

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. 144/2017 to 145/2017

Made: May 15, 2017

Approved: October 4, 2017

Filed: October 4, 2017

Cattle Marketing Plan–replacement;

Delegation of Regulation-making Powers to the Nova Scotia Cattle Producers Regulations

Order in Council 2017-236 dated October 4, 2017

Replacement of regulations and new regulations made by the Natural Products Marketing Council
and approved by the Governor in Council
pursuant to Section 11 of the *Natural Products Marketing Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated August 1, 2017, and pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, is pleased, effective on and after October 4, 2017, to

- (a) approve the making by the Natural Products Marketing Council of amendments to the *Nova Scotia Cattle Marketing Plan*, N.S. Reg. 211/2004, made by the Natural Products Marketing Council and approved by the Governor in Council by Order in Council 2004-385 dated September 23, 2004, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) approve the making by the Natural Products Marketing Council of separate regulations providing for the delegation currently included in the *Nova Scotia Cattle Marketing Plan* of certain of the Council’s powers to the Cattle Producers Commodity Board in the form set forth in Schedule “B” attached to and forming part of the report and recommendation.

N.S. Reg. 144/2017

Cattle Marketing Plan–replacement

Schedule “A”**Natural Products Marketing Council
Cattle Marketing Plan**

I certify that the Natural Products Marketing Council, at its meeting on May 15, 2017, pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, having received evidence satisfactory to the Council that the amendments to the plan have the support of at least 2/3 of the producers voting at the annual producers’ meeting, carried a motion to amend the *Nova Scotia Cattle Marketing Plan*, N.S. Reg. 211/2004, made by the Natural Products Council and approved by Order in Council 2004-385 dated September 23, 2004, in the manner set forth in the attached.

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

Signed at Truro, in Colchester County, Nova Scotia, on June 26, 2017.

Natural Products Marketing Councilper: sgd: *E. A. Crouse*

Elizabeth A. Crouse, P.Ag.

General Manager

**Regulations Respecting a Marketing Plan for Nova Scotia Cattle Producers
made by the Natural Products Marketing Council under Section 11
of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act***

Interpretation

Citation

1 These regulations may be cited as the *Cattle Marketing Plan*.

Definitions

2 In this Plan,

“Act” means the *Natural Products Act*;

“Agency” means the Canadian Beef Cattle Research, Market Development and Promotion Agency, established under section 39 of the *Farm Products Agencies Act* (Canada);

“beef cattle” means animals of the species *Bos taurus* that are raised or marketed for meat processing;

“Cattle Producers Commodity Board” means the Nova Scotia Cattle Producers, a commodity board continued in accordance with this Plan and elected in accordance with this Plan to administer this Plan;

“Chair” means the Chair of the Cattle Producers Commodity Board;

“code of conduct” means the code of conduct established under Section 7;

“designated representative” means a natural person designated under Section 6 by a licensee to represent the licensee;

“drover” means a person who purchases 1 or more beef cattle and resells the cattle within 21 days;

“former Plan” means the *Nova Scotia Cattle Marketing Plan*, N.S. Reg. 211/2004;

“general meeting” means a meeting of the licensees and may be an annual general meeting or a special general meeting;

“licensee” means a person licensed under the *Cattle Producers Marketing Regulations* made under the Act;

“licensee meeting” means a livestock dealers and processors meeting, a general meeting or a zone meeting;

“livestock dealer” means a person who acts as an agent in buying or selling beef cattle and includes a drover and a public auction operator;

“livestock dealers and processors meeting” means a meeting of licensed livestock dealers and ~~licenced~~ [licensed] processors;

“member” means a member of the Cattle Producers Commodity Board;

“Past Chair” means the past Chair of the Cattle Producers Commodity Board;

“person” includes all of the following:

- (i) a natural person,
- (ii) a corporation,
- (iii) a partnership,
- (iv) a trust or estate;

“process” means:

- (i) to slaughter beef cattle, or
- (ii) to alter the nature, size, quality or condition of beef cattle carcasses by mechanical means or otherwise;

“processor” means a person engaged in processing, and includes a slaughterhouse operator;

“producer” means a person who raises 1 or more beef cattle for longer than 21 consecutive days in the regulated area for the purpose of marketing;

“public auction operator” means a person who operates a public auction as a business;

“resident” means a person who is ordinarily resident in the Province;

“Vice-Chair” means the Vice-Chair of the Cattle Producers Commodity Board;

“zone” means a division of the regulated area, as set out in Section 4;

“zone meeting” in relation to a zone, means a meeting of the following licensees:

- (i) licensees who produce or process beef cattle in the zone, and
- (ii) livestock dealer licensees who are resident in the zone.

Regulated area and zones

3 (1) All of the Province is established as the regulated area for the purposes of this Plan.

(2) The regulated area is divided into 6 zones, as set out in the following table:

Zone	Area in Zone
Zone 1	<ul style="list-style-type: none"> • Richmond County • Inverness County • Cape Breton County • Victoria County
Zone 2	<ul style="list-style-type: none"> • Antigonish County • Guysborough County • Pictou County

Zone 3	<ul style="list-style-type: none"> • Cumberland County • the following areas in Colchester County: <ul style="list-style-type: none"> - the area north of both Cobequid Bay and Highway 104 - the area bounded by Cobequid Bay to the north, Shubenacadie River to the west, Highway 102 to the east, and from Green Oaks to Brookfield (Route 289) to the south
Zone 4	<ul style="list-style-type: none"> • Halifax County • the area in Colchester County not included in Zone 3 • the area in Hants County east of a line drawn from Selma to the Nine Mile River bridge in Nine Mile River
Zone 5	<ul style="list-style-type: none"> • Kings County • Annapolis County • the area in Hants County not included in Zone 4
Zone 6	<ul style="list-style-type: none"> • Digby County • Yarmouth County • Shelburne County • Queens County • Lunenburg County

Cattle Producers Commodity Board Membership

Cattle Producers Commodity Board continued

- 4 (1) The Cattle Producers Commodity Board is hereby continued to administer this Plan.
- (2) The Cattle Producers Commodity Board is made up of a maximum of 10 licensees, as follows, who meet the criteria in Section 8:
- (a) 6 members, with 1 member from each zone who is resident in that zone and is elected at a zone meeting from among and by the licensees at the meeting to represent that zone on the Board;
- (b) 1 member who is elected at a livestock dealers and processors meeting from among and by the licensees at the meeting;
- (c) 2 members, as members at large, who are elected at the annual general meeting from among and by the licensees at the meeting;
- (d) 1 member who is appointed by the Dairy Farmers of Nova Scotia.
- (3) Despite subsection (2), the incumbent Cattle Producers Commodity Board members elected under subsection 4(3) of the former Plan may complete their terms in office.
- (4) At the next annual general meeting after this Plan comes into force, the expiring member-at-large position is eliminated and replaced with the livestock dealer and processor position in clause (2)(b).

Cattle Producers Commodity Board term of office

- 5 (1) The term of office for an elected member is 3 years, beginning on the adjournment of the first annual general meeting after their election.
- (2) The term of office for the member appointed by the Dairy Farmers of Nova Scotia is 1 year, beginning on the date of the Cattle Producers Commodity Board annual general meeting.

- (3) An elected member may be re-elected for an additional 3-year consecutive term.
- (4) Except as provided in subsection (5), a person who has been a member for 2 consecutive terms must wait for 1 year before they are eligible for re-election or re-appointment as a member.
- (5) Subsection (4) does not apply if there is no candidate for the member's position, and in that case, despite Section 18, the incumbent member may be elected by acclamation.

Designated representatives

- 6 (1) A licensee that is not a natural person may designate 1 natural person to represent the licensee
- (a) at licensee meetings; and
 - (b) if the licensee is elected to the Cattle Producers Commodity Board, on the Board and at all meetings of the Board.
- (2) A licensee's designated representative must meet all of the following criteria:
- (a) they are a resident;
 - (b) they are a shareholder or partner of the licensee or employed by the licensee;
 - (c) they are an active participant in the performance of the business activity of the licensee;
 - (d) they are not a licensee.
- (3) Notice of any meetings that a licensee is eligible to attend may be sent to the designated representative of the licensee.
- (4) A licensee's designated representative may do any of the following:
- (a) sign a written request on behalf of the licensee for any type of meeting under this Plan;
 - (b) attend any meeting that the licensee is entitled to attend;
 - (c) be counted as the licensee that they represent when a quorum is being determined;
 - (d) vote on any resolution on behalf of the licensee.

