mid-Grade Unleaded	66.1	10.0	15.5	91.6	111.2	113.4	111.2	999.9
Premium Unleaded	69.1	10.0	15.5	94.6	114.7	116.8	114.7	999.9
Ultra-Low-Sulfur Diesel	65.2	4.0	15.4	84.6	103.2	105.3	103.2	999.9
Zone 6								
Regular Unleaded	63.8	10.0	15.5	89.3	108.6	110.7	108.6	999.9
Mid-Grade Unleaded	66.8	10.0	15.5	92.3	112.0	114.2	112.0	999.9
Premium Unleaded	69.8	10.0	15.5	95.3	115.5	117.6	115.5	999.9
Ultra-Low-Sulfur Diesel	65.9	4.0	15.4	85.3	104.0	106.1	104.0	999.9

N.S. Reg. 241/2016

Made: November 4, 2016

Filed: November 4, 2016

Proclamation, S. 27, S.N.S. 2014, c. 12

Order in Council 2016-276 dated November 4, 2016

Proclamation made by the Governor in Council

pursuant to Section 27 of

An Act to Amend Chapter 129 of the Revised Statutes, 1989, the Direct Sellers' Regulation Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated September 29, 2016, and pursuant to Section 27 of Chapter 12 of the Acts of 2014, *An Act to Amend Chapter 129 of the Revised Statutes, 1989, the Direct Sellers' Regulation Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 1 to 23 and 25 and 26 of Chapter 12 of the Acts of 2014, *An Act to Amend Chapter 129 of the Revised Statutes, 1989, the Direct Sellers' Regulation Act*, do come into force on and not before January 31, 2017.

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 27 of Chapter 12 of the Acts of 2014, *An Act to Amend Chapter 129 of the Revised Statutes, 1989, the Direct Sellers' Regulation Act*, it is enacted as follows:

- 27 (1)** This Act, except Section 24, comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 1 to 23 and 25 and 26 of Chapter 12 of the Acts of 2014, *An Act to Amend Chapter 129 of the Revised Statutes, 1989, the Direct Sellers' Regulation Act*, do come into force on and not before January 31, 2017;

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 1 to 23 and 25 and 26 of Chapter 12 of the Acts of 2014, *An Act to Amend Chapter 129 of the Revised Statutes, 1989, the Direct Sellers' Regulation Act*, do come into force on and not before January 31, 2017, 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 4th day of November in the year of
Our Lord two thousand and sixteen and in the sixty-
fifth year of Our Reign.

BY COMMAND:

sgd: Diana C. Whalen
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 242/2016

Made: November 4, 2016

Filed: November 4, 2016

Direct Sellers Regulations—amendment

Order in Council 2016-277 dated November 4, 2016
Amendment to regulations made by the Governor in Council
pursuant to Section 35 of the *Direct Sellers' Regulation Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated September 29, 2016, and pursuant to Section 35 of Chapter 129 of the Revised Statutes of Nova Scotia, 1989, the *Direct Sellers' Regulation Act*, is pleased to amend the *Direct Sellers Regulations*, N.S. Reg. 93/76, made by the Governor in Council by Order in Council 76-1186 dated October 12, 1976, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 31, 2017.

Schedule "A"

**Amendment to the *Direct Sellers Regulations*
made by the Governor in Council under Section 35
of Chapter 129 of the Revised Statutes of Nova Scotia, 1989,
the *Direct Sellers' Regulation Act***

1 Clause 1A(2)(a) of the *Direct Sellers Regulations*, N.S. Reg. 93/76, made by the Governor in Council by Order in Council 76-1186 dated October 12, 1976, is repealed.

2 (1) Subsection 2(1) of the regulations is repealed and the following subsection substituted:

(1) The Act does not apply to any of the following categories of persons or sales:

- (a) a sale of goods or services by a person who is authorized to sell those goods or services under the *Cemetery and Funeral Services Act*, *Insurance Act*, *Legal Profession Act*, *Mortgage Brokers and Lenders Registration Act*, *Motor Vehicle Act*, *Real Estate Trading Act* or *Securities Act*;

- (b) a sale of motive fuel or fuel oil in accordance with the *Motive Fuel and Fuel Oil Approval Regulations* made under the *Environment Act*;
- (c) a student selling goods on behalf of or under the auspices of the school that they attend and for which they receive no direct compensation;
- (d) a sale of goods or services by a chartered bank, trust company or credit union;
- (e) a sale of a natural produce good by its producer directly;
- (f) a sale of a service related to any of the following:
 - (i) raising and caring for livestock,
 - (ii) growing or harvesting natural produce,
 - (iii) domestic work;
- (g) a sale of a motor vehicle by the owner or another person who is not regularly involved in selling motor vehicles;
- (h) a sale of goods at a temporary location identified as part of a retail store business that is currently operating from a permanent retail store location in Nova Scotia;
- (i) a sale of goods or services by a telecommunications company, but only if both of the following criteria are met:
 - (i) the offer for the sale is made by mail, telephone or electronic communication,
 - (ii) any sale resulting from the offer is negotiated or entered into entirely by mail, telephone or electronic communication.

(2) Subsection 2(2) of the regulations is amended by adding “total” immediately before “consideration”.

(3) Subsections 2(3) to (8) of the regulations are repealed.

3 The regulations are further amended by adding the following Section immediately after Section 2:

Categories of direct sellers

2A All of the following are prescribed as categories of direct sellers:

- (a) “P1” for a direct seller carrying on business as a sole proprietor or partnership that has no salespersons and is not selling hearing aids or hearing-aid services;
- (b) “P2” for a direct seller carrying on business as a sole proprietor or partnership that has 10 or fewer salespersons and is not selling hearing aids or hearing-aid services;
- (c) “P3” for a direct seller carrying on business as a sole proprietor or partnership that has 11 or more salespersons and is not selling hearing aids or hearing-aid services;
- (d) “C1A” for a direct seller that is a corporation with 10 or fewer salespersons and is not selling hearing aids or hearing-aid services;

- (e) “C1B” for a direct seller that is a corporation with 11 or more salespersons and is not selling hearing aids or hearing-aid services;
- (f) “H1” for a direct seller of hearing aids or hearing-aid services that has 10 or fewer salespersons;
- (g) “H2” for a direct seller of hearing aids or hearing-aid services that has 11 or more salespersons.

4 The regulations are further amended by adding the following Section immediately after Section 5:

5A Unless previously cancelled or suspended, a permit issued or renewed under the Act expires on the next January 31 following the date of issue or renewal.

- 5 (1) Section 6 of the regulations is redesignated as subsection 6(1).
- (2) Subsection 6(1) of the regulations is amended by striking out “Every” and substituting “Subject to subsection (2), each”.
- (3) Section 6 of the regulations is further amended by adding the following subsection immediately after subsection (1):
- (2) A person who holds a direct seller’s permit in a category other than H1 or H2 may, instead of maintaining a permanent place of business in Nova Scotia, maintain a mailing address where a purchaser may return goods on the cancellation of a direct sales contract.

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

Return of goods if no permanent place of business

6A A direct seller who maintains a mailing address instead of a permanent place of business in accordance with subsection 6(2) must provide a method for a purchaser to return purchased goods to the direct seller at no cost to the purchaser.

