

Royal



Gazette

Part II Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 41/2010

Made: March 2, 2010

Filed: March 4, 2010

Proclamation, S. 2, S.N.S. 2009, c. 17

Order in Council 2010-100 dated March 2, 2010

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 240 of the Revised Statutes, 1989, the Judicature Act

The Governor in Council on the report and recommendation of the Minister of Justice dated February 2, 2010, and pursuant to Section 2 of Chapter 17 of the Acts of 2009, *An Act to Amend Chapter 240 of the Revised Statutes, 1989, the Judicature Act*, is pleased to order and declare by proclamation that Chapter 17 of the Acts of 2009, *An Act to Amend Chapter 240 of the Revised Statutes, 1989, the Judicature Act*, do come into force on and not before March 2, 2010.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

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 2 of Chapter 17 of the Acts of 2009, *An Act to Amend Chapter 240 of the Revised Statutes, 1989, the Judicature Act*, it is enacted as follows:

- 2 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 Chapter 17 of the Acts of 2009, *An Act to Amend Chapter 240 of the Revised Statutes, 1989, the Judicature Act*, do come into force on and not before March 2, 2010;

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 of Chapter 17 of the Acts of 2009, *An Act to Amend Chapter 240 of the Revised Statutes, 1989, the Judicature Act*, do come into force on and not before March 2, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 2nd day of March in the year of Our Lord two thousand and ten and in the fifty-ninth[ninth] year of Our Reign.

BY COMMAND:

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

N.S. Reg. 42/2010

Made: March 9, 2010

Filed: March 11, 2010

Proclamation, S. 10, S.N.S. 2006, c. 16

Order in Council 2010-105 dated March 9, 2010
Proclamation made by the Governor in Council
pursuant to Section 10 of the
Justice Administration Amendment (Fall 2006) Act

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated February 4, 2010, and pursuant to Section 10 of Chapter 16 of the Acts of 2006, the *Justice Administration Amendment (Fall 2006) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 6 and 9 of Chapter 16 of the Acts of 2006, the *Justice Administration Amendment (Fall 2006) Act*, do come into force on and not before March 15, 2010.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

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 10 of Chapter 16 of the Acts of 2006, the *Justice Administration Amendment (Fall 2006) Act*, it is enacted as follows:

- 10** 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 Sections 6 and 9 of Chapter 16 of the Acts of 2006, the *Justice Administration Amendment (Fall 2006) Act*, do come into force on and not before March 15, 2010;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 6 and 9 of Chapter 16 of the Acts of 2006, the *Justice Administration Amendment (Fall 2006) Act*, do come into force on and not before March 15, 2010, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 9th day of March in the year of Our Lord two thousand and ten and in the fifty-ninth[ninth] year of Our Reign.

BY COMMAND:

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

N.S. Reg. 43/2010

Made: March 9, 2010

Filed: March 11, 2010

Extinguishment of Public Highways Procedure Regulations

Order in Council 2010-106 dated March 9, 2010
Regulations made by the Governor in Council
pursuant to subsection 18(1A) of the *Public Highways Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated February 4, 2010, and pursuant to subsection 18(1A) of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act*, is pleased to make regulations respecting the authorization of the Minister to extinguish the right of the public to use any highway or part thereof in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 15, 2010.

Schedule "A"**Regulations Respecting the Authorization of the Minister to Extinguish the Right of the Public to Use a Highway or any Part of a Highway made by the Governor in Council pursuant to subsection 18(1A) of Chapter 371 of the Revised Statutes of 1989, the *Public Highway[s] Act*****Citation**

1 These regulations may be cited as the *Extinguishment of Public Highways Procedure Regulations*.

Definitions

2 In these regulations,

- (a) "Act" means the *Public Highways Act*;
- (b) "Minister" means the Minister of Transportation and Infrastructure Renewal.

Minister has authority to extinguish

3 The Minister may extinguish the public's right to use a highway or any part of a highway in accordance with these regulations.

