

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. 173/2017

Made: December 12, 2017

Filed: December 14, 2017

Pension Benefits Regulations—amendment

Order in Council 2017-317 dated December 12, 2017
Amendment to regulations made by the Governor in Council
pursuant to Section 139 of the *Pension Benefits Act*

The Governor in Council on the report and recommendation of the Minister of Finance and Treasury Board dated November 30, 2017, and pursuant to Section 139 of Chapter 41 of the Acts of 2011, the *Pension Benefits Act*, is pleased to amend the *Pension Benefits Regulations*, N.S. Reg. 200/2015, made by the Governor in Council by Order in Council 2015-133 dated April 21, 2015, to provide for solvency funding exemptions, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after December 12, 2017.

Schedule “A”

**Amendment to the *Pension Benefits Regulations*
made by the Governor in Council under Section 139 of
Chapter 41 of the Acts of 2011,
the *Pension Benefits Act***

- 1 Subsection 19(6) of the *Pension Benefits Regulations*, N.S. Reg. 200/2015, made by the Governor in Council by Order in Council 2015-133 dated April 21, 2015, is repealed and the following subsection substituted:
 - (6) Except to the extent of any payments accrued due and payable in accordance with the former regulations, special payments required to liquidate a solvency deficiency are not required to be made in relation to the time period specified for any pension plans exempted from the requirement to make such payments in respect of a solvency deficiency under the following provisions:
 - (a) subsection 85(2), without limitation as to time period;
 - (b) clause 85(4)(a), from December 21, 2012, to December 31, 2019, inclusive;
 - (c) clause 85(4)(b), from January 1, 2018, to December 31, 2019, inclusive.
- 2 Subsections 32(2) and (3) of the regulations are repealed and the following subsections substituted:
 - (2) None of the pension plans as set out in subsection (3) may be amended to do any of the following, unless the cost of the amendment is fully paid to the pension fund at the time the amendment is made:
 - (a) increase the cost of the pension benefits, deferred pensions, pensions or ancillary benefits provided by the plan;
 - (b) create or increase a going concern unfunded liability;
 - (c) create or increase a solvency deficiency.
 - (3) Subsection (2) applies to any pension plan exempted from the requirement for a funding provision in

respect of a solvency deficiency under the following provisions, in relation to the time period specified:

- (a) clauses 85(2)(a), (b) and (d) to (j), without limitation as to time period;
- (b) clause 85(4)(a), from December 21, 2012, to December 31, 2019, inclusive;
- (c) clause 85(4)(b), from the date this clause comes into force to December 31, 2019, inclusive.

3 Subsection 85(4) of the regulations is repealed and the following subsection substituted:

- (4) The funding provision required by subsection (1) in respect of any solvency deficiency under the following plans may be limited to the time period specified:
 - (a) for the DIRECTIONS Council for Vocational Services Society Pension Plan-Registration No.[:] 908699, on and after January 1, 2020;
 - (b) for the Pension Plan for Employees of LaHave Manor Corporation-Registration No.: 580118,
 - (i) up to and including December 31, 2017,
 - (ii) on and after January 1, 2020.

N.S. Reg. 174/2017

Made: July 11, 2017

Approved: December 12, 2017

Filed: December 14, 2017

Pork Marketing Plan—amendment

Order in Council 2017-318 dated December 12, 2017
Amendment to regulations made by the Natural Products Marketing Council
and approved by the Governor in Council
pursuant to Section 11 of the *Natural Products Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated November 1, 2017, and pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, is pleased to approve the making by the Natural Products Marketing Council of amendments to the *Pork Marketing Plan*, N.S. Reg. 342/2009, made by the Natural Products Marketing Council and approved by the Governor in Council by Order in Council 2009-523 dated December 21, 2009, to implement changes to financial reporting requirements, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after December 12, 2017.

Schedule “A”

Natural Products Marketing Council

I certify that the Natural Products Marketing Council, at its meeting on July 11, 2017, pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, carried a motion to amend the *Pork Marketing Plan*, N.S. Reg. 342/2009, made by the Natural Products Marketing Council and approved

by the Governor in Council by Order in Council 2009-523 dated December 21, 2009, to implement changes to the financial reporting requirements in the manner set forth in the attached.

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

Signed at Truro, in Colchester County, Nova Scotia, on October 20, 2017.

Natural Products Marketing Council

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

Amendment to the *Pork Marketing Plan* made by the Natural Products Marketing Council pursuant to Section 11 of Chapter 308 of the Revised Statutes of 1989, the *Natural Products Act*

1 Section 31 of the *Pork Marketing Plan*, N.S. Reg. 342/2009, made by the Natural Products Marketing Council on August 11, 2009, and approved by the Governor in Council by Order in Council 2009-523 dated December 21, 2009, is repealed and the following Section substituted:

Financial reporting of the Commodity Board

- 31 (1)** In this Section, “public accountant” means a public accountant licensed under the *Public Accountants Act*.
- (2)** Unless otherwise decided by the Commodity Board, the fiscal year of the Commodity Board is from January 1 to December 31 in each year, inclusive of both dates.
- (3)** The Commodity Board must keep proper books of account and, for each fiscal year, prepare financial statements to be audited or reviewed in accordance with subsection (4).
- (4)** The licensed producers must appoint an independent public accountant at each annual general meeting to hold office until the next annual general meeting, and must direct the accountant to do 1 of the following in relation to the Commodity Board’s financial statements:
- (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.
- (5)** The Commodity Board may engage an independent public accountant to audit the Commodity Board’s books of account at any time.
- (6)** Any audit or review directed by the licensed producers under subsection (4) or the Commodity Board under subsection (5) must be carried out in accordance with the generally accepted auditing standards set out in the *CPA Canada Handbook - Assurance*, as amended from time to time.
- (7)** No later than 3 months after the end of each fiscal year, the Commodity Board must send all of the following to the Council:

- (a) the financial report for the fiscal year from the Commodity Board executive, including all of the following:
 - (i) a copy of the audited or reviewed financial statements for the fiscal year, consisting of a balance sheet and a statement of income and expenditures,
 - (ii) for a fiscal year that ends with an even number, the independent public accountant's audit report,
 - (iii) for a fiscal year that ends with an odd number,
 - (A) if an audit engagement has been conducted, the independent public accountant's audit report, or
 - (B) if a review engagement has been conducted, the independent public accountant's review engagement report;
 - (b) the annual report of the Commodity Board detailing its operations for the fiscal year.
- (8) The Commodity Board must present all of the items listed in subsection (7) at the annual general meeting following the end of each fiscal year.

