

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. 344/2008

Made: August 6, 2008

Filed: August 6, 2008

Proclamation, S. 32(4), S.N.S. 2008, c. 4

Order in Council 2008-406 dated August 6, 2008

Proclamation made by the Governor in Council

pursuant to subsection 32(4) of the

Financial Measures (2008) Act

The Governor in Council on the report and recommendation of the Minister of Finance dated July 16, 2008, pursuant to subsection (4) of Section 32 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 24, 25 and 26 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, which amends Chapter 232 of the Revised Statutes, 1989, the *Insurance Premiums Tax Act*, do come into force on and not before August 6, 2008, with effect on and after January 1, 2008.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

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 subsection 32(4) of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, it is enacted as follows:

- 32 (4)** Sections 10 and 24 to 26 have effect on and after January 1, 2008, upon the Governor in Council so ordering by proclamation.

AND WHEREAS it is deemed expedient that Sections 24, 25 and 26 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, which amends Chapter 232 of the Revised Statutes, 1989, the *Insurance Premiums Tax Act*, do come into force on and not before August 6, 2008, with effect on and after January 1, 2008;

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 Sections 24, 25 and 26 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, which amends Chapter 232 of the Revised Statutes, 1989, the *Insurance Premiums Tax Act*, do come into force on and not before August 6, 2008, with effect on and after January 1, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour
the Honourable J. Michael MacDonald,
Administrator of the Government of the Province
of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 6th day of August in the year
of Our Lord two thousand and eight and in the
fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 345/2008

Made: August 6, 2008

Filed: August 6, 2008

Designation of Mutual Insurance Companies Regulations

Order in Council 2008-407 dated August 6, 2008
Regulations made by the Governor in Council
pursuant to Section 15 of the *Insurance Premiums Tax Act*

The Governor in Council on the report and recommendation of the Minister assigned responsibility for the *Insurance Premiums Tax Act* dated July 16, 2008, and pursuant to Section 15 of Chapter 232 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Premiums Tax Act*, is pleased to make regulations designating mutual insurance companies for the purpose of subsection 3(4) of the *Insurance Premiums Tax Act* in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2008.

Schedule "A"

**Regulations Designating Mutual Insurance Companies
made by the Governor in Council under Section 15
of Chapter 232 of the Revised Statutes of Nova Scotia, 1989,
the *Insurance Premiums Tax Act***

Citation

1 These regulations may be cited as the *Designation of Mutual Insurance Companies Regulations*.

Designations for the purpose of subsection 3(4) of the Act

2 Each of the following is designated as a mutual insurance company for the purpose of subsection 3(4) of the *Insurance Premiums Tax Act*:

Antigonish Farmers' Mutual Insurance Company
Clare Mutual Insurance Company
The Kings Mutual Insurance Company
Pictou County Farmers' Mutual Fire Insurance Company

N.S. Reg. 346/2008

Made: August 6, 2008

Filed: August 6, 2008

Proclamation, S. 24, S.N.S. 2008, c. 4

Order in Council 2008-409 dated August 6, 2008
Proclamation made by the Governor in Council
pursuant to Section 24 of the
Justice Administration Amendment (2008) Act

The Governor in Council on the report and recommendation of the Minister of Justice dated July 17, 2008, pursuant to Section 24 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 6 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amends Chapter 155 of the Revised Statutes, 1989, the *Executive Council Act*, and Sections 7 to 19 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amend Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, do come into force on and not before August 6, 2008.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

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 24 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, it is enacted as follows:

- 24** 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 Section 6 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amends Chapter 155 of the Revised Statutes, 1989, the *Executive Council Act*, and Sections 7 to 19 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amend Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, do come into force on and not before August 6, 2008;

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 Section 6 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amends Chapter 155 of the Revised Statutes, 1989, the *Executive Council Act*, and Sections 7 to 19 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amend Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, do come into force on and not before August 6, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 6th day of August in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 347/2008

Made: August 6, 2008

Filed: August 6, 2008

Fatality Investigations Regulations

Order in Council 2008-410 dated August 6, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 41 of the *Fatality Investigations Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated July 17, 2008, and pursuant to Section 41 of Chapter 31 of the Acts of 2001, the *Fatality Investigations Act*, is pleased to amend the *Fatality Investigations Regulations*, N.S. Reg. 81/2003, made by the Governor in Council by Order in Council 2003-145 dated April 4, 2003, to remove the requirement that names and locations of medical examiners and investigators be published in the Royal Gazette, Part I, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 6, 2008.

