

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 30, Special Issue

July 24, 2006

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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. 115/2006

Made: July 19, 2006

Filed: July 20, 2006

Petroleum Products Pricing Regulations

Order in Council 2006-333 dated July 19, 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 July 14, 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 marinas, make certain provisions respecting compensation provisions in contracts, clarify retailers' debt repayment obligations, and extend the opt-out date for retailers, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 19, 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) Subsection 2(3) 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
 - (a) re-lettering clauses (b), (c) and (d) as clauses (c), (d) and (e), respectively; and
 - (b) adding the following clause immediately after clause (a):
 - (b) any petroleum product sold or purchased only for use as fuel in a watercraft or an aircraft equipped to float on water;
- (2) Section 2 of the regulations is further amended by adding the following subsection immediately after subsection (3):
 - (4) These regulations, except Section 9, 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.
- 2 (1) Section 5 of the regulations is amended by striking out "August 31, 2006" in subsections (2) and (3) and substituting "October 31, 2006".
- (2) Section 5 is further amended by adding the following subsection immediately after subsection (3):
 - (3A) If a retailer decides to not opt out of these regulations under this Section, any contractual provision respecting compensation, including cross leases, dealer incentive payments, volume associated payments, bonus incentives or any other type of compensation determined by the Minister, is null and void, but nothing in these regulations prevents a retailer and a wholesaler from entering a new agreement respecting compensation other than the retail mark-up.

- (3) Subsection 5(6) of the regulations is amended by adding “, in accordance with the terms of their contract,” immediately after “A retailer remains responsible”.
- 3 (1) Subsection 6(1) of the regulations and the heading immediately preceding subsection 6(1) are amended by striking out “September 1, 2006” and substituting “November 1, 2006”.
- (2) Subsection 6(2) of the regulations is amended by striking out “August 31, 2006” and substituting “October 31, 2006”.
- 4 Subsection 7(1) of the regulations and the heading immediately preceding subsection 7(1) are amended by striking out “August 31, 2006” and substituting “October 31, 2006”.

N.S. Reg. 116/2006

Made: July 19, 2006

Filed: July 20, 2006

Proclamation, S. 8, S.N.S. 2006, c. 10

Order in Council 2006-334 dated July 19, 2006

Proclamation made by the Governor in Council

pursuant to Section 8

of *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated July 18, 2006, pursuant to Section 8 of Chapter 10 of the Acts of 2006, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*, is pleased to order and declare by proclamation that Chapter 10 of the Acts of 2006, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*, do come into force on and not before July 19, 2006.

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 8 of Chapter 10 of the Acts of 2006, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*, it is enacted as follows:

- 8** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 10 of the Acts of 2006, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*, come into force on and not before July 19, 2006;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 10 of the Acts of 2006, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code*, come into force on and not before July 19, 2006, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 19th day of July, in the year of Our Lord two thousand and six and in the fifty-fifth year of Our Reign.

BY COMMAND:

Sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 117/2006

Made: July 19, 2006

Filed: July 20, 2006

General Labour Standards Code Regulations

Order in Council 2006-335 dated July 19, 2006
Amendment to regulations made by the Governor in Council
pursuant to subsection 4(2) and Section 7 of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated July 12, 2006, and pursuant to subsection 4(2) and Section 7 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased to amend the general labour standards regulations, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, to exempt classes of retail business from the right to refuse to work on a uniform closing day in Section 66A of the *Labour Standards Code*, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 19, 2006.

Schedule "A"**Amendment to the General Regulations Respecting Labour Standards
made by the Governor in Council pursuant to subsection 4(2) and
Section 7 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989,
the *Labour Standards Code***

- 1 Clause 2(5)(b) of the general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, is amended by adding "66A," immediately after "Sections".
- 2 The regulations are further amended by adding the following Section immediately after Section 7:

Exempt classes of retail business

7A (1) The following classes of retail business are exempt from the application of Section 66A of the Code:

