



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. 156/2023**

Made: August 31, 2023

Filed: September 1, 2023

Prescribed Petroleum Products Prices

Order dated August 31, 2023  
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

**N.S. Reg. 157/2023**

Made: August 30, 2023

Filed: September 5, 2023

Summary Offence Tickets Regulations—amendment

Order dated August 30, 2023  
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, Brad Johns, 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 3A 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 *Board Motor Carrier Act Hours of Service Regulations* and the *Governor in Council Motor Carrier Act Hours of Service Regulations* 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 August 30, 2023, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Brad Johns*  
Honourable Brad Johns  
Attorney General and Minister of Justice

### Schedule "A"

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

- 1 Schedule 3A 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 adding the following heading and items immediately before the heading "Board Public Passenger Motor Carrier Act Regulations":

Offence	Section	Out of Court Settlement
<b>Board Motor Carrier Act Hours of Service Regulations</b>		
1 Requesting, requiring or allowing driver to drive when driving would jeopardize public health or safety first offence subsequent offence	4(a)	  \$410.00 \$697.50
2 Requesting, requiring or allowing driver to drive when out of service first offence subsequent offence	4(b)	  \$410.00 \$697.50
3 Requesting, requiring or allowing driver to drive when not in compliance with regulations first offence subsequent offence	4(c)	  \$295.00 \$467.50
4 Requesting, requiring or allowing driver to fail to comply with daily driving hours (13 hours) first offence subsequent offence	5(a)	  \$295.00 \$467.50
5 Requesting, requiring or allowing driver to fail to comply with daily on-duty hours (14 hours) first offence subsequent offence	5(b)	  \$295.00 \$467.50
6 Requesting, requiring or allowing driver to fail to take 8 consecutive off-duty hours after 13 hours of driving time first offence subsequent offence	6(1)(a)	  \$295.00 \$467.50
7 Requesting, requiring or allowing driver to fail to take 8 consecutive off-duty hours after 14 hours of on-duty time first offence subsequent offence	6(1)(b)	  \$295.00 \$467.50

8	Requesting, requiring or allowing driver to drive after 16 hours have elapsed between off-duty periods	6(2)	
	first offence		\$295.00
	subsequent offence		\$467.50
9	Failing to ensure driver takes 10 hours of off-duty time in day, including 8-hour period of off-duty and 2-hour period of off-duty	7	
	first offence		\$295.00
	subsequent offence		\$467.50
10	Failing to comply with off-duty hours after splitting daily off-duty time (single driver)	10(1)	
	first offence		\$295.00
	subsequent offence		\$467.50
11	Failing to comply with off-duty hours after splitting daily off-duty time (team of drivers)	11(1)	
	first offence		\$295.00
	subsequent offence		\$467.50
12	Failing to require driver to follow cycle 1 or cycle 2	12	
	first offence		\$295.00
	subsequent offence		\$467.50
13	Requesting, requiring or allowing driver to drive when failing to take off-duty hours—at least 24 consecutive in 14 days	13	
	first offence		\$295.00
	subsequent offence		\$467.50
14	Requesting, requiring or allowing driver to drive excessive hours—cycle 1	14	
	first offence		\$295.00
	subsequent offence		\$467.50
15	Requesting, requiring or allowing driver to drive excessive hours—cycle 2 (specify)	15	
	first offence		\$295.00
	subsequent offence		\$467.50
16	Switching from cycle 1 to cycle 2 without taking 36 consecutive off-duty hours	16(1)(a)	
	first offence		\$295.00
	subsequent offence		\$467.50
17	Switching from cycle 2 to cycle 1 without taking 72 consecutive off-duty hours	16(1)(b)	
	first offence		\$295.00
	subsequent offence		\$467.50
18	Requesting, requiring or allowing driver to switch from cycle 1 to cycle 2 without taking 36 consecutive off-duty hours	17(1)(a)	
	first offence		\$295.00
	subsequent offence		\$467.50
19	Requesting, requiring or allowing driver to switch from cycle 2 to cycle 1 without taking 72 consecutive off-duty hours	17(1)(b)	
	first offence		\$295.00
	subsequent offence		\$467.50

20	Failing to require copy of special permit be placed in vehicle	21(1)(a)	
	first offence		\$352.50
	subsequent offence		\$582.50
21	Failing to provide list of vehicles operating under special permit to board	21(1)(b)	
	first offence		\$352.50
	subsequent offence		\$582.50
22	Failing to make record of duty status of drivers operating under special permit available immediately to board	21(1)(c)(i)	
	first offence		\$352.50
	subsequent offence		\$582.50
23	Failing to make supporting documents of drivers operating under special permit available immediately to board	21(1)(c)(ii)	
	first offence		\$352.50
	subsequent offence		\$582.50
24	Failing to notify board of accident involving vehicle operating under special permit	21(1)(d)	
	first offence		\$352.50
	subsequent offence		\$582.50
25	Failing to ensure <del>drive</del> [driver] complies with terms and conditions of special permit	21(2)	
	first offence		\$352.50
	subsequent offence		\$582.50
26	Failing to require driver to fill out record of duty status	25(1)	
	first offence		\$352.50
	subsequent offence		\$582.50
27	Failing to require driver to legibly enter all required information in record of duty status	26	
	first offence		\$237.50
	subsequent offence		\$352.50
28	Requesting, requiring or allowing driver to drive if failing to have records of duty status for previous 14 days in possession	28(a)	
	first offence		\$352.50
	subsequent offence		\$582.50
29	Requesting, requiring or allowing driver to drive if failing to have record of duty status for current day in possession, completed up to last duty status change	28(b)	
	first offence		\$180.00
	subsequent offence		\$237.50
30	Requesting, requiring or allowing drive to drive if failing to have supporting documents of current trip in possession	28(c)	
	first offence		\$352.50
	subsequent offence		\$582.50
31	Failing to ensure driver <del>forward</del> [forwards] records of duty status or supporting documents no later than 20 days after completed	29(1)	
	first offence		\$237.50
	subsequent offence		\$352.50