2 Clause 38(b) of the regulations is repealed and the following clause substituted:

- (b) the financial report and all included documentation received from the Commodity Board executive in accordance with clause 31(7)(a);

N.S. Reg. 175/2017

Made: December 12, 2017

Filed: December 14, 2017

Business Registry Regulations—amendment

Order in Council 2017-322 dated December 12, 2017
Amendment to regulations made by the Governor in Council
pursuant to Section 4 of the *Business Electronic Filing Act*

The Governor in Council on the joint report and recommendation of the Minister of Service Nova Scotia and the Minister of Health and Wellness dated October 17, 2017, and pursuant to Section 4 of Chapter 3 of the Acts of 1995-96, the *Business Electronic Filing Act* (“the Act”), is pleased to amend the *Business Registry Regulations*, N.S. Reg. 14/2000, made by the Governor in Council by Order in Council 2000-24 dated February 2, 2000, to designate the *Snow Sport Helmet Act*, the *Tanning Beds Act* and the *Tobacco Access Act* for the purposes of the Act, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after December 12, 2017.

Schedule "A"

**Amendment to the *Business Registry Regulations*
made by the Governor in Council pursuant to Section 4 of
Chapter 3 of the Acts of 1995-96,
the *Business Electronic Filing Act***

The table in Section 3 of the *Business Registry Regulations*, N.S. Reg. 14/2000, made by the Governor in Council by Order in Council 2000-24 dated February 2, 2000, is amended by

- (a) adding the following row immediately before the row that begins with "*Societies Act*":

<i>Snow Sport Helmet Act</i>	all
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- (b) adding the following row immediately before the row that begins with "*Technical Safety Act*":

<i>Tanning Beds Act</i>	all
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- (c) adding the following row immediately before the row that begins with "*Tourist Accommodations Act*":

<i>Tobacco Access Act</i>	all
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N.S. Reg. 176/2017

Made: December 12, 2017

Filed: December 14, 2017

Business Registry Regulations—amendment

Order in Council 2017-323 dated December 12, 2017
Amendment to regulations made by the Governor in Council
pursuant to Section 4 of the *Business Electronic Filing Act*

The Governor in Council on the joint report and recommendation of the Minister of Service Nova Scotia and the Minister of Agriculture dated October 25, 2017, and pursuant to Section 4 of Chapter 3 of the Acts of 1995-96, the *Business Electronic Filing Act* (the "Act"), is pleased to amend the *Business Registry Regulations*, N.S. Reg. 14/2000, made by the Governor in Council by Order in Council 2000-24 dated February 2, 2000, to designate the *Fur Industry Act* for the purpose of the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 12, 2017.

Schedule "A"

**Amendment to the *Business Registry Regulations*
made by the Governor in Council under Section 4
of Chapter 3 of the Acts of 1995-96,
the *Business Electronic Filing Act***

The table in Section 3 of the *Business Registry Regulations*, N.S. Reg. 14/2000, made by the Governor in Council by Order in Council 2000-24 dated February 2, 2000, is amended by adding the following row

immediately before the row that begins with “*Gaming Control Act*”:

<i>Fur Industry Act</i>	all
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N.S. Reg. 177/2017

Made: November 22, 2017 and December 12, 2017

Filed: December 14, 2017

Insured Optometric Services Tariff Regulations—amendment

Order in Council 2017-329 dated December 12, 2017

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

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated November 22, 2017, and pursuant to Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act* (the “Act”), is pleased, effective on and after December 12, 2017:

- (a) pursuant to subsection 17(2) of the Act, to amend the *Insured Optometric Services Tariff Regulations*, N.S. Reg. 288/2013, made by the Minister of Health and Wellness and the Governor in Council by Order in Council 2013-290 dated August 20, 2013 (“the regulations”), in accordance with the increased tariff amounts established by the Minister of Health and Wellness pursuant to clause 13(1)(c) of the Act, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation;
- (b) to approve the authorization by the Minister of Health and Wellness of payments in respect of the increased tariff amounts referred to in clause (a), in accordance with clause 13(1)(c) of the Act; and **[Clause (b) not filed as a regulation.]**
- (c) pursuant to Section 8 of the Act, to give approval to the Minister of Health and Wellness entering into an agreement with the Nova Scotia Association of Optometrists for a new tariff of fees for insured optometry services provided to residents of Nova Scotia and for program changes, in the form set forth in Schedule “B” attached to and forming part of the report and recommendation. **[Clause (c) not filed as a regulation.]**

**In the matter of the *Insured Optometric Services Tariff Regulations*,
N.S. Reg. 288/2013, made pursuant to Section 13 and subsection 17(2)
of the *Health Services and Insurance Act***

- and -

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

Order

I, Randy Delorey, Minister of Health and Wellness for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, do hereby

establish that the tariff to be paid in respect of the *Insured Optometric Services Tariff Regulations* shall be increased as set forth in Schedule “A” and the tariff shall be paid in accordance with the amendments as set forth in Schedule “A”.

This Order is effective on and after the making by the Governor in Council of the amendments to the *Insured Optometric Services Tariff Regulations* set forth in Schedule “A”.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, November 22, 2017.

sgd: *Randy Delorey*
Honourable Randy Delorey
Minister of Health and Wellness

Schedule “A”

**Amendment to the *Insured Optometric Services Tariff Regulations*
made by the Minister of Health and Wellness and the Governor in Council
pursuant to Section 13 and subsection 17(2) of Chapter 197
of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

The *Insured Optometric Services Tariff Regulations*, N.S. Reg. 288/2013, made by the Minister of Health and Wellness and the Governor in Council by Order in Council 2013-290 dated August 20, 2013, are amended by repealing Sections 2 and 3 and substituting the following Sections:

Insured optometric services

2 The insured optometric services are as listed in the following table with the associated health service codes (HSC) and medical service units (MSU):

HSC	Optometric Service	MSU
09.02C	Comprehensive eye examination	20.48
	Comprehensive eye examination—physician referral	24
09.02F	Comprehensive eye examination—enhanced vision screening program	20.48
09.02G	Low vision assessment—initial visit	30
	Low vision assessment—each subsequent visit	13
3.03	Limited eye examination	11
	Limited eye examination—physician referral	14
22.69A	Punctal occlusion—unilateral	22
	Punctal occlusion—bilateral	33
21.31	Dilation of lacrimal punctum—unilateral	30
	Dilation of lacrimal punctum—bilateral	45

09.32A	Contact lens fitting—age 16 and older, unilateral	83.3
	Contact lens fitting—age 16 and older, bilateral	166.6
	Contact lens fitting—age 15 and younger, unilateral	104.13
	Contact lens fitting—age 15 and younger, bilateral	208.25

Tariff of fees

3 The tariff of fees for insured optometric services is as follows:

- (a) for insured optometric services provided between April 1, 2017, and March 31, 2018, the medical service unit (MSU) is \$2.83; and
- (b) effective April 1, 2018, the MSU is increased to \$2.87.