Schedule "A"

**Amendment to the *Fatality Investigations Regulations*
made by the Governor in Council under Section 41 of
Chapter 31 of the Acts of 2001, the *Fatality Investigations Act***

The *Fatality Investigations Regulations*, N.S. Reg. 81/2003, made by the Governor in Council by Order in Council 2003-145 dated April 4, 2003, are amended by repealing subsections 3(1) and (2).

N.S. Reg. 348/2008

Made: August 6, 2008

Filed: August 6, 2008

Environmental Assessment Regulations

Order in Council 2008-414 dated August 6, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 49 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated June 24, 2008, and pursuant to Section 49 of Chapter 1 of the Acts of 1994-1995, the *Environment Act*, is pleased to amend the *Environmental Assessment Regulations*, N.S. Reg 26/95, made by the Governor in Council by Order in Council 95-220 dated March 21, 1995, to update and improve the environmental assessment process, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 6, 2008.

Schedule "A"

**Amendment to the *Environmental Assessment Regulations*
made by the Governor in Council under
Section 49 of Chapter 1 of the
Acts of 1994-1995, the *Environment Act***

- 1 Section 2 of the *Environmental Assessment Regulations*, N.S. Reg. 26/95, made by the Governor in Council Order in Council 95-220 dated March 21, 1995, is repealed and the following Section substituted:

Definitions for the Act and these regulations

2 (1) In these regulations,

- (a) "Act" means the *Environment Act*;
- (b) "day" means a calendar day, except for December 23rd to January 2nd, which are counted as 1 day;
- (c) "contaminated material" means a solid or semi-solid mixture that may contain stone, soil, ash, grit, surface coating, sediment, sludge or other matter containing a contaminant resulting from the release of a substance;
- (d) "environmental health" means those aspects of human health that are or can be affected by contaminants or changes in the environment;
- (e) "mineral" means a mineral as defined in the *Mineral Resources Act*;
- (f) "mitigate" means, with respect to an undertaking, to eliminate, reduce, or control the adverse effects or the significant environmental effects of an undertaking, and may include restitution for any damage to the environment caused by such effects through replacement, restoration, compensation or any other means;
- (g) "oil refinery" means a facility used for manufacturing hydrocarbon products from condensate, crude oil, synthetic crude oil or other hydrocarbon feedstock;
- (h) "paper product" means a product made from pulp;

- (i) “petrochemical manufacturing plant” means a plant that manufactures organic chemical substances produced from petroleum-based materials, but does not include any of the following:
 - (i) an oil refinery,
 - (ii) a natural gas processing plant,
 - (iii) a plant that only blends or packages petrochemicals;
 - (j) “pit” means a ground disturbance or excavation made for the purpose of removing aggregate from the environment without using explosives;
 - (k) “pulp” means processed cellulose fibres that are derived from wood or other plant material;
 - (l) “significant” means, with respect to an environmental effect, an adverse effect that occurs or could occur as a result of any of the following:
 - (i) the magnitude of the effect,
 - (ii) the geographic extent of the effect,
 - (iii) the duration of the effect,
 - (iv) the frequency of the effect,
 - (v) the degree of reversibility of the effect,
 - (vi) the possibility of occurrence of the effect;
 - (m) “smelter” means a pyrometallurgical industrial facility that recovers a metal or metals from mineral concentrates by heating the concentrates to a point where melting and a chemical change occurs and that produces more than 1 tonne per day of product;
 - (n) “quarry” means a ground disturbance or excavation made for the purpose of removing aggregate from the environment with the use of explosives.
- (2)** In the Act and these regulations,
- (a) “commence work” means, with respect to an undertaking, to begin construction or site preparation activity for an undertaking or any part of an undertaking;
 - (b) “extension” means, with respect to an undertaking, an increase in the size, volume or other dimension of the undertaking that may cause adverse effects or significant environmental effects if not properly mitigated;
 - (c) “modification” means, with respect to an undertaking, a change to the undertaking that may cause adverse effects or significant environmental effects if not properly mitigated, and includes all of the following:
 - (i) an expansion of the same process,

