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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. 30/2019

Made: February 20, 2019 Filed: February 20, 2019

Employment Support and Income Assistance Regulations-amendment

Order in Council 2019-35 dated February 20, 2019
Amendment to regulations made by the Governor in Council pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated January 7, 2019, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, to improve how applicants/recipients (and their dependents) are treated when there is non-compliance with employment-related requirements, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 1, 2019.

Schedule "A"

Amendment to the Employment Support and Income Assistance Regulations made by the Governor in Council under Section 21 of Chapter 27 of the Acts of 2000, the Employment Support and Income Assistance Act

- The *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, are amended by renumbering Section 23 as Section 16A.
- 2 The regulations are further amended by repealing Sections 17 to 22 and substituting the following Sections:

Employability assessment

17 A recipient must participate in an employability assessment.

Employment plan

- 18 (1) A recipient is required to develop an employment plan that shall take into account
 - (a) the recipient's
 - (i) skills,
 - (ii) education,
 - (iii) work experience,
 - (iv) volunteer activities,
 - (v) resources in the community,
 - (vi) availability of transportation,
 - (vii) child care needs, and

- (viii) personal support; and
- (b) such other factors that are relevant to enable the recipient to participate in employment.
- (2) An employment plan cannot include a plan to participate in an educational program that is not an approved educational program

Employment plan participation

A recipient is required to actively participate in their employment plan and engage in services that are part of their approved plan.

Refusal to accept employment

An applicant or recipient shall not unreasonably refuse to accept employment, if suitable employment is available.

Quitting or fired from job

- 21 An applicant or recipient shall not
 - (a) quit a job without just cause;
 - (b) quit a job for the purpose of qualifying for assistance; or
 - (c) be fired from a job for just cause.

Medical examination

- A caseworker may require a recipient to undergo a medical examination, as the caseworker considers necessary and relevant, if additional information is required by the caseworker for any of the following:
 - (a) to complete the recipient's employability assessment;
 - (b) to determine whether an employment plan is appropriate for the recipient.

Legitimate barrier

A caseworker may excuse an applicant or recipient who has a legitimate barrier to employment from any or all of the requirements of Sections 17 through 21.

Reduction in assistance

- **23A** (1) Except as permitted by Section 23, if an applicant or recipient does not comply with the requirements of Sections 17 through 22, there shall be a 20% reduction in the calculation of the total basic needs assistance.
 - (2) The reduction in assistance under subsection (1) lasts for the following duration:
 - (a) 1 month, if the applicant or recipient has taken reasonable steps to remedy the non-compliance;
 - (b) indefinitely, if the applicant or recipient does not take reasonable steps to remedy the non-compliance.
 - (3) For a family size of more than 1 person, the 20% reduction in subsection (1) is attributed to the person who failed to comply.

N.S. Reg. 31/2019 to N.S. Reg. 32/2019

Made: February 20, 2019 Filed: February 20, 2019

> Regulations respecting cemetery and funeral services—amendment; Regulations respecting embalmers and funeral directors—amendment

> > Order in Council 2019-37 dated February 20, 2019
> > Amendment to regulations made by the Governor in Council pursuant to Section 28 of the *Cemetery and Funeral Services Act* and Section 33 of the *Embalmers and Funeral Directors Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated January 8, 2019, is pleased, effective on and after February 20, 2019,

- (a) pursuant to Section 28 of Chapter 62 of the Revised Statutes of Nova Scotia, 1989, the *Cemetery and Funeral Services Act* ("the Act"), to amend the regulations respecting cemetery and funeral services, N.S. Reg. 16/1984, made by the Governor in Council by Order in Council 84-156 dated February 7, 1984, to support amendments to the Act made by Chapter 30 of the Acts of 2018, *An Act to Amend Chapter 62 of the Revised Statutes, 1989, the Cemetery and Funeral Services Act, and Chapter 144 of the Revised Statutes, 1989, the Embalmers and Funeral Directors Act,* in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) pursuant to Section 33 of Chapter 144 of the Revised Statutes of Nova Scotia, 1989, the *Embalmers and Funeral Directors Act* ("the Act"), to amend the regulations respecting embalmers and funeral directors, N.S. Reg. 215/1983, made by the Governor in Council by Order in Council 83-1131 dated October 4, 1983, to support amendments to the Act made by Chapter 30 of the Acts of 2018, *An Act to Amend Chapter 62 of the Revised Statutes, 1989, the Cemetery and Funeral Services Act, and Chapter 144 of the Revised Statutes, 1989, the Embalmers and Funeral Directors Act,* in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation.

N.S. Reg. 31/2019

Regulations respecting cemetery and funeral services-amendment

Schedule "A"

Amendment to the Regulations Respecting Cemetery and Funeral Services made by the Governor in Council under Section 28 of Chapter 62 of the Revised Statutes of Nova Scotia, 1989, the Cemetery and Funeral Services Act

- The regulations respecting cemetery and funeral services, N.S. Reg. 16/1984, made by the Governor in Council by Order in Council 84-156 dated February 7, 1984, are amended by
 - (a) renumbering Section 1 as Section 1B; and
 - (b) adding the following Sections immediately before Section 1B:
 - 1 These regulations may be cited as the Cemetery and Funeral Services Regulations.
 - 1A In these regulations,

"financial institution" means a bank or a fraternal society in the Province;

"fraternal society" means a fraternal society as defined in the Insurance Act.