7 Clause 7(1)(b) of the regulations is amended by striking out “and address”.

- 8 (1) The heading to Section 8 and subsection 8(1) of the regulations are repealed and the following heading and subsection substituted:

Special requirements for Category H1 or H2 direct seller’s permit or salesperson’s permit

- 8** (1) In determining whether to grant, refuse, cancel or reinstate a Category H1 or H2 direct seller’s permit or a salesperson’s permit, the Registrar may, if the Registrar considers it necessary, establish an Advisory Board consisting of 4 members, as follows:
- (a) the Registrar, or another person appointed by the Registrar as the representative of the Registrar;
 - (b) 1 member selected and appointed by the Registrar to represent the hearing-aid industry;
 - (c) 1 member selected and appointed by the Registrar to represent the medical profession;

- (d) 1 member selected and appointed by the Registrar to represent hearing-aid users.
- (2) Subsections 8(3) and (4) of the regulations are repealed and the following subsections substituted:
- (3) An applicant for a Category H1 or H2 direct seller's permit or a salesperson's permit must meet all of the following conditions:
- (a) they must have completed the courses of study and passed the examinations approved by the Registrar;
 - (b) they must demonstrate to the Registrar's satisfaction that they meet the standards of competency approved by the Registrar.
- (4) If the Registrar is satisfied that it is necessary, the Registrar may require an applicant for a renewal of a Category H1 or H2 direct seller permit's or a salesperson's permit to do any 1 or more of the following:
- (a) complete a course of study approved by the Registrar;
 - (b) pass an examination approved by the Registrar;
 - (c) demonstrate to the Registrar's satisfaction that they meet the standards of competency approved by the Registrar.
- (3) Subsection 8(5) of the regulations is repealed.
- (4) Subsection 8(6) of the regulations is amended by striking out "set forth in subsection (5)".
- (5) Subsection 8(7) of the regulations is amended by striking out "a permit as a direct seller to fit or sell hearing aids" and substituting "a Category H1 or H2 direct seller's permit".
- 9 Section 9 of the regulations is repealed and the following Section substituted:

Fees

- 9 The fee payable to the Registrar on application for the granting or renewal of a direct seller's permit for 1 year or part of a year is as set out in the following table by category of direct seller:

Direct Seller Category	Permit Fee (per year or part of year)
P1	\$150
P2	\$150
P3	\$150
C1A	\$150
C1B	\$500
H1	\$150
H2	\$500

- 10 Section 10 of the regulations is amended by adding “the Category H1 or H2” immediately before “direct seller’s permit” wherever it appears.
- 11 (1) Section 13 of the regulations is amended by repealing subsections (2) and (3) and substituting the following subsections:
- (2) Except as set out in subsection (3), the amount of the bond required by subsection (1) is as set out in the following table by category of direct seller and average sale amount to each individual purchaser:

Direct Seller Category	Average Sale Amount to Each Individual Purchaser	Bond Amount
P1	less than \$500	\$5000
P1	\$500 or greater	\$10 000
P2	any amount	\$10 000
P3	any amount	\$20 000
C1A	any amount	\$10 000
C1B	any amount	\$20 000
H1	any amount	\$20 000
H2	any amount	\$20 000

- (3) The amount of the bond required by subsection (1) is \$25 000 for any category of direct seller selling home renovations, siding, paving, roofing, heat pumps, heating systems, air conditioners, hot water heaters, furnaces, windows, doors, security alarms, medical alarms and systems, personal alarms or alarm monitoring services.
- (2) Clause 13(4)(c) of the regulations is amended by striking out “determined by the formula” and substituting “set out in subsection (2) or (3)”.
- 12 Section 14 of the regulations is amended by
- (a) striking out the semicolon at the end of clause (4) and substituting a period; and
- (b) repealing clause (5).
- 13 Subsection 22(1) of the regulations is amended by adding “, other than a continuing-services contract,” immediately after “direct sales contract”.
- 14 The regulations are further amended by adding the following Section immediately after Section 22:

Continuing-services contract

22A (1) Every continuing-services contract shall be in writing and shall contain all of the following:

- (a) all of the items listed in subsection 22(1) except clauses (e) and (g);
- (b) the total cost to the purchaser, including any fees, charges, penalties, interest and other amounts or consideration, as calculated on a monthly basis;

- (c) an itemized fair market value of the goods or services to be provided over the term of the contract, if applicable;
- (d) terms of payment, and the total cost of the contract over the term of the contract;
- (e) any one-time or irregular fees to be charged to the purchaser under the contract;
- (f) the term of the contract, which, in accordance with subsection 20A(1) of the Act, must not exceed 3 years;
- (g) a statement that the purchaser will be provided with written notice between 30 and 60 days before the expiry date of the contract, as required by subsection 20A(2) of the Act, including a description of the details required by clauses 20A(2)(a) and (b) of the Act to be set out in the notice;
- (h) a statement that the contract will be automatically extended in the circumstances set out in subsection 20A(3) of the Act, including a description of those circumstances;
- (i) the following statement of the purchaser's cancellation rights:

Statement of Cancellation Rights

You may cancel this contract at any time. You do not need a reason to cancel.

To cancel, you must give notice of cancellation to the address below. You must give notice of cancellation by a method that permits you to produce evidence that you cancelled the contract, including registered mail or personal delivery. On notice of cancellation of the contract, the seller has 15 days to refund any money that you are owed.

Address for notice: (Include name, business address, phone number and, if applicable, information about a recognized agent for personal service.)

- (2) The heading of the statement of cancellation rights set out in clause (1)(i) shall be in not less than 12-point bold type and the remainder of the statement in not less than 10-point type.

15 Section 23 of the regulations is amended by repealing subsection (3) and substituting the following subsection:

- (3) Subsections (1) and (2) do not apply to any of the following:
 - (a) the cancellation of a contract due to a manufacturer's defect;
 - (b) the cancellation of a contract between a multi-level marketing distributor and a multi-level marketing wholesaler in relation to a multi-level marketing plan if the goods and services have been sold by the multi-level marketing distributor on behalf of the multi-level marketing wholesaler in accordance with the contract;
 - (c) the cancellation of a continuing-services contract.

16 The regulations are further amended by adding the following Section immediately after Section 23:

Reasonable compensation for direct seller on cancellation of continuing-services contract

23A (1) If goods were sold as part of a continuing-services contract and the continuing-services

contract is cancelled by the purchaser at any time after 10 days after the day on which the purchaser received a copy of the continuing-services contract, the direct seller may recover or retain reasonable compensation in an amount equal to the amount stated in the contract as the fair market value of the goods, prorated by the time remaining until the expiry date in the contract.

- (2) If a continuing-services contract is cancelled by the purchaser at any time after 10 days after the day on which the purchaser received a copy of the continuing-services contract, the direct seller may recover or retain the amount owed by the purchaser for services provided by the direct seller before the cancellation of the contract.

17 The regulations are further amended by adding the following Section immediately after Section 24:

Transition

- 25** Despite Section 5A, a permit issued or renewed under the Act after July 31, 2016, and before January 31, 2017, is valid until January 31, 2018, unless previously suspended or cancelled by the Registrar.

N.S. Reg. 243/2016

Made: November 4, 2016

Filed: November 7, 2016

Summary Offence Tickets Regulations—amendment

Order dated November 4, 2016

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Section 8 of the *Summary Proceedings Act*

Order

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

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

- (a) amend Schedule M-5 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 Municipality of the County of Kings *Open Burning and Smoke Control By-law* as summary offence ticket offences, in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made November 4, 2016, at Halifax Regional Municipality, Province of Nova Scotia.

sgd.: *Diana Whalen*

Honourable Diana Whalen

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*]**

Schedule M-5 to the *Summary Offence Ticket[s] Regulations*, N.S. Reg. 281/2011, made by Order of the Attorney General and Minister of Justice dated October 4, 2011, is amended by adding the following heading and items immediately before the heading "Swimming Pool By-Law–No. 73":

Open Burning and Smoke Control By-law–No. 63

1	Burning prohibited material, hazardous household waste, leaf or yard waste, food waste or creating nuisance (specify)	4.1	\$237.50
2	Burning grass	4.2	\$237.50
3	Burning wood in fire pit less than 10 ft. (3 m) from building, needle bearing trees or property line	5.3(a)	\$237.50
4	Burning wood in fire pit and creating a nuisance	5.3(b)	\$237.50
5	Burning wood in fire pit without person 19 years or older present while fire is burning	5.3(c)	\$237.50
6	Failing to have means of extinguishing fire within reasonable distance of fire pit	5.3(d)	\$237.50
7	Operating fire pit on wood deck	5.3(e)	\$237.50
8	Burning brush or woody debris in pile less than 40 ft. (12 m) from building or property line	5.4(a)	\$237.50
9	Burning brush or woody debris in pile that creates a nuisance	5.4(b)	\$237.50
10	Burning brush or woody debris in pile without responsible adult present while fire is burning	5.4(c)	\$237.50
11	Burning brush or woody debris without means of extinguishing fire within reasonable distance of fire	5.4(d)	\$237.50
12	Burning agricultural debris without person 19 years or older present while burning occurs	6.1(b)	\$237.50
13	Burning agricultural debris on land other than where originated	6.1(c)	\$237.50
14	Burning agricultural debris less than 300 ft. (100 m) from residential, commercial or school occupancy	6.1(g)	\$237.50
15	Burning agricultural debris in pile larger than person responsible for fire can control or extinguish or that creates a nuisance to adjoining properties (specify)	6.1(h)	\$237.50

N.S. Reg. 244/2016

Made: November 4, 2016

Filed: November 10, 2016

Designations of Correctional Facilities—amendment

Order dated November 4, 2016

Amendment to regulations made by the Minister of Justice
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act***In the matter of clauses 3(1)(b) and (d) of
Chapter 37 of the Acts of 2005, the *Correctional Services Act*****- and -****In the matter of designations of places
as correctional facilities by the Minister of Justice****Order**

I, Diana Whalen, Minister of Justice for the Province of Nova Scotia, pursuant to clauses 3(1)(b) and (d) of Chapter 37 of the Acts of 2005, the *Correctional Services Act*, hereby amend the *Designations of Correctional Facilities*, N.S. Reg. 2/2012, made by order of the Minister of Justice dated May 10, 2011, in the manner set forth in the attached Schedule “A”, effective on and after the date of this order.

