

Royal



Gazette

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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. 24/2010

Made: December 22, 2009 and February 2, 2010

Filed: February 4, 2010

Prosthetic Devices Tariffs Regulations

Order in Council 2010-47 dated February 2, 2010

Amendment to regulations made by the Minister of Health and the Governor in Council pursuant to clause 13(1)(c) and subsection 17(2) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated December 22, 2009, and pursuant to Chapter 197 of the Revised Statutes [Statutes] of Nova Scotia, 1989, the *Health Services and Insurance Act* (the "Act"), is pleased, effective on and after February 2, 2010, to

- (a) pursuant to subsection 17(2) of the Act, amend the *Prosthetic Devices Tariffs Regulations*, N.S. Reg. 32/99, made by the Minister of Health and the Governor in Council by Order in Council 1999-146 dated April 7, 1999, in accordance with the increase to the amounts made by the Minister of Health pursuant to clause 13(1)(c) of the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (b) approve the authorization by the Minister of Health of payments in respect of the tariff increases referred to in clause (a), in accordance with clause 13(1)(c) of the Act; and
- (c) pursuant to Section 8 of the Act, authorize the Minister of Health to enter into an agreement as set out in Schedule "B" attached to and forming part of the report and recommendation, or a form of agreement to like form and effect, with Banfield Ocular Prosthetic Services Limited respecting the provision of ocular prosthetic services. **[Clause (c) not filed as a regulation.]**

Order

**In the matter of an amendment to the *Prosthetic Devices Tariffs Regulations*,
N.S. Reg. 32/99, made pursuant to clause 13(1)(c) and subsection 17(2) of
the *Health Services Insurance Act***

- and -

**In the matter of an increase to the tariff of fees established by the Minister of Health
pursuant to clause 13(1)(c) of the *Health Services Insurance Act*
with respect to prosthetic devices**

I, Maureen MacDonald, Minister of Health for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, hereby repeal the tariff of fees for ocular prostheses as established in the *Prosthetic Devices Tariffs Regulations* and establish a new tariff of fees for ocular prostheses as set out in the attached amendments to the regulations, and I authorize payments in respect of the tariff.

This Order comes into effect on the making by the Governor in Council of the amendments to the *Prosthetic Devices Tariffs Regulations* set out in this Schedule.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, December 22, 2009.

Sgd.: *Maureen MacDonald*
Honourable Maureen MacDonald
Minister of Health

Schedule "A"

**Amendment to the *Prosthetic Devices Tariffs Regulations*
made by the Minister of Health and the Governor in Council
pursuant to clause 13(1)(c) and subsection 17(2) of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

- 1 Subsection 4(2) of the *Prosthetic Devices Tariffs Regulations*, N.S. Reg. 32/99, made by the Minister of Health and the Governor in Council by Order in Council 1999-146 dated April 7, 1999, is repealed and the following subsection substituted:
- (2) The tariff of fees for ocular prostheses is in effect on and after the date this subsection comes into force to March 31, 2012.
- 2 The regulations are further amended by repealing Schedule "C" and substituting the following schedule:

**Schedule "C"
Ocular Prosthesis Tariff
(effective on and after the date this Schedule comes into force to March 31, 2012)**

The tariff of fees for ocular prostheses is as set out in the following table:

| Services | Present MSI Fee | MSI Fee 2009/10 | MSI Fee 2010/11 | MSI Fee 2011/12 |
|---------------------|-----------------|-----------------|-----------------|-----------------|
| Scleral pros | \$1148.97 | \$1263.67 | \$1390.04 | \$1529.04 |
| Conventional | \$967.17 | \$1063.89 | \$1170.28 | \$1287.30 |
| Build-ups | \$292.47 | \$321.71 | \$353.88 | \$389.76 |
| Adjustments | \$98.17 | \$107.98 | \$118.78 | \$130.57 |
| Reglazings/rechecks | \$47.00 | \$49.00 | \$51.00 | \$53.00 |
| Conformers | \$204.60 | \$225.00 | \$247.50 | \$272.25 |
| House calls | \$50/hr | \$54/hr | \$58/hr | \$62/hr |

N.S. Reg. 25/2010

Made: January 14, 2010 and February 2, 2010

Filed: February 4, 2010

Summary Offence Tickets Regulations

Order in Council 2010-52 dated February 2, 2010
Amendment to regulations made by the Minister of Justice and the Governor in Council
pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated January 14, 2010, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend Schedules 15 and 15A of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to make necessary minor corrections to the schedules under the *Wildlife Act*, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 2, 2010.

