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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. 48/2020

Made: March 30, 2020

Filed: April 2, 2020

Natural Resources Ministerial Land Transactions Regulations—amendment

Order in Council 2020-107 dated March 30, 2020

Amendment to regulations made by the Governor in Council
pursuant to Section 6 of the *Court and Administrative Reform Act*

The Governor in Council on the report and recommendation of the Minister of Lands and Forestry dated March 21, 2020, and pursuant to Section 6 of Chapter 23 of the Acts of 1996, the *Court and Administrative Reform Act*, is pleased to amend the *Natural Resources Ministerial Land Transactions Regulations*, N.S. Reg. 75/2005, made by the Governor in Council by Order in Council 2005-94 dated March 4, 2005, respecting the requirement that Executive Council be notified of dispositions to select persons under the regulations, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 30, 2020.

Schedule “A”**Amendment to the *Natural Resources Ministerial Land Transaction Regulations*
made by the Governor in Council under Section 6
of Chapter 23 of the Acts of 1996,
the *Court and Administrative Reform Act***

- 1 Section 1 of the *Natural Resources Ministerial Land Transaction Regulations*, N.S. Reg. 75/2005, made by the Governor in Council by Order in Council 2005-94 dated March 4, 2005, is amended by striking out “Natural Resources” and substituting “Lands and Forestry”.
- 2 Section 2 of the regulations is amended by
 - (a) striking out the clause letter before each definition;
 - (b) in the definition of “Department”, striking out “Natural Resources” and substituting “Lands and Forestry”; and
 - (c) in the definition of “Minister”, striking out “Natural Resources” and substituting “Lands and Forestry”.
- 3 Section 14 of the regulations is repealed and following Section substituted:

Notification to Executive Council

- 14 (1)** Except as provided in subsection (3), 1 week before approving any disposition under these regulations, the Minister must provide the Executive Council with notice of the proposed transaction.
- (2)** A notice under subsection (1) must include all of the following:
- (a) the name of the purchaser;
 - (b) the location and size of the property to be disposed of;
 - (c) the price of the proposed transaction.

- (3) A notice under this Section is not required for any disposition under these regulations that involves issuing a licence to a person for the purpose of transmitting, delivering or furnishing any of the following services or any similar services:
- (a) power;
 - (b) cable;
 - (c) telephone;
 - (d) cellular;
 - (e) broadband.
-

N.S. Reg. 49/2020

Made: March 30, 2020

Filed: April 2, 2020

Cap-and-Trade Program Regulations—amendment

Order in Council 2020-109 dated March 30, 2020
Amendment to regulations made by the Governor in Council
pursuant to Section 112Q of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated March 6, 2020, and pursuant to Section 112Q of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to amend the *Cap-and-Trade Program Regulations*, N.S. Reg. 194/2018, made by the Governor in Council by Order in Council 2018-294 dated November 13, 2018, to address allowance allocation for regulated facilities who are ceasing operations, designate a Green Fund manager and align and clarify some administrative requirements in the program, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 30, 2020.

Schedule “A”

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

- 1 Section 2 of the *Cap-and-Trade Program Regulations*, N.S. Reg. 194/2018, made by the Governor in Council by Order in Council 2018-294 dated November 13, 2018, is amended by striking out “the year in which the emissions allowance” in the definition of “vintage” and substituting “the year for which the emission allowance”.
- 2 The regulations are further amended by adding the following Section immediately after Section 4:
Green Fund Manager designated
4A The Executive Director of Climate Change is designated as the Green Fund Manager.
- 3 Clause 8(1)(h) of the regulations is amended by striking out “the chief officer” and substituting “a director or any other officer”.

- 4 (1) Subsection 14(1) of the regulations is amended by striking out “8 p.m.” and substituting “9 p.m.”.
- (2) Subsection 14(2) of the regulations amended by
- (a) adding “after September 1, 2023,” immediately after “report”;
- (b) striking out “deadline for submitting emission allowances in subsection (1) may be extended by the Minister to a date that is no later than 180 days after the date the revised GHG report is submitted” and substituting “deadline in subsection (1) for submitting emission allowances equal to the additional attributable GHG emissions may be extended by the Minister for up to a maximum of 365 days”.
- 5 (1) Subsection 20(1) of the regulations is repealed and the following subsection substituted:
- (1) A program participant may hold a combined total of no more than 500 000 emission allowances in their general account and, except as provided in subsection (2), in their compliance account that are
- (a) of the current year vintage or earlier; or
- (b) for the compliance account, purchased at a sale by agreement.
- (2) Section 20 of the regulations is further amended by adding the following subsection immediately after subsection (2):
- (3) A program participant may hold a combined total of no more than 500 000 emission allowances of a vintage subsequent to the current year in their general account and their compliance account.
- 6 Clause 30(4)(b) of the regulations is amended by striking out “chief officer” and substituting “director or any other officer”.
- 7 Section 83 of the regulations is amended by striking out “not” immediately after “may”.
- 8 Clause 86(c) of the regulations is amending by striking out “is completed” immediately after “clause (b)”.
- 9 Section 87 of the regulations is amended by re-designating the second subsection (3) as subsection (4).
- 10 (1) Formula 3.1 in Schedule 1 to the regulations is amended by striking out “calculated based on $product_{i,t}$, calculated using Formula 3.2” in the value definition for the variable “ $B_{ci,t}$ ” and substituting “for year t , calculated based on the applicable Formula 3.2.1 or 3.2.2”.
- (2) Schedule 1 to the regulations is further amended by striking out the formula and text immediately after the heading “Formula 3.2—actual base number of emission allowances” and substituting the following:

Formula 3.2.1

$$B_{ci,t} = \sum_i^n product_{i,t} \times EI_{e,i}$$

in which

$B_{ci,t}$ = actual base number of emission allowances for year t

$Product_{i,t}$ = the amount for year t of

- (i) quantity of product i set out in Column 2 of Table 1
- (ii) quantity of the process parameter i set out in Column 2 of Table 1

$EI_{e,i}$ = the historical facility production intensity benchmark, calculated using Formula 1.2

Formula 3.2.2

If the owner of the facility has notified the Minister as required under subsection 112J(1) of the Act that they have ceased or are about to cease to be an emitter, the following formula must be used:

$$B_{ci,t} = \sum_i^n product_{i,t-2} \times EI_{e,i}$$

in which

$B_{ci,t}$ = actual base number of emission allowances for year t

$Product_{i,t-2}$ = the amount for year t-2 of

- (i) quantity of product i set out in Column 2 of Table 1
- (ii) quantity of the process parameter i set out in Column 2 of Table 1

$EI_{e,i}$ = the historical facility production intensity benchmark, calculated using Formula 1.2

N.S. Reg. 50/2020

Made: March 30, 2020

Filed: April 2, 2020

Liquor Licensing Regulations—amendment

Order in Council 2020-111 dated March 30, 2020

Amendment to regulations made by the Governor in Council
pursuant to Section 50 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated March 29, 2020, and pursuant to Section 50 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, to enable the take away and delivery of beer, wine and cider with food from licensed premises with a food establishment permit, in the manner set forth in Schedule “A”, attached to and forming part of the report and recommendation, effective on and after March 30, 2020.

Schedule "A"

**Amendment to the *Liquor Licensing Regulations*
made by the Governor in Council under Section 50
of Chapter 260 of the Revised Statutes of Nova Scotia, 1989,
the *Liquor Control Act***

- 1 Section 58 of the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, is amended by striking out "and 58B" and substituting ", 58B and 58C".
- 2 The regulations are further amended by adding the following Section immediately after Section 58B:

Sale of beer, wine and cider for consumption with food for take away or delivery from licensed premises

- 58C (1)** A licensee must not sell beer, wine or cider from their licensed premises for take away or delivery from the licensed premises except in accordance with this Section and any terms and conditions set by the Executive Director under this Section.
- (2)** With the approval of the Executive Director, a licensee may permit a customer to purchase beer, wine or cider for take away or delivery from the licensed premises, if all of the following requirements for the purchase are met:
- (a) the beer, wine or cider is purchased as part of a take away or delivery order and includes food produced by the licensee under a food establishment permit issued under *Food Safety Regulations* made under Part II of the *Health Protection Act*;
 - (b) the beer, wine or cider sold for delivery is sold by and delivered by an employee of the licensed premises that it is sold from;
 - (c) an employee who performs any actions under clause (b) has training, acceptable to the Executive Director, in the skills necessary to implement responsible beverage service;
 - (d) the beer, wine or cider is sold and provided in the original factory sealed packaging;
 - (e) the person purchasing or receiving the beer, wine or cider for take away or delivery
 - (i) can provide proof that they are at least 19 years old, on request, and
 - (ii) is not intoxicated;
 - (f) a person purchasing the beer, wine or cider for take away leaves the licensed premises immediately after the purchase and is informed of the requirements in subsections 54(6) and (7) of the Act for transporting liquor in a motor vehicle;
 - (g) the total beer, wine or cider sold to a person under this Section per take away or delivery order is
 - (i) not more than the amount that would be reasonably consumed with the number of meals being sold in the order, and