Code of conduct

- 7 The Cattle Producers Commodity Board must establish a code of conduct that applies to and is binding on all its members.

Cattle Producers Commodity Board membership

- 8 (1) A member of the Cattle Producers Commodity Board must meet all of the following criteria:
- (a) they must be a licensee;
 - (b) they must reside and carry on business in the regulated area;
 - (c) they must agree to comply with the code of conduct and sign a copy of the code of conduct to indicate their agreement.

- (2) A licensee may have only 1 designated representative representing them on the Cattle Producers Commodity Board.
- (3) A natural person may not hold more than 1 position on the Cattle Producers Commodity Board.

Member may be removed

- 9 (1) The Cattle Producers Commodity Board may remove a member from the Board for any of the following reasons:
- (a) conviction of [for] an offence under the Act or regulations made under the Act;
 - (b) conviction of [for] an offence under the *Criminal Code* (Canada);
 - (c) failure to attend 3 consecutive meetings of the Board without reasonable cause;
 - (d) failure to abide by the code of conduct.
- (2) A decision to remove a member under subsection (1) requires a 2/3 majority vote of the remaining members, in a vote held by secret ballot.
- (3) Subsections (1) and (2) apply to a designated representative, and if a designated representative of a licensee is removed under subsection (1), the licensee's membership is deemed to be vacated and the vacancy may be filled in accordance with Section 10.

Vacancies on Cattle Producers Commodity Board

- 10 (1) No later than 6 weeks after the Chair of the Cattle Producers Commodity Board becomes aware of the death, resignation or removal of an elected member during the member's term in office,
- (a) the remaining members may appoint a licensee who meets the requirements for membership in Section 8 to fill the vacancy until the election of a new member is held in accordance with Sections 13 to 17; and
 - (b) the Chair must provide written notice to each licensee by fax, post, or e-mail that includes all of the following information:
 - (i) that a member has died, resigned or been removed from office,
 - (ii) if an appointment has been made under clause (a), that the remaining members have appointed a licensee to fill the vacant position,
 - (iii) that a nomination period has opened to fill the vacant position by election
 - (A) at a meeting held for that purpose in accordance with subsection 15(1), for a member to represent a zone or the livestock dealers licensees and processor licensees; or
 - (B) at the next annual general meeting in accordance with subsection 15(2), for a member at large.
- (2) If a member's designated representative ceases to be their designated representative, the member must vacate their membership and the vacancy may be filled in accordance with subsection (1).

Cattle Producers Commodity Board Elections

Appointment of an agent

11 The Cattle Producers Commodity Board may appoint an agent to conduct all or a part of an election for membership on the Board.

Eligibility for nomination

- 12** (1) Any licensee who meets the requirements for membership in Section 8 may be nominated to stand in a Cattle Producers Commodity Board election.
- (2) A licensee nominated under subsection (1) must sign the code of conduct before their name may be entered as a candidate.
- (3) A licensee may be nominated by any of the following methods:
- (a) through a nomination process described in Sections 13, 14 ~~or~~ [and] 15;
 - (b) from the floor at the meeting at which the election is held.

Nomination of candidates for election as members

- 13** (1) The Cattle Producers Commodity Board must issue a call for nominations for an election of a member no later than October 31.
- (2) A call for nominations issued under subsection (1) must be issued to
- (a) for election of a member to represent a zone, all licensees in the zone;
 - (b) for election of a member to represent the livestock dealers licensees and processor licensees, all livestock dealers licensees and processor licensees; and
 - (c) for election of members at large, all licensees.
- (3) The nomination period for election of a member is from November 1 to November 30.

Announcement of nominees for vacant positions

- 14** (1) No later than December 15, the Cattle Producers Commodity Board must announce the nominee for each vacant position for an elected member, other than a member at large, and issue a notice of a meeting to elect the member.
- (2) In the notice for the next annual general meeting after the nomination period in Section 13, the Cattle Producers Commodity Board must announce the nominee for each vacant position for an elected member at large and the nominee's designated representative, if any.

Election of members

- 15** (1) The Cattle Producers Commodity Board must hold an election before the annual general meeting to fill any vacant position for a member to represent
- (a) a zone, at a zone meeting for the zone held for that purpose;
 - (b) the livestock dealers licensees and processor licensees, at a livestock dealers and processors meeting held for that purpose.
- (2) At the next annual general meeting after the nomination period in Section 13, the Cattle Producers

Commodity Board must hold an election to elect a member to fill any vacant position for a member at large.

- (3) An election held to elect a member must be held by secret ballot.

Tied result in election

- 16 (1) If an election vote results in a tie, there must a 2nd round of election voting.
 - (2) If a 2nd round of election voting results in a tie, there must be a 3rd round of election voting.
 - (3) If a 3rd round of election voting results in a tie, the winner must be determined by flipping a coin.

Election by acclamation

- 17 If there is only 1 candidate for a vacant member position, that candidate must be acclaimed as a member to fill the vacancy.

If no votes cast or no candidate to fill vacancy

- 18 The Cattle Producers Commodity Board must follow the procedure outlined in Section 10 to fill a vacant member position if either of the following occur:
 - (a) no votes are cast in an election for a vacant member position;
 - (b) there is no candidate to fill a vacant member position.

Cattle Producers Commodity Board Executive, Employees and Committees

Cattle Producers Commodity Board executive

- 19 (1) The Cattle Producers Commodity Board must hold a meeting no later than 2 weeks after the date of the annual general meeting, and at that meeting elect all of the following from among its members:
 - (a) a chair, who is also the Board's representative on the Agency's board of directors unless unwilling or unable to do so;
 - (b) a vice-chair, who is also the Board's representative on the Canadian ~~Cattleman's~~ [Cattlemen's] Association's board of directors unless unwilling or unable to do so;
 - (c) if necessary, the Board's representative on
 - (i) the Agency's board of directors, and
 - (ii) the Canadian ~~Cattleman's~~ [Cattlemen's] Association's board of directors;
 - (d) 1 or more officers as the Board considers necessary.
- (2) The Cattle Producers Commodity Board may assign 1 or more duties to any officer elected under clause (1)(d), including a duty to represent the Board in any specific transaction or activity.
- (3) A Past Chair who is no longer a member of the Cattle Producers Commodity Board following the annual general meeting may serve on the Board as an *ex officio* member for no longer than 1 year following the end of their term.

Cattle Producers Commodity Board may appoint committees

20 The Cattle Producers Commodity Board may appoint committees to assist in implementing this Plan and developing or implementing other regulations made under the Act to regulate beef cattle production and marketing.

Duties of Chair

21 The Chair is responsible for all of the following:

- (a) calling Cattle Producers Commodity Board meetings and licensee meetings;
- (b) presiding at Cattle Producers Commodity Board meetings and licensee meetings;
- (c) representing the Cattle Producers Commodity Board in all transactions and activities except those for which another person has been appointed by the Board.

Duties of Vice-Chair

22 The Vice-Chair is responsible for all of the following:

- (a) carrying out the duties of the Chair in clauses 21(a) and (b) in the absence of the Chair;
- (b) performing duties assigned by the Chair or by the Cattle Producers Commodity Board.

Duties of Past Chair

23 (1) A Past Chair of the Cattle Producers Commodity Board who is serving *ex officio* is responsible for all of the following:

- (a) attending Board meetings;
- (b) contributing to Board discussions.

(2) A Past Chair is not entitled to vote in any meeting referred to in subsection (1).

Cattle Producers Commodity Board management

24 (1) The Cattle Producers Commodity Board may engage a management service provider or employ staff, including a manager.

(2) A representative of a management service provider or manager may attend Cattle Producers Commodity Board meetings and licensee meetings as permitted by the Board, but is not entitled to vote at any meeting

Cattle Producers Commodity Board Meetings**Calling Cattle Producers Commodity Board meetings**

25 (1) The Cattle Producers Commodity Board must meet at least quarterly.

(2) A Cattle Producers Commodity Board meeting may take place in person or by conference call.