32	Failing to ensure driver <del>forward</del> [forwards] records of duty status or supporting documents to last carrier for which driver worked no later than 20 days after completed	29(2)	
	first offence		\$237.50
	subsequent offence		\$352.50
33	Failing to deposit records of duty status or supporting documents no later than 30 days after received	29(3)(a)	
	first offence		\$352.50
	subsequent offence		\$582.50
34	Failing to keep records of duty status or supporting documents in chronological order for 6 months	29(3)(b)	
	first offence		\$352.50
	subsequent offence		\$582.50
35	Requesting, requiring or allowing driver to keep more than 1 record of duty status	30(1)	
	first offence		\$697.50
	subsequent offence		\$1272.50
36	Requesting, requiring or allowing driver to enter inaccurate information in record of duty status	30(2)(a)	
	first offence		\$697.50
	subsequent offence		\$1272.50
37	Requesting, requiring or allowing driver to falsify, mutilate or deface record of duty status or supporting documents	30(2)(b)	
	first offence		\$697.50
	subsequent offence		\$1272.50
38	Requesting, requiring or allowing tampering with ELD	30(3)	
	first offence		\$697.50
	subsequent offence		\$1272.50
39	Failing to equip commercial vehicle with ELD when required	31(1)	
	first offence		\$697.50
	subsequent offence		\$1272.50
40	Failing to require driver to record records of duty status as their duty status changes	31(2)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
41	Failing to ensure ELD configured to record yard moves	31(4)	
	first offence		\$697.50
	subsequent offence		\$1272.50
42	Requesting, requiring or allowing more than 1 ELD at same time for same period	31(5)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
43	Failing to ensure commercial vehicle carrying required documents (specify)	31(6)	
	first offence		\$410.00
	subsequent offence		\$697.50
44	Carrier failing to ensure driver records information in complete and accurate manner	31(7)	
	first offence		\$410.00
	subsequent offence		\$697.50

45	Failing to ensure ELD is in good working order	32(1)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
46	Failing to ensure ELD is calibrated according to specifications	32(1)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
47	Failing to ensure ELD is maintained according to specifications	32(1)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
48	Failing to maintain register of ELD malfunction codes as required (specify)	32(3)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
49	Failing to retain required ELD malfunction information for 6 months	32(4)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
50	Failing to create system of accounts in compliance with Technical Standard	33	
	first offence		\$1272.50
	subsequent offence		\$2422.50
51	Failing to create and maintain system of accounts that allows each driver to record record of duty status in distinct and personal account	33(a)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
52	Failing to create and maintain system of accounts that provides for distinct account of driving time of unidentified driver	33(b)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
53	Failing to verify records of duty status forwarded by driver	34	
	first offence		\$1272.50
	subsequent offence		\$2422.50
54	Failing to require from driver changes necessary to ensure accuracy of records of duty status	34	
	first offence		\$697.50
	subsequent offence		\$1272.50
55	Failing to monitor driver compliance	35(1)	
	first offence		\$410.00
	subsequent offence		\$697.50
56	Failing to record required information in notice of non-compliance (specify)	35(2)	
	first offence		\$410.00
	subsequent offence		\$697.50
57	Obstructing, hindering or making false statement to inspector	37	
	first offence		\$697.50
	subsequent offence		\$1272.50
58	Failing to immediately produce record of duty status	38(1)(a)	
	first offence		\$410.00
	subsequent offence		\$697.50

59	Failing to immediately produce supporting document or relevant record	38(1)(b)	
	first offence		\$410.00
	subsequent offence		\$697.50
60	Failing to immediately produce record of driving time of unidentified driver	38(1)(c)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
61	Failing to immediately produce register of ELD malfunction	38(1)(d)	
	first offence		\$1272.50
	subsequent offence		\$2422.50
62	Failing to immediately produce special permit	38(1)(e)	
	first offence		\$410.00
	subsequent offence		\$697.50

2 Schedule 3A to the regulations is further amended by adding the following heading and items immediately before the heading “Governor in Council Public Passenger Motor Carrier Act Regulations”:

Offence	Section	Out of Court Settlement
<b>Governor in Council Motor Carrier Act Hours of Service Regulations</b>		
1	Driving when driving would jeopardize public health or safety	4(a)
	first offence	\$410.00
	second offence	\$697.50
2	Driving when out of service	4(b)
	first offence	\$410.00
	second offence	\$697.50
3	Driving when not in compliance with regulations	4(c)
	first offence	\$295.00
	second offence	\$467.50
4	Failing to comply with maximum daily driving hours (13 hours)	5(a)
	first offence	\$295.00
	second offence	\$467.50
5	Failing to comply with maximum daily on-duty hours (14 hours)	5(b)
	first offence	\$295.00
	second offence	\$467.50
6	Failing to take 8 consecutive off-duty hours after 13 hours of driving time	6(1)(a)
	first offence	\$295.00
	second offence	\$467.50
7	Failing to take 8 consecutive off-duty hours after 14 hours of on-duty time	6(1)(b)
	first offence	\$295.00
	second offence	\$467.50
8	Driving after 16 hours have elapsed between off-duty periods	6(2)
	first offence	\$295.00
	second offence	\$467.50