- (ii) valued at not more than 3 times the value, calculated before taxes or gratuities, of the food portion of the order.
- (3) An employee providing beer, wine or cider under this Section must do all of the following:
- (a) before permitting beer, wine or cider to be provided to a person for take away or on delivery under this Section, check the identification of the person receiving the beer, wine or cider to
 - (i) confirm their identity, and
 - (ii) ensure that they are at least 19 years old;
 - (b) refuse to provide beer, wine or cider to a person who is apparently intoxicated.
- (4) Despite the hours during which a licensee is authorized to sell or dispense beer, wine or cider under these regulations, a licensee must not sell beer, wine or cider under this Section before 10:00 a.m. or after 10:00 p.m.
- (5) The Executive Director may establish any additional terms and conditions for licensees that the Executive Director determines are reasonable or necessary for take away or delivery sales under this Section to ensure the intent of this Section is met, including but not limited to record keeping or tracking requirements.
- 3 Subsection 59(1) of the regulations is amended by striking out “Section 58B” and substituting “Sections 58B and 58C”.
-

N.S. Reg. 51/2020

Made: March 31, 2020

Filed: April 2, 2020

Public Trustee Authorization Respecting Unclaimed Remains

Order in Council 2020-113 dated March 31, 2020

Order made by the Governor in Council
pursuant to Section 4 of the *Public Trustee Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness and the Attorney General and Minister of Justice dated March 18, 2020, and pursuant to Section 4 of ~~the~~ Chapter 189 of the Revised Statutes of Nova Scotia, 1989, the *Public Trustee Act*, is pleased to authorize the Public Trustee to manage unclaimed remains in the Province of Nova Scotia, with such authority as set out in Schedule “A” attached to the report and recommendation, effective as of the date of this Order.

Schedule “A”

[The] Governor in Council on the report and recommendation of the Minister of Health and Wellness dated [*sic*], 2020, is pleased to authorize the Public Trustee to manage unclaimed remains in the Province of Nova Scotia with authority to

- (a) determine when human remains are unclaimed;
- (b) assume responsibility for unclaimed remains;

- (c) investigate whether the deceased had an estate;
- (d) make disposition arrangements and payment for disposition of unclaimed remains; and
- [(e)] recover costs of disposition from the deceased' [s] estate in accordance with the *Public Trustee Act* effective [Date of Order]. [sic]

N.S. Reg. 52/2020

Made: April 2, 2020

Filed: April 3, 2020

Prescribed Petroleum Products Prices

Order dated April 2, 2020
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**M09650**

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: Roberta J. Clarke, Q.C., 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 period ended April 1, 2020, are:

Grade 1 Regular gasoline	20.51¢ per litre
Ultra-low-sulfur diesel oil	38.17¢ per litre

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

Gasoline:

Grade 1	20.51¢ per litre
Grade 2	23.51¢ per litre
Grade 3	26.51¢ per litre

Ultra-low-sulfur diesel oil 38.17¢ 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: minus 1.7¢ per litre

And whereas a winter blending adjustment of plus 0¢ 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., April 3, 2020.

Dated at Halifax, Nova Scotia, this 2nd day of April, 2020.

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 April 3, 2020**

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	27.46	10.0	15.5	52.96	66.8	69.0	66.8	999.9
Mid-Grade Unleaded	30.46	10.0	15.5	55.96	70.2	72.4	70.2	999.9
Premium Unleaded	33.46	10.0	15.5	58.96	73.7	75.9	73.7	999.9
Ultra-Low-Sulfur Diesel	44.99	4.0	15.4	64.39	79.9	82.1	79.9	999.9
Zone 2								
Regular Unleaded	27.96	10.0	15.5	53.46	67.3	69.5	67.3	999.9
Mid-Grade Unleaded	30.96	10.0	15.5	56.46	70.8	73.0	70.8	999.9
Premium Unleaded	33.96	10.0	15.5	59.46	74.2	76.4	74.2	999.9
Ultra-Low-Sulfur Diesel	45.49	4.0	15.4	64.89	80.5	82.7	80.5	999.9
Zone 3								
Regular Unleaded	28.36	10.0	15.5	53.86	67.8	70.0	67.8	999.9
Mid-Grade Unleaded	31.36	10.0	15.5	56.86	71.3	73.4	71.3	999.9
Premium Unleaded	34.36	10.0	15.5	59.86	74.7	76.9	74.7	999.9
Ultra-Low-Sulfur Diesel	45.89	4.0	15.4	65.29	80.9	83.1	80.9	999.9
Zone 4								
Regular Unleaded	28.46	10.0	15.5	53.96	67.9	70.1	67.9	999.9
Mid-Grade Unleaded	31.46	10.0	15.5	56.96	71.4	73.6	71.4	999.9
Premium Unleaded	34.46	10.0	15.5	59.96	74.8	77.0	74.8	999.9
Ultra-Low-Sulfur Diesel	45.99	4.0	15.4	65.39	81.1	83.2	81.1	999.9

Zone 5								
Regular Unleaded	28.46	10.0	15.5	53.96	67.9	70.1	67.9	999.9
Mid-Grade Unleaded	31.46	10.0	15.5	56.96	71.4	73.6	71.4	999.9
Premium Unleaded	34.46	10.0	15.5	59.96	74.8	77.0	74.8	999.9
Ultra-Low-Sulfur Diesel	45.99	4.0	15.4	65.39	81.1	83.2	81.1	999.9
Zone 6								
Regular Unleaded	29.16	10.0	15.5	54.66	68.7	70.9	68.7	999.9
Mid-Grade Unleaded	32.16	10.0	15.5	57.66	72.2	74.4	72.2	999.9
Premium Unleaded	35.16	10.0	15.5	60.66	75.6	77.8	75.6	999.9
Ultra-Low-Sulfur Diesel	46.69	4.0	15.4	66.09	81.9	84.1	81.9	999.9

N.S. Reg. 53/2020

Made: April 2, 2020

Filed: April 6, 2020

Fluid Dairy Pricing Regulations—amendment

Order dated April 2, 2020

Amendment to regulations made by the Natural Products Marketing Council
pursuant to Section 9 of the *Dairy Industry Act***Natural Products Marketing Council**

I certify that the Natural Products Marketing Council, pursuant to Section 9 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at its meeting on April 2, 2020, carried a motion to amend the *Fluid Dairy Pricing Regulations*, N.S. Reg. 95/2003, made by the Natural Products Marketing Council on April 8, 2003, in the manner set forth in the attached Schedule “A”, effective on and after April 2, 2020.

Signed at Truro, in the County of Colchester, Nova Scotia on April 2, 2020.

Natural Products Marketing Council

per: sgd. *E. A. Crouse*
Elizabeth A. Crouse
Director**Schedule “A”**

**Amendment to the *Fluid Dairy Pricing Regulations*
made by the Natural Products Marketing Council
under clauses 9(c) and (d) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

The *Fluid Dairy Pricing Regulations*, N.S. Reg. 95/2003, made by the Natural Products Marketing Council on April 8, 2003, are amended by adding the following Section immediately after Section 2A:

Exceptional circumstances

2B (1) In exceptional circumstances, the Council may grant an exemption to the minimum wholesale and minimum retail prices in Section 2.

- (2) For the purposes of this Section, exceptional circumstances means conditions that are unusual, unforeseen, and out of the ordinary course of events.
- (3) A processor may apply to Council for an exemption under subsection (1) by making a written request, including all of the following:
- (a) the specific fluid milk product for which the exemption is requested, including all of the following:
 - (i) product name,
 - (ii) brand and owner of brand,
 - (iii) container type and size,
 - (iv) Universal Product Code,
 - (v) volume of product to be sold under the exemption, if granted,
 - (vi) proposed retail price under the exemption;
 - (b) the requested time period for the exemption;
 - (c) the retailer name and address;
 - (d) details of the exceptional circumstances upon which the request is based.
-

N.S. Reg. 54/2020

Made: March 27, 2020

Approved: April 2, 2020

Filed: April 6, 2020

Bulk Haulage Regulations—amendment

Order dated April 2, 2020

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 March 27, 2020, 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 May 1, 2020.

Signed at Truro, in the County of Colchester, Nova Scotia on April 3, 2020.

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 April 2, 2020.