(3) A meeting of the Cattle Producers Commodity Board may be called in any of the following ways:

- (a) at the written request of 3 or more members submitted to the Chair;
- (b) at the Chair's discretion;

- (c) for an emergency meeting, by the Chair with the consent of at least a quorum of members;
 - (d) by the Chair at the close of an annual general meeting.
- (4) If a written request is received under clause (3)(a), the Chair must call a meeting no later than 30 days after the request is received.

Notice of Cattle Producers Commodity Board meetings

- 26 (1) Except as provided in this Section, the Chair must provide each member with at least 10 days' written notice, specifying the time and place or method of the meeting.
- (2) The Chair may call an emergency meeting with a minimum of 12 hours' notice with the consent of at least a majority of members.
- (3) Notice of a meeting of the Cattle Producers Commodity Board may be by any of the following methods:
- (a) post;
 - (b) fax;
 - (c) e-mail.

Cattle Producers Commodity Board and committee meeting—voting and quorums

- 27 (1) In the absence of the Chair and Vice-Chair at any meeting of the Cattle Producers Commodity Board, the members present must select, by majority vote, a member from among themselves to chair the meeting.
- (2) At a Cattle Producers Commodity Board meeting or a committee meeting,
- (a) each member, including the Chair, has 1 vote;
 - (b) a resolution is passed when a majority of the votes cast on the resolution are in favour of it; and
 - (c) if a vote on a resolution results in a tie, the motion is defeated.
- (3) At a Cattle Producers Commodity Board meeting, 6 members must be present to constitute a quorum.
- (4) At a committee meeting, a majority of the committee members must be present to constitute a quorum.

Licensee Meetings

Annual meetings required

- 28 (1) An annual general meeting must be held no later than April 30 in each year.
- (2) An annual zone meeting for each zone must be held before each annual general meeting.
- (3) An annual livestock dealers and processors meeting must be held before each annual general meeting.

Special general meetings

- 29 (1)** A special general meeting may be called in either of the following ways:
- (a) by the Cattle Producers Commodity Board, at its discretion;
 - (b) at a written request of licensees that meets the requirements in subsection (2).
- (2)** A written request under clause (1)(b) must state the purpose of the requested meeting and must be signed by at least 20 licensees.
- (3)** If a written request is received under clause (1)(b), the Cattle Producers Commodity Board must call a special general meeting to be held no later than 30 days after receiving the request.
- (4)** The agenda of a special general meeting may be set at the meeting by the majority of licensees present.

Notice of licensee meetings

- 30 (1)** The Cattle Producers Commodity Board must provide at least 10 days' written notice of a licensee meeting to each affected licensee that includes all of the following information:
- (a) the time and location within the Province of the meeting, as determined by the Cattle Producers Commodity Board;
 - (b) the purpose of the meeting, including
 - (i) copies of any special resolutions that are on the agenda, and
 - (ii) if the meeting will include an election to fill a vacant position for an elected member, in accordance with subsection 14(1), a statement of the names of any nominees for election to fill the position and their designated representatives;
 - (c) for an annual general meeting, in accordance with subsection 14(2), a statement of the number of vacant member-at-large positions and the names of any nominees for election to fill those positions, and their designated representatives.
- (2)** Notice of a licensee meeting may be made by any of the following methods:
- (a) post;
 - (b) fax;
 - (c) e-mail.

Mandatory business at annual general meeting

- 31** The agenda for an annual general meeting must include all of the following:
- (a) for the fiscal year that ended immediately before the year in which the meeting is held:
 - (i) the Cattle Producers Commodity Board's annual report to licensees, and
 - (ii) any financial reports of the Cattle Producers Commodity Board that are produced in accordance with Section 37;

- (b) the appointment of a public accountant under Section 37;
- (c) the election of members at large;
- (d) the approval of the operating budget for the fiscal year in which the meeting is held.

Submitting resolution for annual general meeting

- 32** (1) Before an annual general meeting, the Cattle Producers Commodity Board must appoint an *ad hoc* Resolutions Committee, and appoint 1 member of the Committee to act as the chair of the Committee.
- (2) Subject to any discretion exercised under subsection (3) or (4), a licensee must submit any resolution for an annual general meeting in writing to the Chair of the Resolutions Committee no later than 2 weeks before the annual general meeting.
- (3) A resolution submitted to the Resolutions Committee after the deadline under subsection (2) but before the annual general meeting may be accepted at the discretion of the Committee.
- (4) A resolution submitted from the floor of the annual general meeting may be accepted at the discretion of the Chair of the meeting.
- (5) A resolution that is accepted under subsection (4) must be presented to the secretary of the annual general meeting before it is presented to the meeting.

Voting on resolutions

- 33** (1) For a vote on a special resolution or a general resolution, 20 licensees must be present in person to constitute a quorum.
- (2) In a vote on a general resolution,
- (a) subject to subsection (4) respecting proxy voting, each licensee has 1 vote;
 - (b) the resolution is passed if a majority of the votes cast on the resolution are in favour of it; and
 - (c) the motion is defeated if the vote results in a tie.
- (3) In a vote on a special resolution,
- (a) subject to subsection (4) respecting proxy voting, each licensee has 1 vote;
 - (b) the resolution is passed if at least 2/3 of the votes cast on the resolution are in favour of it.
- (4) A proxy holder may vote on a resolution on behalf of a licensee only if all of the following requirements are met:
- (a) the licensee has designated the proxy holder in writing;
 - (b) the proxy holder votes only 1 proxy in addition to any vote they have as a licensee;
 - (c) the proxy is registered with the Cattle Producers Commodity Board at least 7 days before the meeting, on a form provided by the Board that includes all of the following information:
 - (i) date, time and location of the meeting the proxy is valid for,

- (ii) general subject of any resolution the proxy is valid for,
 - (iii) name and licence number of the producer who assigned the proxy,
 - (iv) name and, if a licensee, licence number of the proxy holder;
- (d) the proxy holder carries a duplicate of the proxy form required by clause (c) during the meeting the proxy is to be used at.

Special resolution for proposed Plan amendment

34 The Cattle Producers Commodity Board must not propose any amendment to this Plan to the Council unless the licensees have approved the proposed amendment by a special resolution.

Supervision of Plan

Fiscal year

- 35** (1) The fiscal year of the Cattle Producers Commodity Board is from January 1 to December 31.
- (2) Despite the fiscal year specified in subsection (1), the first fiscal year of the Cattle Producers Commodity Board under this Plan is from the date this Plan comes into force until December 31 in that year.

Copies of documents to Council

- 36** (1) The Cattle Producers Commodity Board must send a copy of any meeting minutes or Board order, direction or determination to the Council no later than 30 days after the following dates:
- (a) for minutes of meetings, the date they are approved by the Board;
 - (b) for orders, directions and determinations, the date they are made.
- (2) The Cattle Producers Commodity Board must make a copy of any of the following, other than any information that is required by law to be kept private, available to a licensee who requests a copy:
- (a) minutes of meetings;
 - (b) Board orders, directions and determinations.

Financial reporting of the Cattle Producers Commodity Board

- 37** (1) In this Section, “public accountant” means a public accountant licensed under the *Public Accountants Act*.
- (2) The Cattle Producers Commodity Board must keep proper books of account and submit to the licensees at each annual general meeting a financial report that has been audited or reviewed by an independent public accountant in accordance with the generally accepted auditing standards set out in the *CPA Canada Handbook - Assurance*, as amended from time to time.
- (3) The licensees must appoint an independent public accountant at each annual general meeting to hold office until the next annual meeting and direct that accountant to do one of the following in relation to the Board’s financial report:
- (a) for a fiscal year that ends with an even number, conduct an audit engagement;
 - (b) for a fiscal year that ends with an odd number, conduct an audit engagement or a review

engagement.

- (4) The Cattle Producers Commodity Board may engage a public accountant to audit the Board's books of account at any time.

N.S. Reg. 145/2017

Delegation of Regulation-making Powers to the Nova Scotia Cattle Producers Regulations

Schedule "B"

Natural Products Marketing Council

I certify that the Natural Products Marketing Council, at its meeting on May 15, 2017, pursuant to clause 11(d) of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, carried a motion to make regulations delegating certain of the Council's regulation-making powers under subsection 9(1) of the Act to the Nova Scotia Cattle Producers, as set forth in the attached.