9	Failing to take 10 hours of off-duty time in day, including 8-hour period of off-duty and 2-hour period of off-duty	7(1)	
	first offence		\$295.00
	second offence		\$467.50
10	Failing to comply with off-duty hours after splitting daily off-duty time (single driver)	10(1)	
	first offence		\$295.00
	second offence		\$467.50
11	Failing to comply with off-duty hours after splitting daily off-duty time (team of drivers)	11(1)	
	first offence		\$295.00
	second offence		\$467.50
12	Failing to follow cycle 1 or cycle 2	12	
	first offence		\$295.00
	second offence		\$467.50
13	Failing to take off-duty hours—at least 24 consecutive in 14 days	13	
	first offence		\$295.00
	second offence		\$467.50
14	Excessive hours—cycle 1	14	
	first offence		\$295.00
	second offence		\$467.50
15	Excessive hours—cycle 2 (specify)	15	
	first offence		\$295.00
	second offence		\$467.50
16	Switching from cycle 1 to cycle 2 without taking 36 consecutive off-duty hours	17(1)(a)	
	first offence		\$295.00
	second offence		\$467.50
17	Switching from cycle 2 to cycle 1 without taking 72 consecutive off-duty hours	17(1)(b)	
	first offence		\$295.00
	second offence		\$467.50
18	Failing to comply with terms and conditions of special permit	18	
	first offence		\$352.50
	second offence		\$582.50
19	Failing to record reason for exceeding driving, on-duty time or elapsed time (specify) in record of duty status	21	
	first offence		\$295.00
	second offence		\$467.50
20	Failing to fill out record of duty status	23(1)	
	first offence		\$352.50
	second offence		\$582.50
21	Failing to legibly enter all required information in record of duty status	24(1)	
	first offence		\$237.50
	second offence		\$352.50
22	Failing to have records of duty status for previous 14 days in possession	26(a)	
	first offence		\$352.50
	second offence		\$582.50

23	Failing to have record of duty status for current day in possession, completed up to last duty status change	26(b)	
	first offence		\$180.00
	second offence		\$237.50
24	Failing to have supporting documents of current trip in possession	26(c)	
	first offence		\$352.50
	second offence		\$582.50
25	Failing to forward records of duty status no later than 20 days after completed	27(1)	
	first offence		\$237.50
	second offence		\$352.50
26	Failing to forward supporting documents no later than 20 days after completed	27(1)	
	first offence		\$237.50
	second offence		\$352.50
27	Failing to forward records of duty status to first carrier no later than 20 days after completed	27(2)	
	first offence		\$237.50
	second offence		\$352.50
28	Failing to forward copy of records of duty status to all other carriers no later than 20 days after completed	27(2)	
	first offence		\$237.50
	second offence		\$352.50
29	Failing to forward supporting documents to all carriers no later than 20 days after completed	27(2)	
	first offence		\$237.50
	second offence		\$352.50
30	Keeping more than 1 record of duty status	28(1)	
	first offence		\$697.50
	second offence		\$1272.50
31	Entering inaccurate information in record of duty status	28(2)(a)	
	first offence		\$697.50
	second offence		\$1272.50
32	Falsifying, mutilating or defacing record of duty status	28(2)(b)	
	first offence		\$697.50
	second offence		\$1272.50
33	Falsifying, mutilating or defacing supporting document	28(2)(b)	
	first offence		\$697.50
	second offence		\$1272.50
34	Tampering with ELD	28	
	first offence		\$697.50
	second offence		\$1272.50
35	Failing to equip commercial vehicle with ELD when required	29(1)	
	first offence		\$1272.50
	second offence		\$2422.50
36	Failing to record records of duty status as duty status changes	29(2)	
	first offence		\$410.00
	second offence		\$697.50

37	Failing to input or verify date and start time	29(4)(a)	
	first offence		\$352.50
	second offence		\$582.50
38	Failing to input or verify driver identification number	29(4)(a)	
	first offence		\$352.50
	second offence		\$582.50
39	Failing to input or verify cycle	29(4)(b)	
	first offence		\$352.50
	second offence		\$582.50
40	Failing to input or verify commercial vehicle license plates	29(4)(c)	
	first offence		\$352.50
	second offence		\$582.50
41	Failing to input or verify unit number	29(4)(c)	
	first offence		\$352.50
	second offence		\$582.50
42	Failing to input or verify trailer number	29(4)(c)	
	first offence		\$352.50
	second offence		\$582.50
43	Failing to input or verify name or address of home terminal	29(4)(d)	
	first offence		\$352.50
	second offence		\$582.50
44	Failing to input or verify name or address of principal place of business	29(4)(d)	
	first offence		\$352.50
	second offence		\$582.50
45	Failing to input or verify vehicle's location description	29(4)(e)	
	first offence		\$352.50
	second offence		\$582.50
46	Failing to input or verify hours of off-duty and on-duty time for previous 14 days	39(4)(f)	
	first offence		\$352.50
	second offence		\$582.50
47	Failing to input or verify deferred off-duty time under Section 9	29(4)(g)	
	first offence		\$352.50
	second offence		\$582.50
48	Failing to input or verify total number of hours for each duty status for previous 14 days	29(4)(h)(i)	
	first offence		\$352.50
	second offence		\$582.50
49	Failing to input or verify beginning and end time of each 16-hour period for each of previous 14 days	29(4)(h)(i)	
	first offence		\$352.50
	second offence		\$582.50
50	Failing to input or verify start and end times of each duty status in current day, before use of ELD	29(4)(h)(ii)	
	first offence		\$352.50
	second offence		\$582.50