Conditions on extinguishing

4 To extinguish the public's right to use a highway or any part of a highway, the Minister must be satisfied that all of the following conditions are met:

- (a) the highway is no longer required as part of the public highway system;
- (b) the extinguishment will not result in any person losing access to their property.

Executive Council notified of proposed extinguishment

5 The Minister must notify the Executive Council in writing of any proposed extinguishment under these regulations at least 1 week before making the extinguishment.

N.S. Reg. 44/2010

Made: March 9, 2010

Filed: March 11, 2010

Transportation and Infrastructure Renewal Ministerial
Land Disposition Transactions RegulationsOrder in Council 2010-107 dated March 9, 2010
Regulations made by the Governor in Council
pursuant to Section 6 of the *Court and Administrative Reform Act*

The Governor in Council on the report and recommendation of the Ministers of Transportation and Infrastructure Renewal and Justice dated January 14, 2010, and pursuant to Section 6 of Chapter 23 of the Acts of 1996, the *Court and Administrative Reform Act*, is pleased to make regulations respecting the disposition of real property or an interest in real property by the Minister of Transportation and Infrastructure Renewal under the *Surplus Crown Property Disposal Act*, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 15, 2010.

Schedule “A”**Regulations Respecting Transportation and Infrastructure Renewal
Ministerial Land Disposition Transactions
made by the Governor in Council pursuant to Section 6 of Chapter 23 of
the Acts of 1996, the *Court and Administrative Reform Act*****Citation**

1 These regulations may be cited as the *Transportation and Infrastructure Renewal Ministerial Land Disposition Transactions Regulations*.

Definitions

2 In these regulations,

- (a) “Act” means the *Court and Administrative Reform Act*;
- (b) “Department” means the Department of Transportation and Infrastructure Renewal; and
- (c) “Minister” means the Minister of Transportation and Infrastructure Renewal.

Assignment of authority

3 In accordance with the Act, the Minister is hereby assigned the authority to dispose of real property or interests in real property under the *Surplus Crown Property Disposal Act*.

Purpose of regulations

4 The purpose of these regulations is to provide, in accordance with Section 3 of the Act, the procedures to govern the disposition of real property or interests in real property by the Minister under the *Surplus Crown Property Disposal Act*.

Limitations on dispositions

5 Dispositions of real property or interests in real property made by the Minister under these regulations are subject to the following limitations:

Surplus Crown Property Disposal Act Reference	Transaction	Limitation
Subsection 11(1)	disposition of surplus real estate or interest in surplus real estate by way of deed or conveyance other than lease, easement or right of way	not to exceed \$25 000 in value
Subsection 11(1)	disposition of surplus real estate or any interest in surplus real estate by way of lease	not to exceed 10 ha
Subsection 11(1)	disposition by way of easement or right of way with respect to surplus real estate upon such terms or conditions as the Minister considers appropriate	not to exceed \$25 000 in value

Market value requirement and prohibitions

- 6 (1) A disposition made by the Minister under these regulations must be based on market value.
- (2) The Minister must not sell real property at less than market value without the approval of the Governor in Council.

Acceptable methods of sale

- 7 When the Minister disposes of real property under these regulations by way of sale, any of the following are acceptable methods of sale:
- (a) public tender;
 - (b) draw;
 - (c) listing with a licensed real estate agent;
 - (d) sale directly by government;
 - (e) court-ordered sale.

Conflict of interest

- 8 (1) Each non-governmental party to a disposition by the Minister under these regulations is required to provide a declaration stating that they are not related to the Minister, the Deputy Minister or any senior official in the Department.
- (2) If a non-governmental party to a disposition by the Minister under these regulations is a corporation, its duly authorized officials must execute and deliver to the Department a statutory declaration stating that the corporation has no financial relationship with the Minister, Deputy Minister or senior officials of the Department, and that the Minister, Deputy Minister and senior officials are not major shareholders in the corporation.
- (3) If a party to a disposition by the Minister under these regulations is related to the Minister, Deputy Minister or any senior official of the Department, the transaction is subject to the approval of the Governor in Council.