The regulations set out in this schedule are effective on and after the date they are approved by the Governor in Council.

Signed at Truro, in Colchester County, Nova Scotia, on June 26, 2017.

Natural Products Marketing Council

per: sgd: *E. A. Crouse*
Elizabeth A. Crouse, P.Ag.
General Manager

**Delegation of Regulation-making Powers to the Nova Scotia Cattle Producers
made by the Natural Products Marketing Council under clause 11(d) of
Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act***

Citation

- 1 These regulations may be cited as the *Delegation of Regulation-making Powers to the Nova Scotia Cattle Producers Regulations*.

Definitions

- 2 (1) In these regulations,

“Act” means the *Natural Products Act*;

“Cattle Producers Commodity Board” means the Nova Scotia Cattle Producers, a body corporate continued under the Marketing Plan;

“Marketing Plan” means the *Cattle Marketing Plan* made under Section 11 of the Act.

- (2) A term defined in the Marketing Plan has the same meaning when used in these regulations.

Regulation-making powers delegated to Commodity Board

- 3 Pursuant to clause 11(d) of the Act, the Council delegates all of the following regulation-making powers under Section 9 of the Act to the Cattle Producers Commodity Board:

- (a) regulating and controlling the marketing or production of beef cattle in the Province (clause 9(1)(a) of the Act);
- (b) designating an agency or agencies through which beef cattle may be marketed in the Province (clause 9(1)(a) of the Act);
- (c) providing for licensing of persons engaged in the marketing or production of beef cattle (clause 9(1)(b) of the Act);
- (d) fixing licence fees payable to the Cattle Producers Commodity Board to use for the purpose of carrying out the Marketing Plan and the regulations, and providing for payment in instalments, provided that any such licence fees have received approval by general resolution at a licensee meeting (clause 9(1)(b) of the Act);
- (e) providing the form of licences and the terms and conditions upon which licences may be issued, renewed, suspended or revoked (clause 9(1)(e) of the Act);
- (f) providing for the making of returns or the furnishing of information by a person licensed to produce or market beef cattle (clause 9(1)(f) of the Act);
- (g) providing for the carrying out of the Marketing Plan (clause 9(1)(g) of the Act);
- (h) providing for the establishment of rates pursuant to clause 6(1)(fa) in respect of beef cattle, provided that any such rates have received approval by general resolution at a licensee meeting, and establishing procedures for the collection of such rates (clause 9(1)(ha) of the Act);
- (i) respecting licence fees, levies and charges payable in relation to the administration of the Marketing Plan and the regulations, provided that any such licence fees, levies and charges have received approval by general resolution at a licensee meeting (clause 9(1)(hb) of the Act).

Cattle Producers Commodity Board regulations require Council approval

- 4 Any regulations or changes to regulations made by the Cattle Producers Commodity Board under the regulation-making powers delegated by these regulations are subject to the approval of Council.

N.S. Reg. 146/2017

Made: April 12, 2017

Filed: October 6, 2017

Categorized List of Species at Risk—replacement

Order dated April 12, 2017

Replacement of regulations made by the Species-at-Risk Working Group
pursuant to Section 12 of the *Endangered Species Act*

Species-at-risk Working Group

I, Dr. J. Sherman Boates, Chair of the Species-at-risk Working Group (the “Group”) certify that the Group, at its meeting on April 12, 2017, pursuant to Section 12 of Chapter 11 of the Acts of 1998, the *Endangered Species Act*, issued an updated categorized list of species at risk in the form attached to this certificate as

Schedule “A”.

The updated categorized list of species at risk referred to in this certificate replaces the list of species at risk issued by the Group on March 26, 2013 (N.S. Reg. 21/2015).

Signed at Kentville, Nova Scotia, on 01/10, 2017.

Species-at-risk Working Group

per: sgd: *S. Boates*

Dr. J. Sherman Boates, Chair

Schedule “A”

Nova Scotia Species-at-risk Working Group Categorized List of Species at Risk

(Updated April 12, 2017)

Species Name	Scientific Name	Status	Year Added
Blanding’s turtle	<i>Emydoidea blandingii</i>	Endangered	2000
Eastern mountain avens	<i>Geumpeckii</i>	Endangered	2000
Harlequin duck	<i>Historonicus historonicus</i>	Endangered	2000
Pink coreopsis	<i>Coreopsis rosea</i>	Endangered	2000
Piping plover	<i>Charadrius melodius</i>	Endangered	2000
Roseate tern	<i>Sterna dougallii</i>	Endangered	2000
Thread-leaved sundew	<i>Drosera filiformis</i>	Endangered	2000
Sweet pepperbush	<i>Clethra alnifolia</i>	Vulnerable	2000
American marten (Cape Breton population)	<i>Martes americana</i>	Endangered	2001
Water pennywort	<i>Hydrocotyle umbellata</i>	Endangered	2001
Long’s bulrush	<i>Scirpus longii</i>	Vulnerable	2001
New Jersey rush	<i>Juncus caesariensis</i>	Vulnerable	2001
Atlantic whitefish	<i>Coregonus huntsmani</i>	Endangered	2002
Canada lynx	<i>Lynx canadensis</i>	Endangered	2002
Boreal felt lichen	<i>Erioderma pedicellatum</i>	Endangered	2003
Moose (mainland Nova Scotia population)	<i>Alces alces americana</i>	Endangered	2003
Eastern ribbonsnake	<i>Thamnophis sauritus</i>	Threatened	2003

Eelgrass limpet	<i>Lottia alveus alveus</i>	Extinct	2006
Great auk	<i>Pinguinus impennis</i>	Extinct	2006
Labrador duck	<i>Camptorynchus labradonius</i>	Extinct	2006
Passenger pigeon	<i>Ectopistes migratorius</i>	Extinct	2006
Sea mink	<i>Mustela macrodon</i>	Extinct	2006
Atlantic walrus	<i>Odobenus rosmarus</i>	Extirpated	2006
Eastern wolf	<i>Canis lupis</i>	Extirpated	2006
Woodland caribou	<i>Rangifer tarandus</i>	Extirpated	2006
Yellow lamp mussel	<i>Lampsilis cariosa</i>	Threatened	2006
Eastern lilaeopsis	<i>Lilaeopsis chinensis</i>	Vulnerable	2006
Eastern white cedar	<i>Thuja occidentalis</i>	Vulnerable	2006
Prototype quillwort	<i>Isoetes prototypus</i>	Vulnerable	2006
Chimney swift	<i>Chaetura pelagica</i>	Endangered	2007
Ram's-head lady slipper	<i>Cypripedium arietinum</i>	Endangered	2007
Red knot	<i>Calidris canutus rufa</i>	Endangered	2007
Rockrose (Canada frostweed)	<i>Helianthemum canadense</i>	Endangered	2007
Common nighthawk	<i>Chordeiles minor</i>	Threatened	2007
Peregrine falcon	<i>Falco peregrinus anatum</i>	Vulnerable	2007
Barn swallow	<i>Hirundo rustica</i>	Endangered	2013
Bicknell's thrush	<i>Catharus bicknelli</i>	Endangered	2013
Canada warbler	<i>Cardellina canadensis</i>	Endangered	2013
Hoary willow	<i>Salix candida</i>	Endangered	2013
Little brown myotis	<i>Myotis lucifugus</i>	Endangered	2013
Macropis cuckoo bee	<i>Epeoloides pilosulus</i>	Endangered	2013
Northern myotis	<i>Myotis septentrionalis</i>	Endangered	2013
Plymouth gentian	<i>Sabatia kennedyana</i>	Endangered	2013
Rusty blackbird	<i>Euphagus carolinus</i>	Endangered	2013
Tri-colored bat	<i>Perimyotis subjlavus</i>	Endangered	2013
Vole ears	<i>Erioderma mollissimum</i>	Endangered	2013
Black ash	<i>Fraxinus nigra</i>	Threatened	2013
Brook floater	<i>Alasmidonta varicosa</i>	Threatened	2013