Natural Products Marketing Council

per: sgd. *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 milk pick-up that occurs on a set schedule of every second day:

Transporter	Maximum Rate/100 L
Agropur Cooperative	\$2.26
Agropur Scotsburn Division (Agropur Cooperative)	\$3.15
Fisher Transport Limited	\$1.82
Winterthur Farm—Rudolph Burghardt	\$5.54

N.S. Reg. 55/2020

Made: March 27, 2020

Approved: April 2, 2020

Filed: April 6, 2020

Nova Scotia Egg Producers' Egg Regulations—replacement

Order dated April 2, 2020

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

Egg Producers of Nova Scotia**Repeal and Replacement of the Nova Scotia Egg Producers' Egg Regulations**

The Egg Producers of Nova Scotia, pursuant to subsection 9(1) of Chapter 308 of Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, as delegated by Section 6 of the *Nova Scotia Egg Producers' Marketing Plan*, N.S. Reg. 239/82, at a meeting held on March 27, 2020, carried a motion to:

- (a) repeal the *Nova Scotia Egg Producers' Egg Regulations*, N.S. Reg. 211/85;
- (b) repeal the *Nova Scotia Egg Producers New Entrant Program Regulations*, N.S. Reg. 369/2015; and
- (c) make new regulations respecting the production and marketing of eggs in the form set out in Schedule "A".

The repeal and making of regulations referred to in this certificate is effective on and after April 27, 2020.

Signed at Truro, in the County of Colchester, Nova Scotia on April 3, 2020.

Egg Producers of Nova Scotia

sgd. *Patti Wyllie*
per: Patti Wyllie
General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on April 2, 2020.

Natural Products Marketing Council

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

Schedule "A"

**Regulations Respecting the Production and Marketing of Eggs
made by the Egg Producers of Nova Scotia under subsection 9(1) of
Chapter 308 of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act***

Citation

1 These regulations may be cited as the *Nova Scotia Egg Producers' Egg Regulations*.

Interpretation

2 (1) In these regulations,

“Act” means the *Natural Products Act*;

“Animal Care Program” means the Animal Care Program established by the Egg Farmers of Canada, as amended from time to time;

“associated persons” means persons that are any of the following:

- (a) members of the same immediate family,
- (b) trustees, personal representatives or beneficiaries of the same trust or estate,
- (c) 1 of them is a donor of a power of attorney and the other is the attorney,
- (d) 1 of them is a corporation and the other is an officer, director or shareholder of the corporation,
- (e) 1 of them is a partnership and the other is a partner in the partnership,
- (f) 1 of them is a trust or corporation that owns shares of a corporation or has an interest in a partnership and the other is that corporation or partnership,
- (g) each of them is a corporation, partnership or trust and they are all controlled directly or indirectly by the same person;

[Note: subclause lettering as in original.]

“Canadian Egg Marketing Agency” means the Canadian Egg Marketing Agency established under the *Farm Products Agencies Act* (Canada);

“certified enriched housing” means housing that has been certified by Egg Farmers of Canada as meeting all final housing requirements for enriched cages in the Code of Practice for the Care and Handling of Pullets and Laying Hens;

“Code of Practice for the Care and Handling of Pullets and Laying Hens” means the Code of Practice for the Care and Handling of Pullets and Laying Hens as established by the National Farm Animal Council, as amended from time to time;

“commercial pullet quota” means commercial quota as defined in the *Egg Producers' Pullet Regulations* for the production and marketing of pullets;

“commercial pullet quota holder” means a commercial pullet producer who holds commercial pullet quota under the *Egg Producers’ Pullet Regulations*;

“conventional housing” means housing that meets the conventional cage requirements in the Code of Practice for the Care and Handling of Pullets and Laying Hens;

“Egg Farmers of Canada” means the trade name for the Canadian Egg Marketing Agency established under the *Farm Products Agencies Act* (Canada);

“egg quota” means the maximum number of layers that the holder is entitled to use in producing eggs;

“enriched differential amount” means the difference between the certified enriched housing cost of production and the conventional housing cost of production, as determined by the Egg Farmers of Canada from time to time;

“enriched producer price” means the producer price plus the enriched differential amount;

“facility” means the building, land, fixture or laying facility used by a person for; egg production, grading or processing, or pullet production;

“Federal-Provincial Agreement” means the agreement respecting the revision and consolidation of the comprehensive egg marketing program for the purpose of regulating and marketing eggs in Canada, as amended from time to time, and as authorized by Order in Council P.C. 1976-1979;

“final housing requirements for enriched cages” means the final housing requirements for enriched cages established in the Code of Practice for the Care and Handling of Pullets and Laying Hens;

“*Force Majeure*” means an extraordinary event, including, but not limited to, a natural disaster, a fire, or a severe illness, in which a producer was unable to prevent or protect against by the exercise of reasonable diligence at a reasonable cost;

“free range”, in relation to an egg, means an egg produced in free range housing;

“free range housing” means a free run housing system where laying hens may roam freely and have access to an outdoor enclosed pasture or range area when weather permits;

“free run”, in relation to an egg, means an egg produced in free run housing;

“free run housing” means a housing system where the laying hens roam freely inside a laying facility;

“grade” means sorting and classifying eggs;

“grader” means a person designated as a grader under subsection 13(3) of the *Canadian Food Inspection Agency Act*;

“grader licence” means a licence issued by the Board that allows the holder to grade eggs;

“grading station” means a facility where a grader licensee washes, grades, packs, offers for sale, sells, stores, transports or markets eggs;

“hatchery” means a hatchery for which a permit to operate a hatchery has been issued by the Minister of Agriculture and Agri-Food (Canada) under the *Hatchery Regulations* made under the *Health of Animals Act* (Canada);

“house” means to provide layers with shelter;

“housing system” means the type of housing utilized for housing layers inside a laying facility, and for a free range housing system, includes an outdoor enclosed pasture or range area;

“immediate family” of an individual means the individual’s spouse, parent, child and grandchild and the spouse of any parent, child or grandchild of the individual;

“interest in egg quota” means a legal or beneficial interest of a person in egg quota, as described in subsection (2);

“laying facility” means an area within a facility that is used to shelter layers;

“layer” means a laying hen;

“laying hen” means a hen that is 19 weeks of age or older;

“market producer price” means the producer price plus an adjustment amount, as determined by the Board each year, to be paid to producers by grader licensees for ungraded eggs;

“market producer price adjustment” means the difference between the producer price and the market producer price;

“non-commercial pullet quota holder” means a pullet producer that holds non-commercial pullet quota under the *Pullet Producers’ Egg Regulations*;

“organic”, in relation to the production of an egg, means organic product as certified under the *Safe Food for Canadians Regulations* (Canada);

“parcel of land” means an area of land that may be owned in fee simple absolute, and includes any facilities located on the area of land;

“person” means any of the following:

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

“placement egg quota” means that part of egg quota allotted to a producer licensee which the Board allows the licensee to house in their housing system;

“Plan” means the *Nova Scotia Egg Producers’ Marketing Plan*;

“*pro rata*” means proportionate;

“Pullet Placement Permit” means a permit, issued to a producer by the Board, authorizing the producer to order pullets or layers;

“resident in the Province” or “resident of the Province”, in relation to a corporation, means that the voting shares of the corporation are owned by shareholders who are resident in the Province;

“*Safe Food for Canadians Regulations (Canada)*” means the regulations made under the *Canadian Dairy Commission Act (Canada)*, *Controlled Drugs and Substances Act (Canada)*, *Consumer Packaging and Labelling Act (Canada)*, *Feeds Act (Canada)*, *Health of Animals Act (Canada)*, *Seeds Act (Canada)*, *Food and Drugs Act (Canada)*, *Customs Tariff (Canada)*, *Criminal Code (Canada)*, and the *Safe Food For Canadians Act (Canada)*;

“specialty eggs” means any of the following types of eggs:

- (a) free run,
- (b) free range,
- (c) organic eggs,
- (d) any other type of egg designated by the Board as a specialty egg;

[Note: subclause lettering as in original.]

“Specialty Licence Quota Pool” means egg quota designated by the Board to be used for egg quota leases to specialty licensees;

“Start Clean Stay Clean Program” means the Start Clean Stay Clean Program™ established by the Canadian Egg Marketing Agency, as amended from time to time;

“total provincial allotment of egg quota” means Nova Scotia’s share of the national egg quota as established by the Federal-Provincial Agreement;

“transfer” means a change in legal or beneficial ownership, and in relation to egg quota, includes all of the following:

- (a) any transfer from one person to another person,
- (b) any change in the shareholders or beneficial shareholders of a corporation,
- (c) any change in the partners of a partnership,
- (d) any change in the income beneficiaries or capital beneficiaries of a trust, whether the change occurred before or after the final distribution of that trust,
- (e) any change other than those listed in clauses (a) to (d) that results in a person acquiring or disposing of an interest in egg quota or that otherwise affects a person’s interest in egg quota;

[Note: subclause lettering as in original.]

“unlicensed person” means a person who is not required to hold a licence from the Board to produce eggs under Section 5; and

“unplaceable egg quota” means egg quota allocated to a producer licensee which the Board does not allow the producer to house due to housing density requirements set out in the Animal Care Program.