- (ii) a change in products used or produced,
 - (iii) replacement of equipment with different technology other than that presently in use.
- 2 (1) Section 4 of the regulations is renumbered as subsection 4(1) and amended by
- (a) striking out “The Act and these regulations do not apply to” and substituting “These regulations and Part IV of the Act do not apply to any of the following:”;
 - (b) striking out “or” at the end of clause (b);
 - (c) adding the following clause immediately after clause (b):
 - (ba) a pit or quarry operated as described in subsection (2);
- (2) Section 4 is further amended by adding the following subsection immediately after subsection (1):
- (2) The Department of Transportation and Infrastructure Renewal shall ensure that a pit or quarry established solely to provide fill or aggregate for road building or maintenance contracts with the Department of Transportation and Infrastructure Renewal is operated in accordance with all applicable guidelines and regulations under the Act
- 3 Section 6 of the regulations is repealed.
- 4 Subsection 7(1) of the regulations is amended by striking out “At any stage of the assessment process, an undertaking” and substituting “An undertaking”.
- 5 Section 8 of the regulations is repealed.
- 6 Subsection 9(1) of the regulations is repealed and the following subsections substituted:
- (1) The registration of an undertaking required by clause 33(a) of the Act must occur before a proponent proceeds with the final design of an undertaking.
 - (1A) To register an undertaking, a proponent must submit all of the following to the Department:
 - (a) all applicable fees prescribed under the Act;
 - (b) a registration document in the format provided by the Administrator that includes all of the following:
 - (i) the name of the proposed undertaking,
 - (ii) the location of the proposed undertaking,
 - (iii) the name, address and identification of the proponent,
 - (iv) a list of contact persons for the proposed undertaking and their contact information,
 - (v) the name and signature of the Chief Executive Officer or a person with signing authority, if the proponent is a corporation;

- (vi) details of the nature and sensitivity of the area surrounding the proposed undertaking,
- (vii) the purpose and need for the proposed undertaking,
- (viii) the proposed construction and operation schedules for the undertaking,
- (ix) a description of the proposed undertaking,
- (x) environmental baseline information,
- (xi) a list of the licences, certificates, permits, approvals and other forms of authorization that will be required for the proposed undertaking,
- (xii) all sources of any public funding for the proposed undertaking,
- (xiii) all steps taken by the proponent to identify the concerns of the public and aboriginal people about the adverse effects or the environmental effects of the proposed undertaking,
- (xiv) a list of all concerns expressed by the public and aboriginal people about the adverse effects or the environmental effects of the proposed undertaking,
- (xv) all steps taken or proposed to be taken by the proponent to address concerns of the public and aboriginal people identified under subclause (xiv).

7 Section 9 of the regulations is further amended by adding the following subsection immediately after subsection (3):

- (4)** The date of registration for an undertaking is 7 days after the applicable fees are paid and all information specified in subsection (1) has been received by the Department.

8 Subsection 10(1) of the regulations is amended by

- (a) striking out “registration” and substituting “the registration date”;
- (b) striking out “an undertaking” and substituting “a Class I undertaking”.

9 Section 10 is further amended by adding the following subsections immediately after subsection (1):

- (1A)** Within 14 days of the registration date of a Class II undertaking, the Administrator shall publish a notice in the manner provided in Section 29 stating that the undertaking has been registered, and that the public may submit comments on the proposed terms of reference for the environmental assessment report.

- (1B)** A notice referred to in subsection (1) or (1A) must state that written comments may be submitted to the Administrator within 30 days following the date of publication of the notice.

10 Subsection 10(3) is amended by striking out “date of registration” in clause (d) and substituting “registration date”.

11 Subsection 10(4) of the regulations is amended by striking out “14 days following publication” and substituting “7 days after the date of publication of the notice”.