N.S. Reg. 178/2017

Made: December 14, 2017

Filed: December 14, 2017

Public Services Sustainability General Regulations—amendment

Order in Council 2017-337 dated December 14, 2017

Amendment to regulations made by the Governor in Council pursuant to Section 29 of the *Public Services Sustainability (2015) Act*

The Governor in Council on the report and recommendation of the Minister of Labour Relations dated December 11, 2017, and pursuant to Section 29 of Chapter 34 of the Acts of 2015, the *Public Services Sustainability (2015) Act*, is pleased to amend the *Public Services Sustainability General Regulations*, N.S. Reg. 128/2017, made by the Governor in Council by Order in Council 2017-207 dated August 22, 2017, to make additional designations of certain persons as not being “public-sector employees” in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after December 14, 2017.

Schedule “A”

**Amendment to the *Public Services Sustainability General Regulations*
made by the Governor in Council under Section 29 of
Chapter 34 of the Acts of 2015,
the *Public Services Sustainability (2015) Act***

Section 3 of the *Public Services Sustainability General Regulations*, N.S. Reg. 128/2017, made by the Governor in Council by Order in Council 2017-207 dated August 22, 2017, is amended by adding the following row at the end of the table in clause (a):

Her Majesty the Queen in Right of the Province of Nova Scotia, represented by the Public Service Commission	NSGEU, Local 0001 NSGEU, Local 0002 NSGEU, Local 0003 NSGEU, Local 0004 NSGEU, Local 0005
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	NSGEU, Local 0006
	NSGEU, Local 0007
	NSGEU, Local 0008
	NSGEU, Local 0014
	NSGEU, Local 0016
	NSGEU, Local 0017
	NSGEU, Local 0480

N.S. Reg. 179/2017

Made: December 14, 2017

Filed: December 14, 2017

Adult Capacity and Decision-making Regulations

Order in Council 2017-338 dated December 14, 2017

Regulations made by the Governor in Council

pursuant to Section 72 of the *Adult Capacity and Decision-making Act*

The Governor in Council on the report and recommendation of the Attorney General and Minister of Justice dated November 30, 2017, and pursuant to Section 72 of Chapter 4 of the Acts of 2017, the *Adult Capacity and Decision-making Act*, is pleased to make regulations respecting adult capacity and decision-making in the form set forth in Schedule “A”, attached to and forming part of the report and recommendation, effective on and after December 28, 2017.

Schedule “A”

**Regulations Respecting Adult Capacity and Decision-making
made under Section 72 of Chapter 4 of the Acts of 2017,
the *Adult Capacity and Decision-making Act***

Part 1—Representation Orders and Representatives**Interpretation and Application****Citation**

1 These regulations may be cited as the *Adult Capacity and Decision-making Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Adult Capacity and Decision-making Act*;

“capacity assessment coordinator” means a individual who provides capacity assessment training to assessors under the direction of the Public Trustee;

“contact information” of a person, means their address, telephone number and any known e-mail address for the person;

“financial information” means information about the property or financial matters of an individual;

“matter” means a matter described in subsection 27(4) of the Act with respect to which a court may grant a representative the authority to act and make decisions;

“registry” means the registry of representation orders maintained by the Public Trustee under Section 24;

“represented adult” means an adult who is the subject of a representation order.

(2) In the Act and these regulations,

“interested person” means

- (i) the Public Trustee, or
- (ii) any person who has reached the age of majority and who is concerned for the well-being of an adult for whom a representation order is sought or has been obtained;

“transaction” includes any of the following done on behalf of a represented adult:

- (i) receiving, paying, gifting or lending money,
- (ii) acquiring, disposing of or lending property other than money,
- (iii) transferring money between different accounts maintained by a representative,
- (iv) incurring or discharging a liability,
- (v) entering into a contract;

“vulnerable sector check” means a record check conducted by a police agency consisting of all of the following:

- (i) a search of the national repository of records of criminal convictions,
- (ii) a search of locally imposed convictions,
- (iii) a search of record suspensions related to records for sexual offences.

(3) In Section 11 of the Act,

“medical condition” means a temporary or reversible physical or mental condition that may impact the results of an adult’s capacity assessment.

Delegation of powers, privileges, duties or functions

- 3 (1) The Minister may delegate to the Public Trustee, or any other person, any of the Minister’s powers and duties under the Act and these regulations.
- (2) A delegation under subsection (1) must be in writing and specify the powers and duties to be exercised by delegate.

Assessors and Capacity Assessments

Designation of assessors

- 4 (1) All of the following health professionals are designated as assessors as of December 28, 2017:
- (a) a medical practitioner under the *Medical Act*;
 - (b) a registered psychologist under the *Psychologists Act*.
- (2) Any of the following health professionals, who has successfully completed a capacity assessment course under the direction of the capacity assessment coordinator, ~~are~~ [is] designated as [an] assessor:
- (a) a registered nurse or nurse practitioner under *Registered Nurses Act*;
 - (b) a social worker under the *Social Workers Act*;
 - (c) an occupational therapist under the *Occupational Therapists Act*;
 - (d) a licensed, practising member of any other health professional prescribed by the Minister who meets the requirements set by the Minister.

List of assessors

- 5 The Minister must maintain a list of persons who are designated as assessors under subsection 4(2) and may make the list available to the public.

Training and continuing competence

- 6 The Minister may establish or approve any of the following for the training of assessors:
- (a) training courses;
 - (b) a continuing competence program.

Revocation of designation as assessor

- 7 The Minister may revoke an assessor's designation made under subsection 4(2) for any of the following reasons:
- (a) the Minister is satisfied that the person is not conducting capacity assessments in accordance with the Act and these regulations;
 - (b) any reason that the Minister considers warrants the revocation of their designation.

Guidelines for conducting capacity assessments

- 8 (1) The Minister may establish guidelines for conducting capacity assessments.
- (2) A capacity assessment must be conducted by an assessor in accordance with the Act, these regulations and any guidelines established by the Minister under subsection (1).

Duty to advise adult before conducting capacity assessment

- 9 An assessor must advise an adult of all of the following before conducting a capacity assessment of the adult:
- (a) that they are being assessed to determine whether they are incapable of making decisions;

- (b) that the capacity assessment may be used to determine whether they will have, or continue to have, a representative appointed to make decisions for them;
- (c) that they may refuse to be assessed or may refuse to continue with the capacity assessment at any point during the capacity assessment, but that the capacity assessment may still be conducted using observational information and information gathered from other sources;
- (d) that, in accordance with Section 10, they have the right to have a person of their choosing present during the capacity assessment;
- (e) that, in accordance with Section 10, in order to fully demonstrate their capacity, they have the right to be assisted by an interpreter or to use a device to assist them to communicate during the capacity assessment;
- (f) that if the capacity assessment is completed, they have the right to receive a copy of the capacity assessment report;
- (g) that they have the right to ask the assessor questions or raise concerns with the assessor about the capacity assessment and the results of the capacity assessment.

