

# 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. 209/2006**

Made: November 15, 2006

Filed: November 17, 2006

Prescribed Petroleum Products Prices

Order dated November 15, 2006  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005  
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*  
made by the Governor in Council  
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

**Order**

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated November 1, 2006, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on November 2, 2006; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on November 16, 2006.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on November 15, 2006.

Sgd.: *Jamie Muir*  
Honourable Jamie Muir  
Minister of Service Nova Scotia and Municipal Relations

**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 November 16, 2006**

Regular unleaded gasoline	46.0
Mid-grade unleaded gasoline	49.0
Premium unleaded gasoline	52.0
Ultra low-sulfur diesel oil	52.6

			Retail Mark-up				Retail Price (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>										
Regular Unleaded	6.3	77.8	4.0	5.5	4.0	7.5	93.2	94.9	93.2	97.2
Mid-Grade Unleaded	9.3	80.8	4.0	5.5	4.0	7.5	96.6	98.3	96.6	100.6
Premium Unleaded	12.3	83.8	4.0	5.5	4.0	7.5	100.0	101.7	100.0	104.0
Ultra Low-Sulfur Diesel	6.3	78.3	4.0	5.5	4.0	7.5	93.8	95.5	93.8	97.8
<b>Zone 2</b>										
Regular Unleaded	6.7	78.2	4.0	5.5	4.0	7.5	93.7	95.4	93.7	97.6
Mid-Grade Unleaded	9.7	81.2	4.0	5.5	4.0	7.5	97.1	98.8	97.1	101.1
Premium Unleaded	12.7	84.2	4.0	5.5	4.0	7.5	100.5	102.2	100.5	104.5
Ultra Low-Sulfur Diesel	6.7	78.7	4.0	5.5	4.0	7.5	94.3	96.0	94.3	98.3
<b>Zone 3</b>										
Regular Unleaded	7.2	78.7	4.0	5.5	4.0	7.5	94.2	95.9	94.2	98.2
Mid-Grade Unleaded	10.2	81.7	4.0	5.5	4.0	7.5	97.6	99.4	97.6	101.6
Premium Unleaded	13.2	84.7	4.0	5.5	4.0	7.5	101.1	102.8	101.1	105.1
Ultra Low-Sulfur Diesel	7.2	79.2	4.0	5.5	4.0	7.5	94.8	96.6	94.8	98.8
<b>Zone 4</b>										
Regular Unleaded	7.2	78.7	4.0	5.5	4.0	7.5	94.2	95.9	94.2	98.2
Mid-Grade Unleaded	10.2	81.7	4.0	5.5	4.0	7.5	97.6	99.4	97.6	101.6
Premium Unleaded	13.2	84.7	4.0	5.5	4.0	7.5	101.1	102.8	101.1	105.1
Ultra Low-Sulfur Diesel	7.2	79.2	4.0	5.5	4.0	7.5	94.8	96.6	94.8	98.8
<b>Zone 5</b>										
Regular Unleaded	7.2	78.7	4.0	5.5	4.0	7.5	94.2	95.9	94.2	98.2
Mid-Grade Unleaded	10.2	81.7	4.0	5.5	4.0	7.5	97.6	99.4	97.6	101.6
Premium Unleaded	13.2	84.7	4.0	5.5	4.0	7.5	101.1	102.8	101.1	105.1
Ultra Low-Sulfur Diesel	7.2	79.2	4.0	5.5	4.0	7.5	94.8	96.6	94.8	98.8
<b>Zone 6</b>										
Regular Unleaded	8.0	79.5	4.0	5.5	4.0	7.5	95.1	96.8	95.1	99.1
Mid-Grade Unleaded	11.0	82.5	4.0	5.5	4.0	7.5	98.6	100.3	98.6	102.5
Premium Unleaded	14.0	85.5	4.0	5.5	4.0	7.5	102.0	103.7	102.0	106.0
Ultra Low-Sulfur Diesel	8.0	80.0	4.0	5.5	4.0	7.5	95.8	97.5	95.8	99.8

**N.S. Reg. 210/2006**

Made: November 20, 2006

Filed: November 21, 2006

## Petroleum Products Pricing Regulations

Order in Council 2006-484 dated November 20, 2006  
Amendment to regulations made by the Governor in Council  
pursuant to Section 14 of the *Petroleum Products Pricing Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated November 9, 2006, and pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, is pleased to amend the *Petroleum Products Pricing Regulations*, N.S. Reg. 97/2006, made by the Governor in Council by Order in Council 2006-290 dated June 22, 2006, to exempt from the monthly assessment fee petroleum products that are not subject to the regulations, permit the Minister to determine the assessment fee and to permit the Minister to calculate the wholesale margin in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 20, 2006.