51	Failing to input or verify annotation necessary to complete record of duty status	29(4)(i)	
	first offence		\$352.50
	second offence		\$582.50
52	Using more than 1 ELD at same time for same period	29(5)	
	first offence		\$410.00
	second offence		\$697.50
53	Failing to notify carrier of ELD malfunction	30(1)	
	first offence		\$410.00
	second offence		\$697.50
54	Failing to record ELD malfunction	30(2)(a)	
	first offence		\$295.00
	second offence		\$467.50
55	Failing to record date and time of ELD malfunction	30(2)(b)	
	first offence		\$295.00
	second offence		\$467.50
56	Failing to record time when notice of ELD malfunction transmitted to carrier	20(2)(c)	
	first offence		\$295.00
	second offence		\$467.50
57	Failing to record malfunction code in record of duty status	30(3)	
	first offence		\$295.00
	second offence		\$467.50
58	Failing to certify accuracy of record of duty status	31	
	first offence		\$410.00
	second offence		\$697.50
59	Failing to verify records of duty status forwarded by driver	32(1)	
	first offence		\$1272.50
	second offence		\$2422.50
60	Failing to require from driver changes necessary to ensure accuracy of records	32(1)	
	first offence		\$697.50
	second offence		\$1272.50
61	Failing to accept or reject changes required by carrier	32(2)	
	first offence		\$1272.50
	second offence		\$2422.50
62	Failing to make necessary changes	32(2)	
	first offence		\$410.00
	second offence		\$697.50
63	Failing to recertify accuracy of record of duty status	32(2)	
	first offence		\$410.00
	second offence		\$697.50
64	Failing to forward amended records of duty status to carrier	32(2)	
	first offence		\$352.50
	second offence		\$582.50
65	Obstructing, hindering or making false statement to inspector	34	
	first offence		\$697.50
	second offence		\$1272.50

66	Failing to immediately produce current record of duty status and records of duty status for previous 14 days	35(1)	
	first offence		\$352.50
	second offence		\$582.50
67	Failing to immediately produce supporting documents for current trip and previous 14 days	35(1)	
	first offence		\$352.50
	second offence		\$582.50
68	Failing to immediately produce special permits for current trip and previous 14 days	35(1)	
	first offence		\$352.50
	second offence		\$582.50
69	Failing to retrieve information stored on ELD	35(2)	
	first offence		\$352.50
	second offence		\$582.50
70	Failing to immediately give inspector records of duty status for previous 14 days	35(4)(a)	
	first offence		\$352.50
	second offence		\$582.50
71	Failing to immediately give inspector supporting documents for previous 14 days	35(4)(b)	
	first offence		\$352.50
	second offence		\$582.50
72	Failing to immediately give inspector special permits for previous 14 days	35(4)(c)	
	first offence		\$352.50
	second offence		\$582.50
73	Failing to immediately give inspector records of driving time of unidentified driver for previous 14 days	35(4)(d)	
	first offence		\$352.50
	second offence		\$582.50
74	Failing to immediately give inspector documents referred to in subsection 77(7) of Federal regulations for previous 14 days	35(4)(e)	
	first offence		\$1272.50
	second offence		\$2422.50
75	Failing to immediately give inspector register of ELD malfunction set out in subsection 78(6) of Federal regulations for previous 14 days	35(4)(f)	
	first offence		\$1272.50
	second offence		\$2422.50
76	Failing to immediately give inspector information recorded under subsection 29(2) or under subsection 87(2) of Federal regulations for previous 14 days	35(4)(g)	
	first offence		\$1272.50
	second offence		\$2422.50

**N.S. Reg. 158/2023**

Made: August 30, 2023

Filed: September 5, 2023

Summary Offence Tickets Regulations—amendment

Order dated August 30, 2023

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, Brad Johns, 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 4A 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 *Commercial Vehicle Drivers' Hours of Service Regulations* 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 August 30, 2023, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Brad Johns*

Honourable Brad Johns

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 4A 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 repealing items 1–62 under the heading "Commercial Vehicle Drivers' Hours of Service Regulations" and substituting the following items:

<b>Offence</b>	<b>Section</b>	<b>Out of Court Settlement</b>
1 Driving when driving would jeopardize public health or safety	5(a)	F
2 Driving when out of service	5(b)	F

3	Driving when not in compliance with regulations	5(c)	D
4	Failing to comply with maximum daily driving hours (13 hours)	6(a)	D
5	Failing to comply with maximum daily on-duty hours (14 hours)	6(b)	D
6	Failing to take 8 consecutive off-duty hours after 13 hours of driving time	7(1)(a)	D
7	Failing to take 8 consecutive off-duty hours after 14 hours of on-duty time	7(1)(b)	D
8	Driving after 16 hours have elapsed between off-duty periods	7(2)	D
9	Failing to take 10 hours of off-duty time in day, including 8-hour period of off-duty and 2-hour period of off-duty	9(1)	D
10	Failing to comply with off-duty hours after splitting daily off-duty time (single driver)	12(3)	D
11	Failing to comply with off-duty hours after splitting daily off-duty time (team of drivers)	13(3)	D
12	Failing to follow cycle 1 or cycle 2	14	D
13	Failing to take off-duty hours—at least 24 consecutive in 14 days	15	D
14	Excessive hours—cycle 1	16	D
15	Excessive hours—cycle 2	17(a)	D
16	Failing to take off-duty hours—24 consecutive hours after 70 hours on duty	17(b)	D
17	Switching from cycle 1 to cycle 2 without taking 36 consecutive off-duty hours	19(1)(a)	D
18	Switching from cycle 2 to cycle 1 without taking 72 consecutive off-duty hours	19(1)(b)	D
19	Failing to take off-duty hours—at least 3 periods off-duty during 24 days (special permit for oil well service vehicles)	22(2)(a)	D
20	Failing to take off-duty hours—at least 72 consecutive hours off duty (special permit for oil well service vehicles)	22(2)(b)	D
21	Failing to require copy of special permit be placed in vehicle	25(1)(a)	E
22	Failing to provide list of vehicles operating under special permit to director	25(1)(b)	E
23	Failing to make record of duty status of drivers operating under special permit available immediately to director	25(1)(c)(i)	E
24	Failing to make supporting documents or relevant records of drivers operating under special permit available immediately to director	25(1)(c)(ii)	E
25	Failing to notify director of accident involving vehicle operating under special permit	25(1)(d)	E
26	Failing to comply with terms and conditions of special permit	25(2)	E
27	Failing to record reason for exceeding driving time, on-duty time or elapsed time (specify) in record of duty status	29	D
28	Failing to fill out record of duty status	31(1)	E
29	Failing to legibly enter all required information in record of duty status	32	C
30	Failing to have records of duty status for previous 14 days in possession	34(a)	E
31	Failing to have logs of 24-hour off-duty time in possession (special permit for oil well [well] service vehicles)	34(b)	E
32	Failing to have record of duty status for current day in possession, completed up to last duty status change	34(c)	B
33	Failing to have supporting documents or relevant records of current trip in possession	34(d)	E