Eastern baccharis	<i>Baccharis hamilifolia</i>	Threatened	2013
Eastern whip-poor-will	<i>Antrostomus vociferus</i>	Threatened	2013
Olive-sided flycatcher	<i>Contopus cooperi</i>	Threatened	2013
Wood turtle	<i>Clemmys insculpta</i>	Threatened	2013
Blue felt lichen	<i>Degelia plumbea</i>	Vulnerable	2013
Bobolink	<i>Dolichonyx oryzivorus</i>	Vulnerable	2013
Eastern wood peewee	<i>Contopus virens</i>	Vulnerable	2013
Golden crest	<i>Lophiola aurea</i>	Vulnerable	2013
Redroot	<i>Lachnanthes caroliana</i>	Vulnerable	2013
Snapping turtle	<i>Chelydra serpentina</i>	Vulnerable	2013
Spotted pondweed	<i>Potamogeton pulcher</i>	Vulnerable	2013
Tubercled spikerush	<i>Eleocharis tuberculosa</i>	Vulnerable	2013
Bank swallow	<i>Riparia riparia</i>	Endangered	2017
Gypsy cuckoo bumble bee	<i>Bombus bohemicus</i>	Endangered	2017
Monarch	<i>Danaus plexippus</i>	Endangered	2017
Tall beakrush	<i>Rhynchospora macrostachya</i>	Endangered	2017
Transverse lady beetle	<i>Coccinella transversoguttata</i>	Endangered	2017
Evening Grosbeak	<i>Coccothraustes vespertinus</i>	Special concern	2017
Yellow-banded bumble bee	<i>Bombus terricola</i>	Special concern	2017
Black foam lichen	<i>Anzia colpodes</i>	Threatened	2017
Eastern water fan	<i>Peltigera hydrothyria</i>	Threatened	2017
Sable Island sweat bee	<i>Lasioglossum sablense</i>	Threatened	2017
Wrinkled shingle lichen	<i>Pannaria lurida</i>	Threatened	2017

N.S. Reg. 147/2017

Made: May 15, 2017

Filed: October 6, 2017

Delegation of General Powers to the Nova Scotia Cattle Producers Regulations

Order dated May 15, 2017

Regulations made by the Natural Products Marketing Council
pursuant to subsection 6(2) of the *Natural Products Act***Natural Products Marketing Council**

I certify that the Natural Products Marketing Council, at its meeting on May 15, 2017, pursuant to subsection 6(2) of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, carried a motion to make regulations delegating certain of the Council's powers under subsection 6(1) of the Act to the Nova Scotia Cattle Producers, as set forth in Schedule "A", effective on and after October 4, 2017.

Signed at Truro, in Colchester County, Nova Scotia, on October 5, 2017.

Natural Products Marketing Council

per: sgd: *E. A. Crouse*

Elizabeth A. Crouse, P.Ag.

General Manager

Schedule "A"**Delegation of General Powers to the Nova Scotia Cattle Producers
made by the Natural Products Marketing Council under subsection 6(2) of
Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*****Citation**

- 1 These regulations may be cited as the *Delegation of General Powers to the Nova Scotia Cattle Producers Regulations*.

Definitions

- 2 In these regulations,

"Act" means the *Natural Products Act*;

"beef cattle" means beef cattle as defined in the Marketing Plan;

"Cattle Producers Commodity Board" means the Nova Scotia Cattle Producers, a body corporate continued under the Marketing Plan;

"Marketing Plan" means the *Cattle Marketing Plan* made under Section 11 of the Act.

Delegation of general powers

- 3 Pursuant to subsection 6(2) of the Act, the Council delegates the power to do all of the following to the Cattle Producers Commodity Board, subject to the supervision of Council:

- (a) investigate the cost of producing, distributing and transporting beef cattle, prices, price spreads, trade practices, methods of financing, management, grading, policies and other

- matters relating to the marketing or production of beef cattle (clause 6(1)(b) of the Act);
- (b) do such acts, make such orders and issue such directions as are necessary to enforce the Act, the Marketing Plan and the *Cattle Producers Marketing Regulations* made under the Act (clause 6(1)(c) of the Act);
 - (c) borrow money for the purposes of carrying out any provision of the Plan (clause 6(1)(e) of the Act);
 - (d) stimulate, increase and improve the marketing or production of beef cattle for the purpose of carrying out the Marketing Plan (clause 6(1)(f) of the Act);
 - (e) exempt from the Marketing Plan any person or class of persons engaged in the production or marketing of beef cattle, or the production or marketing of a class, variety or grade of beef cattle (clause 6(1)(h) of the Act);
 - (f) establish and implement promotional and research programs for the purpose of stimulating, increasing, promoting and improving the marketing of beef cattle and recover all expenses incurred by levying and collecting a rate on persons engaged in the production or marketing of beef cattle (clause 6(1)(fa) of the Act);
 - (g) require persons engaged in the production or marketing of beef cattle to register their names, addresses and occupations with the Cattle Producers Commodity Board (clause 6(1)(i) of the Act);
 - (h) require persons engaged in the production or marketing of beef cattle to register the quantity of beef cattle produced or marketed by them with the Cattle Producers Commodity Board (clause 6(1)(i) of the Act);
 - (i) require persons engaged in the production or marketing of beef cattle to furnish such additional information in regard to beef cattle as the Cattle Producers Commodity Board may determine (clause 6(1)(i) of the Act);
 - (j) inspect the books and premises of persons engaged in the production or marketing of beef cattle (clause 6(1)(i) of the Act);
 - (k) require, by order, any persons who are engaged in marketing or the production of beef cattle to deduct from any amount payable by them to any other person engaged in the production or marketing of beef cattle any amount payable to the Cattle Producers Commodity Board by such other persons by way of licence fees, levies or charges provided for in a plan and to remit all amounts so deducted to the Cattle Producers Commodity Board (clause 6(1)(j) of the Act);
 - (l) require the person in charge of any vehicle thought to be conveying beef cattle to stop the vehicle and to permit any person appointed by the Council for such purpose to inspect the vehicle and its contents (clause 6(1)(k) of the Act);
 - (m) co-operate with any board or agency, established under any federal Act or any provincial Act, to market or promote, facilitate, control, regulate or prohibit the marketing or production of beef cattle and to act jointly with any such board or agency (clause 6(1)(l) of the Act);
 - (n) prohibit any person, other than the Council or the Cattle Producers Commodity Board from marketing or producing beef cattle (clause 6(1)(m) of the Act);

- (o) require the furnishing of security or proof of financial responsibility by any person engaged in the marketing or production of beef cattle (clause 6(1)(n) of the Act).

N.S. Reg. 148/2017

Made: October 5, 2017

Filed: October 6, 2017

Prescribed Petroleum Products Prices

Order dated October 5, 2017
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**M08319****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: Steven M. Murphy, MBA, P.Eng., 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 October 4, 2017, are:

Grade 1 Regular gasoline	54.1¢ per litre
Ultra-low-sulfur diesel oil	58.8¢ per litre

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

Gasoline:

Grade 1	54.1¢ per litre
Grade 2	57.1¢ per litre
Grade 3	60.1¢ per litre
Ultra-low-sulfur diesel oil	58.8¢ per litre

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

Gasoline: minus 1.3¢ per litre
 Ultra-low-sulfur diesel oil: plus 0.5¢ per litre

And whereas a winter blending adjustment of plus 1.1¢ 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., October 6, 2017.