Dated and signed November 4, 2016 at Halifax, Nova Scotia.

sgd: *Diana Whalen*

Honourable Diana Whalen

Attorney General and Minister of Justice

Schedule “A”**Amendment to the *Designations of Correctional Facilities*
made by the Minister of Justice under clauses 3(1)(b) and (d) of
Chapter 37 of the Acts of 2005, the *Correctional Services Act***

- 1 Section 4 of the *Designations of Correctional Facilities*, N.S. Reg. 2/2012, made by the Minister of Justice by order dated May 10, 2011, is amended by adding the following subsection immediately after subsection (2):
 - (3) Despite subsection (2) and subject to Section 10, the Cape Breton Correctional Facility may be used for temporarily housing adult female offenders, including adult female offenders serving intermittent sentences.
- 2 Section 8 of the regulations is amended by
 - (a) striking out “Facility” in the heading and substituting “Centre”;
 - (b) striking out “Facility” in subsections (1) and (2) and substituting “Centre”; and
 - (c) repealing subsection (3).
- 3 Clause 9(3)(a) of the regulations is amended by adding “, including adult female offenders serving intermittent sentences” immediately after “offenders”.

N.S. Reg. 245/2016

Made: November 10, 2016

Filed: November 14, 2016

Prescribed Petroleum Products Prices

Order dated November 10, 2016
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**M07739**

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

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

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

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

And whereas the Board revised the retail margin and transportation allowance effective October 28, 2016, in its decision, 2016 NSUAB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended November 8, 2016, are:

Grade 1 Regular gasoline	51.4¢ per litre
Ultra-low-sulfur diesel oil	50.5¢ per litre

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

Gasoline:	
Grade 1	51.4¢ per litre
Grade 2	54.4¢ per litre
Grade 3	57.4¢ per litre
Ultra-low-sulfur diesel oil	50.5¢ 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:	minus 0.5¢ per litre
Ultra-low-sulfur diesel oil:	nil

And whereas a winter blending adjustment of plus 3.9¢ 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 11, 2016.

Dated at Halifax, Nova Scotia, this 10th day of November, 2016.

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 11, 2016**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices (Pump Prices includes 15% HST)		Full-Service Pump Prices	
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	58.1	10.0	15.5	83.6	102.0	104.2	102.0	999.9
Mid-Grade Unleaded	61.1	10.0	15.5	86.6	105.5	107.6	105.5	999.9
Premium Unleaded	64.1	10.0	15.5	89.6	108.9	111.1	108.9	999.9
Ultra-Low-Sulfur Diesel	61.6	4.0	15.4	81.0	99.0	101.2	99.0	999.9
Zone 2								
Regular Unleaded	58.6	10.0	15.5	84.1	102.6	104.8	102.6	999.9
Mid-Grade Unleaded	61.6	10.0	15.5	87.1	106.0	108.2	106.0	999.9
Premium Unleaded	64.6	10.0	15.5	90.1	109.5	111.7	109.5	999.9
Ultra-Low-Sulfur Diesel	62.1	4.0	15.4	81.5	99.6	101.8	99.6	999.9
Zone 3								
Regular Unleaded	59.0	10.0	15.5	84.5	103.0	105.2	103.0	999.9
Mid-Grade Unleaded	62.0	10.0	15.5	87.5	106.5	108.7	106.5	999.9
Premium Unleaded	65.0	10.0	15.5	90.5	109.9	112.1	109.9	999.9
Ultra-Low-Sulfur Diesel	62.5	4.0	15.4	81.9	100.0	102.2	100.0	999.9
Zone 4								
Regular Unleaded	59.1	10.0	15.5	84.6	103.2	105.3	103.2	999.9
Mid-Grade Unleaded	62.1	10.0	15.5	87.6	106.6	108.8	106.6	999.9
Premium Unleaded	65.1	10.0	15.5	90.6	110.1	112.2	110.1	999.9
Ultra-Low-Sulfur Diesel	62.6	4.0	15.4	82.0	100.2	102.4	100.2	999.9
Zone 5								
Regular Unleaded	59.1	10.0	15.5	84.6	103.2	105.3	103.2	999.9
Mid-Grade Unleaded	62.1	10.0	15.5	87.6	106.6	108.8	106.6	999.9
Premium Unleaded	65.1	10.0	15.5	90.6	110.1	112.2	110.1	999.9
Ultra-Low-Sulfur Diesel	62.6	4.0	15.4	82.0	100.2	102.4	100.2	999.9
Zone 6								
Regular Unleaded	59.8	10.0	15.5	85.3	104.0	106.1	104.0	999.9
Mid-Grade Unleaded	62.8	10.0	15.5	88.3	107.4	109.6	107.4	999.9
Premium Unleaded	65.8	10.0	15.5	91.3	110.9	113.0	110.9	999.9
Ultra-Low-Sulfur Diesel	63.3	4.0	15.4	82.7	101.0	103.2	101.0	999.9

N.S. Reg. 246/2016

Made: November 10, 2016

Filed: November 14, 2016

Board Electricity Retailers Regulations (Nova Scotia)—replacement

Order dated November 10, 2016

Regulations made by the Nova Scotia Utility and Review Board
pursuant to subsection 5(1B) of the *Electricity Act***Order****M06214****Nova Scotia Utility and Review Board****In the matter of the *Electricity Act***

- and -

In the matter of a hearing concerning the sale of renewable low-impact electricity generated within Nova Scotia by a retail seller to a retail customer pursuant to the *Electricity Act***Before:** Peter W. Gurnham, Q.C., Chair
Roland A. Deveau, Q.C., Vice Chair**Order****Whereas** on June 10, 2016, the Nova Scotia Utility and Review Board (“Board”) approved the *Board Electricity Retailers Regulations (Nova Scotia)* made pursuant to subsection 5(1B) of the *Electricity Act*, S.N.S. 2004, c. 253;**And whereas** the Board approved an amendment to the *Board Electricity Retailers Regulations (Nova Scotia)* to add “Appendix A—Application for a Retailer Supplier License”;**It is hereby ordered** that the *Board Electricity Retailers Regulations (Nova Scotia)* are amended as set out in Schedule “A” to this Order;**It is further ordered** that the amended *Board Electricity Retailers Regulations (Nova Scotia)* shall take effect upon filing with the Registry of Regulations.**Dated** at Halifax, Nova Scotia, this 10th day of November, 2016.sgd: *Elaine Wagner*
Clerk of the Board**[Note: The style of numbering and letting provisions throughout these regulations has been modified to omit redundant numbers in accordance with Nova Scotia legislative standards.]****Schedule “A”*****Board Electricity Retailers Regulations (Nova Scotia)*
enacted under the *Electricity Act*****[Citation]****1** These regulations may be cited as the *Board Electricity Retailers Regulations (Nova Scotia)*.

Definitions

2 (1) In these regulations, unless the context indicates otherwise, words and expressions have the same meaning as in the *Electricity Act* and the *Renewable Electricity Regulations (Nova Scotia)* enacted under s. [Section] 5 of the Act.