- (a) the operation of a drug store except in a department store;
- (b) the sale of agricultural products by the producer at the farm;
- (c) the sale of maple sugar products;
- (d) the sale of Christmas trees;
- (e) the operation of a motor vehicle service station;
- (f) the operation of a restaurant;
- (g) the provision of accommodation, camping, food, beverage, recreation, related services and facilities, and tourist information;
- (h) the operation of a private club, fraternal organization or veterans organization, but not including a private club established or operated for the purpose of selling or offering for sale or purchase any goods or services by retail;
- (i) any public game or contest for gain or for any prize or reward;
- (j) any performance or public meeting at which a fee is charged directly or indirectly either for admission to such performance or meeting or to any place within which the same is provided or for any service or privilege thereat, but not including the operation of a public dance hall;
- (k) the hiring of motor vehicles or small boats for the personal use of the hirer or his family for any purpose not prohibited by the *Retail Business Uniform Closing Day Act*;
- (l) the operation of an excursion on which passengers are conveyed for hire and having for its principal or only object the carriage of such passengers for amusement or pleasure;
- (m) the conveying of goods or travellers on railways, buses or other public conveyances;

- (n) the operation a ferry or boat authorized by competent authority to carry passengers on a uniform closing days;
- (o) receiving, transmitting or delivering telegraph or telephone messages;
- (p) broadcasting as defined by the *Defamation Act*;
- (q) the publication of a newspaper including all work necessary for, or incidental to the preparation, printing and distribution thereof;
- (r) the provision of goods or services on an emergency basis;
- (s) the provision of goods or services by
 - (i) a store
 - (A) whose principal business is selling groceries, and
 - (B) that at no time operates a retail sales area greater than 4000 ft.²,
 - (ii) a confectionary store,
 - (iii) a store whose principal business is selling handicrafts, souvenirs and similar articles, principally to tourists or travellers,
 - (iv) a canteen,
 - (v) a fruit or vegetable stand whose principal business is selling local produce,
 - (vi) a flea market or rummage sale,
 - (vii) a fish store,
 - (viii) a laundromat,
 - (ix) a billiard hall or pool room,
 - (x) the rental of video cassettes, video discs or similar media and related devices,
 - (xi) a prefabricated or modular home sales office,
 - (xii) a store whose principal business is the sale of nursery stock or the provision of gardening supplies,
 - (xiii) a store whose principal business is the sale of books, newspapers and magazines,
 - (xiv) an antique store,
 - (xv) an art gallery,
 - (xvi) a used clothing store.

- (2) For the purposes of clause (1)(a), a “drug store” does not include either of the following:
- (a) a retail business that includes a retail sales area that is
 - (i) larger than 2000 ft.² in total,
 - (ii) open to the public, and
 - (iii) dedicated to food items;
 - (b) a retail business in which the total retail sales area that is open to the public is larger than 20,000 ft.².
- (3) For the purposes of subclause (1)(s)(i), 2 or more stores that are owned, occupied or operated by related persons are deemed to be one store if they are
- (a) in the same building; or
 - (b) adjacent or in close proximity to each other.
- (4) For the purposes of subsection (3), “related persons” has the same meaning as in paragraph 251(2)(b) of the *Income Tax Act* (Canada).
-

N.S. Reg. 118/2006

Made: July 19, 2006

Filed: July 20, 2006

Investigative Warrant Enactment Regulations

Order in Council 2006-336 dated July 19, 2006
Regulations made by the Governor in Council
pursuant to Section 18 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated July 13, 2006, and pursuant to Section 18 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to make regulations respecting enactments under which investigative warrants may be issued in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after July 19, 2006.

Schedule “A”

**Regulations Respecting Enactments under which
Investigative Warrants may be Issued
made by the Governor in Council pursuant to Section 18
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

Citation

1 These regulations may be cited as the *Investigative Warrant Enactment Regulations*.

Enactment added to Schedule B of Act

2 The *Retail Business Uniform Closing Day Act* is added to Schedule B of the *Summary Proceedings Act*.

N.S. Reg. 119/2006

Made: July 19, 2006

Filed: July 20, 2006

Prescribed Petroleum Products Prices

Order dated July 19, 2006
made by 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 confirm that prescribed prices for petroleum products in the Province were set by me on July 12, 2006, and that effective on and after 12:01 a.m. on July 13, 2006, the prescribed prices for petroleum products in the Province are as set forth in the tables in Schedule "A" and the prices prescribed for petroleum products in the Province in force before July 13, 2006, are revoked.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on July 19, 2006.