Dated at Halifax, Nova Scotia, this 5th day of October, 2017.

sgd: *Doreen Friis*
 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 October 6, 2017**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices (Pump Prices includes 15% HST)		Full-Service Pump Prices	
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	60.1	10.0	15.5	85.6	104.3	106.5	104.3	999.9
Mid-Grade Unleaded	63.1	10.0	15.5	88.6	107.8	109.9	107.8	999.9
Premium Unleaded	66.1	10.0	15.5	91.6	111.2	113.4	111.2	999.9
Ultra-Low-Sulfur Diesel	67.6	4.0	15.4	87.0	105.9	108.1	105.9	999.9
Zone 2								
Regular Unleaded	60.6	10.0	15.5	86.1	104.9	107.1	104.9	999.9
Mid-Grade Unleaded	63.6	10.0	15.5	89.1	108.3	110.5	108.3	999.9
Premium Unleaded	66.6	10.0	15.5	92.1	111.8	114.0	111.8	999.9
Ultra-Low-Sulfur Diesel	68.1	4.0	15.4	87.5	106.5	108.7	106.5	999.9
Zone 3								
Regular Unleaded	61.0	10.0	15.5	86.5	105.3	107.5	105.3	999.9
Mid-Grade Unleaded	64.0	10.0	15.5	89.5	108.8	111.0	108.8	999.9
Premium Unleaded	67.0	10.0	15.5	92.5	112.2	114.4	112.2	999.9
Ultra-Low-Sulfur Diesel	68.5	4.0	15.4	87.9	107.0	109.1	107.0	999.9
Zone 4								
Regular Unleaded	61.1	10.0	15.5	86.6	105.5	107.6	105.5	999.9
Mid-Grade Unleaded	64.1	10.0	15.5	89.6	108.9	111.1	108.9	999.9
Premium Unleaded	67.1	10.0	15.5	92.6	112.4	114.5	112.4	999.9
Ultra-Low-Sulfur Diesel	68.6	4.0	15.4	88.0	107.1	109.2	107.1	999.9
Zone 5								
Regular Unleaded	61.1	10.0	15.5	86.6	105.5	107.6	105.5	999.9
Mid-Grade Unleaded	64.1	10.0	15.5	89.6	108.9	111.1	108.9	999.9
Premium Unleaded	67.1	10.0	15.5	92.6	112.4	114.5	112.4	999.9
Ultra-Low-Sulfur Diesel	68.6	4.0	15.4	88.0	107.1	109.2	107.1	999.9

Zone 6								
Regular Unleaded	61.8	10.0	15.5	87.3	106.3	108.4	106.3	999.9
Mid-Grade Unleaded	64.8	10.0	15.5	90.3	109.7	111.9	109.7	999.9
Premium Unleaded	67.8	10.0	15.5	93.3	113.2	115.3	113.2	999.9
Ultra-Low-Sulfur Diesel	69.3	4.0	15.4	88.7	107.9	110.1	107.9	999.9

N.S. Reg. 149/2017

Made: October 10, 2017

Filed: October 10, 2017

Motor Vehicle Appeal Board Regulations—amendment

Order dated October 10, 2017

Amendment to regulations made by the Minister of Transportation and Infrastructure Renewal pursuant to Section 7C of the *Motor Vehicle Act*

**In the Matter of Section 7C of Chapter 293
of the Revised Statutes of Nova Scotia, 1989, the
*Motor Vehicle Act***

-and-

**In the Matter of an Amendment to the *Motor Vehicle Appeal Board Regulations*
made by the Minister of Transportation and Infrastructure Renewal
under Section 7C of the *Motor Vehicle Act***

Order

I, Lloyd Hines, Minister of Transportation and Infrastructure Renewal for the Province of Nova Scotia, pursuant to Section 7C of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, do hereby amend the *Motor Vehicle Appeal Board Regulations*, N.S. Reg. 181/2012, made by the Minister of Service Nova Scotia and Municipal Relations by Order dated September 19, 2012, to change the quorum of the Board and to update references to the Department in the manner set forth in Schedule “A”.

This order is effective on and after the date it is made.

Dated and made in Halifax, in the Halifax Regional Municipality, Nova Scotia, this 10th, day of October, 2017.

sgd: *Lloyd Hines*
Honourable Lloyd Hines
Minister of Transportation and
Infrastructure Renewal

Schedule “A”

**Amendment to the *Motor Vehicle Appeal Board [Regulations]*
made by the Minister of Transportation and Infrastructure Renewal
under Section 7C of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

1 (1) The definition of “Minister” in Section 2 of the *Motor Vehicle Appeal Board Regulations*,

N.S. Reg. 181/2012, made by Order of the Minister of Service Nova Scotia and Municipal Relations dated September 19, 2012, is amended by striking out “Service Nova Scotia” and substituting “Transportation and Infrastructure Renewal”.

- (2) The definition of “panel” in Section 2 of the regulations is amended by adding “member or” immediately before “members”.
- 2 The regulations are further amended by
- (a) striking out “any” and substituting it with “1 or 3” in subsection 4(1); and
 - (b) striking out “Any 3 members of a panel constitute” and substituting “one member of a panel constitutes” in subsection 4(2).
- 3 The regulations are further amended by striking out “Service Nova Scotia” wherever it appears and substituting “Transportation and Infrastructure Renewal” wherever it appears.

N.S. Reg. 150/2017

Made: October 12, 2017

Filed: October 13, 2017

Air Quality Regulations—amendment

Order in Council 2017-255 dated October 12, 2017

Amendment to regulations made by the Governor in Council pursuant to Sections 25 and 112 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated August 29, 2017, and pursuant to Sections 25 and 112 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to amend the *Air Quality Regulations*, N.S. Reg. 28/2005, made by the Governor in Council by Order in Council 2005-87 dated February 25, 2005, to continue a program for recovering and recycling mercury from mercury-containing products and to clarify the authority to require verification for certain reporting, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 12, 2017.

Schedule “A”

**Amendment to the *Air Quality Regulations*
made by the Governor in Council under Sections 25 and 112
of Chapter 1 of the Acts, [of] 1994-95, the *Environment Act***

- 1 (1) Section 2 of the *Air Quality Regulations*, N.S. Reg. 28/2005, made by the Governor in Council by Order in Council 2005-87 dated February 25, 2005, is amended by striking out the clause letter before each definition.
- (2) Section 2 of the regulations is further amended by
 - (a) moving the definition of “Mercury Diversion Standard” to where it belongs in alphabetical order; and

- (b) adding the following definitions where they belong in alphabetical order:

“banked mercury credits” means credits for mercury diversion that are accrued in the calendar years beginning with and including 2015 and ending with and including 2024 and that are in excess of what is required to compensate for total excess emissions in accordance with Section 7C;

“verifier” means an independent third party that has all of the following qualifications:

- (i) accounting and financial auditing experience,
- (ii) engineering and environmental assessment expertise.

- 2 Section 6 of the regulations is amended by

- (a) striking out “February 15” in subsection (2) and substituting “March 31”;
- (b) striking out “nitrogen oxide” in subsection (3) and substituting “nitrogen oxides”; and
- (c) striking out “February 15” in clause (5)(b) and substituting “March 31”.

- 3 The regulations are further amended by repealing Section 7A and replacing it with the following Section:

Third party verification of sulphur dioxide, nitrogen oxides and mercury emissions

7A (1) A report required under subsection 6(2) respecting sulphur dioxide emissions, subsection 2(2) of Schedule C respecting nitrogen oxides emissions or subsection 7B(1) respecting mercury emissions must include an assessment report by a verifier of the total emissions of sulphur dioxide, nitrogen oxides or mercury produced over the compliance period.

- (2)** For the purpose of a verifier’s report required by subsection (1), a person who submits a report referred to in that subsection must

- (a) provide the verifier with any information or documentation required for the report; and
- (b) allow the verifier to access any facility owned or operated by the person to do any of the following:
 - (i) collect information used to calculate the emissions,
 - (ii) take samples of any energy sources used to generate electricity,
 - (iii) take samples of emissions,
 - (iv) examine and collect documentation related to any energy sources purchased to generate electricity.

- 4 Subsection 7B(1) of the regulations is amended by striking out “February 15” and substituting “March 31”.

- 5 Section 7E of the regulations is amended by

- (a) striking out “2020” in clause (2)(d) and substituting “2024”; and

(b) adding the following subsection immediately after subsection (2):

(3) A person who has banked mercury credits may, beginning in the year 2020, and with the Minister's approval, apply part or all of the banked mercury credits towards meeting the annual emission allocation for mercury assigned to that person in Schedule C for each calendar year beginning with and including 2020 and ending with and including 2029.

6 (1) Subsection 7F(1) of the regulations is repealed.

(2) Subsection 7F(2) of the regulations is amended by striking out "under clause 7C(2)(b)".

7 Schedule C to the regulations is amended by

(a) striking out "nitrogen oxide" wherever it occurs and substituting "nitrogen oxides"; and

(b) striking out striking out "February 15" in subsection 2(2) and substituting "March 31".