Order

I, Ross Landry, Minister of Justice and Attorney General of Nova Scotia, hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, 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. 4/2001, as set forth in Schedule "A", is the amount of the out-of-court settlement set out opposite the description of that offence, and the out-of-court settlement amount 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 making by the Governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

Dated and made January 14, 2010, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Ross Landry*
Honourable Ross Landry
Minister of Justice and Attorney General of Nova Scotia

Schedule "A"

**Amendment to the *Summary Offence Tickets Regulations*
made by the Governor in Council pursuant to Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act***

- 1 Schedule 15 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by
 - (a) striking out "30.48 m" in item 93 and substituting "100 ft."; and
 - (b) striking out "30 m" in item 110 and substituting "100 ft."
- 2 Schedule 15A of the regulations is amended by

- (a) striking out the heading “Deer Registration Station Regulations” and items 1 through 20 under that heading;
- (b) striking out “182.88 m” in items 15 and 16 under the heading “Fur Harvesting Regulations” and substituting “274 m”; and [sic]

N.S. Reg. 26/2010

Made: February 4, 2010

Filed: February 9, 2010

Prescribed Petroleum Products Prices

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

Order**NSUARB-GAS-W-10-06****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: Murray E. Doehler, CA, P. Eng., Member**Order**

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

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

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

| | |
|-----------------------------|-----------------|
| Grade 1 Regular gasoline | 55.5¢ per litre |
| Ultra-low-sulfur diesel oil | 56.0¢ per litre |

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

| | |
|-----------------------------|-----------------|
| Gasoline: | |
| Grade 1 | 55.5¢ per litre |
| Grade 2 | 58.5¢ per litre |
| Grade 3 | 61.5¢ per litre |
| Ultra-low-sulfur diesel oil | 56.0¢ 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 0.5¢ per litre
 Ultra-low-sulfur diesel oil: plus 0.7¢ per litre

And whereas a winter blending adjustment of plus 3.2¢ 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 5, 2010.

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

Sgd: *Elaine Wagner*
 Clerk of the Board

Schedule "A"

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

| Nova Scotia Petroleum Price Schedule | | | | | | | | |
|--------------------------------------|----------------------|-----------------|-----------|-------------------------|--------------------------------|-------|--------------------------|-------|
| Petroleum Prices in Cents/Litre | | | | | Self-Service Pump Prices | | Full-Service Pump Prices | |
| | | | | | (Pump Prices includes 13% HST) | | | |
| | Base Wholesale Price | Fed. Excise Tax | Prov. Tax | Wholesale Selling Price | Min | Max | Min | Max |
| Zone 1 | | | | | | | | |
| Regular Unleaded | 62.3 | 10.0 | 15.5 | 87.8 | 103.7 | 105.4 | 103.7 | 999.9 |
| Mid-Grade Unleaded | 65.3 | 10.0 | 15.5 | 90.8 | 107.1 | 108.8 | 107.1 | 999.9 |
| Premium Unleaded | 68.3 | 10.0 | 15.5 | 93.8 | 110.5 | 112.2 | 110.5 | 999.9 |
| Ultra-Low-Sulfur Diesel | 66.2 | 4.0 | 15.4 | 85.6 | 101.2 | 102.9 | 101.2 | 999.9 |
| Zone 2 | | | | | | | | |
| Regular Unleaded | 62.7 | 10.0 | 15.5 | 88.2 | 104.2 | 105.9 | 104.2 | 999.9 |
| Mid-Grade Unleaded | 65.7 | 10.0 | 15.5 | 91.2 | 107.6 | 109.3 | 107.6 | 999.9 |
| Premium Unleaded | 68.7 | 10.0 | 15.5 | 94.2 | 111.0 | 112.7 | 111.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 66.6 | 4.0 | 15.4 | 86.0 | 101.7 | 103.4 | 101.7 | 999.9 |
| Zone 3 | | | | | | | | |
| Regular Unleaded | 63.2 | 10.0 | 15.5 | 88.7 | 104.8 | 106.4 | 104.8 | 999.9 |
| Mid-Grade Unleaded | 66.2 | 10.0 | 15.5 | 91.7 | 108.1 | 109.8 | 108.1 | 999.9 |
| Premium Unleaded | 69.2 | 10.0 | 15.5 | 94.7 | 111.5 | 113.2 | 111.5 | 999.9 |
| Ultra-Low-Sulfur Diesel | 67.1 | 4.0 | 15.4 | 86.5 | 102.3 | 104.0 | 102.3 | 999.9 |
| Zone 4 | | | | | | | | |
| Regular Unleaded | 63.2 | 10.0 | 15.5 | 88.7 | 104.8 | 106.4 | 104.8 | 999.9 |
| Mid-Grade Unleaded | 66.2 | 10.0 | 15.5 | 91.7 | 108.1 | 109.8 | 108.1 | 999.9 |
| Premium Unleaded | 69.2 | 10.0 | 15.5 | 94.7 | 111.5 | 113.2 | 111.5 | 999.9 |
| Ultra-Low-Sulfur Diesel | 67.1 | 4.0 | 15.4 | 86.5 | 102.3 | 104.0 | 102.3 | 999.9 |