Persons present during capacity assessment

10 (1) Except as provided in subsection (3), an adult being assessed is entitled to all of the following during any part of their capacity assessment:

- (a) have another person of their choosing present;
 - (b) in order to be able to fully demonstrate their capacity, be assisted by an interpreter or use a device to assist them to communicate.
- (2)** A person, other than the assessor and the adult being assessed, who is present during any part of a capacity assessment, must comply with any of the assessor's directions.
- (3)** An assessor may direct a person to leave a capacity assessment if the person does not comply with a direction under subsection (2).

Time and circumstances of capacity assessment

11 An assessor must provide an adult with a reasonable opportunity to undergo their capacity assessment at a time when, and under circumstances in which, the adult is likely to be able to demonstrate their full capacity.

Determining whether adult capable of making decisions

12 In determining whether an adult is capable of making decisions under Section 13 of the Act about a matter being assessed, the assessor must consider only whether the adult has the ability, with or without support, to

- (a) understand the information that is relevant to a decision; and
- (b) appreciate the reasonably foreseeable consequences of making or not making a decision including, for greater certainty, the reasonably foreseeable consequences of the decision to be made.

Applications for Representation Orders and Reviews of Representation Orders

Representation plans

13 (1) In this Section,

“alternative representative” includes a person who is being proposed as an alternative representative for an adult;

“representative” includes a person who is being proposed as a representative for an adult.

- (2) A representation plan for an adult must be in the form prescribed by the Minister and include all of the following information:
- (a) the adult’s full name, date of birth, contact information and current living arrangements;
 - (b) for each representative or alternative representative, their full name, date of birth, contact information and relationship to the adult;
 - (c) the name, contact information and status of relationship between the adult and the adult’s:
 - (i) spouse,
 - (ii) children,
 - (iii) parents,
 - (iv) siblings;
 - (d) whether the proposed represented adult has a guardian appointed under the *Incompetent Persons Act*, and the name and contact information of any guardian;
 - (e) whether the adult has made an enduring power of attorney, and the name and contact information of any appointed attorney;
 - (f) whether the adult has made a personal directive, and the name and contact information of any appointed delegate;
 - (g) matters the representative is seeking authority [for] or has been granted authority to make decisions about on behalf of the adult;
 - (h) if the matters in clause (g) include making decisions about financial matters, all of the information set out in subsection (3);
 - (i) decisions that the representative reasonably expects to have to make on behalf of the adult within the following time periods from the date when the plan is prepared:
 - (i) 1 year,
 - (ii) 5 years;
 - (j) how the representative will involve the adult in decision-making and inform the adult of decisions;

- (k) if there are 2 or more representatives, how decision-making authority will be exercised between them;
 - (l) any clear and relevant instructions expressed by the adult while the adult had capacity;
 - (m) any known wishes, values and beliefs of the adult;
 - (n) how the representative will ensure their future decisions reflect any information specified in clauses (l) and (m);
 - (o) any request for compensation from the representative, including the manner of calculating compensation.
- (3) The financial information required for clause (2)(h) includes all of the following:
- (a) the adult's assets and liabilities;
 - (b) how the representative will deal with the adult's assets and liabilities;
 - (c) the adult's income and expenses;
 - (d) the adult's business interests;
 - (e) any future source of income for the adult, including income arising from a court settlement or decision;
 - (f) how the representative will deal with the adult's monthly income and expenses and any shortfall between income and expenses required to meet the needs of all of the following:
 - (i) the adult,
 - (ii) the adult's spouse, if any,
 - (iii) any child of the adult who has not reached the age of majority,
 - (iv) any child of the adult who has reached the age of majority and is unable to earn a livelihood because of physical or mental disability;
 - (g) whether there are any significant non-recurring expenditures anticipated and if so the amount and purpose;
 - (h) whether the adult is receiving all benefits that they are eligible for and, if not, what steps will be taken to ensure the adult receives all benefits they are entitled to;
 - (i) whether the representative intends to make any payment, loan or gift from the adult's property and an explanation as to why the representative believes it would be appropriate;
 - (j) confirmation of the bond required by Section 46 of the Act, or an explanation why the Court should dispense with the requirement or reduce the amount;
 - (k) any additional information that is necessary for the Court to assess the representation plan.

Content of supporting affidavit

- 14 (1)** All of the following is the information to be included in a supporting affidavit required by clause 5(2)(d) of the Act, for an initial application:
- (a) the applicant's relationship to the adult;
 - (b) the applicant's proposal regarding the matters that they are seeking the authority to make decisions about;
 - (c) any options for looking after the adult's well-being or financial interests that are less intrusive and less restrictive than a representation order that have been
 - (i) tried but have not been effective, and the reasons why they were not effective, and
 - (ii) considered but were not implemented, and the reasons why they were not implemented;
 - (d) any additional information that is necessary for the Court to assess the application.
- (2)** All of the following is the information to be included in a supporting affidavit for an application for review of a representation order:
- (a) the date of the order;
 - (b) if the order has been reviewed, the date of the most recent review of order;
 - (c) the applicant's relationship to the adult and the relationship of the adult to ~~of~~ each proposed representative and proposed alternate representative;
 - (d) for each existing representative and alternative representative, their full name, contact information and relationship to the represented adult;
 - (e) the representative's observations on the represented adult's capacity, including any change in the represented adult's capacity since the later of
 - (i) the date of the order, and
 - (ii) the date of the most recent review of the order;
 - (f) if the representative is seeking to continue or amend the order, all of the following:
 - (i) any requested amendments to the order,
 - (ii) reasons for seeking the amendments,
 - (iii) any options for looking after the represented adult's well-being or financial interests that are less intrusive and less restrictive than the requested amendments,
 - (iv) any requested amendments to the order regarding the person or persons who are appointed as representative or alternate representative, and reasons for the change;
 - (g) any additional information that is necessary for the Court to assess the [application for] review of the order.

- (3) All of the following is the information be included in a supporting affidavit if the representative is requesting that the Court rescind the representation order:
- (a) the reasons why the order should be rescinded;
 - (b) the arrangements that have been made to promote and protect the represented adult's well-being and financial interests, or to ensure that an application for another representation order has been or will be made;
 - (c) any additional information that is necessary for the Court to assess the [request for] rescision of the order.

Vulnerable sector check

15 The vulnerable sector check required by clause 5(2)(c) of the Act must have been completed no longer than 2 months before the date of the application.

Capacity at issue on application for review

16 For the purposes of the requirement to include a recent capacity assessment in an application for review of a representation order under clause 58(4)(e) of the Act, the capacity of a represented adult is at issue in the proceedings in any of the following circumstances:

- (a) the application for review is made in accordance with a requirement in a representation order, and the order requires a capacity assessment to be conducted before the review;
- (b) the representative has reason to believe that there has been a significant change in the capacity of the represented adult since the later of
 - (i) the date of the order, and
 - (ii) the date of the most recent review of the order;
- (c) the representative is requesting that the Court rescind the representation order.