- 2 Clause 2(h) of the regulations is amended by striking out "chartered bank, loan or trust company" and substituting "financial institution".
- 3 (1) The regulations are further amended by redesignating Section 12 as subsection 12(1).
 - (2) Clause 12(1)(a) of the regulations is amended by adding "unless a different amount is required by the Registrar under subsection (2)," immediately before "in the case of a seller" in the text before subclause (i).
 - (3) Section 12 of the regulations is further amended by adding the following subsection immediately after subsection (1):
 - (2) The Registrar may, in the Registrar's sole discretion, require an applicant to provide a bond in an amount that is more than the amount set out in clause (1)(a) based on the following:
 - (a) past compliance issues involving the applicant;
 - (b) whether in the opinion of the Registrar the amount of the bond set out in clause (1)(a) is inappropriate based on the Registrar's assessment of the risk to the public.
- 4 Clause 13(1)(d) of the regulations is repealed and the following subsection substituted:
 - (d) a decision has been rendered by the Registrar in writing stating in effect that after consideration of a complaint or the results of an inspection, the Registrar is satisfied that the person in respect of whose conduct the bond is conditioned, or any representative, agent or salesperson of that person,
 - (i) has violated any provision of the Act or these regulations,
 - (ii) has failed to comply with any of the terms, conditions or restrictions to which their licence is subject, or
 - (iii) is in breach of contract;
- 5 (1) Subsection 15(1) of the regulations is amended by striking out "chartered bank, loan or trust company in the Province" and substituting "financial institution".
 - (2) Subsection 15(4) of the regulations is amended by striking out "bank" and substituting "financial institution".
 - (3) Clause 15(5)(c) of the regulations is amended by striking out "bank" and substituting "financial institution".
- 6 Clause 16C(1)(c) of the regulations is amended by striking out "bank" and substituting "financial institution".

N.S. Reg. 32/2019

Regulations respecting embalmers and funeral directors-amendment

Schedule "B"

Amendment to the Regulations Respecting Embalmers and Funeral Directors made by the Governor in Council under Section 33 of Chapter 144 of the Revised Statutes of Nova Scotia, 1989, the Embalmers and Funeral Directors Act

- 1 The regulations respecting embalmers and funeral directors, N.S. Reg. 215/1983, made by the Governor in Council by Order in Council 83-1131 dated October 4, 1983, are amended by renumbering Section 1 as Section 1A and adding the following Section immediately before Section 1A:
 - 1 These regulations may be cited as the *Embalmers and Funeral Directors Regulations*.
- 2 The regulations are further amended by adding the following Section immediately after Section 18B:
 - **18C** A person who holds a funeral home licence must ensure that a person transporting human remains to the funeral home complies with all of the following:
 - (a) the human remains must be delivered to the intended destination as quickly as possible;
 - (b) the human remains must not be left in a stationary vehicle for more than 2 hours, unless the vehicle is parked in a clean, secure building so that the human remains are out of public view;
 - (c) the human remains must be kept secure at all times, either under the care of the person transporting the human remains or in a locked, secure vehicle;
 - (d) the human remains must be handled directly only as necessary.

N.S. Reg. 33/2019

Made: February 20, 2019 Filed: February 20, 2019

Proclamation of Act, S. 19, S.N.S. 2018, c. 27

Order in Council 2019-38 dated February 20, 2019
Proclamation made by the Governor in Council
pursuant to Section 19 of the
Senior Citizens' Property Tax Rebate Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated January 9, 2019, and pursuant to Section 19 of Chapter 27 of the Acts of 2018, the *Senior Citizens' Property Tax Rebate Act*, is pleased to order and declare by proclamation that Chapter 27 of the Acts of 2018, the *Senior Citizens' Property Tax Rebate Act*, do come into force on and not before February 20, 2019.

PROVINCE OF NOVA SCOTIA

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 19 of Chapter 27 of the Acts of 2018, the *Senior Citizens' Property Tax Rebate Act*, it is enacted as follows:

19 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 Section 19 of Chapter 27 of the Acts of 2018, the *Senior Citizens' Property Tax Rebate Act*, do come into force on and not before February 20, 2019; [sic]

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] Section 19 of Chapter 27 of the Acts of 2018, the *Senior Citizens' Property Tax Rebate Act*, do come into force on and not before February 20, 2019, of which all persons concerned are to take notice and govern themselves accordingly. [sic]

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 Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 20th day of February in the year of Our Lord two thousand and nineteen and in the sixty-eighth year of Our Reign.