(2) In these regulations

“account holder”, in relation to a premises, means the person listed on the account of NS Power for the delivery of electricity consumed at the premises, regardless of whether the person is a customer of a licence holder, in respect of the premises;

“Act” means the *Electricity Act*;

“behind-the-meter” means the sale of electricity from a renewable low-impact electricity generation facility which is directly connected to a load without using NS Power’s transmission or distribution facilities, including NS Power’s meter installed at the premises. For greater certainty, the electricity that is sold from a renewable low-impact electricity generation facility to a directly-connected party is behind-the-meter, while electricity that is sold from the same facility to another party through the use of NS Power’s transmission or distribution facilities is not behind-the-meter;

“blended rate” means the amount of money on a ¢/kilowatt-hour basis, inclusive of any fees or charges, to be paid by a customer to the retail supplier, but excluding distribution tariff charges, and is calculated as the total charges excluding distribution tariff charges to a customer over the compliance period divided by the total kilowatt hours of electricity consumed by the customer over the compliance period;

“Board” means the Nova Scotia Utility and Review Board;

“bundled-supply” means the account holder is supplied electricity by NS Power;

“certification” means the electricity standard approval issued by the Minister to a renewable low-impact electricity generation facility under the *Renewable Electricity Regulations*;

“code of conduct” means the code of conduct for the sale of renewable low-impact electricity approved by the Board;

“compliance period” means the twenty-four month period commencing each January 1. The initial compliance period shall commence on the date that a licence is approved and shall end December 31 of the following year;

“compliance plan” means the forecast of renewable low-impact electricity sales to customers, purchases from renewable low-impact electricity generators, and generation from renewable low-impact electricity generation facilities owned or operated by the licence holder;

“contract” means an agreement between a customer and a licence holder for the supply of renewable low-impact electricity to a single or multiple premises;

“customer” means an account holder, other than an account holder served by a behind-the-meter installation, who consumes electricity on its premises that the account holder did not generate and

(a) with whom a licence holder has entered into a contract, or

- (b) to whom a licence holder is marketing;

[Note: Lettering of subclauses is as in the original.]

“day” means calendar day, unless otherwise specified;

“direct mail transaction” means a paper-based transaction

- (a) initiated by a licence holder mailing or transmitting by facsimile documents to a customer, which mailing or transmitting may be solicited or unsolicited by the customer, or
- (b) initiated by a customer obtaining the form of contract using electronic communication but does not include the completion of the contracting process through electronic communication;

[Note: Lettering of subclauses is as in the original.]

“disclosure statement” means the information document in the form approved from time to time by the Board pursuant to s. [Section] 46 of these regulations;

“door-to-door transaction” means a transaction initiated by the attendance of a salesperson at the premises of a customer, whether or not this attendance was solicited or unsolicited by the customer;

“electronic communication” means communication created, recorded, transmitted, or stored in digital form or in other intangible form by electronic, magnetic, or optical means or by any other means that has capabilities for creation, recording, transmission, or storage similar to those means. Electronic communication is primarily conducted over the Internet and includes e-mail correspondence;

“licence” means a retail supplier licence issued by the Board to a person to sell renewable low-impact electricity;

“licence holder” means a person issued a licence by the Board;

“marketing” means any activity pertaining to the sale of renewable low-impact electricity for the purpose of soliciting or inducing a customer to enter into a contract with a retail supplier, including providing an offer for the customer’s consideration, and includes in-person communication, direct mail communication, electronic communication, or telephone communication with customers, advertising, and any other means by which a retail supplier or its salespersons interact with a customer for the purpose of solicitation;

“NS Power” means Nova Scotia Power, Inc.;

“point of interconnection” has the same meaning as in the Standard Generator Interconnection Procedures and Generator Interconnection Agreement;

“premises” means the building or portion of a building that is provided with electricity through a single meter;

“rate” means the amount of money on a ¢/kilowatt-hour basis, plus any fees or charges, to be paid by a customer;

“rate comparison” means the electricity rate comparison information in the form approved from time to time by the Board pursuant to s. [Section] 47 of these regulations that shows the rate offered by

the retail supplier, the current rate charged by NS Power at the time of marketing, and any other information that the Board may require;

“regulations” means [the] *Board Electricity Retailers Regulations (Nova Scotia)* enacted under the Act;

“renewable low-impact electricity” has the same meaning as in the *Renewable Electricity Regulations*;

“renewable low-impact electricity generation facility” has the same meaning as in the *Renewable Electricity Regulations*;

“renewable low-impact electricity generator” has the same meaning as in the *Renewable Electricity Regulations*;

“retail supplier” has the same meaning as under the Act;

“salesperson” means a person who is employed by or otherwise conducts marketing on behalf of a licence holder, or makes representations to a customer on behalf of a licence holder, for the purpose of effecting sales of renewable low-impact electricity or entering into a contract with a customer;

“small-volume customer” means a customer that qualifies for the domestic service or small general tariffs;

“telemarketing” means marketing conducted by a licence holder using the telephone, but excludes the initiation of a direct mail transaction by a customer using the telephone;

“top-up rate” means the rate charged by NS Power to the licence holder as the energy charge under the energy balancing services tariff for non-renewable electricity supplied by NS Power to a customer.

Interpretation

- 3 (1) Where a word or phrase is defined in these regulations or the Act, other parts of speech and grammatical forms of the word or phrase have a corresponding meaning.
- (2) Headings are for convenience only and do not affect the interpretation of these regulations.
- (3) Words importing the singular include the plural and vice versa. Words importing a gender include any gender.
- (4) Where there is a reference to a number of days between two events in these regulations, the days shall be counted by excluding the day the first event happens and including the day the second event happens.
- (5) The words “include” or “including” are not used, nor are they to be interpreted, as words of limitation.

Requirement for Retail Supplier Licence

- 4 In accordance with s. [Section] 3D of the Act, any person who acts or purports to act as a retail supplier shall hold a valid licence issued by the Board.

Application for Retail Supplier Licence

- 5 (1) An application for a licence shall be in the form attached (Appendix “A”) and shall be accompanied by the following:
- (a) a cheque in the required amount of \$7,500 payable to the Board;
 - (b) an irrevocable letter of credit from a recognized financial institution in the amount of \$200,000 payable to the Board to secure performance and anticipated financial obligations of the proposed licence holder, or [an] equivalent financial instrument in the same amount payable to the Board if such substitution is approved by the Board;
 - (c) if the applicant is a company, proof of registration under the *Corporations Registration Act*, R.S.N.S. 1989, c. 101;
 - (d) full legal name, address, phone, facsimile, and e-mail contact information of any partner(s) or parent company(s) or organization(s);
 - (e) a listing of any company or organization principals with applicable titles (proprietor, partner, officer, director or controlling shareholder);
 - (f) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to conduct a credit review, in accordance with standard business practices;
 - (g) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to consult with all law enforcement agencies and obtain copies of any records pertaining to criminal convictions for which a pardon has not been granted, records of discharge, and records of outstanding criminal charges, such consents to release all such agencies, their members, and employees from any and all actions, claims and demands, loss, or injury which may result from the disclosure of information provided by them;
 - (h) audited financial statements covering the two immediately preceding fiscal years or, if the applicant has been formed within the preceding twelve months and audited financial statements are not available for at least one year, pro forma financial statements signed by the proprietor, partner, officer, director, or controlling shareholder of the applicant may be substituted. If audited financial statements are not available, unaudited financial statements may be accepted at the discretion of the Board;
 - (i) the compliance plan including copies of the contractual arrangements with renewable low-impact electricity generators and copies of the certification required in ~~§~~ [Section] 17. If contractual arrangements have not been executed, then a letter of intent from a renewable low-impact electricity generator to enter into a contract for renewable low-impact electricity supply may be accepted at the discretion of the board;
 - (j) a written description of the applicant’s business background and experience relating to electricity retailing;
 - (k) a written description of the applicant’s general plans with respect to electricity retailing; and
 - (l) any other information which may be deemed necessary by the Board.

- (2) Any variance from the requirements set out in ~~ss.~~ [subsection] 5(1) shall be formally requested from and approved by the Board prior to an application being submitted.

Term of licence

- 6 A licence shall have no expiration date but a licence holder shall be required to file annual statements as specified in ~~s.~~ [Section] 22 to confirm the accuracy of information previously filed with the Board regarding that licence holder or provide advice of any changes.