Applications in accordance with Civil Procedure Rules

17 Except as otherwise provided by the Act or these regulations and subject to any order of the Court, an application or other proceeding under the Act is governed by the *Civil Procedure Rules*.

Court modifications to procedures

18 Except as otherwise provided in the Act and despite anything in these regulations, the Court may do any of the following:

- (a) dispense with the filing of any document that is required to be filed by these regulations;
- (b) require or permit the filing of any document in addition to or in substitution for any document or documents required to be filed by these regulations.

Fees, Accounts and Reports

Fee schedule for compensation of representatives

19 (1) The following is the fee schedule for compensation of representatives:

Matters representative makes decisions about	Compensation
health care or personal care matters	maximum of \$15 per hour
financial matters	(a) an amount equal to 2.5% of the money received by the representative on behalf of the represented adult during the period for which compensation is claimed (b) an amount equal to 2.5% of the money paid by the representative on behalf of the represented adult during the period for which compensation is claimed

- (2) If there is more than 1 representative, the amount determined under subsection (1) must be divided among the representatives in 1 of the following manners:
- (a) as agreed by the representatives;
 - (b) if the representatives do not agree, as determined by the Court.

Accounts and reports for financial matters

20 A representative who has authority over any financial matters must maintain at least the following accounting information for the purposes of Sections 50 to 53 of the Act:

- (a) an inventory of all of the following that the representative has authority to make decisions about, as of the date of the representative's appointment:
 - (i) the represented adult's assets and liabilities,
 - (ii) the represented adult's income and expenditures,
 - (iii) the represented adult's business interests;
- (b) an ongoing and complete record of transactions affecting the property administered by the representative on behalf of the represented adult that includes a summary of each transaction made on behalf of the represented adult;
- (c) an ongoing and complete record of each transaction that is a gift made by the representative on behalf of the represented adult that includes
 - (i) the name and contact information of the recipient of the gift and a description of their relationship to the adult,
 - (ii) the exact amount of the gift or, if the property is not money, the estimated fair market value of the gifted property;
- (d) for any transaction, other than a gift under clause (c), that involves the payment of \$300 or more, receipts or invoices.

Report on disposition of real property

21 In addition to the information required by subsection 31(4) of the Act, all of the following is prescribed as the information to be included in a report on the disposition of real property filed with the Court under subsection 31(3) of the Act:

- (a) a summary of all of the following:
 - (i) the listing price,
 - (ii) the appraisal of the property,
 - (iii) all offers received,
 - (iv) the sale amount,
 - (v) the final proceeds from the sale, after payment of any outstanding mortgage, fees, and disbursements;
- (b) sufficient proof that the value of the bond required by Section 46 has been increased to reflect the final proceeds from the sale.

Form of accounts and reports

22 Any accounts and reports that the Court requires to be submitted under Sections 51 to 54 of the Act and Section 58 of the Act must be in the form prescribed by the Minister.

Payment of capacity assessment fees by Crown

- 23** (1) A person who is applying for a representation order or for a review of an order may request that the Crown pay the fees for a capacity assessment of an adult by submitting a request to the Public Trustee.
- (2) The Public Trustee must review the financial situation of any person making a request under subsection (1) and the adult who is the subject of the application to determine whether it would be a financial hardship for the person or the adult to pay the fees, and may request any document from the person making the request that the Public Trustee considers necessary to make that determination.
- (3) The Public Trustee may recommend to the Minister that the Crown pay the fees if the Public Trustee is satisfied that it would be a financial hardship on review under subsection (2).
- (4) On the recommendation of the Public Trustee under subsection (3), the Minister may pay some or all of the fees for an adult's capacity assessment.
- (5) The Minister may pay the fees for only 1 capacity assessment for each adult in a calendar year.

Public Trustee Registry**Information to be maintained in registry**

- 24** (1) The Public Trustee must maintain a registry of all representation orders made or continued under the Act.
- (2) On making a representation order under the Act, the Court must notify the Public Trustee and provide the Public Trustee with a copy of the order.

- (3) The Public Trustee must deposit all of the following information into the registry for each representation order:
- (a) a copy of the order;
 - (b) information respecting the date by which the order is required to be reviewed;
 - (b) contact information for each represented adult as set out in the application for the order or as provided by the represented adult;
 - (c) contact information for each representative and alternate representative appointed under the order, as set out in the application for the order or as provided by the representative or alternate representative.

Use and disclosure of information by Public Trustee

- 25 (1) The Public Trustee may collect, use and disclose information in the registry, including personal information, to do any of the following:
- (a) determine whether a representation order has been reviewed in accordance with the terms of the order;
 - (b) exercise the powers and carry out the duties of the Public Trustee under the Act and these regulations.
- (2) Subject to the conditions in subsection (3) and any express provisions to the contrary in a representation order, the Public Trustee may disclose information, including personal information, from the registry to the following persons or bodies:
- (a) the Nova Scotia Supreme Court or Court of Appeal;
 - (b) a public body as defined in the *Freedom of Information and Protection of Privacy Act*;
 - (c) a bank to which the *Personal Information Protection and Electronic Documents Act* (Canada) applies;
 - (d) a custodian as defined in the *Personal Health Information Act*;
 - (e) the representative;
 - (f) a represented adult;
 - (g) a lawyer representing a person or body referred to in clause (a) to (f).
- (3) The Public Trustee may disclose information to a person or body referred to in subsection (2) only if all of the following conditions are met:
- (a) the information is requested in a manner that is acceptable to the Public Trustee and ~~that~~ [it]
 - (i) identifies the adult that the person or body believes is or may be the subject of a representation order,
 - (ii) identifies the information that the person or body is requesting, and

- (iii) sets out the person's or body's reasons for requesting the information;
- (b) the Public Trustee is satisfied that the person or body has a legitimate interest in any of the following respecting a representation order:
 - (i) determining whether an adult is the subject of a representation order;
 - (ii) being advised of the terms of
 - (A) a representation order, or
 - (B) a continued or varied order made on a review of a representation order, or
 - (iii) being provided with contact information for a representative.
- (4) A person or body who is not referred to in subsection (2) may request that Public Trustee provide their contact information to a representative.

Part 2—Complaints

Interpretation and Application of Part 2

Definitions for Part 2

26 In this Part,

“complaint” means a report that a representative is failing to act in accordance with the Act, these regulations, a representation order or a representation plan, and that the failure is causing or is likely to cause any of the following:

- (i) harm to the physical or mental health of the represented adult,
- (ii) financial loss to the represented adult, including loss to [of] property of the represented adult;

“information” means information as defined in Section 16 of the Act;

“investigation” means an investigation by the Public Trustee of a complaint under these regulations;

“person” mea[n]s a person as defined in Section 16 of the Act;

“record” means a book, paper, document or thing, whether in electronic form or otherwise.