BY COMMAND:

sgd: Honourable Mark FureyProvincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 34/2019

Made: February 20, 2019 Filed: February 20, 2019

Senior Citizens' Property Tax Rebate Regulations

Order in Council 2019-39 dated February 20, 2019 Repeal of regulations and regulations made by the Governor in Council pursuant to Section 16 of the *Senior Citizens' Property Tax Rebate Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated January 9, 2019, and pursuant to Section 16 of Chapter 27 of the Acts of 2018, the *Senior Citizens' Property Tax Rebate Act*, is pleased, effective on and after February 20, 2019 to

- (a) repeal the *Senior Citizens' Financial Aid Regulations*, N.S. Reg. 151/1982, made by the Governor in Council by Order in Council 82-785 dated June 29, 1982; and
- (b) make new regulations respecting property tax rebates for senior citizens, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

Regulations Respecting Senior Citizens' Property Tax Rebates made by the Governor in Council under Section 16 of Chapter 27 of the Acts of 2018, the Senior Citizens' Property Tax Rebate Act

Citation

1 These regulations may be cited as the Senior Citizens' Property Tax Rebate Regulations.

Definitions

2 In these regulations,

"Act" means the Senior Citizens' Property Tax Rebate Act;

"program year" means the calendar year in which the application for the property tax rebate may be made, and is the calendar year immediately following the rebate year;

"property" means private residential property located in the Province for which a property tax rebate is being sought;

"rebate year" means the calendar year for which a property tax rebate may be sought, and is the calendar year immediately preceding the program year.

Eligibility for property tax rebate

- To be eligible to receive a property tax rebate, an applicant must meet all of the following criteria:
 - (a) they were 65 years of age or older during the rebate year;
 - (b) in January of the program year they received or were eligible to receive either of the following:
 - (i) the Guaranteed Income Supplement,

- (ii) the allowance under the *Old Age Security Act* (Canada);
- (c) during at least part of the rebate year,
 - (i) they owned and resided at the property, and
 - (ii) the property referred to in subclause (i) was their principal residence;
- (d) they have paid the property tax owed on the property in full for the rebate year.

Application for property tax rebate

- 4 (1) An applicant may apply for a property tax rebate by submitting all of the following to the Administrator from July 1 and to December 31 of the program year:
 - (a) an application in the form prescribed by the Administrator;
 - (b) proof that the applicant paid the property tax owed on the property in full for the rebate year.
 - (2) The Administrator may accept the signature of some other responsible person on behalf of an applicant who is not capable of signing the application form because of physical or mental disability.

Application for property tax rebate for deceased person

- 5 (1) An executor or administrator of a deceased person's estate may apply for a property tax rebate on behalf of the estate if the deceased person meets all of the following eligibility criteria:
 - (a) they received the property tax rebate in the previous program year;
 - (b) they were 65 years of age or older during the rebate year;
 - (c) in January of the program year they received or were eligible to receive either of the following:
 - (i) the Guaranteed Income Supplement,
 - (ii) the allowance under the *Old Age Security Act* (Canada);
 - (d) they were the owner of the property until their death;
 - (e) the property was their principal residence during at least part of the rebate year;
 - (f) they paid the property tax owed on the property in full for the rebate year;
 - (g) they did not co-own the property with another individual who qualifies for the property tax rebate.
 - (2) The executor or administrator of the estate of a deceased person who meets the eligibility criteria in subsection (1) may apply for a property tax rebate by submitting all of the following to the Administrator from July 1 to December 31 of the program year:
 - (a) an application in the form prescribed by the Administrator;

- (b) proof that the deceased person paid the property tax owed on the property in full for the rebate year;
- (c) proof of the deceased person's death;
- (d) proof that the person making the application is the executor or administrator of the deceased person's estate;
- (e) the mailing address for the deceased person's estate.

Inquiries to determine eligibility for property tax rebate

The Minister or the Administrator is authorized to make inquiries to the Government of Canada to determine or confirm whether an applicant or recipient is eligible to receive a property tax rebate.

Amount of property tax rebate

- 7 The amount of the property tax rebate is the greater of the following:
 - (a) \$15; and
 - (b) 50% of the actual property tax paid in the rebate year, to a maximum property tax rebate of \$800.

One rebate per program year

8 The Administrator may pay each eligible applicant only 1 property tax rebate in relation to a property in a single program year.

More than one owner of property

If there is more than 1 owner of a property during a rebate year, the Administrator may grant the entire property tax rebate to the applicant or may prorate the rebate, taking into account the proportion of property taxes paid by the applicant.

Eligible applicant who dies before payment is made

If an eligible applicant who has completed, signed and submitted an application for a property tax rebate dies before the payment is made by the Administrator, payment may be made to an appropriate person determined by the Administrator.

N.S. Reg. 35/2019

Made: February 21, 2019 Filed: February 22, 2019

Prescribed Petroleum Products Prices

Order dated February 21, 2019
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 M09090

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: Stephen T. McGrath, LL.B., 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 the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 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 February 20, 2019, are:

Grade 1 Regular gasoline 55.93¢ per litre Ultra-low-sulfur diesel oil 69.84¢ per litre

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

Gasoline:

Grade 1 55.93¢ per litre Grade 2 58.93¢ per litre Grade 3 61.93¢ per litre Ultra-low-sulfur diesel oil 69.84¢ per litre

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

Gasoline: plus 1.20¢ per litre Ultra-low-sulfur diesel oil: plus 0.90¢ per litre

And whereas a winter blending adjustment of plus 4.33¢ 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 22, 2019.