Identification of property as a significant wildlife habitat

- 9 (1) The Department must ask the Department of Natural Resources to review each proposed disposition of land or an interest in land under these regulations to determine whether the land has been

identified as a significant wildlife habitat and the Department of Natural Resources must advise the Department in writing whether the land has been identified as a significant wildlife habitat.

- (2) Real property that has been identified as a significant wildlife habitat must not be sold without the approval of the Governor in Council.

Public notice required

- 10 Public notice of dispositions made by the Minister under these regulations must be given through a detailed list in an annual report issued by the Department.

Notification to Executive Council

- 11 (1) One week before approving any disposition under these regulations, the Minister must provide the Executive Council with notice of the proposed transaction.
- (2) A notice under subsection (1) must include all of the following:
- (a) the name of the purchaser;
 - (b) the location and size of the property to be disposed of;
 - (c) the price of the proposed transaction.

N.S. Reg. 45/2010

Made: March 4, 2010

Filed: March 11, 2010

Prescribed Petroleum Products Prices

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

Order

NSUARB-GAS-W-10-10

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: Kulvinder S. Dhillon, P. Eng., Member

Order

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

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

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

Grade 1 Regular gasoline	58.1¢ per litre
Ultra-low-sulfur diesel oil	57.9¢ per litre

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

Gasoline:	
Grade 1	58.1¢ per litre
Grade 2	61.1¢ per litre
Grade 3	64.1¢ per litre
Ultra-low-sulfur diesel oil	57.9¢ per litre

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

Gasoline:	plus 0.6¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.5¢ per litre

And whereas a winter blending adjustment of plus 1.5¢ 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 5, 2010.

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

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

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

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 13% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	65.0	10.0	15.5	90.5	106.8	108.5	106.8	999.9
Mid-Grade Unleaded	68.0	10.0	15.5	93.5	110.2	111.9	110.2	999.9
Premium Unleaded	71.0	10.0	15.5	96.5	113.6	115.3	113.6	999.9
Ultra-Low-Sulfur Diesel	66.2	4.0	15.4	85.6	101.2	102.9	101.2	999.9
Zone 2								
Regular Unleaded	65.4	10.0	15.5	90.9	107.2	108.9	107.2	999.9
Mid-Grade Unleaded	68.4	10.0	15.5	93.9	110.6	112.3	110.6	999.9
Premium Unleaded	71.4	10.0	15.5	96.9	114.0	115.7	114.0	999.9
Ultra-Low-Sulfur Diesel	66.6	4.0	15.4	86.0	101.7	103.4	101.7	999.9
Zone 3								
Regular Unleaded	65.9	10.0	15.5	91.4	107.8	109.5	107.8	999.9
Mid-Grade Unleaded	68.9	10.0	15.5	94.4	111.2	112.9	111.2	999.9
Premium Unleaded	71.9	10.0	15.5	97.4	114.6	116.3	114.6	999.9
Ultra-Low-Sulfur Diesel	67.1	4.0	15.4	86.5	102.3	104.0	102.3	999.9
Zone 4								
Regular Unleaded	65.9	10.0	15.5	91.4	107.8	109.5	107.8	999.9
Mid-Grade Unleaded	68.9	10.0	15.5	94.4	111.2	112.9	111.2	999.9
Premium Unleaded	71.9	10.0	15.5	97.4	114.6	116.3	114.6	999.9
Ultra-Low-Sulfur Diesel	67.1	4.0	15.4	86.5	102.3	104.0	102.3	999.9
Zone 5								
Regular Unleaded	65.9	10.0	15.5	91.4	107.8	109.5	107.8	999.9
Mid-Grade Unleaded	68.9	10.0	15.5	94.4	111.2	112.9	111.2	999.9
Premium Unleaded	71.9	10.0	15.5	97.4	114.6	116.3	114.6	999.9
Ultra-Low-Sulfur Diesel	67.1	4.0	15.4	86.5	102.3	104.0	102.3	999.9
Zone 6								
Regular Unleaded	66.7	10.0	15.5	92.2	108.7	110.4	108.7	999.9
Mid-Grade Unleaded	69.7	10.0	15.5	95.2	112.1	113.8	112.1	999.9
Premium Unleaded	72.7	10.0	15.5	98.2	115.5	117.2	115.5	999.9
Ultra-Low-Sulfur Diesel	67.9	4.0	15.4	87.3	103.2	104.9	103.2	999.9