- 12 Subsection 11(3) of the regulations is repealed and the following subsection substituted:
- (3) If the Minister is of the opinion that any of the following is an undertaking, the Minister must classify the undertaking as either Class I or Class II and must advise the proponent in writing of the classification and, if not already registered, the requirement to register the undertaking in accordance with the Act and regulations:
- (a) a policy, plan or program;
 - (b) a modification, extension, abandonment, demolition or rehabilitation of an undertaking.
- 13 Section 12 of the regulations is amended by
- (a) striking out “The following information” and substituting “All of the following information”.
 - (b) striking out “following a review of the registration documents for a Class I undertaking” and substituting “under subsection 34(1) of the Act”;
 - (c) striking out “and scope” in clause (b) and substituting “, scope and complexity”;
 - (d) adding “and aboriginal people” immediately after “the public” in clause (c);
 - (e) adding “and aboriginal people” immediately after “the public” in clause (d);
 - (f) adding the following clause immediately after clause (d):
 - (da) whether environmental baseline information submitted under subclause 9(1A)(b)(x) for the undertaking is sufficient for predicting adverse effects or environmental effects related to the undertaking;
 - (g) repealing clause (e) and substituting the following clause:
 - (e) potential and known adverse effects or environmental effects of the proposed undertaking, including identifying any effects on species at risk, species of conservation concern and their habitats;
 - (h) striking out “and” at the end of clause (h); and
 - (i) adding the following clause immediately after clause (h):
 - (ha) whether compliance with licences, certificates, permits, approvals or other documents of authorization required by law will mitigate the environmental effects;
- 14 Subsection 13(1) of the regulations is amended by
- (a) striking out “25” and substituting “50”;
 - (b) striking out “Administrator” and substituting “Minister”;
 - (c) striking out “of the Minister” and substituting “under subsection 34(2) of the Act”.
- 15 Subsection 13(2) of the regulations is amended by

- (a) striking out “and subsection 13(1) shall apply” in clause (a) and substituting “applies;”;
 - (b) repealing clause (b); and
 - (c) adding the following clauses after clause (a):
 - (b) except as provided in subsection (3), shall submit the required information no later than 1 year after the date the proponent is advised under clause 13(1)(a);
 - (c) if the Minister considers it necessary to fulfill the notification requirements of clause 33(b) of the Act, may be required by the Minister to publish a notice in the same manner as the original notice under Section 10 announcing the release of the additional information to the public and stating that written comments may be submitted about the additional information to the Department.
 - (d) adding the following subsections immediately after subsection (2):
 - (3) If the Minister considers that the time period prescribed in clause 13(2)(b) is insufficient, the Minister may extend the time for filing of the information and shall advise the proponent in writing.
 - (4) If additional information is submitted under clause (1)(a), the Minister shall, within 50 days, advise the proponent in writing of the decision under subsection 34(2) of the Act.
- 16 Section 14 of the regulations is repealed.
- 17 Subsection 15(1) of the regulations is amended by striking out “13(1)(c)” and substituting “34(1)(b) of the Act”.
- 18 Subsection 16(1) of the regulations is amended by
- (a) striking out “12” and substituting “14”;
 - (b) striking out “invite written comments to” and substituting “state that written comments may”; and
- 19 Section 18 of the regulations is amended by
- (a) striking out “the Administrator” and substituting “Minister”;
 - (b) striking out “of the Minister”.
- 20 Clause 19(1)(f) of the regulations is amended by adding “, including identifying any effects on species at risk, species of conservation concern and their habitats” immediately after “undertaking”.
- 21 Subsection 19(2) is amended by adding “aboriginal people or” immediately before “cultural community”.
- 22 Subsection 19(3) is repealed.
- 23 Subsection 19(4) of the regulations is repealed.
- 24 Subsection 19(5) of the regulations is amended by
- (a) striking out “subsection (4)” and substituting “Section 19A”; and

(b) striking out “subsections (2) and (3)” in clause (a) and substituting “Section 19A”.

25 The regulations are further amended by adding the following Section immediately after Section 19:

Notice of terms of reference

19A (1) To give the public and proponent an opportunity to comment under clause 36(b) of the Act, the Administrator must publish a notice of the proposed terms of reference in the manner set out in Section 29 no later than 14 days after the date the proponent is advised of the need for an environmental-assessment report for their Class I undertaking.

(2) A notice of proposed terms of reference must state that the public may submit comments on the proposed terms of reference to the Department within 30 days following the date of publication of the notice.

26 Subsection 20(1) of the regulations is amended by striking out “the draft” in clauses (a) and (b) and substituting “the final draft of the”.

27 Subsection 21(3) of the regulations is amended by striking out “12” and substituting “14”.

28 Subsection 22(2) of the regulations is amended by striking out “30” and substituting “14”.

29 Subsection 22(3) of the regulations is amended by striking out “report to” and substituting “report no later than 14 days after the date they are requested to”.