N.S. Reg. 151/2017

Made: October 12, 2017

Filed: October 13, 2017

Prescribed Petroleum Products Prices

Order dated October 12, 2017
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

M08334

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, CPA, CA, P.Eng., 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 October 11, 2017, are:

Grade 1 Regular gasoline	54.6¢ per litre
Ultra-low-sulfur diesel oil	58.4¢ per litre

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

Gasoline:	
Grade 1	54.6¢ per litre
Grade 2	57.6¢ per litre
Grade 3	60.6¢ per litre
Ultra-low-sulfur diesel oil	58.4¢ per litre

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

Gasoline:	minus 0.9¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.4¢ 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., October 13, 2017.

Dated at Halifax, Nova Scotia, this 12th day of October, 2017.

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 October 13, 2017**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	60.9	10.0	15.5	86.4	105.2	107.4	105.2	999.9
Mid-Grade Unleaded	63.9	10.0	15.5	89.4	108.7	110.9	108.7	999.9
Premium Unleaded	66.9	10.0	15.5	92.4	112.1	114.3	112.1	999.9
Ultra-Low-Sulfur Diesel	67.6	4.0	15.4	87.0	105.9	108.1	105.9	999.9
Zone 2								
Regular Unleaded	61.4	10.0	15.5	86.9	105.8	108.0	105.8	999.9
Mid-Grade Unleaded	64.4	10.0	15.5	89.9	109.2	111.4	109.2	999.9
Premium Unleaded	67.4	10.0	15.5	92.9	112.7	114.9	112.7	999.9
Ultra-Low-Sulfur Diesel	68.1	4.0	15.4	87.5	106.5	108.7	106.5	999.9

Zone 3								
Regular Unleaded	61.8	10.0	15.5	87.3	106.3	108.4	106.3	999.9
Mid-Grade Unleaded	64.8	10.0	15.5	90.3	109.7	111.9	109.7	999.9
Premium Unleaded	67.8	10.0	15.5	93.3	113.1	115.3	113.1	999.9
Ultra-Low-Sulfur Diesel	68.5	4.0	15.4	87.9	107.0	109.1	107.0	999.9
Zone 4								
Regular Unleaded	61.9	10.0	15.5	87.4	106.4	108.6	106.4	999.9
Mid-Grade Unleaded	64.9	10.0	15.5	90.4	109.8	112.0	109.8	999.9
Premium Unleaded	67.9	10.0	15.5	93.4	113.3	115.5	113.3	999.9
Ultra-Low-Sulfur Diesel	68.6	4.0	15.4	88.0	107.1	109.2	107.1	999.9
Zone 5								
Regular Unleaded	61.9	10.0	15.5	87.4	106.4	108.6	106.4	999.9
Mid-Grade Unleaded	64.9	10.0	15.5	90.4	109.8	112.0	109.8	999.9
Premium Unleaded	67.9	10.0	15.5	93.4	113.3	115.5	113.3	999.9
Ultra-Low-Sulfur Diesel	68.6	4.0	15.4	88.0	107.1	109.2	107.1	999.9
Zone 6								
Regular Unleaded	62.6	10.0	15.5	88.1	107.2	109.4	107.2	999.9
Mid-Grade Unleaded	65.6	10.0	15.5	91.1	110.6	112.8	110.6	999.9
Premium Unleaded	68.6	10.0	15.5	94.1	114.1	116.3	114.1	999.9
Ultra-Low-Sulfur Diesel	69.3	4.0	15.4	88.7	107.9	110.1	107.9	999.9

N.S. Reg. 152/2017

Made: October 6, 2017

Filed: October 16, 2017

Summary Offence Tickets Regulations—amendment

Order dated October 6, 2017

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-12, Municipality of the District of West Hants By-laws, 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 removing all designations of offences under the *Auctioneers By-law*, replacing all designated offences under the *Dog By-law* and removing all designations of offences under the *Livestock at Large By-Law*, in the manner set forth in the attached Schedule “A”;
- (b) repeal Schedule M-20, Town of Hantsport By-laws, 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; and

- (c) 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 October 6, 2017, ~~2017~~, 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*]**

- 1 Schedule M-12, Municipality of the District of West Hants By-laws, 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 striking out the heading “Auctioneers By-law” and item 1 under that heading.
- 2 Schedule M-12 to the regulations is further amended by striking out the heading “Dog By-law” and items 1 to 11 under that heading and substituting the following heading and items:

Dog By-law

1	Owner failing to register dog on or before April 1	2(b)	\$352.50
2	Owner failing to keep tag affixed on dog	2(f)	\$352.50
3	Owner providing false information when registering a dog	2(k)	\$352.50
4	Owner providing false information when registering a kennel	4(h)	\$352.50
5	Owning dog that runs at large	7(b)(i)	\$352.50
6	Owning dog that is not wearing valid tag	7(b)(ii)	\$352.50
7	Owning dog that is not licensed	7(b)(iii)	\$352.50
8	Owning dog that disturbs quiet of neighbourhood by barking, howling or otherwise (specify)	7(b)(iv)	\$697.50
9	Owning dog that, without mitigating factor, attacks or injures (specify) person, domestic animal or property (specify)	7(b)(v)	\$697.50
10	Owner of dog harbouring, keeping or caring for (specify) dog that is fierce or dangerous	7(b)(vi)	\$697.50
11	Owner failing to immediately remove dog feces from property other than owner’s	7(b)(vii)	\$352.50
12	Owner failing to deliver statement of number of dogs owned, harboured or kept when required	7(c)	\$352.50
13	Owner failing to muzzle dog when off dog owner’s property when required	8(b)	\$352.50

- | | | | |
|----|--|------|----------|
| 14 | Owner failing to microchip dog when required | 8(c) | \$352.50 |
|----|--|------|----------|
- 3 Schedule M-12 of the regulations is further amended by striking out the heading “Livestock at Large By-law” and items 1 to 6 under that heading.
-

N.S. Reg. 153/2017

Made: October 10, 2017

Approved: October 11, 2017

Filed: October 16, 2017

Bulk Haulage Regulations—amendment

Order dated October 11, 2017

Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

**Amendment to the *Bulk Haulage Regulations*
made under the *Dairy Industry Act***

I certify that on October 10, 2017, the Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, in the manner set forth in the attached Schedule “A”, effective on and after November 1, 2017.

Signed at Truro, in the County of Colchester, Nova Scotia on October 12, 2017.

Dairy Farmers of Nova Scotia

per: sgd: *Brian Cameron*
Brian Cameron
General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on October 11, 2017.

Natural Products Marketing Council

per: *E. A. Crouse*
Elizabeth A. Crouse, P.Ag.
Director

Schedule "A"

**Amendment to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Section 7 of the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, is amended by repealing clause (a) and substituting the following clause:

(a) for farm pick-up:

Transporter	Maximum Rate/100 L
Agropur Co-operative	\$2.23
Agropur Scotsburn Division	\$2.90
Fisher Transport Limited	\$1.59
Winterthur Farm–Rudolph Burghardt	\$5.16

N.S. Reg. 154/2017

Made: September 12, 2017

Approved: October 11, 2017

Filed: October 16, 2017

Nova Scotia Egg Producers Levy Order–amendment

Order dated October 11, 2017

Amendment to regulations made by the Egg Producers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 9(1)(hb) of the *Natural Products Act*

**Egg Producers of Nova Scotia
Amendment to the *Nova Scotia Egg Producers Levy Order***

I certify that on September 12, 2017, the Egg Producers of Nova Scotia, pursuant to clause 9(1)(hb) of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, as delegated by clause 6(g) of the *Nova Scotia Egg Producers' Marketing Plan*, N.S. Reg. 239/82, carried a motion to amend the *Nova Scotia Egg Producers Levy Order*, N.S. Reg. 170/2006, made by the Egg Producers of Nova Scotia on August 9, 2006, and approved by the Natural Products Marketing Council on August 22, 2006, in the manner set forth in the attached Schedule "A", effective on and after October 11, 2017.

Signed at Truro, in the County of Colchester, Nova Scotia on October 12, 2017.

Egg Producers of Nova Scotia

per: sgd: *Danita Newman*
Danita Newman
Accountant

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on October 11, 2017.