- (2) A person has an interest in egg quota if that person is any of the following:
- (a) a person that has a direct interest in egg quota, or has an interest in egg quota through a series of associated persons with direct or indirect ownership interests in one another;
 - (b) a shareholder of a corporation that has an interest in egg quota;
 - (c) a partner in a partnership that has an interest in egg quota;
 - (d) a trustee or beneficiary of a trust that has an interest in egg quota;
 - (e) a personal representative or a beneficiary of an estate that has an interest in egg quota.
- (3) Unless a different definition for the same term is set out in subsection (1), definitions in the Plan apply to these regulations.

Written notice

- 3 (1) In these regulations, unless otherwise specified, written notice means a written communication that is sent by one of the following methods:
- (i) registered mail;
 - (ii) courier;
 - (iii) letter mail;
 - (iv) email.

[Note: clause numbering as in original.]

- (2) If written notice is sent by registered mail, the notice is deemed to be received on the 5th business day after it was postmarked, or accepted, by Canada Post.

Licensing

Licences

- 4 The Board may issue the following types of licences in accordance with these regulations:
- (a) producing licence which includes
 - (i) producer licence,
 - (ii) specialty licence,
 - (iii) heritage licence;
 - (b) marketing licence which includes
 - (i) processor licence,

- (ii) grader licence.

Licence Exceptions

- 5** (1) Despite Section 20 of the Plan, a person is exempted from the requirement to hold a licence to produce eggs if they produce eggs using 200 or fewer layers in a year.
- (2) For the purposes of subsection (1), in determining a person's egg production for a year, the egg production of an unlicensed person is deemed to include any licensed or unlicensed egg production of that person's spouse, common-law spouse, or registered domestic partner.
- (3) An unlicensed person may produce eggs only in a facility owned or leased by that person, and an unlicensed person must not house any layers in a facility that the unlicensed person does not own or lease.
- (4) No parcel of land may be used by one or more unlicensed persons for unlicensed production of eggs using more than 200 layers in a year.
- (5) No parcel of land may be used for any combination of licensed and unlicensed production of eggs.

Licence application

- 6** A person may apply to the Board for a licence or a renewal of a licence by completing an application in the form and the manner determined by the Board.

Application information

- 7** (1) An application must include all of the following information:
- (a) the type of application, as one of the following:
 - (i) new licence,
 - (ii) renewal of licence;
 - (b) the type of licence applied for;
 - (c) the date of application;
 - (d) the name and civic address of the applicant, and the location and a description of the applicant's facilities;
 - (e) the applicant's mailing address, if different than civic address;
 - (f) the applicant's fax number, if any;
 - (g) the applicant's email address, if any.
- (2) Upon review of an application, the Board may request, and if requested, the applicant must provide to the Board, information regarding the applicant's experience, equipment or financial ability.

Issuing licence

- 8** (1) The Board must issue or refuse to issue a licence to an applicant within 90 days of the date of receipt of the application by the Board.
- (2) The Board may refuse to issue a licence:

- (a) if the application does not include all required information and all applicable fees;
- (b) if the applicant, in the Board's opinion, lacks the experience, equipment or financial ability to engage in the activity to which the application relates; or
- (c) if, in the Board's opinion, the issuance of a licence to the applicant is not in the best interests of the egg industry in the Province.

Form of licence

9 (1) A licence must include all of the following information:

- (a) the type of licence;
 - (b) the licensee's name and address;
 - (c) the term of the licence, including the effective date and expiry date;
 - (d) the issue date of the licence;
 - (e) the licence number.
- (2)** The Board may issue a licence subject to any term or condition that the Board considers appropriate, provided that the term or condition is a requirement of the Act, Plan or applicable regulations made under the Act.
- (3)** A licence issued by the Board expires on December 31 of the year in which it is issued unless renewed by the Board prior to its expiration.
- (4)** The General Manager of the Board must sign a licence that is issued by the Board.

Suspending, revoking, or refusing to renew a licence

- 10 (1)** If a licensee violates the Act, the Plan, an applicable regulation made under the Act, or a term or condition of their licence, or the licensee is insolvent, the Board may refer the matter to the Council for a decision on suspending, revoking or refusing to renew their licence under Section 10 of the Act.
- (2)** (a) The Board must provide written notice to the licensee who is the subject of a referral of a matter to the Council under ~~clause (1)(b)~~ [subsection (1)].
- (b) The Board must send the written notice required by clause (2)(a) to the licensee by one of the following methods:
- (i) registered mail,
 - (ii) courier,
 - (iii) email.

Grader and Processor Licences**Grader licence required**

11 A person must possess a grader licence to grade eggs at a grading station.

Grader licence requirements

12 A grader licensee must be licensed to grade eggs under the *Safe Food for Canadians Act* (Canada).

Processor licence requirements

13 A processor licensee must be licensed to process eggs under the *Safe Food for Canadians Act* (Canada).

Specialty Licence Production**Licence eligibility**

14 (1) Subject to subsection (2), a person is eligible to apply for a specialty licence if the person is all of the following:

- (a) the age of majority;
- (b) a Canadian citizen;
- (c) a resident of the Province;
- (d) primarily responsible for the production of eggs under the proposed licence.

(2) A person is not eligible to apply for a specialty licence if the person is any of the following:

- (a) a child, spouse, common-law spouse, or registered domestic partner of a present or former egg quota holder;
- (b) a current or past shareholder of a company, a child, a spouse, a common-law spouse, or registered domestic partner of a current or past shareholder of a company which holds or has held quota;
- (c) a current or former holder of any type of quota under the Act, or the *Dairy Industry Act*, or similar legislation in other provinces of Canada.

Specialty licence application

15 (1) In addition to the information required for an application under Section 7, an application for a specialty licence must include all of the following information:

- (a) a business plan for producing and supplying the commercial retail market with specialty eggs;
- (b) evidence that the applicant either possesses, or has the ability to acquire, adequate knowledge and skills of animal husbandry for the proper care of laying hens;
- (c) an application fee of \$250.00 payable to the Board, but the Board must return the fee if the application is rejected;
- (d) a declaration that the applicant will not commence production before obtaining *Salmonella enteritidis* insurance in compliance with these regulations;
- (e) the applicant's province of residence, and if the applicant is a corporation, a statutory declaration confirming that the corporation is resident in the Province.

Review of specialty licence applications

16 The Board may designate a person to review applications for specialty licences.

Issuing specialty licences

- 17 (H) In addition to the reasons set out in Section 8, the Board may refuse to issue a specialty licence in either of the following circumstances:
- (a) the Board determines there is insufficient egg quota available in the Specialty Licence Quota Pool to support additional specialty licences at that time;
 - (b) the Board determines that it is not in the best interests of the industry to issue additional specialty licences at that time.

Selection process for new specialty licences

- 18 If, at any time, the Board decides to issue additional specialty licences in a number less than the number of eligible applicants, an applicant that meets the eligibility requirements under Section 14 will be entered in a random draw, administered by the Board, to determine one or more successful specialty licensees.

Notification of specialty licence

- 19 (1) Upon determining a successful applicant for a specialty licence, the Board must issue a conditional specialty licence to the applicant, conditional upon the Board receiving written confirmation from the applicant of both of the following:
- (a) that the applicant is ready to begin production of specialty eggs, provided that the confirmation is received within 18 months of the date of the specialty licence;
 - (b) that the applicant is compliant with the Plan, these Regulations, and any applicable order of the Board or the Council.
- (2) Upon the Board receiving written confirmation that the applicant has met the requirements in clause[s] (1)(a) and (1)(b), the Board must issue a specialty licence to the applicant.

Renewal of specialty licence

- 20 In addition to the reasons set out in Section 10, if a specialty licensee did not produce eggs in the year in which a renewal of their specialty licence is requested, the Board may refer the matter to Council for a decision on refusing to renew the specialty licence.

Requirements for specialty production

- 21 (1) A specialty licensee may produce only specialty eggs.
- (2) A specialty licensee must adhere to the applicable housing density standards set out in the Animal Care Program.
 - (3) A specialty licensee must not produce eggs within 5 kilometres of the facility of any producer licensee or other specialty licensee.
 - (4) A specialty licensee is authorized to produce eggs only in accordance with egg quota leased to the licensee by the Board under Section 43.
 - (5) A specialty licensee must not cease production of specialty eggs for more than 18 months without the prior written approval of the Board.
 - (6) A specialty licensee must obtain *Salmonella enteritidis* insurance from an insurance provider approved by the Board, and must provide proof of insurance to the Board, prior to commencing specialty egg production.

Specialty licensee rights

22 A specialty licence does not entitle the holder to do any of the following:

- (a) vote in a Board election;
- (b) vote at a producer meeting;
- (c) become a member of the Board.