30 Section 23 of the regulations is repealed and the following Section substituted:

Public consultation on environmental-assessment reports

23 (1) For an environmental-assessment report for a Class I undertaking that is not referred to the Board, the Administrator shall, no later than 12 days after receiving copies of the final draft of the report, publish a notice in the manner set out in Section 29 announcing the release of the environmental-assessment report to the public and shall state in the notice that the public may submit written comments to the Administrator within 48 days following the date of publication of the notice.

(2) If the Minister considers the time period for submitting comments under subsection (1) to be insufficient, the Minister may extend the deadline and shall advise the proponent in writing of the decision.

(3) For an environmental-assessment report for a Class I undertaking that is referred to the Board or for an environmental-assessment report for a Class II undertaking, public notice and consultation shall be in accordance with the *Environmental Assessment Board Regulations*.

31 Subsection 26(1) of the regulations is amended by striking out “advise the proponent in writing whether the undertaking is approved subject to any other approval required by an enactment, is approved subject to such conditions as the Minister deems appropriate and any other approval required by an enactment, or is rejected” and substituting “make a decision in accordance with Section 40 of the Act”.

32 Subsection 26(2) of the regulations is repealed.

33 Subsection 27(1) of the regulations is amended by striking out “under Section 26” and substituting “under Section 40 of the Act”.

34 Section 28 of the regulations is repealed

35 Subsection 29(2) of the regulations is repealed and the following subsection substituted:

- (2) If there is no newspaper having general circulation in the locality in which the undertaking concerned is to be located, the notice shall be posted in at least 2 of the following locations in the locality:
- (a) a municipal building;
 - (b) a post office;
 - (c) a public building.

36 The regulations are further amended by repealing Sections 30 and 31.

37 The regulations are further amended by repealing Schedule "A" and substituting the attached Schedule A.

Schedule A
Designated Class I and Class II Undertakings

Class I Undertakings

The following are designated as Class I undertakings under the Act:

A. Industrial facilities

1. A storage facility that has a total storage capacity of over 5000 m³ and is intended to hold liquid or gaseous substances, such as hydrocarbons or chemicals other than water.
2. A facility for manufacturing wood products that are pressure treated with chemical products.
3. A facility that produces fish meal.
4. A rendering plant.
5. An onshore pipeline that is 5 km or longer, other than a pipeline that carries any of the following:
 - (a) natural gas, if the pipeline has a maximum operating pressure below 3450 kPa (500 psig);
 - (b) water;
 - (c) steam;
 - (d) domestic wastewater.
6. A natural gas processing plant.
7. A paper product manufacturing plant.

B. Mining

1. A facility that extracts or processes any of the following:
 - (a) metallic or non-metallic minerals;

- (b) coal;
 - (c) peat;
 - (d) peat moss;
 - (e) gypsum;
 - (f) limestone;
 - (g) bituminous shale;
 - (h) oil shale.
2. A pit or quarry, other than a pit or quarry exempted under Section 4 of the regulations for the Department of Transportation and Infrastructure Renewal, that is larger than 4 ha in area for extracting one of the following:
- (a) ordinary stone;
 - (b) building or construction stone;
 - (c) sand;
 - (d) gravel;
 - (e) ordinary soil.

C. Transportation

1. The construction of a new paved highway that is longer than 2 km and is designed for 4 or more lanes of traffic.
2. The construction of a new paved highway that is longer than 10 km and is designed for 2 or more lanes of traffic.

D. Energy

1. A corridor for 1 or more electric power transmission lines that have a cumulative voltage rating equal to or greater than 345 kVA.
2. An energy generating facility, other than an emergency generator, that meets any one of the following:
 - (a) it has a production rating of at least 2 MW derived from wind, tides or waves;
 - (b) it has a production rating of at least 2 MW and no more than 25 MW derived from hydroelectricity, other than run-of-the-river facilities under 10 MW;
 - (c) it has a daily fuel input rating of at least 11 000 GJ and no more than 31 000 GJ derived from natural gas;
 - (d) it has a daily fuel input rating of at least 250 GJ and no more than 2500 GJ derived from fossil fuels other than natural gas;

- (e) it has a daily fuel input rating of at least 4000 GJ and no more than 10 000 GJ derived from fuels other than fossil fuels, but excluding solar power.