Protection and involvement of represented adult

- 27 (1) Any step in an investigation or other proceeding under this Part must be by the least restrictive and least intrusive means that will promote and protect the represented adult's well-being and interests in financial matters.
- (2) A represented adult must be involved as far as is reasonably possible in decisions relating to them.

Authorizing officer or employee to act for Public Trustee

28 The Public Trustee may, in writing, authorize an officer or employee of the Public Trustee to do any act or other thing required or permitted to be done by the Public Trustee under this Part.

Complaints Process

Making complaint

- 29** (1) Any interested person may make a complaint to the Public Trustee.
- (2) A complaint filed under subsection (1) must be in writing and may be in the form prescribed by the Minister.
- (3) No action for damages may be brought against a person for making a complaint or for assisting in an investigation, unless the person made the report falsely and maliciously.

Public Trustee to refer complaint

- 30** (1) If the Public Trustee reasonably believes that the subject matter of a complaint could constitute any of the following, the Public Trustee must refer the complaint to the Minister or agency responsible for receiving complaints or reports under the applicable legislation:
- (a) an offence under the *Criminal Code* (Canada);
- (b) abuse against a patient or resident under the *Protection for Persons in Care Act*;
- (c) evidence that an adult is in need of protection under the *Adult Protection Act*;
- (d) an offence under a statute or regulation of the Province.
- (2) When referring a complaint under subsection (1), the Public Trustee may disclose information, including personal information, that the Public Trustee reasonably believes relates to the complaint.
- (3) Referring a complaint under subsection (1) does not relieve the Public Trustee of the duty to investigate a report in accordance with this Part.

Investigation of Complaint

Duty to investigate complaint

- 31** (1) The Public Trustee must investigate a complaint unless the Public Trustee determines that an investigation is not necessary because of any of the following reasons:
- (a) the complaint is frivolous or vexatious;
- (b) the complaint discloses no failure of the representative to act in accordance with the Act, these regulations, a representation order or a representation plan that is causing or is likely to cause any of the following:
- (i) harm to the physical or mental health of the represented adult,
- (ii) financial loss to the represented adult, including loss to [of] property of the represented adult;
- (c) the harm or financial loss, or risk of harm or financial loss, is being adequately dealt with by other measures.
- (2) If the Public Trustee determines under subsection (1) that an investigation is not necessary, the Public Trustee must provide the person who made the complaint with written reasons for the determination.

Notification of investigation

32 As soon as is practicable in the circumstances after deciding to investigate a complaint, the Public Trustee must make a reasonable effort to notify any person that the Public Trustee considers appropriate that an investigation respecting the applicable representation order is being conducted, including all of the following persons:

- (a) the represented adult;
- (b) any representative who is alleged to be responsible for abuse or misuse of the order;
- (c) any representatives, including alternative representatives, appointed by the order and not named under clause (b);
- (d) the person who made the complaint.

Powers of investigation

33 In conducting an investigation, the Public Trustee may do any or all of the following:

- (a) interview the represented adult and any person who may have information relevant to the investigation;
- (b) require a representative or any person or other entity to produce for inspection or copying, or both, any record that the Public Trustee believes on reasonable grounds contains any information relevant to the investigation;
- (c) require a representative to provide any report, information or explanation the Public Trustee considers necessary for the investigation;
- (d) obtain any information that the Public Trustee considers necessary for the investigation, including a report from any of the following:
 - (i) a health care provider who has examined the represented adult,
 - (ii) any agency that provides, or has provided, health or social services to the represented adult,
 - (iii) any person that manages the represented adult's financial matters or personal or health care matters;
- (e) enter and inspect a premises, with the permission of the person in charge of the premises, at any reasonable time, for the purpose of interviewing a person referred to in clause (a), taking possession of a record referred to in clause (b), or obtaining any information or evidence relevant to the investigation.

Copies of records

34 (1) The Public Trustee may inspect and copy any record produced under Section 33 and must ensure that the original is promptly returned to 1 of the following places:

- (a) the place it was removed from;
- (b) a place agreed to by the Public Trustee and the person who was in possession of the record before it was produced.

- (2) A copy of a record certified by the Public Trustee to be a copy made under subsection (1)
 - (a) is admissible in evidence without proof of the office or signature of the person purporting to have signed the certificate; and
 - (b) has the same probative force as the original record.

Court order to produce records

35 If a person or entity refuses to provide any information or record requested under Section 33, the Public Trustee may apply to the Court for an *ex parte* order requiring the person or entity to produce the information or record to the Public Trustee no later than 30 days after the date the Court issues the order.

Order from justice to enter premises

- 36 (1) The Public Trustee may apply *ex parte* to a justice for an order authorizing a person named in the order to enter and inspect any premises, including a dwelling, named in the order for the purpose of an investigation, if a person in charge of the premises
- (a) refuses or neglects to permit the Public Trustee to enter the premises; or
 - (b) after the Public Trustee enters the premises, obstructs the Public Trustee in the investigation.
- (2) A justice may issue an order under subsection (1), subject to any terms, conditions, limits or restrictions that the justice may impose, if the justice is satisfied on oath of the Public Trustee that there are reasonable grounds to believe all of the following:
- (a) that entry to the premises is necessary for the purpose of the investigation;
 - (b) that entry to the premises has not been permitted or will not be permitted.

Confidentiality and privilege when producing records[,] etc.

- 37 (1) Any person who is required to produce or provide any record, report, information or explanation to the Public Trustee under Section 33 must comply, despite any claim of confidentiality or privilege, other than a claim based on solicitor-client privilege.
- (2) Any person who complies with a requirement under Section 33 is not liable for any breach of
- (a) confidentiality or privilege; or
 - (b) any restriction in an enactment or the common law about the disclosure or confidentiality of information.

Public Trustee powers to immediately protect represented adult

- 38 (1) While investigating a complaint, if the Public Trustee has reason to believe that the interests in the financial matters of the adult, business interests or assets of an adult are in need of immediate protection, the Public Trustee may take any measures necessary to protect the well-being or financial interests of the represented adult that are reasonable in the circumstances, including any of the following:
- (a) instruct any institution where the represented adult has an account that no funds are to be withdrawn from or paid out of the account without prior permission from the Public Trustee, until further notice;
 - (b) direct any source of income for the represented adult to send the income to the Public Trustee

or to a person named by the Public Trustee to be either

- (i) held in trust for the represented adult, or
 - (ii) used to protect or maintain the health, safety or financial interests of the represented adult;
- (c) order any person not to dispose of real or personal property belonging to the represented adult, or otherwise deal with the represented adult's real or personal property in a way that reduces the value of the property without prior permission from the Public Trustee, until further notice.
- (2) Any measures taken under subsection (1) remain in effect for a period of 30 days or a shorter period set by the Public Trustee.
- (3) Any measures taken under subsection (1) may be renewed for a further period of 30 days or less, but may not continue for longer than a total of 120 days.