**Schedule "A"**

**Amendment to the *Petroleum Products Pricing Regulations*  
made by the Governor in Council pursuant to Section 14 of  
Chapter 11 of the Acts of 2005,  
the *Petroleum Products Pricing Act***

- 1 (1) Section 2 of the *Petroleum Products Pricing Regulations*, N.S. Reg. 97/2006, made by the Governor in Council by Order in Council 2006-290 dated June 22, 2006, is amended by striking out "except Section 9," in subsections (3) and (4).
  - (2) Section 2 of the regulations is further amended by striking out "only" in clause (3)(b).
  - (3) Section 2 of the regulations is further amended by repealing subsection (4) and substituting the following subsection:
    - (4) Despite clause (3)(b), these regulations apply to a petroleum product sold or purchased for use as fuel in a watercraft or an aircraft equipped to float on water if the petroleum product is sold or purchased from a retailer, wholesaler or wholesaler-retailer who also sells a petroleum product for other purposes.
  - (4) Section 2 is further amended by adding the following subsections immediately after subsection (4):
    - (5) These regulations do not apply to a retailer or wholesaler-retailer if the only petroleum products they sell or purchase are for use as fuel in a watercraft or an aircraft equipped to float on water.
    - (6) These regulations apply to a retailer, wholesaler or wholesaler-retailer if they sell or purchase a petroleum product for use as fuel in a watercraft or an aircraft equipped to float on water in addition to selling or purchasing a petroleum product for other purposes.
- 2 Clause 3(i) of the regulations is repealed.

- 3 Subsection 9(1) of the regulations is amended by striking out “of \$0.0009/L” and substituting “determined by the Minister”.
- 4 (1) Subsection 14(2) of the regulations is amended by adding “until November 29, 2006” immediately after “every 2nd Thursday afterwards”.
- (2) Section 14 of the regulations is further amended by adding the following subsection immediately after subsection (2):
- (2A)** On December 1, 2006, and on every 2nd Friday afterwards, at a time the Minister considers appropriate, the Minister must prescribe a benchmark price for each type of petroleum product.
- 5 Section 15 of the regulations is repealed.
- 6 (1) Clause 16(1)(b) of the regulations is repealed and the following clause substituted:
- (b) the wholesale margin as calculated by the Minister in accordance with subsection (2B);
- (2) Subsection 16(2) of the regulations is amended by adding “and the forward averaging correction may be” immediately after “for that petroleum product,”.
- (3) Section 16 of the regulations is further amended by adding the following subsections immediately after subsection (2):
- (2A)** In this Section, “wholesale margin” for a petroleum product means the difference between the benchmark price for that petroleum product and the price at which a wholesaler sells that petroleum product to a retailer, excluding taxes imposed under subsections 165(1) and 165(2) of the *Excise Tax Act* (Canada).
- (2B)** In calculating the wholesale margin for a type of petroleum product in a zone, the Minister may consider any of the following:
- (a) the wholesale margin for the petroleum product for the Province or for a zone, excluding taxes imposed under subsection 165(1) and 165(2) of the *Excise Tax Act* (Canada), over a period the Minister considers appropriate;
- (b) whether the wholesale margins identified under clause (a) are fair and reasonable, taking into account any of the following:
- (i) the distance from the refinery gate to a zone,
- (ii) the volume of petroleum product sold to retailers during the period,
- (iii) innovations within the industry;
- (c) any additional factors the Minister considers relevant, including the factors set out in subsection 12(3).

**N.S. Reg. 211/2006**

Made: January 27, 2006

Approved: November 20, 2006

Filed: November 21, 2006

## Compulsory Malpractice Insurance Regulations

Order in Council 2006-485 dated November 20, 2006  
Amendment to regulations made by the Provincial Dental Board of Nova Scotia  
and approved by the Governor in Council  
pursuant to Section 45 of the *Dental Act*

The Governor in Council on the report and recommendation of the Minister of Health dated October 10, 2006, and pursuant to Section 45 of Chapter 3 of the Acts of 1992, the *Dental Act*, is pleased to approve of amendments made by the Provincial Dental Board of Nova Scotia to the regulations respecting mandatory malpractice insurance, N.S. Reg. 97/94, approved by the Governor in Council by Order in Council 94-486 dated June 7, 1994, to increase the amount of required compulsory malpractice insurance to be held by dentists and require the insurer of a malpractice insurance policy to be approved by the Board, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 20, 2006.

**Schedule "A"**

I certify that the Provincial Dental Board of Nova Scotia at its meeting on January 27, 2006, carried a motion to amend Regulation No. 10 – Mandatory Malpractice Insurance Regulations made by the Board on June 7, 1994, and approved by the Governor in Council by Order in Council 94-486, N.S. Reg 97/94, in the manner attached.

Signed at Halifax, Nova Scotia, this 18<sup>th</sup> day of April, 2006.

Per: *Wm A. MacInnis*  
Registrar, Provincial Dental Board  
of Nova Scotia

**Amendment to the Regulations Respecting Mandatory Malpractice Insurance  
made by the Provincial Dental Board of Nova Scotia pursuant to  
Section 45 of Chapter 3 of the Acts of 1992, the *Dental Act***

1 The regulations respecting mandatory malpractice insurance (Regulation No. 10), N.S. Reg. 97/94, made by the Provincial Dental Board of Nova Scotia and approved by the Governor in Council by Order in Council 94-486 dated June 7, 1994, are amended by

- (a) renumbering Section 1 as Section 1A; and
- (b) adding the following Section immediately before Section 1A:

**1** These regulations may be cited as the *Compulsory Malpractice Insurance Regulations*.

2 Section 2 of the regulations is amended by striking out "\$1,000,000.00" in subsections 2(1) and (2) and substituting "\$3,000,000.00".