Dated at Halifax, Nova Scotia, this 21st day of February, 2019.

sgd: *Bruce A. Kiley* 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 22, 2019

	Nova	Scotia Pet	roleum Pi	rice Schedule	e			
Petroleum Prices in Cents/Litre					Self-Service Pump Prices (Pump Prices inc		Full-Service Pump Prices cludes 15% HST)	
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	65.32	10.0	15.5	90.82	110.3	112.5	110.3	999.9
Mid-Grade Unleaded	68.32	10.0	15.5	93.82	113.8	115.9	113.8	999.9
Premium Unleaded	71.32	10.0	15.5	96.82	117.2	119.4	117.2	999.9
Ultra-Low-Sulfur Diesel	83.52	4.0	15.4	102.92	124.2	126.4	124.2	999.9
Zone 2								
Regular Unleaded	65.82	10.0	15.5	91.32	110.9	113.1	110.9	999.9
Mid-Grade Unleaded	68.82	10.0	15.5	94.32	114.3	116.5	114.3	999.9
Premium Unleaded	71.82	10.0	15.5	97.32	117.8	120.0	117.8	999.9
Ultra-Low-Sulfur Diesel	84.02	4.0	15.4	103.42	124.8	127.0	124.8	999.9
Zone 3								
Regular Unleaded	66.22	10.0	15.5	91.72	111.3	113.5	111.3	999.9
Mid-Grade Unleaded	69.22	10.0	15.5	94.72	114.8	117.0	114.8	999.9
Premium Unleaded	72.22	10.0	15.5	97.72	118.2	120.4	118.2	999.9
Ultra-Low-Sulfur Diesel	84.42	4.0	15.4	103.82	125.3	127.4	125.3	999.9
Zone 4								
Regular Unleaded	66.32	10.0	15.5	91.82	111.5	113.6	111.5	999.9
Mid-Grade Unleaded	69.32	10.0	15.5	94.82	114.9	117.1	114.9	999.9
Premium Unleaded	72.32	10.0	15.5	97.82	118.4	120.5	118.4	999.9
Ultra-Low-Sulfur Diesel	84.52	4.0	15.4	103.92	125.4	127.6	125.4	999.
Zone 5								
Regular Unleaded	66.32	10.0	15.5	91.82	111.5	113.6	111.5	999.9
Mid-Grade Unleaded	69.32	10.0	15.5	94.82	114.9	117.1	114.9	999.9
Premium Unleaded	72.32	10.0	15.5	97.82	118.4	120.5	118.4	999.9
Ultra-Low-Sulfur Diesel	84.52	4.0	15.4	103.92	125.4	127.6	125.4	999.9
Zone 6								
Regular Unleaded	67.02	10.0	15.5	92.52	112.3	114.4	112.3	999.
Mid-Grade Unleaded	70.02	10.0	15.5	95.52	115.7	117.9	115.7	999.
Premium Unleaded	73.02	10.0	15.5	98.52	119.2	121.3	119.2	999.
Ultra-Low-Sulfur Diesel	85.22	4.0	15.4	104.62	126.2	121.3	126.2	999.

N.S. Reg. 36/2019

Made: February 20, 2019 Filed: February 25, 2019

Summary Offence Tickets Regulations-amendment

Order dated February 20, 2019

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, Mark Furey, 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-2 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, by adding and repealing certain offences under the Halifax Regional Municipality bylaws, in the manner set forth in the attached Schedule "A";
- (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, made by Order of the Attorney General and Minister of Justice dated October 4, 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 20 February 2019, 2019, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Mark Furey* Honourable Mark Furey 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-2 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by Order of the Attorney General and Minister of Justice dated October 4, 2011, is amended by

- (a) repealing the heading "Automatic Machines By-law A-200" and items 1 to 4 under that heading;
- (b) moving the heading "Municipal Parks By-law P-600:" and items 1 to 20 under that heading to where they belong in alphabetical order immediately before the heading "Noise By-law N-200:";

(c) repealing the heading "Nuisance By-law-N-300" and items 1 to 8 under that heading and substituting the following heading and items:

	Nuisance and Smoking By-law - N-300		
1	Creating, continuing or suffering nuisance (specify nuisance) to exist on or near a street	3(1)	\$180.00
2	Smoking on municipal property other than at designated smoking area	3A(1)	\$151.25
3	Owner of business suffering or permitting their shopping cart to be removed from premises without providing written consent	5(1)	\$237.50
4	Owner of business suffering or permitting their shopping cart to be abandoned on public or private property	5(2)	\$237.50
5	Owner of business knowingly having on premises shopping carts identified as belonging to another business	5(3)	\$237.50
6	Owner of business failing to permanently affix weatherproof sign to front of shopping cart that includes all information required by Section (specify missing information)	6	\$237.50
7	Owner of business failing to have proactive shopping cart recovery service as required by Section (specify)	7	\$237.50
8	Cultivating, propagating, drying or harvesting (specify) cannabis plant outside dwelling or accessory building	12A(1)(a)	\$1,272.50
9	Owning or occupying property (specify) where cannabis plant cultivated, propagated, dried or harvested (specify) outside dwelling or accessory building	12A(1)(b)	\$1,272.50
10	Owner or occupier (specify) permitting cannabis plant cultivation, propagation, drying or harvesting (specify) outside dwelling or accessory building	12A(1)(c)	\$1,272.50

(d) repealing the heading "Trade and Licensing By-law - No. 15" and items 1 to 2 under that heading.