Specialty licence and egg quota transfers

23 A specialty licensee is not entitled to transfer their licence, or their leased egg quota, for specialty production unless approved by the Board and all of the following apply:

- (a) the transferee is either the spouse or child of the specialty licensee;
- (b) the transferee agrees to produce eggs under the terms and conditions established by the licence, including producing eggs in the same quantities in the same facility;
- (c) the transferee is a resident of the Province.

Heritage Licence**Heritage licence eligibility**

24 Only those persons that have produced and marketed eggs in the Province without holding egg quota in every year since July 25, 1984 are eligible for a heritage licence.

Heritage licence additional application requirement

- 25** (1) Except as provided in subsection (2), in addition to the application requirements set out in Section 7, an applicant for an initial heritage licence must provide the Board with a statutory declaration that the applicant has produced and marketed eggs in the Province without holding egg quota in every year since July 25, 1984.
- (2) An applicant that has produced and marketed eggs in the Province without holding egg quota in every year since July 25, 1984 and has been recognized by the Board as having done so under the previous *Nova Scotia Egg Producers' Regulations* before the coming into force of these regulations, is not required to provide the Board with a statutory declaration under subsection (1).

Heritage licence production

- 26** (1) The Board must set production amounts for a heritage licence and must include that production amount in the licence.
- (2) A heritage license must not exceed 499 layers in a year.
- (3) A heritage licensee must produce eggs only in a facility that is owned or leased by the licensee.
- (4) A heritage licensee must adhere to the applicable housing density standards set out in the Animal Care Program.

Heritage rights

- 27** (1) A heritage licence is not eligible to be transferred or assigned.
- (2) A heritage licence does not entitle the holder to:

- (a) hold egg quota;
- (b) vote in a Board election;
- (c) vote at a producer meeting; or
- (d) become a member of the Board.

Producer Licences

Producer licence applications

28 (1) In addition to the information required under Section 7, an applicant for a producer licence must include in their application:

- (a) all of the following information:
 - (i) the type of housing system for the layers,
 - (ii) the number of layers to be housed,
 - (iii) the source of layers,
 - (iv) the prospective egg grader,
 - (v) the spent fowl removal arrangements,
 - (vi) the applicant's province of residence, and if the applicant is a corporation, a statutory declaration confirming that the corporation is resident in the Province;
 - (b) a declaration that the applicant understands, and will comply with, the Animal Care Program and the Start Clean Stay Clean Program; and
 - (c) a declaration that the applicant will not commence production before obtaining *Salmonella enteritidis* insurance in compliance with these regulations.
- (2)** In addition to the reasons set out in Section 8, the Board may refuse to issue a producer licence in any of the following circumstances:
- (a) the Board determines the applicant has no reasonable opportunity to obtain egg quota during the term of the licence;
 - (b) the Board determines that it is not in the best interests of the industry to issue additional producer licences at that time.
- (3)** In addition to the reasons set out in Section 10, the Board may request permission from Council to refuse to renew a producer licence if the licensee has any outstanding levy payments as calculated under Section 46.

Producer licence transfers

29 (1) A producer licence must not be transferred to another person by the licensee unless the Board approves the transfer.

- (2) The Board must not approve the transfer of a producer licence if the transferee is not a resident of the Province.

Production requirements

- 30** (1) A producer licensee is authorized to produce eggs only in accordance with the egg quota issued or leased to that licensee.
- (2) A producer licensee must produce eggs only in a facility that is owned or leased by the licensee.
 - (3) A producer licensee must adhere to the applicable housing density standard set out in the Animal Care Program.
 - (4) A producer licensee must obtain *Salmonella enteritidis* insurance from an insurance provider approved by the Board, and must provide proof of insurance to the Board, prior to commencing production.

Overhousing penalty

- 31** (1) A producer licensee must not house more layers in their facilities than the number authorized by the Board for the licensee.
- (2) A producer licensee is subject to a penalty of \$1.00 per layer over the authorized amount for each week the licensee is in violation of this Section.

Layer replacement

- 32** (1) A producer licensee who orders pullets from a hatchery or a commercial pullet quota holder must provide the Board with all the following information prior to the expected hatch date for the pullets:
- (a) the producer licensee's name and quota registration number;
 - (b) the name and address of the commercial pullet quota holder or the non-commercial pullet quota holder;
 - (c) the identification number of the facility in which the pullet will be placed, and the pullet quota associated with that facility;
 - (d) the name and address of the pullet hatchery;
 - (e) the number and type of pullets ordered, including their breed and colour;
 - (f) the expected hatch date for the pullets;
 - (g) the date the pullets turn 19 weeks old.
- (2) A producer licensee must obtain a Pullet Placement Permit from the Board before the pullets hatch.
 - (3) The Board may issue a Pullet Placement Permit to a producer licensee who is in compliance with these regulations and submits all the information required under subsection (1) to the Board.
 - (4) A Pullet Placement Permit must include all of the information in clauses (1)(a) to (g).

Using egg quota as security

- 33** (1) A producer licensee may apply to the Board to use their egg quota as security for a loan by submitting an application in a form determined by the Board.

- (2) The Board may approve an application under this Section if the applicant submits all required information under subsection (1) [sic] and is in compliance with these regulations.
- (3) The Board must provide the applicant with written notice of the Board's decision under subsection (2).
- (4) A lender who forecloses on a loan must apply to the Board to do either of the following:
 - (a) transfer egg quota to one or more producer licensees, but the lender must follow all applicable rules for such transfers set out in Section 41;
 - (b) lease egg quota to a producer licensee, but the lender may lease the egg quota only once and must follow all requirements for such leases set out in Section 42.
- (5) A lender must pay the Board any costs incurred by the Board in administering a transaction under this Section.

Producer licensee entitlement

34 A producer licensee who holds egg quota is entitled to do any or all of the following:

- (a) vote in a Board election;
- (b) vote at a producer meeting;
- (c) become a member of the Board.

Egg Quota**Egg quota required**

35 A person must have a producer licence or a specialty licence to hold or lease egg quota.

Quota limits

- 36 (1) Except as provided in subsections 39(3), a producer licensee may not hold more than 125,000 units of egg quota, unless the licensee held more than 125,000 units before these regulations came into effect, in which case that licensee may continue to hold that amount of egg quota.
- (2) In determining a producer licensee's egg quota under subsection (1), the licensee's egg quota includes all of the following:
- (a) if the licensee is a natural person, egg quota held by the natural person;
 - (b) if the licensee is a partner in a partnership that holds egg quota, the egg quota held by the partnership in which the producer licensee is a partner and held collectively by each of the partners;
 - (c) if the licensee is a shareholder of a corporation, the egg quota held by the corporation in which the producer licensee owns shares;
 - (d) if the licensee is a trustee or beneficiary of a trust that holds egg quota, the egg quota held by the trust;
 - (e) if the licensee is a personal representative or beneficiary of an estate that holds egg quota, the egg quota held by the estate;

- (f) egg quota leased by the licensee under Section 40;
- (g) if the licensee has any other direct or indirect interest in an entity holding egg quota, the egg quota held by the entity.

Calculating placement egg quota and unplaceable egg quota for producer licensee

37 The Board may use the housing density standards in the Animal Care Program to determine both of the following:

- (a) placement egg quota for each of the producer licensee's facilities;
- (b) the total amount of the producer licensee's unplaceable egg quota, if any.

Egg quota certificate and egg quota leasing certificate

38 (1) An egg quota certificate issued by the Board to each producer licensee must state:

- (a) the licensee's egg quota registration number;
- (b) total egg quota allotted or leased by the Board to the licensee in accordance with Section 40;
- (c) the placement egg quota for each laying facility used by the licensee;
- (d) the amount of unplaceable egg quota held by the licensee, if applicable.

(2) An egg quota leasing certificate issued by the Board to each specialty licensee must state the total egg quota leased by the Board to the licensee in accordance with Sections 43 and 44.

Allotting egg quota

39 (1) If the total provincial allotment of egg quota is increased, the Board may allocate the increase using any or all of the following means:

- (a) allocating all or part of the increase to the Specialty Licence Quota Pool, to be used for specialty production in accordance with Section 43;
- (b) leasing egg quota to each producer licensee in accordance with Section 40;
- (c) leasing egg quota to specialty licensees in accordance with Section 44;
- (d) retaining all or part of the increase for such period of time and for such use as determined by the Board to be in the best interest of the egg industry.