Post-investigation Procedures

Application for Court order

39 After investigating a complaint, the Public Trustee may apply to the Court for any of the following:

- (a) an order that an audit be conducted, and a report of the findings of the audit be sent to the Public Trustee no later than 30 days after the date the audit is completed, by a chartered accountant, or other person the Court considers appropriate, of the financial records of the following:
 - (i) the represented adult,
 - (ii) any person who it is alleged may be responsible for abuse or misuse of a representation order;
- (b) a review of the representation order under subsection 58(2) of the Act and any order available as a result of the review under Section 59 of the Act;
- (c) any order available under Section 62 of the Act.

Report on complaint and investigation by Public Trustee

40 The Public Trustee must notify any person that the Public Trustee considers appropriate about whether a complaint respecting a representation order was founded or unfounded and whether any action was taken under these regulations, including all of the following persons:

- (a) the represented adult;
- (b) any representative who is alleged to be responsible for abuse or misuse of the order;
- (c) any representatives, including alternate representatives, appointed by the order and not named under clause (b);
- (d) the person who made the complaint.

Protection of Personal Information

Obtaining information for investigating or responding to complaint

- 41 (1)** When investigating or responding to a complaint under this Part, the Public Trustee may obtain any of the following information from a public body, as defined in the *Freedom of Information and Protection of Privacy Act*, or a person:
- (a) information about the represented adult who is the subject of the complaint, including any of the following information:
 - (i) the name and address of anyone who is alleged to have abused or misused a representation order,
 - (ii) the whereabouts of anyone who is alleged to have abused or misused a representation order;
 - (b) [information] about activities that are the subject matter of the investigation.
- (2)** A person carrying on a business or a public body must do all of the following as soon as reasonably possible when requested for information under subsection (1):
- (a) provide the information, if the person or public body has custody, possession or control of the information;
 - (b) give the Public Trustee a copy of the record in which any requested information is contained.

Written records of information made by Public Trustee

- 42** The Public Trustee may make and maintain written records of any information received under Section 41.

Disclosing information or written records

- 43 (1)** The Public Trustee may, in the Public Trustee's discretion, disclose information obtained under Section 41 or records made under Section 42, to a person, court, tribunal, government department, government agency, local government body or law enforcement agency.
- (2)** The Public Trustee may disclose information obtained under Section 41 or records made under Section 42 to any peace officer or person assisting in the investigation.

Solicitor-client privilege

- 44** Nothing in Sections 41 to 43 abrogates any privilege that may exist because of a solicitor-client relationship.

N.S. Reg. 180/2017

Made: December 11, 2017

Filed: December 18, 2017

Milk Classes and Categories Regulations—amendment

Order dated December 11, 2017

Amendment to regulations made by the Natural Products Marketing Council
pursuant to clauses 8(d) and 9(r) of the *Dairy Industry Act***Natural Products Marketing Council**

I certify that on December 11, 2017, the Natural Products Marketing Council, pursuant to clauses 8(d) and 9(r) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Milk Classes and Categories Regulations*, N.S. Reg. 3/2006, made by the Natural Products Marketing Council on January 10, 2006, in the manner set out in Schedule “A”, effective on and after December 15, 2017.

Signed at Truro, in the County of Colchester, Nova Scotia on December 13, 2017.

Natural Products Marketing Council

per: sgd: *E. A. Crouse*
Elizabeth A. Crouse, P.Ag.
Director**Schedule “A”****Amendment to the *Milk Classes and Categories Regulations*
made by the Natural Products Marketing Council
pursuant to clauses 8(d) and 9(r) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

The table in subsection 4(1) of the *Milk Classes and Categories Regulations*, N.S. Reg. 3/2006, made by the Natural Products Marketing Council on January 10, 2006, is amended by

- (a) striking out “Class 3(c)” in the row beginning “Class 3(a)”, and substituting “Class 3(c)(1), Class 3(c)(2)”;
- (b) striking out “3(c)” in the row beginning “Class 3(b)”, and substituting “3(c)(1) and 3(c)(2)”;
- (c) adding “whole or partly skimmed” immediately after “concentrated” in the row beginning “Class 4(a)”.

N.S. Reg. 181/2017

Made: December 14, 2017

Filed: December 20, 2017

Prescribed Petroleum Products Prices

Order dated December 14, 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**M08430**

In the matter of the *Petroleum Products Pricing Act*

- and -

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

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

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 December 13, 2017, are:

Grade 1 Regular gasoline	59.1¢ per litre
Ultra-low-sulfur diesel oil	65.1¢ per litre

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

Gasoline:

Grade 1	59.1¢ per litre
Grade 2	62.1¢ per litre
Grade 3	65.1¢ per litre
Ultra-low-sulfur diesel oil	65.1¢ 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 0.6¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.4¢ per litre

And whereas a winter blending adjustment of plus 4.6¢ 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., December 15, 2017.

Dated at Halifax, Nova Scotia, this 14th day of December, 2017.

sgd: Lisa Wallace
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on December 15, 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	65.7	10.0	15.5	91.2	110.7	112.9	110.7	999.9
Mid-Grade Unleaded	68.7	10.0	15.5	94.2	114.2	116.4	114.2	999.9
Premium Unleaded	71.7	10.0	15.5	97.2	117.6	119.8	117.6	999.9
Ultra-Low-Sulfur Diesel	77.4	4.0	15.4	96.8	117.2	119.4	117.2	999.9
Zone 2								
Regular Unleaded	66.2	10.0	15.5	91.7	111.3	113.5	111.3	999.9
Mid-Grade Unleaded	69.2	10.0	15.5	94.7	114.8	117.0	114.8	999.9
Premium Unleaded	72.2	10.0	15.5	97.7	118.2	120.4	118.2	999.9
Ultra-Low-Sulfur Diesel	77.9	4.0	15.4	97.3	117.8	119.9	117.8	999.9
Zone 3								
Regular Unleaded	66.6	10.0	15.5	92.1	111.8	114.0	111.8	999.9
Mid-Grade Unleaded	69.6	10.0	15.5	95.1	115.2	117.4	115.2	999.9
Premium Unleaded	72.6	10.0	15.5	98.1	118.7	120.9	118.7	999.9
Ultra-Low-Sulfur Diesel	78.3	4.0	15.4	97.7	118.2	120.4	118.2	999.9
Zone 4								
Regular Unleaded	66.7	10.0	15.5	92.2	111.9	114.1	111.9	999.9
Mid-Grade Unleaded	69.7	10.0	15.5	95.2	115.3	117.5	115.3	999.9
Premium Unleaded	72.7	10.0	15.5	98.2	118.8	121.0	118.8	999.9
Ultra-Low-Sulfur Diesel	78.4	4.0	15.4	97.8	118.3	120.5	118.3	999.9
Zone 5								
Regular Unleaded	66.7	10.0	15.5	92.2	111.9	114.1	111.9	999.9
Mid-Grade Unleaded	69.7	10.0	15.5	95.2	115.3	117.5	115.3	999.9
Premium Unleaded	72.7	10.0	15.5	98.2	118.8	121.0	118.8	999.9
Ultra-Low-Sulfur Diesel	78.4	4.0	15.4	97.8	118.3	120.5	118.3	999.9
Zone 6								
Regular Unleaded	67.4	10.0	15.5	92.9	112.7	114.9	112.7	999.9
Mid-Grade Unleaded	70.4	10.0	15.5	95.9	116.2	118.3	116.2	999.9
Premium Unleaded	73.4	10.0	15.5	98.9	119.6	121.8	119.6	999.9
Ultra-Low-Sulfur Diesel	79.1	4.0	15.4	98.5	119.1	121.3	119.1	999.9