N.S. Reg. 37/2019

Made: February 19, 2019 Filed: February 26, 2019

Summary Offence Tickets Regulations-amendment

Order dated February 19, 2019

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, Mark Furey, 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 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 add Schedules 48 and 48A to the regulations and designate certain offences under the *Safe Body Art Act* and *Safe Body Art Regulations* as summary offence ticket offences, in the form 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 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, Section 8 and 9 of the Act.

Dated and made February 19, 2019, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Mark Furey*[Honourable] Mark Furey
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

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, are amended by adding the following schedules immediately after Schedule 47:

Schedule 48 Safe Body Art Act

			Out of Court
	Offence	Section	Settlement
1	Operating body art facility without permit	7(1)	\$697.50
2	Permit holder failing to comply with all terms and conditions of permit	13	\$697.50
3	Participating in body art services while infected with communicable disease or disease or condition prescribed by regulations	16(1)	\$697.50
4	Failing to give all reasonable assistance to Administrator or public health inspector	20	\$697.50
5	Hindering or obstructing Administrator or public health inspector	21(1)	\$697.50
6	Providing false or misleading statement to Administrator or public health inspector	22	\$697.50

Schedule 48A Safe Body Art Regulations

	Office	Saatian	Out of Court
	Offence	Section	Settlement
1	Failing to ensure that body art facility is equipped, operated or maintained in accordance with Standards (specify)	4(3)	\$410.00
2	Offering or carrying out body art services other than tattooing or piercing in mobile body art facility or temporary body art facility (specify)	6	\$410.00
3	Permit holder transferring permit to another person	8(1)	\$237.50
4	Operator failing to post permit in body art facility in conspicuous location	10	\$237.50
5	Operator failing to immediately cease operating and close body art facility when permit is suspended or revoked	12(3)	\$697.50
6	Removing notice of closure or re-opening body art facility before permit is reinstated	12(4)	\$697.50
7	Operator failing to ensure body art facility meets requirements set out in Standards (specify requirement)	15(1)	\$697.50
8	Failing to design and lay out body art facility to allow for facility to be appropriately maintained, cleaned and disinfected	15(2)(a)	\$410.00
9	Failing to have effective controls in place to prevent cross-contamination, as detailed in Standards (specify standard)	15(2)(b)	\$410.00
10	Failing to ensure that high-contact surfaces are made of smooth, non-absorbent and non-porous materials able to withstand repeated cleaning and disinfection	15(2)(c)	\$410.00
11	Failing to have effective protection to prevent access and sheltering of pests	15(2)(d)	\$410.00
12	Failing to have adequate lighting, electrical power or ventilation (specify) for operating facility	15(3)(a)	\$410.00

13	Failing to have adequate supply of plumbed hot and cold potable water at adequate pressure and volume, with appropriate facilities to store and distribute water, control its temperature and prevent backflow	15(3)(b)	\$410.00
14	Failing to have at least 1 washroom that meets criteria set out in regulations and Standards	15(3)(c)	\$410.00
15	Failing to have waste disposal systems that are adequate for removing solid and liquid waste	15(3)(d)	\$410.00
16	Failing to have adequate storage for clean and sterile instruments, body art products and materials	15(3)(e)	\$410.00
17	Failing to have adequate storage for personal items belonging to personnel	15(3)(f)	\$237.50
18	Failing to have door or window (specify) that meets requirements in regulations (specify)	15(3)(g)	\$237.50
19	Failing to have waiting area that is separate from procedure area, storage area or decontamination area (specify)	15(3)(h)	\$410.00
20	Failing to have walls, floors or ceilings (specify)	15(3)(k)	\$410.00
21	Failing to ensure procedure area meets requirements set out in regulations (specify requirement)	15(4)	\$410.00
22	Failing to ensure decontamination area meets requirements set out in regulations (specify requirement)	15(5)	\$410.00
23	Failing to ensure permanent body art facility is contained in permanent building with walls, roof and floor	16(1)	\$410.00
24	Operator failing to ensure permanent body art facility located in building with residential dwelling has separate entrance and washroom, and is entirely separated by solid partition from residential dwelling	16(2)	\$410.00
25	Failing to ensure each door connecting permanent body art facility with any other type of establishment or any area used for human habitation is solid and equipped with self-closing mechanism	16(3)	\$410.00
26	Failing to ensure body art facility has janitorial sink for emptying wastewater or written procedure for maintaining sanitation using another sink (specify)	16(4)	\$410.00
27	Operator failing to ensure mobile body art facility meets all design, construction, equipment and maintenance requirements set out in regulations (specify requirement)	17(2)	\$410.00
28	Failing to ensure temporary body art facility meets the requirements set out in regulations (specify requirement)	18(1)	\$410.00
29	Operator failing to ensure material and services are available for each temporary body art facility in accordance with Standards (specify material or service)	18(2)	\$410.00
30	Personnel failing to be clean and sanitary and have good personal hygiene	19(a)	\$410.00
31	Personnel failing to refrain from behaviour or practice that risks transmitting disease or causing bodily injury during body art service	19(b)	\$697.50
32	Operator or personnel failing to ensure client is provided verbal or written client awareness and after-care instructions as detailed in Standards (specify requirement)	20(1)	\$237.50
33	Operator failing to ensure client awareness and after-care instructions are not misleading	20(2)	\$237.50
34	Operator failing to ensure client signs client awareness form	20(3)	\$237.50