34	Failing to forward records of duty status no later than 20 days after completed	35(1)	C
35	Failing to forward supporting documents no later than 20 days after completed	35(1)	C
36	Failing to forward records of duty status to first carrier no later than 20 days after completed	35(2)	C
37	Failing to forward copy of records of duty status to all other carriers no later than 20 days after completed	35(2)	C
38	Failing to forward supporting documents to all carriers no later than 20 days after completed	35(2)	C
39	Failing to deposit records of duty status no later than 30 days after received	35(3)(a)	E
40	Failing to deposit supporting documents no later than 30 days after received	35(3)(a)	E
41	Failing to keep records of duty status in chronological order for 6 months	35(3)(b)	E
42	Failing to keep supporting documents in chronological order for 6 months	35(3)(b)	E
43	Keeping more than 1 record of duty status	36(1)	G
44	Entering inaccurate information in record of duty status	36(2)(a)	G
45	Falsifying, mutilating or defacing record of duty status	36(2)(b)	G
46	Falsifying, mutilating or defacing supporting documents	36(2)(b)	G
47	Requesting, requiring or allowing tampering with ELD	36(3)	G
48	Failing to require driver to record records of duty status	37(2)	H
49	Failing to record records of duty status as duty status changes	37(2)	F
50	Failing to ensure ELD configured to record yard moves	37(4)	G
51	Failing to input or verify date and start time	37(5)(a)	E
52	Failing to input or verify driver identification number	37(5)(a)	E
53	Failing to input or verify cycle	37(5)(b)	E
54	Failing to input or verify commercial vehicle licence plates	37(5)(c)	E
55	Failing to input or verify unit number	37(5)(c)	E
56	Failing to input or verify trailer number	37(5)(c)	E
57	Failing to input or verify name or address of home terminal	37(5)(d)	E
58	Failing to input or verify name or address of principal place of business	37(5)(d)	E
59	Failing to input or verify vehicle's location description	37(5)(e)	E
60	Failing to input or verify hours of off-duty and on-duty time for previous 14 days	37(5)(f)	E
61	Failing to input or verify deferred off-duty time under Section 10	37(5)(g)	E
62	Failing to input or verify total number of hours for each duty status for previous 14 days	37(5)(h)(i)	E
63	Failing to input or verify beginning and end time of each 16-hour period for each of previous 14 days	37(5)(h)(i)	E
64	Failing to input or verify start and end times of each duty status in current day, before use of ELD	37(5)(h)(ii)	E
65	Failing to input or verify any annotation necessary to complete record of duty status	37(5)(i)	E



66	Requesting, requiring or allowing more than 1 ELD at same time for same period	37(6)	H
67	Using more than 1 ELD at same time for same period	37(6)	F
68	Failing to ensure vehicle carrying user's manual	37(7)(a)	F
69	Failing to ensure vehicle carrying instruction sheet	37(7)(b)	F
70	Failing to ensure vehicle carrying instruction sheet for driver for ELD malfunction	37(7)(c)	F
71	Failing to ensure vehicle carrying sufficient number of records of duty status	37(7)(d)	F
72	Failing to ensure driver records information	37(8)	F
73	Failing to record information in complete and accurate manner	37(8)	F
74	Failing to ensure ELD is in good working order	38(1)	H
75	Failing to ensure ELD is calibrated according to specifications	38(1)	H
76	Failing to ensure ELD is maintained according to specifications	38(1)	H
77	Failing to notify carrier of ELD malfunction	38(2)	F
78	Failing to record ELD malfunction	38(3)(a)	D
79	Failing to record date and time of ELD malfunction	38(3)(b)	D
80	Failing to record time when notice of ELD malfunction transmitted to carrier	38(3)(c)	D
81	Failing to record malfunction code in record of duty status	38(4)	D
82	Failing to repair or replace ELD within time required	38(5)	H
83	Failing to ensure name of driver who noticed malfunction code entered in ELD malfunction register	38(6)(a)	H
84	Failing to ensure name of each driver using vehicle following discovery of malfunction entered in ELD malfunction register	38(6)(b)	H
85	Failing to ensure make, model and serial number of ELD entered in ELD malfunction register	38(6)(c)	H
86	Failing to ensure licence plate of vehicle entered in ELD malfunction register	38(6)(d)	H
87	Failing to ensure Vehicle Identification Number entered in ELD malfunction register	38(6)(d)	H
88	Failing to ensure date when malfunction code noticed entered in ELD malfunction register	38(6)(e)	H
89	Failing to ensure location of vehicle on date malfunction code noticed entered in ELD malfunction register	38(6)(e)	H
90	Failing to ensure date carrier notified of malfunction code entered in ELD malfunction register	38(6)(e)	H
91	Failing to ensure date ELD replaced or repaired entered in ELD malfunction register	38(6)(f)	H
92	Failing to ensure concise description of actions taken to repair or replace ELD entered in ELD malfunction register	38(6)(g)	H
93	Failing to retain required ELD malfunction information for 6 months	38(7)	H
94	Failing to create and maintain system of accounts in compliance with Technical Standard	39	H
95	Failing to create and maintain system of accounts that allows each driver to record record of duty status in distinct and personal account	39(a)	H