N.S. Reg. 182/2017

Made: December 14, 2017

Approved: December 17, 2017

Filed: December 21, 2017

Milk Pricing Regulations—amendment

Order dated December 17, 2017
Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clauses 9(b) and 14(1)(c) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia**Amendment to the *Milk Pricing Regulations*
made under the *Dairy Industry Act***

I certify that on December 14, 2017, the Dairy Farmers of Nova Scotia, pursuant to clauses 9(b) and 14(1)(c) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, carried a motion to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, in the manner set forth in the attached Schedule “A”, effective on and after February 1, 2018.

Signed at Truro, in the County of Colchester, Nova Scotia on December 18, 2017.

Dairy Farmers of Nova Scotia

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

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on December 17, 2017.

Natural Products Marketing Council

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

Schedule “A”**Amendment to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clauses 9(b) and 14(1)(c) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

1 Subsection 3(1) of the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12,

2008, is repealed and the following subsection substituted:

- 3 (1) Except where otherwise specified in the National Ingredients Strategy Implementation Policy, milk processors in the Province must pay, on an F.O.B. plant basis, the prices of milk components set out in the following table for each class of milk specified:

Component Prices for Classes of Milk				
Class of Milk	Butterfat (\$ per kg)	Protein (\$ per kg)	Other Solids (\$ per kg)	Solids-Non-Fat (\$ per hl)
1(a)	7.6056			74.67
1(b)	7.6056			60.44
1(c)	Per current P5 policy for the 1c/4c Pricing Program for innovative products, the price discounts for milk cream and manufactured dairy products are respectively 25% for the first 12 months, 15% for the second 12-month period and 10% for the third 12-month period. The discounts will be deducted off the appropriate P5 target class component prices for approved products.			
2(a)	8.5525	5.9299	5.9299	
2(b)	8.5525	5.9299	5.9299	
3(a)	8.5525	12.7565	0.8698	
3(b)	8.5525	12.4093	0.8698	
3(c)(1)	8.5525	12.7565	0.8698	
3(c)(2)	8.5525	13.8435	0.8698	
4(a)	8.5525	5.3734	5.3734	
4(b)	8.5525	5.4820	5.4820	
4(c)	Per current P5 policy for the 1c/4c Pricing Program for innovative products, the price discounts for milk cream and manufactured dairy products are respectively 25% for the first 12 months, 15% for the second 12-month period and 10% for the third 12-month period. The discounts will be deducted off the appropriate P5 target class component prices for approved products.			
4(d)	8.5525	5.3734	5.3734	

N.S. Reg. 183/2017

Made: December 21, 2017

Filed: December 27, 2017

Prescribed Petroleum Products Prices

Order dated December 21, 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**M08449**

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 December 20, 2017, are:

Grade 1 Regular gasoline	58.7¢ per litre
Ultra-low-sulfur diesel oil	65.1¢ per litre

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

Gasoline:	
Grade 1	58.7¢ per litre
Grade 2	61.7¢ per litre
Grade 3	64.7¢ per litre
Ultra-low-sulfur diesel oil	65.1¢ 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 0.3¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.5¢ per litre

And whereas a winter blending adjustment of plus 4.5¢ 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., December 22, 2017.

Dated at Halifax, Nova Scotia, this 21st day of December, 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 December 22, 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	65.7	10.0	15.5	91.2	110.7	112.9	110.7	999.9
Mid-Grade Unleaded	68.7	10.0	15.5	94.2	114.2	116.4	114.2	999.9
Premium Unleaded	71.7	10.0	15.5	97.2	117.6	119.8	117.6	999.9
Ultra-Low-Sulfur Diesel	77.4	4.0	15.4	96.8	117.2	119.4	117.2	999.9
Zone 2								
Regular Unleaded	66.2	10.0	15.5	91.7	111.3	113.5	111.3	999.9
Mid-Grade Unleaded	69.2	10.0	15.5	94.7	114.8	117.0	114.8	999.9
Premium Unleaded	72.2	10.0	15.5	97.7	118.2	120.4	118.2	999.9
Ultra-Low-Sulfur Diesel	77.9	4.0	15.4	97.3	117.8	119.9	117.8	999.9
Zone 3								
Regular Unleaded	66.6	10.0	15.5	92.1	111.8	114.0	111.8	999.9
Mid-Grade Unleaded	69.6	10.0	15.5	95.1	115.2	117.4	115.2	999.9
Premium Unleaded	72.6	10.0	15.5	98.1	118.7	120.9	118.7	999.9
Ultra-Low-Sulfur Diesel	78.3	4.0	15.4	97.7	118.2	120.4	118.2	999.9
Zone 4								
Regular Unleaded	66.7	10.0	15.5	92.2	111.9	114.1	111.9	999.9
Mid-Grade Unleaded	69.7	10.0	15.5	95.2	115.3	117.5	115.3	999.9
Premium Unleaded	72.7	10.0	15.5	98.2	118.8	121.0	118.8	999.9
Ultra-Low-Sulfur Diesel	78.4	4.0	15.4	97.8	118.3	120.5	118.3	999.9
Zone 5								
Regular Unleaded	66.7	10.0	15.5	92.2	111.9	114.1	111.9	999.9
Mid-Grade Unleaded	69.7	10.0	15.5	95.2	115.3	117.5	115.3	999.9
Premium Unleaded	72.7	10.0	15.5	98.2	118.8	121.0	118.8	999.9
Ultra-Low-Sulfur Diesel	78.4	4.0	15.4	97.8	118.3	120.5	118.3	999.9
Zone 6								
Regular Unleaded	67.4	10.0	15.5	92.9	112.7	114.9	112.7	999.9
Mid-Grade Unleaded	70.4	10.0	15.5	95.9	116.2	118.3	116.2	999.9
Premium Unleaded	73.4	10.0	15.5	98.9	119.6	121.8	119.6	999.9
Ultra-Low-Sulfur Diesel	79.1	4.0	15.4	98.5	119.1	121.3	119.1	999.9