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35	Operator failing to keep client awareness records, as detailed in Standards (specify requirement)	20(4)	\$237.50
36	Operator failing to have written exposure response plan that includes procedures on how to respond to accidental exposures set out in regulations (specify requirement)	21(1)	\$237.50
37	Operator failing to keep exposure response records as detailed in Standards (specify requirement)	21(2)	\$237.50
38	Operator using procedure area for purpose other than carrying out body art services	22(1)	\$410.00
39	Operator failing to ensure all body art procedures are carried out in procedure area	22(2)	\$697.50
40	Operator failing to ensure person in charge of premises at all times when body art services are being offered or carried out	23(1)	\$410.00
41	Operator failing to have written infection prevention plan that complies with requirements determined by Administrator and that includes practices and procedures required by regulations	24(1)	\$410.00
42	Failing to design infection prevention plan to achieve requirement in regulations	24(2)	\$410.00
43	Operator failing to ensure that personnel of body art facility follow infection prevention plan	24(3)	\$697.50
44	Personnel failing to follow infection prevention plan (specify)	24(4)	\$697.50
45	Operator or personnel failing to successfully complete infection prevention training recognized by Administrator	25(1)	\$410.00
46	Operator failing to ensure that personnel is trained in facility's infection prevention plan to extent necessary for duties they perform	25(2)	\$410.00
47	Operator or personnel failing to provide confirmation that they have received infection prevention training to public health inspector when requested	25(3)	\$410.00
48	Operator failing to ensure that personnel are equipped with all personal protective equipment specified in Standards (specify)	26	\$410.00
49	Operator failing to ensure that instrument, piece of equipment or body art product is designed for use on humans and is appropriate for service	27(1)	\$410.00
50	Operator failing to ensure that instrument, equipment or body art product is in good repair and protected from cross-contamination	27(2)	\$697.50
51	Person carrying out body art service failing to ensure that instrument, piece of equipment or body art product used to carry out body art service meets criteria in regulations (specify criteria)	27(3)	\$697.50
52	Failing to use instruments in mobile body art facility or temporary body art facility (specify) specified in Standards and purchased as disposable, single-use and pre-sterilized (specify)	28(1)	\$697.50
53	Operator failing to keep sterilization certificate on premises of mobile body art facility or temporary body art facility (specify) for each disposable, single-use, pre-sterilized instrument at facility	28(2)	\$237.50
54	Operator failing to demonstrate to administrator or public health inspector that reusable instrument in use meets requirements of regulations (specify requirement)	28(3)	\$410.00

55	Operator or personnel failing to ensure reusable instrument or equipment is cleaned and disinfected or cleaned and sterilized after each use and between clients	29(a)	\$697.50
56	Operator or personnel failing to ensure instrument intended to break skin or come in contact with broken skin remains sterile until point of use	29(b)	\$697.50
57	Operator or personnel failing to ensure jewelry placed in newly pierced skin is sterile, free of nicks, scratches and irregular surfaces, and made of material specified in Standards	29(c)	\$697.50
58	Operator or personnel failing to ensure sharps intended to break skin or mucous membranes are purchased as disposable and single-use	29(d)	\$697.50
59	Operator or personnel failing to appropriately and immediately discard after use any instrument or piece of equipment that is required to, but cannot because of its design, be cleaned and then disinfected or sterilized	29(e)(i)	\$410.00
60	Operator or personnel failing to appropriately and immediately discard after use any instrument or piece of equipment specified as single-use by manufacturer	29(e)(ii)	\$410.00
61	Operator or personnel failing to dispense bulk body art product so as not to contaminate bulk supply	29(f)	\$410.00
62	Operator or personnel failing to cover instrument, piece of equipment or high-contact surface used in carrying out body art service that cannot be submerged or sterilized, does not enter body cavity and is not intended to be single-use with disposable, impermeable protective barrier	29(g)	\$410.00
63	Operator or personnel failing to reprocess instrument, equipment or high-contact surface used in carrying out body art service that cannot be submerged or sterilized, does not enter body cavity and is not intended to be single-use after protective barrier has been discarded as detailed in Standards	29(g)	\$410.00
64	Operator or personnel failing to keep manufacturer's operational instructions, manuals and operating procedures for mechanical equipment used for cleaning and sterilizing instruments at body art facility	29(h)	\$410.00
65	Operator or personnel failing to provide manufacturer's operational instructions, manuals and operating procedures for mechanical equipment used for cleaning and sterilizing instruments at body art facility to public health inspector when requested	29(h)	\$410.00
66	Operator or personnel failing to use mechanical sterilizer that meets requirements of regulations (specify)	29(i)	\$697.50
67	Operator failing to test equipment used to clean, disinfect or sterilize instruments and equipment used for body art services at body art facility and verify that it is operating effectively and as intended	30(1)	\$697.50
68	Operator failing to ensure that required testing and verification for each mechanical sterilizer used at body art facility includes monitoring in accordance with Standards for physical, chemical and biological parameters	30(2)	\$697.50
69	Operator failing to have written back-up plan setting out procedures to be followed if mechanical sterilizer used at body art facility fails	31	\$410.00
70	Operator failing to ensure that records are kept of required testing and verification	32(1)	\$237.50