96	Failing to create and maintain system of accounts that provides for distinct account of driving time of unidentified driver	39(b)	H
97	Failing to certify accuracy of record of duty status	40	F
98	Failing to verify records of duty status forwarded by driver	41(1)	H
99	Failing to require from driver changes necessary to ensure accuracy of records of duty status	41(1)	G
100	Failing to accept or reject changes required by carrier	41(2)	H
101	Failing to make necessary changes	41(2)	F
102	Failing to recertify accuracy of record of duty status	41(2)	F
103	Failing to forward amended records of duty status to carrier	41(2)	E
104	Failing to monitor driver compliance	42(1)	F
105	Failing to take immediate remedial action	42(2)	F
106	Failing to issue notice of non-compliance	42(2)	F
107	Failing to record required details of non-compliance	42(2)	F
108	Obstructing, hindering or making false statement to inspector	45	G
109	Failing to immediately produce current record of duty status and records of duty status for previous 14 days	46(1)(a)	E
110	Failing to immediately produce supporting documents or relevant records for current trip and previous 14 days	46(1)(b)	E
111	Failing to immediately produce special permits for current trip and previous 14 days	46(1)(c)	E
112	Failing to retrieve information stored on ELD	46(2)	E
113	Failing to immediately give inspector records of duty status for previous 14 days	46(4)(a)	E
114	Failing to immediately give inspector supporting documents or relevant records for previous 14 days	46(4)(b)	E
115	Failing to immediately give inspector special permits for previous 14 days	46(4)(c)	E
116	Failing to immediately give inspector records of driving time of unidentified driver for previous 14 days	46(4)(d)	E
117	Failing to immediately give inspector documents referred to in subsection 77(7) of Federal regulations for previous 14 days	46(4)(e)	H
118	Failing to immediately give inspector register of ELD malfunction set out in subsection 78(6) of Federal regulations for previous 14 days	46(4)(f)	H
119	Failing to immediately give inspector information recorded under subsection 37(2) or under subsection 87(2) of Federal regulations for previous 14 days	46(4)(g)	H
120	Failing to make records of duty status available	47(1)(a)	F
121	Failing to make supporting documents or relevant records available	47(1)(b)	F
122	Failing to make records of driving time of unidentified driver available	47(1)(c)	H
123	Failing to make documents referred to in subsection 37(2) available	47(1)(d)	H
124	Failing to make register of ELD malfunction available	47(1)(e)	H
125	Failing to make special permits available	47(1)(f)	F

**N.S. Reg. 159/2023**

Made: September 7, 2023

Filed: September 8, 2023

Prescribed Petroleum Products Prices

Order dated September 7, 2023  
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

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**N.S. Reg. 160/2023 and N.S. Reg. 161/2023**

Made: September 12, 2023

Filed: September 12, 2023

Cap-and-Trade Program Regulations—amendment;  
Quantification, Reporting and Verification Regulations—amendment

Order in Council 2023-246 dated September 12, 2023  
Amendment to regulations made by the Governor in Council  
pursuant to Section 112Q of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Climate Change dated August 4, 2023, and pursuant to Section 112Q of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased, effective on and after September 12, 2023, to

- (a) amend the *Cap-and-Trade Program Regulations*, N.S. Reg. 194/2018, made by the Governor in Council by Order in Council 2018-294 dated November 13, 2018, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) amend the *Quantification, Reporting and Verification Regulations*, N.S. Reg. 29/2018, made by the Governor in Council by Order in Council 2018-43 dated February 15, 2018, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation.

**N.S. Reg. 160/2023**

## Cap-and-Trade Program Regulations—amendment

**Schedule “A”****Amendment to the *Cap-and-Trade Program Regulations*  
made by the Governor in Council under Section 112Q  
of Chapter 1 of the Acts of 1994-95,  
the *Environment Act***

- 1 (1) Subsection 9(3) of the *Cap-and-Trade Program Regulations*, N.S. Reg. 194/2018, made by the Governor in Council by Order in Council 2018-294 dated November 13, 2018, is amended by striking out “as set out in the following table:” and the table and substituting “the amount attributed under subsection (2), as applicable, based on the revised GHG report.”.
- (2) Subsection 9(4) of the regulations is repealed and the following subsection substituted:
  - (4) A revised GHG report for a facility may not be submitted after September 15, 2023.
- 2 (1) Subsection 10(3) of the regulations is amended by striking out “as set out in the following table:” and the table and substituting “the amount attributed under subsection (2), as applicable, based on the revised GHG report.”.
- (2) Section 10 of the regulations is further amended by adding the following subsection immediately after subsection (3):
  - (4) A revised GHG report for a fuel supplier emitter may not be submitted after September 15, 2023.
- 3 Section 12 of the regulations is amended by striking out “initial”.
- 4 Subsection 13(2) of the regulations is repealed and the following subsection substituted:
  - (2) A program participant is not permitted to submit emission allowances after the deadline in Section 14.
- 5 (1) Subsection 14(1) of the regulations is amended by striking out “Except as provided in subsection (2), the deadline” and substituting “The deadline”.
- (2) Subsection 14(2) of the regulations is repealed.
- 6 Subsection 16(4) of the regulations is repealed and the following subsection substituted:
  - (4) If the amount of emission allowances transferred under subsections (1) and (2) is less than the amount of emission allowances required to be submitted by the program participant for the compliance period, a program participant may be subject to enforcement action taken in accordance with the Act.
- 7 The regulations are further amended by adding the following Section immediately after Section 16:

**Transfer of emission allowances after deadline****16A** After the deadline in Section 14 and the transfer of emission allowances in accordance with Section

16, a program participant must not transfer, remove or adjust any emission allowances in their accounts.