E. Waste management

1. A facility for storing, processing, treating or disposing of waste dangerous goods that were not produced at that facility, other than facilities operated by, or on behalf of, a municipality or Provincial agency for waste dangerous goods collected only from residential premises.
2. A facility for treating, processing or disposing of contaminated materials that is located at a site other than where the contaminated materials originated.

F. Other

1. An undertaking that involves transferring water between drainage basins, if the drainage area containing the water to be diverted is larger than 1 km².
2. An undertaking that disrupts a total of 2 ha or more of any wetland.

Class II Undertakings

The following are designated as Class II undertakings under the Act:

A. Industrial facilities

1. A facility for manufacturing, processing or reprocessing radioactive materials.
2. A heavy water plant.
3. A pulp mill.
4. A petrochemical manufacturing plant.
5. A cement plant.
6. An oil refinery.
7. A non-ferrous or ferrous metal smelter.
8. A lead acid battery plant.
9. A ferro-alloy plant.

B. Energy

1. An energy generating facility, other than an emergency generator, that meets any one of the following:
 - (a) it has a production rating of more than 25 MW derived from hydroelectricity;
 - (b) it has a daily fuel input rating of more than 31 000 GJ derived from natural gas;
 - (c) it has a daily fuel input rating of more than 2500 GJ derived from fossil fuels other than natural gas;
 - (d) it has a daily fuel input rating of more than 10 000 GJ from fuels other than fossil fuels, but excluding solar power.

2. A water reservoir that has a storage capacity of 10 000 000 m³ or more than the mean volume of the natural water body source for which it is a reservoir.

C Waste Management

1. A facility for incinerating municipal solid waste.

N.S. Reg. 349/2008

Made: August 7, 2008

Filed: August 11, 2008

Prescribed Petroleum Products Prices

Order dated August 7, 2008
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 July 31, 2008, which prescribed prices August 1, 2008; 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 August 8, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 7, 2008.

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 August 8, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	80.0
Mid-grade unleaded gasoline	83.0
Premium unleaded gasoline	86.0
Ultra low-sulfur diesel oil	92.4

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	111.8	4.0	5.5	4.0	999.9	130.9	132.5	130.9	999.9
Mid-Grade Unleaded	114.8	4.0	5.5	4.0	999.9	134.2	135.9	134.2	999.9
Premium Unleaded	117.8	4.0	5.5	4.0	999.9	137.6	139.3	137.6	999.9
Ultra Low-Sulfur Diesel	118.1	4.0	5.5	4.0	999.9	138.0	139.7	138.0	999.9
Zone 2									
Regular Unleaded	112.2	4.0	5.5	4.0	999.9	131.3	133.0	131.3	999.9
Mid-Grade Unleaded	115.2	4.0	5.5	4.0	999.9	134.7	136.4	134.7	999.9
Premium Unleaded	118.2	4.0	5.5	4.0	999.9	138.1	129.8	138.1	999.9
Ultra Low-Sulfur Diesel	118.5	4.0	5.5	4.0	999.9	138.4	140.1	138.4	999.9
Zone 3									
Regular Unleaded	112.7	4.0	5.5	4.0	999.9	131.9	133.6	131.9	999.9
Mid-Grade Unleaded	115.7	4.0	5.5	4.0	999.9	135.3	137.0	135.3	999.9
Premium Unleaded	118.7	4.0	5.5	4.0	999.9	138.7	140.3	138.7	999.9
Ultra Low-Sulfur Diesel	119.0	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Zone 4									
Regular Unleaded	112.7	4.0	5.5	4.0	999.9	131.9	133.6	131.9	999.9
Mid-Grade Unleaded	115.7	4.0	5.5	4.0	999.9	135.3	137.0	135.3	999.9
Premium Unleaded	118.7	4.0	5.5	4.0	999.9	138.7	140.3	138.7	999.9
Ultra Low-Sulfur Diesel	119.0	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Zone 5									
Regular Unleaded	112.7	4.0	5.5	4.0	999.9	131.9	133.6	131.9	999.9
Mid-Grade Unleaded	115.7	4.0	5.5	4.0	999.9	135.3	137.0	135.3	999.9
Premium Unleaded	118.7	4.0	5.5	4.0	999.9	138.7	140.3	138.7	999.9
Ultra Low-Sulfur Diesel	119.0	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9