3 The regulations are further amended by adding "and approved by the Board" immediately after "for Province of Nova Scotia" in Section 4.

**N.S. Reg. 212/2006**

Made: November 8, 2006

Filed: November 23, 2006

Designation of Matters for Bargaining Between Minister of Education and Union

Order dated November 8, 2006  
made by the Minister of Environment and Labour  
pursuant to subsection 13(3) of the *Teachers' Collective Bargaining Act*

**In the matter of subsection 13(3)  
of Chapter 460 of the Revised Statutes of Nova Scotia, 1989,  
[the] *Teachers' Collective Bargaining Act***

**Order**

I, Mark Parent, Minister of Environment and Labour, pursuant to subsection 13(3) of Chapter 460 of the Revised Statutes of Nova Scotia, 1989, the *Teachers' Collective Bargaining Act* (the "Act"),

- (a) confirm that I have received a copy of an agreement in writing made pursuant to subsection 13(2) of the Act between the Minister of Education and the Nova Scotia Teachers Union (the "Union"), dated September 12, 2006 (the "Agreement"), respecting specific matters contained within subclause 2(h)(i) of the Act including, for greater certainty, specific terms and conditions of employment or other matters under paragraph 2(h)(ii)(E), that are the subject of bargaining between the Minister of Education and the Union, which specific matters are enumerated in clause (b) of this Order, and
- (b) order that the matters referred to in Article 2 of the Agreement, which are enumerated below, are designated as matters that hereafter are to be the subject of bargaining between the Minister of Education and the Union:
  - (a) class size;
  - (b) class composition;
  - (c) hiring of substitutes.

**Dated and made** at Halifax, Nova Scotia Nov. 8, 2006.

Sgd.: *Mark Parent*  
Mark Parent  
Minister  
Environment and Labour

**N.S. Reg. 213/2006**

Made: November 27, 2006

Filed: November 27, 2006

## Pension Benefits Regulations

Order in Council 2006-498 dated November 27, 2006  
Amendment to regulations made by the Governor in Council  
pursuant to Section 105 of the *Pension Benefits Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated October 27, 2006, and pursuant to Section 105 of Chapter 340 of the Revised Statutes of Nova Scotia, 1989, the *Pension Benefits Act*, is pleased to amend the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by Order in Council 2002-607 dated December 20, 2002, to change the requirement for municipalities to fully fund solvency deficiencies over 5 years to a requirement to fund to 85% solvency over 5 years, for a 10-year period, and to make certain other housekeeping changes, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 27, 2006.

**Schedule "A"**

**Amendment to the *Pension Benefits Regulations*  
made by the Governor in Council pursuant to  
Section 105 of Chapter 340 of the  
Revised Statutes of Nova Scotia, 1989,  
the *Pension Benefits Act***

- 1 Section 2 of the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by Order in Council 2002-607 dated December 20, 2002, is amended by
  - (a) striking out "as defined in the *Municipal Government Act*" in clause (l); and
  - (b) adding the following clause immediately after clause (n):
    - (na) "municipality" means a municipality as defined in the *Municipal Government Act*;
- 2 Section 4 of the regulations is amended by adding the following subsection immediately after subsection (1):
  - (1A) If an amendment made to a municipality pension plan funded under subclause 6(1)(d)(iii) affects the costs of the benefits provided by the plan, creates an unfunded liability or otherwise affects the solvency or funding of the plan, the costs of the amendment must be fully paid to the pension fund at the time the amendment is made.
- 3 Subsection 6(1)(d) of the regulations is amended by striking out clause (d) and substituting the following clause:
  - (d) the amount required to liquidate the whole or part of any solvency deficiency, other than one identified in clause (c), by equal instalments, with interest at the solvency valuation interest rate, as follows:
    - (i) the amount required to fully liquidate the solvency deficiency within 5 years after the review date of the solvency valuation in which the solvency deficiency is identified,



- (ii) for a solvency deficiency arising before January 1, 2006, under a university pension plan, the amount required to fully liquidate the solvency deficiency within 15 years after the review date of the solvency valuation in which the solvency deficiency is identified,
  - (iii) for a solvency deficiency arising between August 30, 2006, and August 30, 2016, under a municipality pension plan, the amount required to liquidate that part of the solvency deficiency that is greater than 15% of the solvency assets within 5 years after the review date of the solvency valuation in which the solvency deficiency is identified.
- 4 Section 37 of the regulations is amended by adding the following subsection immediately after subsection (9):
- (10)** If a municipality pension plan is wound up in whole or in part during the time period referred to in subclause 6(1)(d)(iii), the employer or any person required to make contributions on behalf of the employer, must pay into the pension plan in respect of members affected by the partial wind up, the amount required
- (a) to liquidate all solvency deficiencies existing at the date of the partial wind up of the pension plan; and
  - (b) to pay for the benefits provided under Section 79 of the Act.