- 8 (1) Subsection 24(1) of the regulations is amended by striking out “The Minister” and substituting “Before November 15, 2023, the Minister”.
- (2) Subclause 24(2)(b)(ii) of the regulations is repealed and the following subclause substituted:
- (ii) leaving them in their general account until the Section 14 deadline.
- (3) Subsection 24(3) of the regulations is amended by striking out “60 days” and substituting “30 days”.
- (4) Clause 24(4)(b) of the regulations is amended by striking out “auction account” and substituting “cancellation account”.
- (5) Subsection 24(5) of the regulations is amended by striking out “60 days” and substituting “30 days”.
- 9 The regulations are further amended by adding the following Section immediately after Section 24:

**Closure of program participants’ accounts after Section 14 deadline**

**24A (1)** After the deadline in Section 14 and transfer of emission allowances under Section 16, the Minister may do any of the following:

- (a) remove and retire excess emission allowances remaining in a participant’s account;
- (b) close a participant’s account in accordance with Section 24;
- (c) cancel a participant’s registration in the program;
- (d) take any other actions the Minister considers necessary to conclude the program.

(2) A person is not entitled to compensation or damages for the value of any emission allowances retired or cancelled in accordance with subsection (1) or for any other loss directly or indirectly related to actions taken by the Minister to conclude the program.

- 10 Section 34 of the regulations is amended by striking out “If the Minister” and substituting “Before the deadline in Section 14, if the Minister”.
- 11 Subsection 50(2) of the regulations is amended by striking out “subsections (3) and (4)” and substituting “subsection (3)”.
- 12 Section 66 of the regulations is amended by adding the following subsection immediately after subsection (5):
- (6) Despite subsection (4), if emission allowances offered for sale on consignment are not sold, the Minister may return the emission allowances to the program participant’s general account.

**N.S. Reg. 161/2023**

Quantification, Reporting and Verification Regulations—amendment

**Schedule “B”**

**Amendment to the *Quantification, Reporting and Verification Regulations*  
made by the Governor in Council under Section 112Q  
of Chapter 1 of the Acts of 1994-95,  
the *Environment Act***

- 1 (1) Subsection 27(1) of the *Quantification, Reporting and Verification Regulations*, N.S. Reg. 29/2018, made by the Governor in Council by Order in Council 2018-43 dated February 15, 2018, is amended by striking out “subsection (2)” and substituting “subsections (2) and (3)”.
- (2) Section 27 of the regulations is further amended by adding the following subsection immediately after subsection (2):
  - (3) Despite subsection (1), and after May 1, 2023, except for a revised GHG report or verification statement that may be required in accordance with Sections 29, 30, 31, 32 or 33, a GHG report is not required for the 2023 reporting year or any later year.
- 2 (1) Section 30 of the regulations is amended by
  - (a) striking out “within 7 years”; and
  - (b) adding “, and before September 15, 2023,” immediately after “submitted”.
- (2) Section 30 of the regulations is further amended by redesignating it as subsection (1).
- (3) Section 30 of the regulations is further amended by adding the following subsection immediately after subsection (1):
  - (2) A revised GHG report must not be submitted after September 15, 2023.
- 3 Section 31 of the regulations is amended by
  - (a) striking out “within 7 years”; and
  - (b) adding “, and before September 15, 2023,” immediately after “submitted”.
- 4 Subsection 32(1) of the regulations is amended by adding “before September 15, 2023,” immediately after “under Section 30 or 31”.
- 5 Clause 33(2)(b) of the regulations is amended by adding “in accordance with Section 32” immediately after “GHG report”.

**N.S. Reg. 162/2023**

Made: September 12, 2023

Filed: September 12, 2023

Patient Access to Care Act Definitions Regulations

Order in Council 2023-250 dated September 12, 2023

Regulations made by the Governor in Council  
pursuant to Section 8 of the *Patient Access to Care Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated July 12, 2023, and pursuant to Section 8 of Chapter 3 of the Acts of 2023, the *Patient Access to Care Act*, is pleased to make regulations respecting definitions for the *Patient Access to Care Act*, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 12, 2023.

**Schedule “A”****Regulations Respecting Definitions for the Patient Access to Care Act  
made by the Governor in Council under Section 8  
of Chapter 3 of the Acts of 2023,  
the *Patient Access to Care Act*****Citation**

1 These regulations may be cited as the *Patient Access to Care Act Definitions Regulations*.

**Definitions for regulations**

2 In these regulations,

“Act” means the *Patient Access to Care Act*;

“jurisprudence examination” means any examination, assessment or learning module required by an authority that tests knowledge of applicable laws, standards of practice, ethical standards and other regulatory requirements of the authority.

**Definitions for Act**

3 (1) In the Act,

“completed application” means an application that includes all information and documentation necessary for an authority to determine whether an applicant meets the requirements for registration and licensing, and includes information provided by a third party;

“expanded scope of practice area” for a practitioner is further defined to mean those services that are prescribed in the regulations as an expanded scope of practice area and authorized by the authority for that practitioner;

“in good standing” means the applicant meets all of the following criteria:

- (i) they are not the subject of an outstanding complaint in any jurisdiction,
- (ii) they are not the subject of an outstanding disciplinary or remedial process in any jurisdiction,
- (iii) their practice is not prohibited by a suspension or revocation,

- (iv) their practice is not limited by any conditions, restrictions or other agreements in any jurisdiction,
- (v) they have been assessed by the authority to have the capacity, competence and character to safely and ethically practise;

“licensed” means a person is authorized by a regulatory body in another province or a prescribed jurisdiction to engage in a scope of practice equivalent to the scope of practice of the regulated health profession for which they are applying for registration and licensing;

“training” means the services a practitioner is educated, competent and authorized by the authority to perform.

- (2) In subsection 5(2) of the Act,

“requirement” does not include any of the following:

- (i) a jurisprudence examination;
- (ii) professional liability protection, malpractice insurance or other form of indemnity;
- (iii) language proficiency.