Zone 6									
Regular Unleaded	113.5	4.0	5.5	4.0	999.9	132.8	134.5	132.8	999.9
Mid-Grade Unleaded	116.5	4.0	5.5	4.0	999.9	136.2	137.9	136.2	999.9
Premium Unleaded	119.5	4.0	5.5	4.0	999.9	139.6	141.3	139.6	999.9
Ultra Low-Sulfur Diesel	119.8	4.0	5.5	4.0	999.9	139.9	141.6	139.9	999.9

N.S. Reg. 350/2008

Made: August 12, 2008

Filed: August 13, 2008

Proclamation, S. 2, S.N.S. 2008, c. 11

Order in Council 2008-417 dated August 12, 2008

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 23, 2008, pursuant to Section 2 of Chapter 11 of the Acts of 2008, *An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act*, is pleased to order and declare by proclamation that Chapter 11 of the Acts of 2008, *An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act*, do come into force on and not before August 12, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 2 of Chapter 11 of the Acts of 2008, *An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act*, it is enacted as follows:

- 2** 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 11 of the Acts of 2008, *An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act*, do come into force on and not before August 12, 2008;

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 11 of the Acts of 2008, *An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act*, do come into force on and not before August 12, 2008, 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 Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 12th day of August in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 351/2008

Made: August 12, 2008

Filed: August 13, 2008

Proclamation, S. 14, S.N.S. 2008, c. 25

Order in Council 2008-418 dated August 12, 2008

Proclamation made by the Governor in Council
pursuant to Section 14 of

An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 23, 2008, pursuant to Section 14 of Chapter 25 of the Acts of 2008, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Chapter 25 of the Acts of 2008, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, except Section 9 thereof, do come into force on and not before August 12, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 14 of Chapter 25 of the Acts of 2008, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, it is enacted as follows:

- 14 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 25 of the Acts of 2008, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, except Section 9 thereof, do come into force on and not before August 12, 2008;

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 25 of the Acts of 2008, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, except Section 9 thereof, do come into force on and not before August 12, 2008, 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 Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 12th day of August in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 352/2008

Made: August 12, 2008

Filed: August 13, 2008

Pension Benefits Regulations

Order in Council 2008-421 dated August 12, 2008
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 Labour and Workforce Development dated July 15, 2008, 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 prescribe the manner and timing of payment by an employer into a pension fund on wind up of the amount necessary to fund the benefits provided under the plan and under Section 79 of the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 12, 2008.

Schedule "A"

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

- 1 Subsection 37(6) of the *Pension Benefits Regulations*, N.S. Reg. 164/2002, made by the Governor in Council by Order in Council 2002-607 dated December 20, 2002, is amended by
 - (a) striking out "Subject to subsection (7), if" and substituting "If"; and
 - (b) adding "subject to subsection (7)," immediately before "the value of any pension" in clause (c).
- 2 Section 37 of the regulations is further amended by adding the following subsection immediately after subsection (6):
 - (6A)** Until a report is filed under Section 38A certifying that an employer is not required to make any further payments into a pension fund under Section 80 of the Act,
 - (a) the administrator must not use any funds of the pension plan to purchase a life annuity for any person entitled to a life annuity under the plan in accordance with Section 50, 51 or 56 of the Act or subsection 78(2) of the Act; and
 - (b) the maximum portion of the commuted value of a deferred pension that the administrator may transfer under clause 50(1)(a) or (b) of the Act, is the amount, if any, of the employee contributions with interest.
- 3 Subsection 37(7) of the regulations is repealed and the following subsection substituted:
 - (7)** An administrator must make the following applicable reductions to benefits paid out under clause 37(6)(c):