Transfer or assignment of licence

- 7 (1) A licence may not be transferred or assigned without the written consent of the Board.
- (2) A licence holder shall furnish the Board with any information requested by the Board in support of the proposed transfer or assignment of the licence.
- (3) The fee for the transfer or assignment of a licence is \$7,500.
- (4) The Board may waive the fee set out in ~~ss.~~ [subsection] 7(3) at its discretion.
- (5) A licence holder shall inform NS Power of any application to the Board to transfer or assign a licence.

Fees and costs

- 8 (1) As set out in ~~ss.~~ [clause] 5(1)(a), the fee for a licence application and first year of operation is \$7,500 with annual filing fees of \$1,500 in each successive year.
- (2) Fees are payable to the Board when the application for licence or annual statement as specified in ~~s.~~ [Section] 22 is filed with the Board.
- (3) Costs relating to processing, investigations, infractions, inquiries, or enforcement activities which are incurred by the Board and exceed the fees received from a licence holder shall be reimbursed to the Board by the licence holder involved.

Terms and Conditions of Licences

- 9 It shall be a term and condition of a licence that a licence holder shall be subject to and comply with
- (a) the market rules, tariffs, and procedures approved by the Board;
 - (b) the Act, the *Renewable Electricity Regulations*, and these regulations;
 - (c) the code of conduct approved by the Board pursuant to ~~s.~~ [Section] 27;
 - (d) any applicable directives, rules, or orders of the Board; and
 - (e) any direction by the Board for payment of any costs reasonably incurred related to hearing complaints or alleged infractions.

Compliance period

- 10 In each compliance period, a licence holder's total purchases or, in the case of a licence holder that is also a generator, total generation of renewable low-impact electricity at the point of interconnection that is not sold behind-the-meter, or combination of purchases and generation, shall equal or exceed the licence holder's total sales of renewable low-impact electricity plus transmission and distribution losses.

- 11** A licence holder shall provide a compliance plan to the Board no later than 60 days prior to the start of each compliance period that details for the coming compliance period
- (a) the sales plan showing the forecasts of the sales of renewable low-impact electricity, including numbers of customers differentiated by NS Power's rate classes and forecasts of sales by customer, but not including any behind-the-meter sales;
 - (b) forecasts of renewable low-impact electricity purchases from renewable low-impact electricity generators at the point of interconnection;
 - (c) copies of any contractual arrangements with renewable low-impact electricity generators demonstrating that the licence holder has secured a sufficient supply to meet its forecasts in (b);
 - (d) copies of the certification required in ss: [subsection] 17(1) from each renewable low-impact electricity generator that the licence holder contracts with;
 - (e) copies of the certification required in ss: [subsection] 17(2) from each renewable low-impact electricity generation facility that the licence holder owns or operates;
 - (f) forecasts of renewable low-impact electricity generation at the point of interconnection if the licence holder owns or operates a renewable low-impact electricity generation facility, net of any behind-the-meter sales; and
 - (g) forecasts of transmission and distribution losses

such that the requirements set out in s: [Section] 10 are met.

- 12** The Board shall review the licence holder's compliance plan in order to be satisfied that the licence holder can reasonably be expected to meet its obligations as set out in s: [Section] 10.
- 13** If a licence holder has not procured or generated sufficient renewable low-impact electricity to meet its obligations as set out in s: [Section] 10, the licence holder shall refund to each of its customers or former customers, on a pro-rata basis based on each customer's consumption of renewable low-impact electricity, the difference between the licence holder's blended rate and 90% of the weighted average top-up rate over the compliance period, multiplied by the volume of electricity that the licence holder is deficient in meeting its obligations to each customer as set out in s: [Section] 10. For greater certainty, the refund to each customer is to be calculated as the licence holder's blended rate less 90% of the weighted average top-up rate over the compliance period, multiplied by the net deficit which is the total kilowatt-hour sales less the number of kilowatt hours that the licence holder purchased or generated at the point of interconnection net of behind-the-meter sales, less transmission and distribution losses, during the compliance period, pro-rated by the number of kilowatt-hours used by each customer during the compliance period.
- 14** The Board may require a licence holder to provide an update of the compliance plan at any time.
- 15** The Board may require a licence holder to amend its compliance plan or provide additional information if the compliance plan is not reasonable in the Board's opinion.
- 16** A licence holder that fails to provide a satisfactory
- (a) compliance plan as set out in s: [Section] 10;

- (b) update to the compliance plan as set out in s. [Section] 14; or
- (c) amended compliance plan as set out in s. [Section] 15

may have its licence suspended or cancelled as set out in s. [Section] 19.

Certification of renewable low-impact electricity

- 17 (1)** A licence holder that purchases renewable low-impact electricity from a renewable low-impact electricity generator shall obtain proof of certification from the renewable low-impact electricity generator.
- (2)** A licence holder that generates renewable low-impact electricity at a renewable low-impact electricity generation facility owned or operated by the licence holder shall obtain certification.

Inquiry respecting compliance with regulations

- 18** The Board may appoint or direct any duly qualified person to make an inquiry and report upon a licence holder's compliance with these regulations, and may also direct by whom, and in what proportion, the costs and expenses incurred in making the inquiry and report shall be paid, and may fix the amount of the costs and expenses.

Licence Suspension, Cancellation, and Reinstatement

Suspension or cancellation

- 19** The Board may cancel or suspend a licence if it determines that the licence holder has contravened the Act, these regulations, the code of conduct, or its licence.

- 20** A licence holder whose licence is suspended may no longer conduct marketing to customers.

Reinstatement

- 21** A licence holder may apply for reinstatement of a licence that was suspended as set out in s. [Section] 19 if it provides any or all of

- (a) a plan, satisfactory to the Board, to address and correct contraventions of the Act, these regulations, the code of conduct, or its licence and prevent future contraventions;
- (b) a compliance plan satisfactory to the Board; or
- (c) any other information requested by the Board

as directed by the Board.

Reporting

Annual licensing reporting

- 22** A licence holder shall provide the following information, as applicable, to the Board no earlier than 60 days and no later than 30 days prior to the anniversary of the licence:

- (a) proof of registration under the *Corporations Registration Act*, R.S.N.S. 1989, c. 101;
- (b) any changes to the full legal name, address, phone, facsimile, and e-mail contact information of any partner(s) or parent company(s) or organization(s), or confirmation that no changes have occurred;

- (c) any changes to the listing of the company or organization principals with applicable titles (proprietor, partner, officer, director, or controlling shareholder) from the previous year's filing, or confirmation that no changes have occurred;
- (d) audited financial statements for the most recently completed fiscal year. If audited financial statements are not available, unaudited financial statements may be provided at the discretion of the Board; and
- (e) any other information which may be requested by the Board.

Compliance reporting

- 23 (1)** A licence holder shall demonstrate to the Board that the licence holder's total purchases or, in the case of a licence holder that is also a renewable low-impact electricity generator, total generation of renewable low-impact electricity, or combination of purchases and generation, equals or exceeds the licence holder's obligations as set out in ~~s~~: [Section] 10 after taking into account transmission and distribution losses.
- (2)** Within 30 days following the end of each compliance period, a licence holder shall provide the following information to the Board for the compliance period most recently completed:
- (a) total, in kilowatt-hours, of all renewable low-impact electricity sales to its customers;
 - (b) total number of customers under contract, differentiated by NS Power's rate classes;
 - (c) total purchases of renewable low-impact electricity from renewable low-impact electricity generators at the point of interconnection;
 - (d) copies of the written confirmation from the renewable low-impact electricity generators documenting quantities of renewable low-impact electricity purchased by the ~~license~~ [licence] holder;
 - (e) total generation of renewable low-impact electricity from renewable low-impact electricity generation Facilities owned or operated by the licence holder at the point of interconnection;
 - (f) transmission and distribution losses; and
 - (g) a reconciliation of the net surplus or deficit of renewable low-impact electricity sales with respect to renewable low-impact electricity purchases, generation, or combination of purchases and generation, and transmission and distribution losses.
- (3)** Where a licence holder generates and sells renewable low-impact electricity behind-the-meter, the licence holder shall not include behind-the-meter sales in the required information set out in ~~ss~~: [subsection] 23(2).
- (4)** Where a net deficit exists as set out in ~~ss~~: [clause] 23(2)(g), the licence holder shall provide confirmation to the Board that it has refunded its customers pursuant to ~~s~~: [Section] 13 within 30 days of the end of the compliance period.
- 24** The Board may request additional information from a licence holder at any time.
- 25** The Board, or its delegate, may, upon notification to a licence holder, enter a licence holder's place of business in order to inspect the accounts of the licence holder and the licence holder shall furnish such assistance as the Board or its delegate may reasonably require.