Natural Products Marketing Council

per: sgd: *E. A. Crouse*
Elizabeth A. Crouse, P.Ag.
Director

Schedule "A"

**Amendment to the *Nova Scotia Egg Producers Levy Order*
made by the Egg Producers of Nova Scotia under clause 9(1)(hb) of
Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Marketing Act***

Subsection 3(1) of the *Nova Scotia Egg Producers Levy Order*, N.S. Reg. 170/2006, made by the Egg Producers of Nova Scotia on August 9, 2006, and approved by the Natural Products Marketing Council on August 22, 2006, is amended by striking out "\$0.4165" and substituting "\$0.3765".

N.S. Reg. 155/2017

Made: October 17, 2017

Filed: October 17, 2017

Proclamation, S. 28, S.N.S. 2016, c. 24—except S. 4, 12, 13, 21 to the extent that Section 21 enacts clause 42A(1)(c) of the *Maintenance Enforcement Act*, 23, 24, 26(2) and 27

Order in Council 2017-260 dated October 17, 2017

Proclamation made by the Governor in Council

pursuant to Section 28 of

An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act

The Governor in Council on the report and recommendation of the Attorney General and Minister of Justice dated July 24, 2017, and pursuant to Section 28 of Chapter 24 of the Acts of 2016, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Chapter 24 of the Acts of 2016, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, except Sections 4, 12, 13, 21 to the extent that Section 21 enacts clause 42A(1)(c) of the *Maintenance Enforcement Act*, 23 and 24, subsection 26(2) and Section 27, do come into force on and not before October 17, 2017.

PROVINCE OF NOVA SCOTIA

sgd: **Arthur J. LeBlanc**

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 28 of Chapter 24 of the Acts of 2016, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, it is enacted as follows:

- 28** 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 24 of the Acts of 2016, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, except Sections 4, 12, 13, 21 to the extent that Section 21 enacts clause 42A(1)(c) of the *Maintenance Enforcement Act*, 23 and 24, subsection 26(2) and Section 27, do come into force on and not before October 17, 2017;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 24 of the Acts of 2016, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, except Sections 4, 12, 13, 21 to the extent that Section 21 enacts clause 42A(1)(c) of the *Maintenance Enforcement Act*, 23 and 24, subsection 26(2) and Section 27, do come into force on and not before October 17, 2017, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 17th day of October in the year of
Our Lord two thousand and seventeen and in the sixty-
sixth year of Our Reign.

BY COMMAND:

sgd: Honourable Mark Furey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 156/2017

Made: October 17, 2017

Filed: October 17, 2017

Maintenance Enforcement Regulations—amendment

Order in Council 2017-261 dated October 17, 2017

Amendment to regulations made by the Attorney General and Minister of Justice
pursuant to Section 61 of the *Maintenance Enforcement Act*

The Governor in Council on the report and recommendation of the Attorney General and Minister of Justice dated July 24, 2017, and pursuant to Section 61 of Chapter 6 of the Acts of 1994-95, the *Maintenance Enforcement Act*, is pleased to amend the *Maintenance Enforcement Regulations*, N.S. Reg. 40/96, made by the

Governor in Council by Order in Council 96-137 dated March 5, 1996, to support a partial proclamation of Chapter 24 of the Acts of 2016, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 17, 2017.

Schedule “A”

Amendment to the *Maintenance Enforcement Regulations* made by the Governor in Council under Section 61 of Chapter 6 of the Acts of 1994-95, the *Maintenance Enforcement Act*

- 1 (1) Subsection 2(1) of the *Maintenance Enforcement Regulations*, N.S. Reg. 40/96, made by the Governor in Council by Order in Council 96-137 dated March 5, 1996, is amended by striking out the clause letter before each definition.
- (2) The definition of “income” in subsection 2(1) of the regulations is amended by
 - (a) striking out “*Unemployment*” in paragraph (i)(A) and substituting “*Employment*”;
 - (b) adding “or” after the comma at the end of paragraph (i)(B);
 - (c) repealing paragraph (i)(C); and
 - (d) repealing subclause (v) and substituting the following:
 - (v) any money or benefits owed or payable to the payor under a contract, express or implied, or an enactment, or on any other basis, including a debt owed to the payor.
- 2 The regulations are further amended by adding the following Section immediately after Section 2:

Persistent arrears: number of payments and total accumulated amount prescribed

2A For the purpose of the definition of “persistent arrears” in clause 2(fa) of the Act,

 - (a) any 3 payment periods is prescribed as the number of times for a payor to have failed to make, in full, all payments required under a maintenance order; and
 - (b) \$3000 is prescribed as the total amount of arrears for a payor to have accumulated.
- 3 The regulations are further amended by striking out “by ordinary mail” in Section 4.
- 4 The regulations are further amended by repealing Section 5.
- 5 The regulations are further amended by adding the following Section immediately after Section 8:

Disclosure to professional organizations prescribed

8A (1) For the purpose of clause 32(1)(p) of the Act, this Section prescribes an additional exception to the prohibition against disclosure in subsection 32(1) of the Act.

(2) If a payor is in default under a maintenance order being enforced by the Director, the Director may disclose any information or documents related to the payor, the default, the maintenance obligation, the circumstances of the payor’s default or the steps taken by the Director to enforce the maintenance order, to any of the following:

- (a) a professional or occupational organization that the Director believes the payor belongs to;
 - (b) the governing body of a self-governing or regulated profession that the Director believes the payor practises;
 - (c) an entity that is responsible for a licence or registration that the Director believes the payor holds for occupational purposes;
 - (d) an entity that is responsible under an enactment for governing the conduct of individuals for occupational purposes in an occupation that the Director believes the payor practises.
- (3) The information and documents that may be disclosed under subsection (2) may include any of the following:
- (a) the name of the payor;
 - (b) the date of the maintenance order;
 - (c) the amount and frequency of the payor's maintenance obligation under the maintenance order;
 - (d) the amount of the arrears owing under the maintenance order at the time of the disclosure;
 - (e) any other name or any alias by which the payor is or has been known;
 - (f) the payor's date of birth;
 - (g) the payor's last known home and work addresses;
 - (h) any membership or other number by which the organization, governing body or entity identifies the payor;
 - (i) a copy of the maintenance order;
 - (j) a description of the steps taken by the Director to enforce the maintenance order;
 - (k) a sworn statement of arrears prepared by the Director in respect of the arrears owing under the maintenance order at the time of the disclosure;
 - (l) a copy of any document filed with the Director's office in relation to the enforcement of the maintenance order, or prepared by the Director for that purpose.

7 Form 2 of the regulations is amended by

- (a) striking out the 2nd-last sentence in the 3rd paragraph and substituting the following:

“There is also a fee of \$_____ prescribed in the *Maintenance Enforcement Regulations* that the payor owes for the issuance of a garnishment, which must be deducted from the payor's exempt amount.”

- (b) striking out the 4th paragraph and substituting the following:

“If the money you owe is not a WAGE, then you are to deduct the lesser of

- (1) the arrears amount listed above plus the amount of \$_____ for the payor’s future maintenance obligations, and
- (2) 100% of the money you owe,

and remit these funds to the Director immediately. You are also required to make deductions from any further funds that come due by you to the payor. There is a fee of \$_____ prescribed in the *Maintenance Enforcement Regulations* that the payor owes for the issuance of a garnishment. If, after you have deducted the amount owed for arrears and the payor’s future maintenance obligations, there are still funds left owing by you to the payor, then add the prescribed fee of \$_____ to the amount and remit it with your payment.”

- 8 Form 3 of the regulations is amended by

- (a) striking out the 2nd-last sentence in the 3rd paragraph and substituting the following:

“There is also a fee of \$_____ prescribed in the *Maintenance Enforcement Regulations* that the payor owes for the issuance of a garnishment, which must be deducted from the payor’s exempt amount.”

- (b) striking out the 4th paragraph and substituting the following:

“If the money you owe is not a WAGE, then you are to deduct the lesser of

- (1) the arrears amount listed above plus the amount of \$_____ for the payor’s future maintenance obligations, and
- (2) 100% of the money you owe,

and remit these funds to the Director immediately. You are also required to make deductions from any further funds that come due by you to the payor. There is a fee of \$_____ prescribed in the *Maintenance Enforcement Regulations* that the payor owes for the issuance of a garnishment. If, after you have deducted the amount owed for arrears and the payor’s future maintenance obligations, there are still funds left owing by you to the payor, then add the prescribed fee of \$_____ to the amount and remit it with your payment.”