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71	Failing to ensure required testing and verification records include appropriate testing and verification of equipment used to clean and disinfect instruments and equipment	32(2)(a)	\$237.50
72	Failing to ensure required testing and verification records include sterilization log setting out details specified in Standards of required testing and verification of sterility of mechanical sterilizer	32(2)(b)	\$237.50
73	Operator failing to keep records or respecting cleaning and sterilizing of equipment specified by Standards (specify records required)	32(3)	\$237.50
74	Failing to provide required records to public health inspector when requested	32(4)	\$237.50
75	Operator failing to ensure that sterilization certificate for each single-use, pre-sterilized instrument used at body art facility is kept for 2 years	33(1)	\$237.50
76	Failing to ensure sterilization certificate includes information required by regulations (specify information)	33(2)	\$237.50
77	Failing to provide sterilization certificate to public health inspector when requested	33(3)	\$237.50
78	Operator failing to ensure that record is kept for each body art facility client	34(2)	\$237.50
79	Failing to ensure client record contains information required by regulations (specify information)	34(3)	\$237.50
80	Operator failing to keep client record for at least 2 years after date of client's most recent body art service	34(4)	\$237.50
81	Operator failing to provide client record to public health inspector when requested	34(5)	\$237.50
82	Operator failing to maintain information about personnel of body art facility as required by regulations (specify requirement)	35(1)	\$237.50
83	Operator failing to provide personnel information to public health inspector when requested	35(2)	\$697.50

N.S. Reg. 38/2019

Made: February 26, 2019 Filed: February 27, 2019

Determination of Boundaries Order: Town of Truro and Municipality of the County of Colchester

Order dated February 26, 2019 made by the Nova Scotia Utility and Review Board pursuant to Section 357 of the *Municipal Government Act*

Decision and Order

2019 NSUARB 20 M08940

Nova Scotia Utility and Review Board

In the Matter of the Municipal Government Act

- and -

In the matter of an application by the Town of Truro and the Municipality of the County of Colchester for a change in their mutual boundary

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

Decision and Order

Whereas the Town of Truro and the Municipality of the County of Colchester have applied to the Nova Scotia Utility and Review Board for a change in their mutual boundary, in the vicinity of the southwestern Town boundary where it abuts the Millbrook Indian Reserve No. 27;

And whereas the Millbrook First Nation consents to this change in the boundary;

And whereas Notice of the Proposed Change to the Town and Municipal Boundary was advertised in the *Chronicle Herald* on Saturday, January 12 and Saturday[,] January 19, 2019, and the *Truro Daily News* on Thursday, January 10 and Thursday, January 17, 2019; and the advertisement invited objectors to advise the Board of their objections;

And whereas proof of the advertising has been provided to the Board;

And whereas the Board has received no objections to the application, within thirty (30) days after the first advertisement;

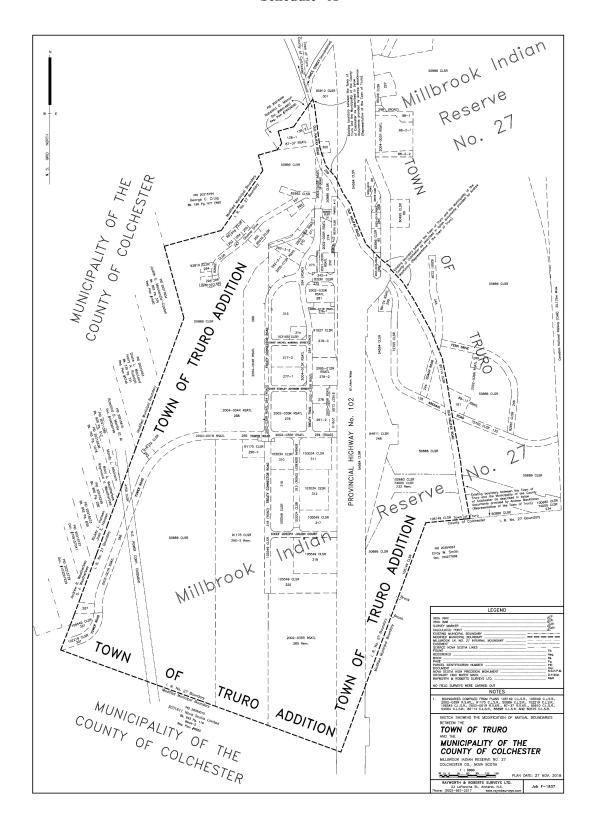
It is hereby ordered pursuant to Section 357 of the *Municipal Government Act* that the Board confirms the change to the mutual boundary between the Town of Truro and the Municipality of the County of Colchester by bringing all of the lands of Millbrook Indian Reserve No. 27 within the boundaries of the Town of Truro, with the exception of three outlying parcels that will remain in the Municipality of the County of Colchester. The three outlying parcels that will remain within the Municipality are located at the southeast of the Reserve lands and are identified as "Truro 27A" (PID 20206900); "Truro 27B" (PID 20171500); and "Truro 27C" (PID 20206918).