(2) If the total provincial allotment of egg quota is decreased, the Board may apportion the decrease using any or all of the following sources of egg quota:

- (a) egg quota that is allocated to the Specialty Licence Quota Pool, but that is not yet leased to a specialty licensee for production;
- (b) egg quota reserved by the Board under clause (1)(d);
- (c) egg quota held by producer licensees, but the decrease must be shared by all producer licensees on a *pro rata* basis;

- (d) egg quota increases leased to specialty licensees in accordance with Section 44, but the decrease must be shared by all specialty licensees leasing an increase on a *pro rata* basis.
- (3) Despite subsection 36(1), a producer licensee may hold more than 125,000 units of egg quota if the Board offers an increase of egg quota to producer licensees under clause (1)(b).
- (4) The Board must update an egg quota certificate or quota leasing certificate whenever a producer licensee's egg quota or specialty licensee's leased egg quota changes, which includes a lease of egg quota from the Board to a producer licensee, but does not include a lease of egg quota from one producer licensee to another producer licensee.

Board leasing egg quota to producer licensees

- 40** (1) If the Board leases egg quota to producer licensees as a result of an increase in the total provincial allotment of egg quota, the Board must offer the increase on a *pro rata* basis to each producer licensee.
- (2) A producer licensee is not entitled to lease any amount of egg quota from the Board that would result in unplaceable egg quota for the producer licensee.
 - (3) A producer licensee may accept an offer to lease egg quota from the Board by submitting all of the following within 1 month of receiving the offer:
 - (a) a deposit, in an amount determined by the Board;
 - (b) confirmation that the licensee is capable of complying with the housing density standards after receiving the lease;
 - (c) confirmation of the total amount of egg quota the licensee is capable of adding to their operations at that time.
 - (4) If there is any egg quota remaining after the period in subsection (3) expires, the Board may do either of the following:
 - (a) offer the remaining egg quota to all producer licensees who are capable of housing additional egg quota on a *pro rata* basis; or
 - (b) retain the egg quota in accordance with clause 39(1)(d).
 - (5) If a producer licensee is unable to house their full share of an egg quota lease offered under subsection (1) because the licensee is incapable of complying with housing density requirements, the producer licensee may apply to lease that amount of egg quota in a subsequent year, unless the Board has already issued that egg quota to another producer licensee under subsection (9).
 - (6) The producer licensee must pay a fee for leasing egg quota from the Board of \$6.00 per unit of egg quota.
 - (7) The term of any egg quota lease under this Section is a maximum of 56 weeks, but a producer licensee may apply to the Board to renew the lease for additional terms.
 - (8) The Board may refuse to renew a lease if the producer licensee has not commenced production of eggs under the lease or has ceased producing eggs under the lease.

- (9) If a producer licensee's lease is renewed for 5 or more consecutive terms, that producer licensee may apply to the Board, in a form approved by the Board, to be issued the egg quota from the lease.

Egg quota transfer between producers

- 41 (1) A producer licensee may apply to the Board to transfer all or part of their egg quota from one laying facility to another owned by the licensee, or to transfer the egg quota to another producer licensee.
- (2) An application under subsection (1) must include all of the following information:
- (a) the transferor's name;
 - (b) the current and prospective production facilities;
 - (d) the amount of egg quota to be transferred;
 - (e) the transfer date;
 - (f) the name of the transferee and the address of the transferee's facilities, if the transfer is to another producer licensee.

[Note: clause lettering as in original.]

- (3) The Board must not approve a transfer of egg quota between producer licensees if the transferee is not a resident of the Province.

Producer leasing egg quota to another producer

- 42 (1) A producer licensee may apply to the Board to lease their egg quota to another producer licensee, including a sublease of egg quota that the producer is leasing from the Board.
- (2) An application under subsection (1) must include all of the following:
- (a) the lessor and lessee's names, facility locations, and province of residence;
 - (b) the amount of egg quota to be leased;
 - (c) the proposed dates for the lease;
 - (d) the signatures of the lessor and the lessee.
- (3) The Board may approve an application if the lessor and lessee are in compliance with these regulations.
- (4) A lease under this Section must not exceed 56 weeks.
- (5) A lessee under this Section is responsible for paying any levies due on the egg quota during the term of the lease.
- (6) A producer licensee may not be a lessor of egg quota on more than three occasions, unless either of the following apply:
- (a) the licensee's operations are affected by an event of *Force Majeure*;
 - (b) the licensee is leasing unplaceable egg quota, in which case the egg quota holder may lease the unplaceable egg quota without limit up to, and including, December 28, 2024.

Egg quota for specialty licensees

- 43 (1) (a) The New Entrant Quota Pool established in the *Nova Scotia Egg Producers New Entrant Program Regulations* is hereby continued as the Specialty Licence Quota Pool.
- (b) A New Entrant that has been leased egg quota by the Board prior to the coming into force of these regulations under the *Nova Scotia Egg Producers New Entrant Program Regulations*, provided that the New Entrant meets all of the requirements for a specialty licence under these regulations, is a specialty licensee under these regulations and continues to hold the leased egg quota until December 31 of the year these regulations come into force.

[Note: subsection lettering as in original.]

- (2) The Board may lease egg quota in the Specialty Licence Quota Pool to a specialty licensee.
- (3) The Board may lease egg quota to specialty licensees in lots of up to 1500 units of egg quota.
- (4) A lease under this Section expires on December 31 each year, but the Board may renew the lease annually.
- (5) Egg quota that is leased to a specialty licensee from the Specialty Licence Quota Pool is not subject to any egg quota increases or decreases under these regulations, except as provided in Section 39.
- (6) (a) The Board may stop leasing egg quota to a specialty licensee if the licensee fails to comply with any term or condition of the licensee's licence or any applicable provision of the Act, Plan or these regulations.
- (b) In the event that the Board stops leasing egg quota to a specialty licensee under clause (a), the egg quota must be returned to the Specialty Licence Quota Pool.

[Note: subsection lettering as in original.]

Board leasing increase to specialty licensee

- 44 (1) In addition to the egg quota leased to a specialty licensee under subsection (2), if the total provincial allotment of egg quota is increased, the Board may lease a *pro rata* share of the egg quota increase to a specialty licensee in accordance with clause 39(1)(c), based on the specialty licensee's leased share of the Province's total provincial allotment of egg quota.
- (2) A specialty licensee may apply to the Board to lease the *pro rata* share of an egg quota increase under subsection (1) by submitting a completed application, on a form approved by the Commodity Board, including all the following information:
- (a) the licensee's name;
- (b) the licensee's address and facilities location;
- (c) the amount of egg quota to be leased;
- (d) the confirmation that the licensee is capable of complying with the housing density standards after receiving the lease;
- (e) the signature of the licensee.
- (3) A specialty licensee leasing an egg quota increase under this subsection must pay a lease fee of \$6.00 per unit of egg quota per year to the Board.

Levies

Levy period

- 45 (1) In this Section,
- (a) “production year” means a period of time established by the Board under subsection (2) consisting of up to 13 consecutive levy periods; and
 - (b) “levy period” means a 4- or 5-week period, the dates for which are established by the Board.
- (2) The Board, in consultation with the Canadian Egg Marketing Agency, may establish dates for each production year, but no production year may last for more than 53 weeks.
- (3) The Board may determine dates for up to 13 levy periods in a production year.
- (4) The Board must issue levy invoices to each specialty licensee, producer licensee, and heritage licensee on the 1st day of each levy period.

Levy required

- 46 (1) A licensee must pay the levy invoice issued to the licensee by the Board by the 14th day of each levy period.
- (2) The levy for a specialty licensee or a producer licensee for a levy period is determined by using the following calculation:

$$A = ((B \times C) \times D) \div 52 \times E$$

in which,

“A” is the levy payable by the licensee to the Board;

“B” is the licensee’s egg quota in units;

“C” is the applicable national rate of lay, as determined by the Canadian Egg Marketing Agency;

“D” is the levy rate as set out in the *Nova Scotia Egg Producers Levy Order*; and

“E” is the number of weeks in the levy period.

- (3) The levy for a heritage licensee is determined by using the following calculation:

$$A = ((B \times C) \times D) \div 52 \times E$$

in which,

“A” is the levy payable by the licensee to the Board;

“B” is the number of layers authorized by the Board for production;

“C” is the applicable national rate of lay, as determined by the Canadian Egg Marketing Agency;

“D” is the levy rate as set out in the *Nova Scotia Egg Producers Levy Order*; and

“E” is the number of weeks in the levy period.

- (4) If a licensee does not pay their levy in accordance with this Section, the Board may order the grader of the licensee’s eggs to deduct the outstanding amount from the payment due to the licensee and remit that amount directly to the Board.
- (5) If a licensee does not pay a levy within 30 days of the levy being due, the Board may, after holding a hearing in accordance with Section 47, suspend 1/13th of the licensee’s egg quota for a period of one year.
- (6) If a licensee does not pay a levy within 90 days of the levy being due, the Board may, after holding a hearing in accordance with Section 47, permanently revoke 1/13th of the licensee’s egg quota for each 30-day period the levy is unpaid.