Sgd.: *J. 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 July 13, 2006**

**Table 1: Benchmark Prices for
Regulated Petroleum Products
(cents/litre)**

Regular unleaded gasoline	64.6
Mid-grade unleaded gasoline	67.6
Premium unleaded gasoline	70.6
Low sulfur diesel oil	63.0
Ultra low sulfur diesel oil	N/A

**Table 2: Wholesale Margins, Fixed Wholesale Prices,
Retail Mark-ups and Retail Prices for Regulated Petroleum Products
(cents/litre)**

	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Retail Mark-up				Retail Price (includes all taxes)				
			Self-Service		Full-Service		Self-Service		Full-Service		
			Min	Max	Min	Max	Min	Max	Min	Max	
Zone 1											
Regular unleaded	6.3	96.4	4.0	5.5	4.0	7.5	114.5	116.2	114.5	118.4	
Mid-grade unleaded	9.3	99.4	4.0	5.5	4.0	7.5	117.9	119.6	117.9	121.9	
Premium unleaded	12.3	102.4	4.0	5.5	4.0	7.5	121.3	123.0	121.3	125.3	
Low sulfur diesel	6.3	88.7	4.0	5.5	4.0	7.5	105.7	107.4	105.7	109.7	
Ultra low sulfur diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Zone 2											
Regular unleaded	6.7	96.8	4.0	5.5	4.0	7.5	114.9	116.6	114.9	118.9	
Mid-grade unleaded	9.7	99.8	4.0	5.5	4.0	7.5	118.3	120.0	118.3	122.3	
Premium unleaded	12.7	102.8	4.0	5.5	4.0	7.5	121.8	123.5	121.8	125.7	
Low sulfur diesel	6.7	89.1	4.0	5.5	4.0	7.5	106.1	107.8	106.1	110.1	
Ultra low sulfur diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Zone 3											
Regular unleaded	7.2	97.3	4.0	5.5	4.0	7.5	115.5	117.2	115.5	119.5	
Mid-grade unleaded	10.2	100.3	4.0	5.5	4.0	7.5	118.9	120.6	118.9	122.9	
Premium unleaded	13.2	103.3	4.0	5.5	4.0	7.5	122.3	124.0	122.3	126.3	
Low sulfur diesel	7.2	89.6	4.0	5.5	4.0	7.5	106.7	108.4	106.7	110.7	
Ultra low sulfur diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Retail Mark-up				Retail Price (includes all taxes)				
			Self-Service		Full-Service		Self-Service		Full-Service		
			Min	Max	Min	Max	Min	Max	Min	Max	
Zone 4											
Regular unleaded	7.2	97.3	4.0	5.5	4.0	7.5	115.5	117.2	115.5	119.5	
Mid-grade unleaded	10.2	100.3	4.0	5.5	4.0	7.5	118.9	120.6	118.9	122.9	
Premium unleaded	13.2	103.3	4.0	5.5	4.0	7.5	122.3	124.0	122.3	126.3	
Low sulfur diesel	7.2	89.6	4.0	5.5	4.0	7.5	106.7	108.4	106.7	110.7	
Ultra low sulfur diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Zone 5											
Regular unleaded	7.2	97.3	4.0	5.5	4.0	7.5	115.5	117.2	115.5	119.5	
Mid-grade unleaded	10.2	100.3	4.0	5.5	4.0	7.5	118.9	120.6	118.9	122.9	
Premium unleaded	13.2	103.3	4.0	5.5	4.0	7.5	122.3	124.0	122.3	126.3	
Low sulfur diesel	7.2	89.6	4.0	5.5	4.0	7.5	106.7	108.4	106.7	110.7	
Ultra low sulfur diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Zone 6											
Regular unleaded	8.0	98.1	4.0	5.5	4.0	7.5	116.4	118.1	116.4	120.4	
Mid-grade unleaded	11.0	101.1	4.0	5.5	4.0	7.5	119.8	121.5	119.8	123.8	
Premium unleaded	14.0	104.1	4.0	5.5	4.0	7.5	123.2	124.9	123.2	127.2	
Low sulfur diesel	8.0	90.4	4.0	5.5	4.0	7.5	107.6	109.3	107.6	111.6	
Ultra low sulfur diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	