| Zone 5 | | | | | | | | |
|-------------------------|------|------|------|------|-------|-------|-------|-------|
| Regular Unleaded | 63.2 | 10.0 | 15.5 | 88.7 | 104.8 | 106.4 | 104.8 | 999.9 |
| Mid-Grade Unleaded | 66.2 | 10.0 | 15.5 | 91.7 | 108.1 | 109.8 | 108.1 | 999.9 |
| Premium Unleaded | 69.2 | 10.0 | 15.5 | 94.7 | 111.5 | 113.2 | 111.5 | 999.9 |
| Ultra-Low-Sulfur Diesel | 67.1 | 4.0 | 15.4 | 86.5 | 102.3 | 104.0 | 102.3 | 999.9 |
| Zone 6 | | | | | | | | |
| Regular Unleaded | 64.0 | 10.0 | 15.5 | 89.5 | 105.7 | 107.4 | 105.7 | 999.9 |
| Mid-Grade Unleaded | 67.0 | 10.0 | 15.5 | 92.5 | 109.0 | 110.7 | 109.0 | 999.9 |
| Premium Unleaded | 70.0 | 10.0 | 15.5 | 95.5 | 112.4 | 114.1 | 112.4 | 999.9 |
| Ultra-Low-Sulfur Diesel | 67.9 | 4.0 | 15.4 | 87.3 | 103.2 | 104.9 | 103.2 | 999.9 |

N.S. Reg. 27/2010

Made: February 9, 2010

Filed: February 10, 2010

Homes for Special Care Regulations

Order in Council 2010-62 dated February 9, 2010
Amendment to regulations made by the Governor in Council
pursuant to Section 19 of the *Homes for Special Care Act*

The Governor in Council on the report and recommendation of the Minister of Health dated January 5, 2010, and pursuant to Section 19 of Chapter 203 of the Revised Statutes of Nova Scotia, 1989, the *Homes for Special Care Act*, is pleased to amend the *Homes for Special Care Regulations*, N.S. Reg. 127/77, made by the Governor in Council by Order in Council 77-1261 dated October 11, 1977, to prohibit facilities from requiring deposits, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 9, 2010.

Schedule "A"

**Amendment to the *Homes for Special Care Regulations*
made by the Governor in Council pursuant to Section 19 of Chapter 203
of the Revised Statutes of Nova Scotia, 1989,
the *Homes for Special Care Act***

- 1 Subsection 28(2) of the *Homes for Special Care Regulations*, N.S. Reg. 127/77, made by the Governor in Council by Order in Council 77-1261 dated October 11, 1977, is amended by striking out "those residents who are being maintained solely by their own financial resources" and substituting "the residents".
- 2 The regulations are further amended by adding the following Sections immediately after Section 28B:
 - 28C** The per diem rate charged for accommodation costs by a home for special care licensed by the Minister of Health may be charged at the beginning of each month for the following month, but a nursing home or home for the aged shall not require a resident of the home to pay in advance for any accommodation costs in addition to the per diem rate of the home.

- 28D (1)** An administrator of a home for special care licensed by the Minister of Health shall not require a resident of the home to pay in advance for services and shall not refuse to admit a person to the home because the person has not paid in advance for services.
- (2)** In subsection (1), “services” includes all of the following:
- (a) hairdressing;
 - (b) barbering;
 - (c) dry-cleaning;
 - (d) telephone service in a resident’s room;
 - (e) tax return preparation;
 - (f) transportation services;
 - (g) Internet or television services.

N.S. Reg. 28/2010

Made: February 11, 2010

Filed: February 12, 2010

Prescribed Petroleum Products Prices

Order dated February 11, 2010
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*

Order**NSUARB-GAS-W-10-07****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., Member**Order**

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

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

And whereas the average of the average of the daily high and low report product prices (in Canadian cents) for the week ended February 10, 2010, are:

| | |
|-----------------------------|-----------------|
| Grade 1 Regular gasoline | 54.3¢ per litre |
| Ultra-low-sulfur diesel oil | 54.9¢ per litre |

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

| | |
|-----------------------------|-----------------|
| Gasoline: | |
| Grade 1 | 54.3¢ per litre |
| Grade 2 | 57.3¢ per litre |
| Grade 3 | 60.3¢ per litre |
| Ultra-low-sulfur diesel oil | 54.9¢ 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: | minus 0.60¢ per litre |
| Ultra-low-sulfur diesel oil: | minus 0.50¢ per litre |

And whereas a winter blending adjustment of plus 3.0¢ 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 12, 2010.