Procedure for hearing

- 47 (1) A hearing to be held by the Board, as required by subsection 46(5) or 46(6), before suspending or permanently revoking a portion of a producer’s licensee’s egg quota, must proceed in accordance with this subsection.
- (2) (a) The Board must provide written notice to the producer licensee of the date, time, location and reason for the hearing.
 - (b) The Board must send the written notice required by clause (2)(a) to the licensee by one of the following methods:
 - (i) registered mail,
 - (ii) courier.

[Note: subsection lettering as in original.]

- (3) A hearing may be held in person, by telephone conference, or by video conference.
- (4) The Board must not suspend or permanently revoke a portion of the producer licensee’s egg quota if, after the hearing for the producer licensee, the Board determines that:
 - (a) there are exceptional circumstances that justify a decision not to suspend or permanently revoke a portion of the producer licensee’s egg quota; and
 - (b) the producer has taken appropriate steps to ensure payment of the overdue levy to the Board.

Levy abatement

- 48 (1) In this Section, a “levy abatement” means a reduction in the levy amount a licensee is required to pay under Section 46 of these regulations.
- (2) A producer licensee, specialty licensee or heritage licensee may apply to the Board for a levy abatement in any of the following circumstances:
 - (a) the licensee has suffered a loss from a *Force Majeure*, but the application for an abatement must occur within one month of the date of the event;
 - (b) for a planned event, but the application must be approved before the planned event occurs;
 - (c) for a partial levy abatement for unplaceable egg quota, at year end.

- (3) An application for a levy abatement must include all of the following information:
 - (a) the licensee's name;
 - (b) the reason for the levy abatement request;
 - (c) the number of layers affected;
 - (d) the dates for the abatement;
 - (e) any additional information required by the Board.
- (4) The Board may impose or include a mandatory production downtime period, prior to, or during, a levy abatement period.
- (5) The Board may approve an application if the applicant is in compliance with these regulations and submits all information required by this Section.
- (6) The Board must provide written notice of the Board's decision to the applicant.

Pricing

Minimum producer price

- 49 (1)** In this Section,
- (a) "minimum producer price" means the minimum price to be paid by a grader licensee to a producer for eggs of any variety, class or grade; and
 - (b) "producer" includes a producer licensee, heritage licensee, and specialty licensee.
- (2) (a)** The Board must establish the minimum producer price, the market producer price, and the enriched producer price, and provide written notice of the prices to all of the following:
- (i) producer licensees,
 - (ii) specialty licensees,
 - (iii) heritage licensees,
 - (iv) grader licensees,
 - (v) the Council.

[Note: clause numbering as in original.]

- (3) (a) A producer must not sell eggs to a grader licensee, and a grader licensee must not purchase eggs from a producer, for a price that is less than the market producer price.
- (b) A producer must not market eggs with any other product or service at a combined price.

[Note: subsection lettering as in original.]

- (4) A grader licensee must not accept eggs from a producer unless the grader pays the producer a price that is not less than the market producer price.

- (5) A grader licensee must not impose any direct or indirect costs on a producer when purchasing eggs from the producer, including costs incurred by the grader licensee in transporting the eggs or the cost of egg packing materials supplied by the grader licensee.

Market producer price adjustment

- 50** (a) All producers must remit to the Board, in the manner and within the time period established by the Board, the market producer price adjustment on all production, other than production from free range housing or free run housing.
- (b) If a producer does not pay the market producer price adjustment to the Board under clause (a) within 30 days of the date it becomes due, the Board may suspend 1/13[th] of the producer's egg quota for a period of one year for each market producer price adjustment installment not paid by the producer.
- (c) If a producer does not pay the market producer price adjustment to the Board under clause (a) within 90 days of the date it becomes due, the Board may permanently revoke 1/13[th] of the producer's egg quota for each marketing producer price adjustment installment not paid by the producer.

[Note: subsection lettering as in original.]

Eligibility for enriched producer price

- 51** Only eggs produced in certified enriched housing will be eligible for the enriched producer price.

Reporting and Records

Bird inventory report

- 52** (1) In this Section,
- (a) "bird inventory report" means a report identifying a specialty licensee, producer licensee or heritage licensee's inventory of layers and pullets;
- (b) "bird inventory period" means a four-week period for dates established by the Board; and
- (c) "19-week date" means the date a layer turns 19 weeks old.
- (2) (a) A specialty licensee, producer licensee or heritage licensee must submit bird inventory reports to the Board on dates determined by the Board.
- (b) The Board must send written notice of the dates for submission of the bird inventory reports to the licensees.

[Note: subsection lettering as in original.]

- (3) A bird inventory report for each bird inventory period must include all of the following information:
- (a) licensee's name and licence number;
- (b) submission date for the report;
- (c) information on the licensee's layers, including:
- (i) the facility and the Pullet Placement Permit number for the layers,
- (ii) the 19-week date for the layers,
- (iii) layer mortality,

- (iv) number of layers disposed of, including the person taking ownership of the layers and the method of disposing of the layers,
 - (v) date of disposal, and
 - (vi) number of layers at the end of each bird inventory period;
- (d) for a commercial pullet quota holder or non-commercial pullet quota holder, information on the licensee's pullets, including:
- (i) the facility in which the pullets are housed,
 - (ii) the hatchery and hatch date for the pullets, and
 - (iii) details of any pullets that have been ordered by the licensee but not received as of the end of a period.

Producer licensee weekly grading and marketing reports

- 53 (1)** (a) A producer licensee must submit a weekly grading and marketing report to the Board each week on dates determined by the Board.
- (b) The Board must send written notice of the dates for submission of the weekly grading and marketing reports to the licensees.

[Note: subsection lettering as in original.]

- (2)** A weekly grading and marketing report must include all of the following information:
- (a) the licensee's name and number;
 - (b) the dates covered by the report;
 - (d) the date the report is submitted;
 - (e) the number of eggs marketed in dozens and categorized by size and grade;
 - (f) the number of eggs produced by the licensee but not shipped to a grading station.

[Note: clause lettering as in original.]

Quarterly grading and marketing report

- 54 (1)** (a) A heritage licensee, or an unlicensed person producing eggs under Section 4, must submit quarterly grading and marketing reports to the Board on dates determined by the Board.
- (b) The Board must send written notice of the dates for submission of the quarterly grading and marketing reports to the heritage licensees, and unlicensed persons producing eggs under Section 5.

[Note: subsection lettering as in original.]

- (2)** A quarterly grading and marketing report must include all of the following information:
- (a) the heritage licensee or unlicensed person's name;
 - (b) the heritage licensee or unlicensed person's civic address and mailing address, if different;

- (c) the heritage licensee or unlicensed person's telephone number and email address, if applicable;
- (d) the license number, if applicable;
- (e) the number of eggs marketed in dozens, categorized by size and grade;
- (f) the dates covered by the report;
- (g) the date the report is submitted.

Grading station report

- 55 (1)** A grader licensee must submit a grading station report every week, for the previous week, to the Board, unless the grader licensee is grading eggs only from unlicensed persons, in which case the grader licensee must submit grading station reports on a quarterly basis.
- (2)** A grading station report must include all of the following information:
- (a) the location of the grading station;
 - (b) the grader licensee's name and number;
 - (c) the dates covered by the report;
 - (d) the date the report is submitted;
 - (e) all of the following information for each transaction with an egg producer:
 - (i) the producer's name,
 - (ii) the producer's licence type and number, if applicable,
 - (iii) the date of transaction,
 - (iv) the number of eggs marketed in dozens and categorized by size and grade.

Records

- 56** The Board may review a licensee's records to verify any information included in a report, and the licensee must ensure that records are properly maintained for at least 18 months.

Inspection

- 57** The Board may inspect the operations of any of the following in the Province to ensure compliance with these regulations, including the counting of a person's layers:
- (a) producer licensee;
 - (b) heritage licensee;
 - (c) specialty licensee;
 - (d) unlicensed person operating under Section 5;
 - (e) grader licensee;

- (f) processor licensee.

Animal Care and On Farm Food Safety

Animal Care Program

- 58** Specialty licensees and producer licensees must achieve and maintain a total score of at least 90% and successfully complete each critical care element under the Animal Care Program.

Start Clean Stay Clean Program

- 59** Specialty licensees and producer licensees must achieve and maintain a total score of at least 90% and successfully complete each mandatory element under the Start Clean Stay Clean Program.

Transition

Transitional

- 60** On the coming into force of this regulation, a person who holds egg quota or a licence under the *Egg Producers' Egg Regulations*, or *Nova Scotia Egg Producers New Entrant Program Regulations*, that comes within the definition of egg quota or licence under this regulation continues to hold that egg quota or licence under this regulation until December 31 of the year this Regulation comes into force, unless renewed by the Board.