N.S. Reg. 46/2010

Made: March 11, 2010

Filed: March 12, 2010

Prescribed Petroleum Products Prices

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

Order**NSUARB-GAS-W-10-11****In the Matter of the *Petroleum Products Pricing Act*****- and -****In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations*****Before:** Murray E. Doehler, CA, P. Eng., Member**Order**

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

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

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

Grade 1 Regular gasoline	58.1¢ per litre
Ultra-low-sulfur diesel oil	57.9¢ per litre

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

Gasoline:	
Grade 1	58.1¢ per litre
Grade 2	61.1¢ per litre
Grade 3	64.1¢ per litre
Ultra-low-sulfur diesel oil	57.9¢ per litre

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

Gasoline:	plus 1.4¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.3¢ per litre

And whereas a winter blending adjustment of plus 1.7¢ 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 12, 2010.

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

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

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

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 13% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	66.9	10.0	15.5	92.4	108.9	110.6	108.9	999.9
Mid-Grade Unleaded	69.9	10.0	15.5	95.4	112.3	114.0	112.3	999.9
Premium Unleaded	72.9	10.0	15.5	98.4	115.7	117.4	115.7	999.9
Ultra-Low-Sulfur Diesel	66.2	4.0	15.4	85.6	101.2	102.9	101.2	999.9
Zone 2								
Regular Unleaded	67.3	10.0	15.5	92.8	109.4	111.1	109.4	999.9
Mid-Grade Unleaded	70.3	10.0	15.5	95.8	112.8	114.5	112.8	999.9
Premium Unleaded	73.3	10.0	15.5	98.8	116.2	117.9	116.2	999.9
Ultra-Low-Sulfur Diesel	66.6	4.0	15.4	86.0	101.7	103.4	101.7	999.9
Zone 3								
Regular Unleaded	67.8	10.0	15.5	93.3	109.9	111.6	109.9	999.9
Mid-Grade Unleaded	70.8	10.0	15.5	96.3	113.3	115.0	113.3	999.9
Premium Unleaded	73.8	10.0	15.5	99.3	116.7	118.4	116.7	999.9
Ultra-Low-Sulfur Diesel	67.1	4.0	15.4	86.5	102.3	104.0	102.3	999.9
Zone 4								
Regular Unleaded	67.8	10.0	15.5	93.3	109.9	111.6	109.9	999.9
Mid-Grade Unleaded	70.8	10.0	15.5	96.3	113.3	115.0	113.3	999.9
Premium Unleaded	73.8	10.0	15.5	99.3	116.7	118.4	116.7	999.9
Ultra-Low-Sulfur Diesel	67.1	4.0	15.4	86.5	102.3	104.0	102.3	999.9
Zone 5								
Regular Unleaded	67.8	10.0	15.5	93.3	109.9	111.6	109.9	999.9
Mid-Grade Unleaded	70.8	10.0	15.5	96.3	113.3	115.0	113.3	999.9
Premium Unleaded	73.8	10.0	15.5	99.3	116.7	118.4	116.7	999.9
Ultra-Low-Sulfur Diesel	67.1	4.0	15.4	86.5	102.3	104.0	102.3	999.9
Zone 6								
Regular Unleaded	68.6	10.0	15.5	94.1	110.9	112.5	110.9	999.9
Mid-Grade Unleaded	71.6	10.0	15.5	97.1	114.2	115.9	114.2	999.9
Premium Unleaded	74.6	10.0	15.5	100.1	117.6	119.3	117.6	999.9
Ultra-Low-Sulfur Diesel	67.9	4.0	15.4	87.3	103.2	104.9	103.2	999.9