Transfer Requests

- 26** A licence holder shall not make a request to NS Power to transfer a customer to the licence holder's supply unless that customer has agreed to a contract with the licence holder and the licence holder has complied with all the provisions of these regulations and the code of conduct when marketing and communicating with that customer.

Sales and Marketing Practices

Code of conduct

- 27** (1) The Board shall approve a code of conduct that shall apply to the marketing activities of licence holders.
- (2) The code of conduct may specify
- (a) the fair marketing practices that are to be followed by the licence holder or its salespersons when marketing renewable low-impact electricity to customers;
 - (b) requirements for Board approval of marketing materials and telemarketing scripts;
 - (c) requirements for salesperson identification;
 - (d) requirements for testimonials;
 - (e) requirements for marketing and execution of contracts;
 - (f) training and product knowledge requirements for licence holders and their salespersons; and
 - (g) any other requirements the Board deems necessary.
- (3) A licence holder and its salespersons shall adhere to the code of conduct which has been approved by the Board.

Contracts

Contracting parties

- 28** (1) A contract for the supply of renewable low-impact electricity to a premises may only be made with the account holder for that premises. Where a licence holder enters into a contract to supply more than one premises, the contract must be entered into with the account holder for each affected premises.
- (2) No contract is valid unless it is made in accordance with ~~ss.~~ [subsection] 28(1) herein.

Governing laws

- 29** All contracts shall be governed by the laws of the Province of Nova Scotia and shall contain a statement to that effect.

Contracting requirements

- 30** A contract takes effect and a licence holder is bound by its terms when,
- (a) for door-to-door transactions or direct mail transactions, a copy of the contract, signed by the account holder, is received by the licence holder or its salesperson;

- (b) for telemarketing sales, the account holder agrees to the terms and conditions of the contract while on the telephone with the licence holder; and
- (c) for electronic communication sales, the account holder agrees to the terms and conditions of the contract through electronic communication.

Contract assignment

- 31** A licence holder shall not assign, sell, or otherwise transfer the administration of a contract with a customer to another person unless that person holds a licence issued under ~~s.~~ [Section] 3D of the Act.
- 32** Within 60 days after an assignment, sale, or transfer of the administration of a contract, the new licence holder shall send to any affected customers a notice of assignment, which includes the new licence holder's address for service, its e-mail address, and telephone and facsimile numbers.
- 33** A licence holder shall notify the Board of any assignment, sale, or transfer of a contract within 10 days after the assignment, sale or transfer.
- 34** A licence holder shall notify NS Power prior to any assignment, sale, or transfer of a contract taking effect.

Records Retention**Retention of information**

- 35** A licence holder shall keep the following information for as long as the licence holder is licensed by the Board plus one additional year:
- (a) a list of salespersons who act or who have acted for the licence holder and the dates of their employment or engagement;
 - (b) a list of all of the licence holder's customers who have entered into contracts; and
 - (c) a log of cancellation requests, including premises to which the cancellation applies, the account holder's name, the date of the notification of cancellation, and the name and identification number of the representative who accepted the request for cancellation.
- 36** For each customer that has entered into a contract with a licence holder, the licence holder shall retain the following information throughout the duration of the contract and for a period of one year after completion or termination of the contract:
- (a) for contracts agreed to in person or as a result of a door-to-door transaction or a direct mail transaction, a copy of the complete contract bearing the customer's signature;
 - (b) for contracts agreed to as a result of a telemarketing transaction, a copy of the agreed-to contract and the complete recording of the telephone call between the customer and the licence holder;
 - (c) for contracts agreed to through electronic communication, a copy of the agreed-to contract and the electronic record evidencing the customer's agreement to the contract;
 - (d) where a customer cancels a contract over the telephone, the complete recording of the telephone call between the customer and the licence holder;

- (e) where a customer cancels a contract using written or electronic communication, written or electronic evidence of the communication from the customer requesting the cancellation; and
- (f) billing records.

37 A licence holder shall, on the request of the Board, provide to the Board any of the information required to be kept under s: [Section] 35, s: 36, or s: 54.

Dispute Resolution Process

38 A customer, NS Power, or any person may make a complaint to the licence holder or the Board in respect of the conduct of the licence holder, the conduct of the licence holder's salespersons, the contract, and any other matter relating to the Act, these regulations, the code of conduct, or the licence.

- 39 (1) If a complaint under s: [Section] 38 is first made to the licence holder, the licence holder shall promptly and in good faith investigate the complaint and take all appropriate and necessary steps to resolve the complaint.
- (2) If the complaint is not resolved to the satisfaction of the complainant, the licence holder shall inform the complainant that the complaint may be made to the Board and provide the complainant with the telephone number, mailing address, and e-mail address of the Board.

40 Where the Board receives a complaint pursuant to s: [Section] 38 the Board may

- (a) dismiss the complaint if the Board is satisfied that the complaint is trivial or vexatious, or that there is insufficient or no evidence of a contravention of the Act, these regulations, the code of conduct, or the licence;
- (b) further investigate the complaint and assist in the resolution of the complaint between the complainant and the licence holder; or
- (c) require a written or oral hearing of the complaint.

41 (1) Where the Board receives information that a licence holder or its salesperson may have contravened the Act, these regulations, the code of conduct, or its licence, the Board may initiate a written or oral inquiry into the licence holder's or its salesperson's activities and require the licence holder to provide such information or furnish such documents as the Board may request, and produce such officers, directors, employees, and agents to testify as the Board may request.

(2) The procedure for a written or oral inquiry shall be established by an order of the Board.

42 Following a complaint hearing or inquiry process, the Board shall determine if the licence holder or its salesperson or both have contravened the Act, these regulations, the code of conduct, or its licence.

43 If the Board determines that the licence holder or its salespersons have contravened the Act, these regulations, the code of conduct, or its licence, the Board may impose any or all of the following remedies for each contravention

- (a) reprimand the licence holder;
- (b) cancel a contract, with or without fees, penalties or other charges;

- (c) require the licence holder to provide a plan, satisfactory to the Board, to address and correct contraventions of the Act, these regulations, the code of conduct, or its licence, and prevent future contraventions;
 - (d) instruct the licence holder to advise the customer or any group of customers affected in a similar manner that they may cancel their contract without fees, penalties or other charges and be returned to NS Power-supply;
 - (e) suspend or cancel the licence as set out in s. [Section] 19;
 - (f) publish the Board's findings in respect of the contravention and the nature of the remedies imposed; and
 - (g) such further and other remedies as are available to the Board pursuant to applicable laws.
- 44 (1) The Board may award costs to or against a licence holder or a complainant in connection with the dispute resolution.
- (2) The Board may require a licence holder or the complainant, or both, to pay all or a portion of the Board's costs in connection with the dispute resolution.

Requirements For Small-Volume Customers

Marketing to small-volume customers

45 When marketing to small-volume customer s, a licence holder shall

- (a) only use the form of contract which is approved for use by the Board;
- (b) for door-to-door rransactions, direct mail transactions, or electronic communication transactions, provide a disclosure statement and rate comparison to the customer as set out in s. [Sections] 46 and s. 47 in advance of the customer agreeing to a contract and shall afford the customer sufficient time to review and understand the disclosure statement and rate comparison prior to the customer signing or agreeing to a contract; or
- (c) for telemarketing transactions, read to the customer the disclosure statement and rate comparison as set out in s. [Sections] 46 and s. 47 and obtain the customer's agreement that the customer understands the disclosure statement and rate comparison.

Disclosure statement

46 The disclosure statement that is provided to a small-volume customer shall be approved by the Board.

Rate comparison

47 The rate comparison that is provided to a small-volume customer shall be in a form approved by the Board.

Small-volume customer contract requirements

48 No contract is valid unless the small-volume customer has signed or agreed to the disclosure statement and the rate comparison.

49 A licence holder shall not enter into a contract with a small-volume customer that has a term in excess of five (5) years.