N.S. Reg. 56/2020

Made: April 7, 2020

Filed: April 7, 2020

Organic Grade Regulations—amendment

Order in Council 2020-116 dated April 7, 2020

Amendment to regulations made by the Governor in Council pursuant to Section 166 of the *Agriculture and Marketing Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated March 11, 2020, and pursuant to Section 166 of Chapter 6 of the Revised Statutes of Nova Scotia, 1989, the *Agriculture and Marketing Act*, is pleased to amend the *Organic Grade Regulations*, N.S. Reg. 340/2015, made by the Governor in Council by Order in Council 2015-331 dated October 20, 2015, to update the references to the federal Act and regulations, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, [effective] on and after April 7, 2020.

Schedule “A”

**Amendment to the *Organic Grade Regulations*
made by the Governor in Council under Section 166
of Chapter 6 of the Revised Statutes of Nova Scotia, 1989,
the *Agriculture and Marketing Act***

- 1 Section 2 of the *Organic Grade Regulations*, N.S. Reg. 340/2015, made by the Governor in Council by Order in Council 2015-331 dated October 20, 2015, is amended by

- (a) repealing the definition of “Canadian Organic Standards” and substituting the following definition:

“Canadian Organic Standards” means the standards CAN/CGSB 32.310 and CAN/CGSB 32.311, as

defined in the federal *Safe Food for Canadians Regulations*;

- (b) repealing the definition of “certification body” and substituting the following definition:

“certification body” means a third-party organization that is accredited or recognized by the Canadian Food Inspection Agency under the federal *Safe Food for Canadians Regulations* as being responsible for the organic certification of agricultural products and organic product packaging and labelling certification;

- (c) repealing the definition of “federal *Organic Products Regulations*”; [and]

- (d) adding the following definition where it belongs in alphabetical order:

“federal organic products regulations” means Part 13 of the *Safe Food for Canadians Regulations* made under the *Safe Food for Canadians Act* (Canada);

- 2 Subsection 5(2) of the regulations is amended by striking out “federal *Organic Products Regulations*” and substituting “federal organic products regulations”.

- 3 Section 7 of the regulations is repealed and the following Section substituted:

- 7 A person who produces or prepares a product that is certified as organic grade in accordance with these regulations must maintain the records required by Section 351 of the federal organic products regulations.

N.S. Reg. 57/2020

Made: April 6, 2020

Approved: April 7, 2020

Filed: April 8, 2020

Chicken Farmers of Nova Scotia Regulations—amendment

Order dated April 7, 2020

Amendment to regulations made by the Chicken Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to Section 9 of the *Natural Products Act*

Chicken Farmers of Nova Scotia

Amendment to the *Chicken Farmers of Nova Scotia Regulations* made under the *Natural Products Act*

I certify that on April 6, 2020, the Chicken Farmers of Nova Scotia, pursuant to Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, as delegated by Section 7 of the *Nova Scotia Chicken Marketing Plan*, N.S. Reg. 241/82, carried a motion to amend the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 11/2005, approved by the Natural Products Marketing Council on December 8, 2004, in the manner set forth in the attached Schedule “A”, effective on and after April 7, 2020.

Signed at Kentville, in the County of Kings, Nova Scotia on April 7, 2020.

Chicken Farmers of Nova Scotia

per: sgd. *Christine Bell*
Christine Bell
Executive Director

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on April 7, 2020.

Natural Products Marketing Council

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

Schedule "A"

**Amendment to the *Chicken Farmers of Nova Scotia Regulations*
made by the Chicken Farmers of Nova Scotia pursuant to
Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act***

- 1 Section 4 of the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 11/2005, approved by the Natural Products Marketing Council on December 8, 2004, is repealed and replaced with the following:

Total production allotted

- 4** Subject to Section 11A, the total production allotted among all licences must be equal to the quota allocation.

- 2 Section 11 of the regulations is repealed and replaced with the following:

Basis for licence amount

- 11 (1)** Subject to subsection (2), Section 10, and Section 11A, the kilograms of live weight of chicken for each producer licence is based on the length of the marketing period for which the licence is issued and the lesser of
- (a) the producer's maximum barn capacity;
 - (b) the producer's periodic base quota as adjusted by:
 - (i) that producer's share of any increase or decrease from the quota allocation for the marketing period, with any increase or decrease being subject to Sections 8F, 8G, and 8H; and
 - (ii) any market adjustment for exceptional circumstances granted under Section 11A for the marketing period.

Adjustments

- (2)** If the Commodity Board adjusts the total quantity of chicken allocated among all producer licences, including a market adjustment granted under Section 11A, the quantity of chicken on each producer licence referred to in subsection (1) must be adjusted based on the producer's

share of the total base quota registered by the Commodity Board.

3 The regulations are amended by adding the following Section immediately after Section 11:

Market adjustment in exceptional circumstances

- 11A (1)** In exceptional circumstances, the Council may grant a market adjustment to the quota allocation for a marketing period after licences have been issued by the Commodity Board for the marketing period, such that the total licences adjusted may be less than the quota allocation.
- (2)** For the purposes of this Section, exceptional circumstances means conditions that are unusual, unforeseen, and out of the ordinary course of events, that reduce the market demand for chicken produced in the regulated area.
- (3)** The Commodity Board may apply to Council for a market adjustment by making a written request, including all of the following:
- (a) the proposed market adjustment to the quota allocation;
 - (b) the proposed marketing period for the proposed market adjustment, including the beginning and end date for the marketing period;
 - (c) details of the exceptional circumstances upon which the request is based.

N.S. Reg. 58/2020

Made: April 9, 2020

Filed: April 14, 2020

Prescribed Petroleum Products Prices

Order dated April 9, 2020
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

M09654

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 period ended April 8, 2020, are:

Grade 1 Regular gasoline	24.47¢ per litre
Ultra-low-sulfur diesel oil	38.50¢ per litre

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

Gasoline:	
Grade 1	24.47¢ per litre
Grade 2	27.47¢ per litre
Grade 3	30.47¢ per litre
Ultra-low-sulfur diesel oil	38.50¢ 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 1.30¢ per litre
Ultra-low-sulfur diesel oil:	minus 2.03¢ per litre

And whereas a winter blending adjustment of plus nil ¢ 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., April 10, 2020.

Dated at Halifax, Nova Scotia, this 9th day of April, 2020.

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 April 10, 2020**

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	31.42	10.0	15.5	56.92	71.3	73.5	71.3	999.9
Mid-Grade Unleaded	34.42	10.0	15.5	59.92	74.8	77.0	74.8	999.9
Premium Unleaded	37.42	10.0	15.5	62.92	78.2	80.4	78.2	999.9
Ultra-Low-Sulfur Diesel	44.99	4.0	15.4	64.39	79.9	82.1	79.9	999.9

Zone 2								
Regular Unleaded	31.92	10.0	15.5	57.42	71.9	74.1	71.9	999.9
Mid-Grade Unleaded	34.92	10.0	15.5	60.42	75.3	77.5	75.3	999.9
Premium Unleaded	37.92	10.0	15.5	63.42	78.8	81.0	78.8	999.9
Ultra-Low-Sulfur Diesel	45.49	4.0	15.4	64.89	80.5	82.7	80.5	999.9
Zone 3								
Regular Unleaded	32.32	10.0	15.5	57.82	72.4	74.5	72.4	999.9
Mid-Grade Unleaded	35.32	10.0	15.5	60.82	75.8	78.0	75.8	999.9
Premium Unleaded	38.32	10.0	15.5	63.82	79.3	81.4	79.3	999.9
Ultra-Low-Sulfur Diesel	45.89	4.0	15.4	65.29	80.9	83.1	80.9	999.9
Zone 4								
Regular Unleaded	32.42	10.0	15.5	57.92	72.5	74.7	72.5	999.9
Mid-Grade Unleaded	35.42	10.0	15.5	60.92	75.9	78.1	75.9	999.9
Premium Unleaded	38.42	10.0	15.5	63.92	79.4	81.6	79.4	999.9
Ultra-Low-Sulfur Diesel	45.99	4.0	15.4	65.39	81.1	83.2	81.1	999.9
Zone 5								
Regular Unleaded	32.42	10.0	15.5	57.92	72.5	74.7	72.5	999.9
Mid-Grade Unleaded	35.42	10.0	15.5	60.92	75.9	78.1	75.9	999.9
Premium Unleaded	38.42	10.0	15.5	63.92	79.4	81.6	79.4	999.9
Ultra-Low-Sulfur Diesel	45.99	4.0	15.4	65.39	81.1	83.2	81.1	999.9
Zone 6								
Regular Unleaded	33.12	10.0	15.5	58.62	73.3	75.5	73.3	999.9
Mid-Grade Unleaded	36.12	10.0	15.5	61.62	76.7	78.9	76.7	999.9
Premium Unleaded	39.12	10.0	15.5	64.62	80.2	82.4	80.2	999.9
Ultra-Low-Sulfur Diesel	46.69	4.0	15.4	66.09	81.9	84.1	81.9	999.9