Dated at Halifax, Nova Scotia, this 11th day of February, 2010.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule “A”

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

| Nova Scotia Petroleum Price Schedule | | | | | | | | |
|--------------------------------------|----------------------|-----------------|-----------|-------------------------|--------------------------------|-------|--------------------------|-------|
| Petroleum Prices in Cents/Litre | | | | | Self-Service Pump Prices | | Full-Service Pump Prices | |
| | | | | | (Pump Prices includes 13% HST) | | | |
| | Base Wholesale Price | Fed. Excise Tax | Prov. Tax | Wholesale Selling Price | Min | Max | Min | Max |
| Zone 1 | | | | | | | | |
| Regular Unleaded | 60.0 | 10.0 | 15.5 | 85.5 | 101.1 | 102.8 | 101.1 | 999.9 |
| Mid-Grade Unleaded | 63.0 | 10.0 | 15.5 | 88.5 | 104.5 | 106.2 | 104.5 | 999.9 |
| Premium Unleaded | 66.0 | 10.0 | 15.5 | 91.5 | 107.9 | 109.6 | 107.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 63.7 | 4.0 | 15.4 | 83.1 | 98.4 | 100.1 | 98.4 | 999.9 |
| Zone 2 | | | | | | | | |
| Regular Unleaded | 60.4 | 10.0 | 15.5 | 85.9 | 101.6 | 103.3 | 101.6 | 999.9 |
| Mid-Grade Unleaded | 63.4 | 10.0 | 15.5 | 88.9 | 105.0 | 106.7 | 105.0 | 999.9 |
| Premium Unleaded | 66.4 | 10.0 | 15.5 | 91.9 | 108.4 | 110.1 | 108.4 | 999.9 |
| Ultra-Low-Sulfur Diesel | 64.1 | 4.0 | 15.4 | 83.5 | 98.9 | 100.6 | 98.9 | 999.9 |

| | | | | | | | | | |
|-------------------------|------|------|------|------|-------|-------|-------|-------|--|
| Zone 3 | | | | | | | | | |
| Regular Unleaded | 60.9 | 10.0 | 15.5 | 86.4 | 102.2 | 103.8 | 102.2 | 999.9 | |
| Mid-Grade Unleaded | 63.9 | 10.0 | 15.5 | 89.4 | 105.5 | 107.2 | 105.5 | 999.9 | |
| Premium Unleaded | 66.9 | 10.0 | 15.5 | 92.4 | 108.9 | 110.6 | 108.9 | 999.9 | |
| Ultra-Low-Sulfur Diesel | 64.6 | 4.0 | 15.4 | 84.0 | 99.4 | 101.1 | 99.4 | 999.9 | |
| Zone 4 | | | | | | | | | |
| Regular Unleaded | 60.9 | 10.0 | 15.5 | 86.4 | 102.2 | 103.8 | 102.2 | 999.9 | |
| Mid-Grade Unleaded | 63.9 | 10.0 | 15.5 | 89.4 | 105.5 | 107.2 | 105.5 | 999.9 | |
| Premium Unleaded | 66.9 | 10.0 | 15.5 | 92.4 | 108.9 | 110.6 | 108.9 | 999.9 | |
| Ultra-Low-Sulfur Diesel | 64.6 | 4.0 | 15.4 | 84.0 | 99.4 | 101.1 | 99.4 | 999.9 | |
| Zone 5 | | | | | | | | | |
| Regular Unleaded | 60.9 | 10.0 | 15.5 | 86.4 | 102.2 | 103.8 | 102.2 | 999.9 | |
| Mid-Grade Unleaded | 63.9 | 10.0 | 15.5 | 89.4 | 105.5 | 107.2 | 105.5 | 999.9 | |
| Premium Unleaded | 66.9 | 10.0 | 15.5 | 92.4 | 108.9 | 110.6 | 108.9 | 999.9 | |
| Ultra-Low-Sulfur Diesel | 64.6 | 4.0 | 15.4 | 84.0 | 99.4 | 101.1 | 99.4 | 999.9 | |
| Zone 6 | | | | | | | | | |
| Regular Unleaded | 61.7 | 10.0 | 15.5 | 87.2 | 103.1 | 104.8 | 103.1 | 999.9 | |
| Mid-Grade Unleaded | 64.7 | 10.0 | 15.5 | 90.2 | 106.4 | 108.1 | 106.4 | 999.9 | |
| Premium Unleaded | 67.7 | 10.0 | 15.5 | 93.2 | 109.8 | 111.5 | 109.8 | 999.9 | |
| Ultra-Low-Sulfur Diesel | 65.4 | 4.0 | 15.4 | 84.8 | 100.3 | 102.0 | 100.3 | 999.9 | |