50 (1) A contract with a small-volume customer shall state that the contract is not valid unless

- (a) the customer signs the disclosure statement and rate comparison or, in the case of a telemarketing transaction or electronic communication transaction, the customer confirms that he understands and confirms the disclosure statement and rate comparison before the customer enters into the contract;
 - (b) the customer signs or agrees to the contract; and
 - (c) the licence holder provides a signed or agreed-to copy of the disclosure statement, rate comparison, and contract to the customer by mail, facsimile, electronic communication, or in person.
- (2) A contract with a small-volume customer shall include a provision that states the contract is valid only if the contract has been verified as required in ~~§~~ [Section] 51.
 - (3) A contract with a small-volume customer shall include a provision that the customer may cancel the contract without cost or penalty if a contract presently exists for the same premises, except where the existing contract is to expire on or before the commencement of the new contract.
 - (4) A contract with a small-volume customer shall include a provision that the customer may cancel the contract without penalty or charge if the retail supplier was not licensed by the Board or the licence was suspended at the time the contract was entered into.

Contract verification

51 A contract with a small-volume customer shall be verified as set out in ~~§~~ [Sections] 52 and ~~§~~ 53 in order for the contract to be valid.

Who may verify a contract

52 A contract with a small-volume customer may be verified only by an individual who

- (a) does not receive any remuneration or other compensation or benefit that is determined, directly or indirectly, by reference to the number of contracts verified or the percentage of contracts that are verified; and
- (b) has successfully completed such training for persons who verify contracts as may be required by the code of conduct, any order, or any rule issued or made by the Board.

Verification process

53 (1) A contract with a small-volume customer shall be verified

- (a) only by telephone; and
 - (b) only with the account holder for the premises.
- (2) The script used by the person verifying the contract shall be approved by the Board in advance.
 - (3) The person verifying the contract shall comply with the code of conduct, any order, or any rule issued or made by the Board relating to the verification procedure.
 - (4) The person verifying the contract shall make a recording of the telephone call and advise the customer that the telephone call is being recorded.
 - (5) A contract may be verified no earlier than the 10th day and no later than the 21st day after the day on which the contract takes effect in accordance with ~~§~~ [Section] 30.

- (6) The person verifying the contract shall not proceed with the verification process and shall advise the customer and the licence holder of the reason for not proceeding if, at any time during the verification process, the person verifying the contract
- (a) is advised by the customer of an act or omission that appears to be an unfair practice of the licence holder;
 - (b) is advised that the customer did not receive a copy of the contract, the disclosure statement, or the rate comparison; or
 - (c) has reasonable grounds for believing that the licence holder has committed an unfair practice, whether at the time of soliciting, negotiating or entering into the contract or after.

Records retention

- 54 For each small-volume customer that has entered into a contract with a licence holder, the licence holder shall retain the following information, in addition to the information as set out in ~~s.~~ [Section] 36, throughout the duration of the contract and for a period of one year after completion or termination of the contract:
- (a) in respect of a contract resulting from a door-to-door transaction or a direct mail transaction, copies of the disclosure statement and rate comparison bearing the customer's signature; and
 - (b) in respect of a contract resulting from electronic communication,
 - (i) copies of the confirmed disclosure statement and the confirmed rate comparison; and
 - (ii) the electronic record evidencing the customer's confirmation of the disclosure statement and rate comparison.

Cancellation of contracts

- 55 A small-volume customer may unconditionally, and without any cancellation fees, penalties or charges, cancel the contract at any time from the date of entering into the contract until 30 days after the date of the first bill for renewable low-impact electricity under the contract, provided the customer is obligated to pay the licence holder for all renewable low-impact electricity consumed until the customer is transferred to bundled-supply.
- 56 A contract with a small-volume customer automatically terminates and the customer is not subject to any cancellation fees, penalties or charges if the customer sells or permanently moves from the premises to which renewable low-impact electricity is supplied under the contract.
- 57 A small-volume customer may unconditionally, and without any cancellation fees, penalties or charges, cancel the contract if the licence holder is found by the Board to be in violation of the Act, these regulations, the code of conduct, or its licence when marketing to the customer or in the course of fulfilling its obligations under the contract.
- 58 A small-volume customer may cancel the contract at any time in accordance with the cancellation provisions contained within the contract.
- 59 A small-volume customer may give a notice of cancellation of a contract in any of the following ways:
- (a) by telephone;
 - (b) by ordinary or registered mail to the address specified in the contract;

- (c) in person;
 - (d) by facsimile to the facsimile number specified in the contract; or
 - (e) by electronic communication to the e-mail address provided in the contract.
- 60 (1)** A notice of cancellation in respect of a contract with a small-volume customer is deemed to be given to the licence holder on the date of
- (a) receipt by the licence holder of the telephone call from the small-volume customer cancelling the contract;
 - (b) the electronic date stamp of the e-mail from the small-volume customer cancelling the contract;
 - (c) the transmittal of the notice from the small-volume customer cancelling the contract, if the notice is sent by facsimile;
 - (d) the day that is five days after the postmark on the letter from the small-volume customer cancelling the contract, if the notice is sent by ordinary mail; or
 - (e) the delivery to the licence holder of the notice from the small-volume customer cancelling the contract, if the notice is delivered in person or sent by registered mail.
- (2)** The cancellation of a contract with a small-volume customer becomes effective when NS Power transfers the customer to bundled-supply.
- 61** A licence holder shall inform NS Power within 2 business days of a small-volume customer cancel[ing] their contract with the licence holder.
- 62** If a small-volume customer cancels a contract, the licence holder shall promptly provide written confirmation of the cancellation to the customer.

Prohibition on contract renewals

- 63 (1)** A contract with a small-volume customer may not be renewed or extended. A new contract may be entered into between a small-volume customer and a licence holder.
- (2)** A contract with a small-volume customer may be terminated prior to the expiration of its term with the consent of the parties and a new contract may be entered into immediately after the termination. All of the provisions of these regulations, except as provided in ~~s.~~ [Section] 55, apply in respect of the new contract.
- (3)** If a contract is terminated early and a new contract is entered into in accordance with ~~ss.~~ [subsection] 63(2), the small-volume customer may cancel the new contract at any time from the date of entering into the new contract until 30 days after the date of the first bill for renewable low-impact electricity under the new contract. The maximum fee, charge or penalty that a licence holder may charge the small-volume customer is the cancellation fee as determined under the former contract at the time of its cancellation.
- (4)** If a contract is terminated early and a new contract is entered into in accordance with ~~ss.~~ [subsection] 63(2), the maximum fee, charge or penalty that a licence holder may charge the small-volume customer who cancels the new contract in accordance with ~~s.~~ [Section] 58 after the 30-day

period referred to in ~~ss.~~ [subsection] 63(3) is the cancellation fee as determined under the new contract.

Notice of contract expiry

64 No earlier than four (4) months and no later than three (3) months prior to the contract expiry, the licence holder shall notify the small-volume customer of the contract expiry date. At this time, the licence holder may offer a new contract to start after expiry of the current contract.

Appendix "A"

Board Electricity Retailers Regulations (Nova Scotia) Application for a Retail Supplier Licence

- 1. By:** _____
Full legal name of the company or organization making this application
- _____
- Business location address in Nova Scotia
- _____
- Mailing address (if different from above)

2. Contact Information:

Contact person: _____

Telephone number: _____

Fax number: _____

Email address: _____

Web site: _____

3. Required Documentation and Fee

~~Regulation~~ [Subsection] 5(1) of the *Board Electricity Retailers Regulations [(Nova Scotia)]* requires all of the following documentation be attached to this application unless a variance is formally requested and approved by the Board prior to an application being submitted:

- (a) a cheque in the required amount of \$7,500 payable to the Board;
- (b) an irrevocable letter of credit from a recognized financial institution in the amount of \$200,000 payable to the Board to secure performance and anticipated financial obligations of the proposed licence holder, or an equivalent financial instrument in the same amount payable to the Board if such substitution is approved by the Board;
- (c) if the applicant is a company, proof of registration under the *Corporations Registration Act*, R.S.N.S. 1989, c. 101;

- (d) full legal name, address, phone, facsimile, and e-mail contact information of any partner(s) or parent company(s) or organization(s);
- (e) a listing of any company or organization principals with applicable titles (proprietor, partner, officer, director or controlling shareholder);
- (f) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to conduct a credit review, in accordance with standard business practices;
- (g) written consents signed by each proprietor, partner, officer, director, and controlling shareholder authorizing the Board to consult with all law enforcement agencies and obtain copies of any records pertaining to criminal convictions for which a pardon has not been granted, records of discharge, and records of outstanding criminal charges, such consents to release all such agencies, their members, and employees from any and all actions, claims and demands, loss, or injury which may result from the disclosure of information provided by them;
- (h) audited financial statements covering the two immediately preceding fiscal years or, if the applicant has been formed within the preceding twelve months and audited financial statements are not available for at least one year, pro forma financial statements signed by the proprietor, partner, officer, director, or controlling shareholder of the applicant may be substituted. If audited financial statements are not available, unaudited financial statements may be accepted at the discretion of the Board;
- (i) the compliance plan including copies of the contractual arrangements with renewable low-impact electricity generators and copies of the certification required in [Section] 17. If contractual arrangements have not been executed, then a letter of intent from a renewable low-impact electricity generator to enter into a contract for renewable low-impact electricity supply may be accepted at the discretion of the Board;
- (j) a written description of the applicant's business background and experience relating to electricity retailing;
- (k) a written description of the applicant's general plans with respect to electricity retailing;
- ~~m)~~
- (l) rate comparison the applicant intends to use with the disclosure statement; and
- (m) any other information which may be deemed necessary by the Board.