- (3) In Section 6 of the Act,

“fee” means an application fee charged by an authority to process a first-time application to the authority, and includes jurisprudence examination costs charged by the authority but does not include any of the following:

- (i) fees charged by a third party,
- (ii) fees for an individual assessment of competence,
- (iii) permit or certification fees for the practice of specified services,
- (iv) annual fees for registration, licensing, renewal or reinstatement.

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**N.S. Reg. 163/2023**

Made: September 12, 2023

Filed: September 12, 2023

Hospitals Regulations—amendment

Order in Council 2023-251 dated September 12, 2023  
Amendment to regulations made by the Governor in Council  
pursuant to Section 17 of the *Hospitals Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated July 12, 2023, and pursuant to clauses 4(1)(a) and 17(b) of Chapter 208 of the Revised Statutes of Nova Scotia, 1989, the *Hospitals Act*, is pleased, effective on and after September 12, 2023, to



- (a) approve the Halifax Vision Surgical Centre as a hospital; and
- (b) amend the *Hospitals Regulations*, N.S. Reg. 53/2015, made by the Governor in Council by Order in Council 2015-77 dated March 24, 2015, to add the Halifax Vision Surgical Centre to the list of approved hospitals, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation.

### Schedule “A”

**Amendment to the *Hospitals Regulations*  
made by the Governor in Council under Section 17  
of Chapter 208 of the Revised Statutes of Nova Scotia, 1989,  
the *Hospitals Act***

The *Hospitals Regulations*, N.S. Reg. 53/2015, made by the Governor in Council by Order in Council 2015-77 dated March 24, 2015, are amended by adding the following row to the table in Schedule A—Approved Hospitals:

Halifax Vision Surgical Centre	7105 Chebucto Road, Halifax
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#### N.S. Reg. 164/2023

Made: December 7, 2022

Approved: September 12, 2023

Filed: September 12, 2023

Crop Insurance Plan for Tree Fruit—amendment

Order in Council 2023-252 dated September 12, 2023

Amendment to regulations made by the Nova Scotia Crop and Livestock Insurance Commission  
and approved by the Governor in Council  
pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated July 31, 2023, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased to approve amendments made by the Nova Scotia Crop and Livestock Insurance Commission to the *Crop Insurance Plan for Tree Fruit*, N.S. Reg. 121/2003, made by the Nova Scotia Crop and Livestock Insurance Commission and approved by the Governor in Council by Order in Council 2003-268 dated June 20, 2003, to clarify provisions respecting harvest dates for apples, descriptions of bins used and other administrative amendments, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 12, 2023.

### Schedule “A”

#### Nova Scotia Crop and Livestock Insurance Commission

I certify that the Nova Scotia Crop and Livestock Insurance Commission, at a meeting held December 7, 2022, passed a motion to amend the *Crop Insurance Plan for Tree Fruit*, N.S. Reg. 121/2003, approved by the Governor in Council by Order in Council 2003-268 dated June 20, 2003, in the manner set out in the attached.

The amendments to the regulations referred to above are effective on and after the date they are approved by the Governor in Council.

Dated and signed at Truro, Nova Scotia, on June 20, 2023.

Nova Scotia Crop and Livestock Insurance Commission

Per: sgd. *Peggy Weatherbee*  
Peggy Weatherbee  
Director of Business Risk Management

**Amendment to the *Crop Insurance Plan for Tree Fruit*  
made by the Nova Scotia Crop and Livestock Insurance Commission  
under Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989,  
the *Crop and Livestock Insurance Act***

- 1 Subsection 3(2) of the *Crop Insurance Plan for Tree Fruit*, N.S. Reg. 121/2003, approved by the Governor in Council by Order in Council 2003-268 dated June 20, 2003, is amended by
  - (a) striking out the semicolon at the end of clause (c); and
  - (b) repealing clauses (d) and (e).
- 2 Section 4 of the regulations is amended by
  - (a) repealing subclauses (i)(i) and (i)(ii) and substituting the following subclauses:
    - (i) for McIntosh variety apples, prior to October 13 in each crop year,
    - (ii) for all pear varieties, prior to October 23 in each crop year, and
    - (iii) for all apple varieties other than McIntosh, prior to November 6 in each crop year;
  - (b) striking out the period at the end of clause (j) and substituting a semicolon; and
  - (c) adding the following clause immediately after clause (j):
    - (k) pests.
- 3 Subsection 10(1) of the regulations is repealed and the following subsection substituted:
  - (1) An insured person must select 1 of the coverage levels offered by the Commission before the beginning of the crop year.
- 4 Subsection 11(1) of the regulations is repealed and the following subsection substituted:
  - (1) For each crop year, the Commission must establish price options for each insurable tree fruit crop.
- 5 Subsection 13(1) of the regulations is repealed and the following subsection substituted:
  - (1) For each crop year, the Commission must issue a production guarantee report to an insured person.

- 6 Section 14 of the regulation is amended by
- (a) repealing subsection (2) and substituting the following subsection:
    - (2)** The Commission, in consultation with an actuary, may adjust the base premium rate.
  - (b) repealing subsection (3);
  - (c) in subsection (4), striking out “subsections (1), (2) and (3)” and substituting “subsections (1) and (2)”; and
  - (d) in subsection (5), striking out “subsections (1), (2) and (3)” and substituting “subsections (1) and (2)”.
- 7 Subsection 19(1) of the regulations is repealed and the following subsection substituted:
- (1)** The final date for harvest in a crop year must be 1 of the following:
    - (a) November 6 for all varieties of apples;
    - (b) October 23 for all varieties of pears;
    - (c) September 30 for all varieties of peaches;
    - (d) a date determined by the Commission.
- 8 Subsection 26(4) is repealed and the following subsection substituted:
- (4)** Each pound of fresh or processing apples that is lost in storage and for which an insured person is eligible to make a claim pursuant to subsection (2) must be valued at 80% of its established price in the insured person’s production guarantee report.