It is further ordered that the amended mutual boundary for the Town's southwestern boundary shall be as shown on the sketch dated November 27, 2018, contained in Schedule "A" attached hereto and forming part of this Order.

Dated at Halifax, Nova Scotia this 26th day of February, 2019.

sgd. *Bruce A. Kiley* Clerk of the Board

Schedule "A"



N.S. Reg. 39/2019

Made: February 28, 2019 Filed: March 1, 2019

Prescribed Petroleum Products Prices

Order dated February 28, 2019
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 M09099

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: Jennifer L. Nicholson, CPA, CA, 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 the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 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 February 27, 2019, are:

Grade 1 Regular gasoline 57.14¢ per litre Ultra-low-sulfur diesel oil 69.95¢ per litre

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

Gasoline:

Grade 1 $57.14 \, \text{¢}$ per litre Grade 2 $60.14 \, \text{¢}$ per litre Grade 3 $63.14 \, \text{¢}$ per litre Ultra-low-sulfur diesel oil $69.95 \, \text{¢}$ per litre

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

Gasoline: plus 1.20¢ per litre Ultra-low-sulfur diesel oil: plus 0.80¢ per litre

And whereas a winter blending adjustment of plus 3.63¢ 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.[,] March 1, 2019.

Dated at Halifax, Nova Scotia, this 28th day of February, 2019.

sgd: *Lisa Wallace* 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 March 1, 2019

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cent	ts/Litre				Pump	Service Prices Prices inc	Pump	ervice Prices % HST)
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	66.53	10.0	15.5	92.03	111.7	113.9	111.7	999.9
Mid-Grade Unleaded	69.53	10.0	15.5	95.03	115.1	117.3	115.1	999.9
Premium Unleaded	72.53	10.0	15.5	98.03	118.6	120.8	118.6	999.9
Ultra-Low-Sulfur Diesel	82.83	4.0	15.4	102.23	123.4	125.6	123.4	999.9
Zone 2								
Regular Unleaded	67.03	10.0	15.5	92.53	112.3	114.5	112.3	999.9
Mid-Grade Unleaded	70.03	10.0	15.5	95.53	115.7	117.9	115.7	999.9
Premium Unleaded	73.03	10.0	15.5	98.53	119.2	121.4	119.2	999.9
Ultra-Low-Sulfur Diesel	83.33	4.0	15.4	102.73	124.0	126.2	124.0	999.9
Zone 3								
Regular Unleaded	67.43	10.0	15.5	92.93	112.7	114.9	112.7	999.9
Mid-Grade Unleaded	70.43	10.0	15.5	95.93	116.2	118.4	116.2	999.9
Premium Unleaded	73.43	10.0	15.5	98.93	119.6	121.8	119.6	999.9
Ultra-Low-Sulfur Diesel	83.73	4.0	15.4	103.13	124.5	126.6	124.5	999.9
Zone 4								
Regular Unleaded	67.53	10.0	15.5	93.03	112.8	115.0	112.8	999.9
Mid-Grade Unleaded	70.53	10.0	15.5	96.03	116.3	118.5	116.3	999.9
Premium Unleaded	73.53	10.0	15.5	99.03	119.7	121.9	119.7	999.9
Ultra-Low-Sulfur Diesel	83.83	4.0	15.4	103.23	124.6	126.8	124.6	999.9
Zone 5								
Regular Unleaded	67.53	10.0	15.5	93.03	112.8	115.0	112.8	999.9
Mid-Grade Unleaded	70.53	10.0	15.5	96.03	116.3	118.5	116.3	999.9
Premium Unleaded	73.53	10.0	15.5	99.03	119.7	121.9	119.7	999.9
Ultra-Low-Sulfur Diesel	83.83	4.0	15.4	103.23	124.6	126.8	124.6	999.9
Zone 6								
Regular Unleaded	68.23	10.0	15.5	93.73	113.7	115.8	113.7	999.9
Mid-Grade Unleaded	71.23	10.0	15.5	96.73	117.1	119.3	117.1	999.9
Premium Unleaded	74.23	10.0	15.5	99.73	120.6	122.7	120.6	999.9
Ultra-Low-Sulfur Diesel	84.53	4.0	15.4	103.93	125.4	127.6	125.4	999.9