4. The information provided in making this application in accordance with the *Board Electricity Retailers Regulations (Nova Scotia)* is accurate and complete to the best of our knowledge.

Signed in the Province of _____ this ____ of _____ 20____.

Signature

Signature

Print name

Print name

Print title

Print title

Note:

This Application must

- (1) provide, in full detail, all information required by the *Board Electricity Retailers Regulations (Nova Scotia)* using attachments as necessary; and
- (2) be signed by two (2) officers of the applying company or organization.

Any variance from the requirements set out above must be formally requested from, and approved by, the Board prior to an application being submitted.

N.S. Reg. 247/2016

Made: November 9, 2016

Approved: November 15, 2016

Filed: November 15, 2016

Veterans' Number Plates Regulations—amendment

Order in Council 2016-279 dated November 15, 2016

Amendment to regulations made by the Minister of Transportation and Infrastructure Renewal and approved by the Governor in Council pursuant to Section 38 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated November 9, 2016, and pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve amendments made by the Minister of Transportation and Infrastructure Renewal to the *Veterans' Number Plates Regulations*, N.S. Reg. 163/2002, approved by the Governor in Council by Order in Council 2002-606 dated December 20, 2002, to expand the definition of “veteran” and provide for a veterans’ motorcycle plate in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after November 15, 2016.

Schedule “A”

**In the matter of Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

- and -

**In the matter of an amendment to the *Veterans' Number Plates Regulations*
made by the Minister of Transportation and Infrastructure Renewal
pursuant to Section 38 of the *Motor Vehicle Act***

Order

I, Geoff MacLellan, Minister of Transportation and Infrastructure Renewal for the Province of Nova Scotia, pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the *Veterans' Number Plates Regulations*, N.S. Reg. 163/2002, made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council by Order in Council 2002-606 dated December 20, 2002, to expand the definition of “veteran” and provide for a veterans’ motorcycle plate in the manner set out in the attached, effective on and after the date this Order is approved by the Governor in Council.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on November 9, 2016.

sgd: *Geoff MacLellan*

Honourable Geoff MacLellan

Minister of Transportation and Infrastructure Renewal

**Amendment to the *Veterans' Number Plates Regulations*
made by the Minister of Transportation and Infrastructure Renewal under
Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

1 Sections 2, 3 and 4 of the *Veterans' Number Plates Regulations*, N.S. Reg. 163/2002, made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council by Order in Council 2002-606 dated December 20, 2002, are repealed and the following Sections substituted:

Definitions

2 In these regulations,

“Act” means the *Motor Vehicle Act*;

“commercial motor vehicle” means a motor vehicle as defined in clause 2(g) of the Act;

“motorcycle” means a motor vehicle as defined in clause 2(ac) of the Act;

“passenger vehicle” means a Passenger Class 1, Passenger Class 2 or Passenger Class 3 motor vehicle as defined in Section 1 of the regulations respecting registration fees for passenger motor vehicles made under the Act;

“special duty area” means a geographic area located outside Canada and recognized by the federal Department of Veterans Affairs as an area in which persons serving are exposed to an elevated risk of harm;

“special duty operation” means a mission or operation taking place either within or outside Canada and recognized by the federal Department of Veterans Affairs as a mission or operation in which persons serving are exposed to an elevated risk of harm;

“veteran” means any of the following persons:

- (i) a person who has honourably served for at least 3 years in 1 or more of the following:
 - (A) the Canadian Forces,
 - (B) the armed forces of another Commonwealth country,
 - (C) the Royal Canadian Mounted Police as a regular member,
 - (D) a special duty area or a special duty operation as a peace officer,
- (ii) a person who has honourably served during wartime in the Merchant Navy or Ferry Command,
- (iii) a person who has honourably served in a theatre of war as a member of 1 of the following:

- (A) the Canadian Forces,
- (B) the armed forces of another Commonwealth country,
- (C) the armed forces of a wartime ally of Canada or another Commonwealth country;

“veteran’s number plate” means a number plate issued under Section 3 for a motor vehicle owned by a veteran.

Issuance of veteran’s number plate

3 On application to the Registry of Motor Vehicles in the form required by the Registrar, the Registrar may issue a special number plate to a veteran for any of the following vehicles:

- (a) a passenger vehicle;
- (b) a commercial motor vehicle that is registered for a weight of 5000 kg or less;
- (c) a motorcycle.

Description of veteran’s number plate

4 (1) A veteran’s number plate for a passenger vehicle or a commercial motor vehicle must meet all of the following requirements:

- (a) it must measure 15.24 cm in width by 30.48 cm in length;
- (b) it must show a red and white Canadian flag followed by blue letters and numerals on a silver white field;
- (c) it must bear the words “NOVA SCOTIA” at the top and “VETERAN” at the bottom;
- (d) it must be in general accordance with the number plate depicted in Schedule A.

(2) A veteran’s number plate for a motorcycle must meet all of the following requirements:

- (a) it must measure 10.16 cm in width by 17.78 cm in length;
- (b) it must show a red and white Canadian flag followed by blue letters and numerals on a silver white field;
- (c) it must bear the words “NOVA SCOTIA” at the top and “VETERAN” at the bottom;
- (d) it must be in general accordance with the number plate depicted in Schedule B.

2 The regulations are further amended by adding the attached Schedule B immediately after Schedule A.

Schedule B

**N.S. Reg. 248/2016**

Made: November 15, 2016

Filed: November 15, 2016

Proclamation, S. 34(2), S.N.S. 2015, c. 31—S. 52D(5) of the *Public Utilities Act*

Order in Council 2016-280 dated November 15, 2016

Proclamation made by the Governor in Council
pursuant to subsection 34(2) of the
Electricity Plan Implementation (2015) Act

The Governor in Council on the report and recommendation of the Minister of Energy dated October 25, 2016, and pursuant to subsection 34(2) of Chapter 31 of the Acts of 2015, the *Electricity Plan Implementation (2015) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that subsection 52D(5) of Chapter 380 of the Revised Statutes, 1989, the *Public Utilities Act*, do come into force on and not before November 15, 2016.

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 subsection ~~23(2)~~ [34(2)] of Chapter 31 of the Acts of 2015, the *Electricity Plan Implementation (2015) Act*, it is enacted as follows:

34(2) Subsection 52D(5) of the *Public Utilities Act*, as enacted by Section 31 of 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 subsection 52D(5) of Chapter 380 of the Revised Statutes, 1989, the *Public Utilities Act*, as enacted by Section 31 of Chapter 31 of the Acts of 2015, the *Electricity Plan Implementation (2015) Act*, do come into force on and not before November 15, 2016;

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 subsection 52D(5) of Chapter 380 of the Revised Statutes, 1989, the *Public Utilities Act*, as enacted by Section 31 of Chapter 31 of the Acts of 2015, the *Electricity Plan Implementation (2015) Act*, do come into force on and not before November 15, 2016, 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 15th day of November in the year of
Our Lord two thousand and sixteen and in the sixty-
fifth year of Our Reign.

BY COMMAND:

sgd: Diana C. Whalen
Provincial Secretary
Attorney General and Minister of Justice