- (a) if an employer is making payments in accordance with Section 80 of the Act, pension benefits to which a person may be entitled, but that had not vested under the terms of the plan before the effective date of the wind up of the plan, must be reduced to an amount proportionate to the extent that the benefits have been funded;
 - (b) in all cases other than as referred to in clause (a), the pension, deferred pension or ancillary benefit to which a person would otherwise be entitled must be reduced to an amount proportionate to the extent that the benefits have been funded.
- 4 Subsection 37(8) of the regulations is amended by adding “fully funded and” immediately after “benefits to which persons are entitled have been”.
- 5 Subsection 38(1) of the regulations is amended by
- (a) striking out “Section 80” and substituting “subsection 80(1)”;
 - (b) striking out “date of termination or” and substituting “effective date of the”; and
 - (c) adding “or the effective date of the partial wind up of the plan” immediately after “wind-up of the plan”
- 6 Section 38 of the regulations is further amended by adding the following subsections immediately after subsection (1):
- (1A)** The payments required to be made by an employer to a pension fund under subsection 80(1A) of the Act must cover the amount necessary to fund benefits for the following persons:
- (a) for a plan that is wholly wound up, members, former members and any other persons entitled to a benefit from the pension plan;
 - (b) for a plan that is partially wound up those members, former members and any other persons entitled to a benefit from the plan that are affected by the partial wind up.
- (1B)** Payments required to be made by an employer to a pension fund under subsection 80(1A) of the Act must be made annually in advance, beginning at the effective date of the wind up and continuing until the employer’s financial obligation under subsection 80(1A) of the Act is fulfilled.
- (1C)** Except as later adjusted in accordance with clause 38(2)(b), the annual payments under subsection (1B) must be equal payments sufficient to fund the employer’s financial obligation under subsection 80(1A) of the Act over a period of no longer than 5 years.
- 7 The regulations are further amended by adding the following Section immediately after Section 38:
- 38A (1)** Until an employer has paid the amounts required under subsection 80(1A) of the Act into the pension fund, the administrator of the plan shall annually do all of the following:
- (a) cause the plan to be reviewed;
 - (b) cause a report to be prepared by a person authorized by Section 14;
 - (c) file the report with the Superintendent no later than 6 months after the valuation date of the report.
- (2)** A report required under subsection (1) shall show all of the following:

- (a) any gain or loss in the pension plan since the valuation date of the immediately preceding report as a result of differences between the actual experience and the experience anticipated by the assumptions made in the previous report;
 - (b) any increase or decrease in the remaining annual payments needed to liquidate a gain or loss referred to in clause (a) over the remainder of the 5-year payment period
- (3) If a report made under this Section shows that no further payment is required under subsection 80(1A) of the Act, any surplus in the pension fund may revert to the employer, subject to the requirements of Section 84 of the Act.
-

N.S. Reg. 353/2008

Made: August 12, 2008

Filed: August 13, 2008

Hospital Approval

Order in Council 2008-420 dated August 12, 2008
Approval made by the Governor in Council
pursuant to Section 4 of the *Hospitals Act*

The Governor in Council on the report and recommendation of the Minister of Health dated June 18, 2008, is pleased to, effective August 1, 2008 for a period of 5 years unless the Agreement noted below is terminated in accordance with the Agreement,

- (a) pursuant to Section 4 of Chapter 208 of the Revised Statutes of Nova Scotia, 1989, the *Hospitals Act*, approve the facility located at Canadian Forces Base Halifax, Hospital (Stadacona) as a hospital pursuant to the *Hospitals Act* only under the circumstances when it is providing surgical services pursuant to the agreement between the Capital District Health Authority and Canadian Forces Base Halifax, Hospital (Stadacona), attached to and forming part of the Report and Recommendation as Schedule "A", or to like effect, and for such purposes all legislation applicable to the operation of a hospital shall apply including but not necessary limited to the *Hospitals Act* and the *Health Authorities Act*; and
[N.S. Reg. 353/2008]
- (b) pursuant to Section 59C of Chapter 365 of Revised Statutes of Nova Scotia, 1989, the *Provincial Finance Act*, authorize the Capital District Health Authority to enter into a financial obligation with the Department of National Defence regarding the use of the Canadian Forces Base Halifax, Hospital (Stadacona) for surgical services.

N.S. Reg. 354/2008

Made: July 18, 2008

Approved: July 18, 2008

Filed: August 13, 2008

Milk Pricing Regulations

Order dated July 18, 2008
Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 14(1)(c) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

I certify that the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(c) Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, and pursuant to clause 15(1)(g) of the *Dairy Industry Act*, at a meeting held on July 18, 2008, voted to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, to repeal and replace subsection 3(1) in the manner set out in Schedule A, effective on and after September 1, 2008.

Signed at Truro, Colchester County, Nova Scotia, on August 5, 2008.

Dairy Farmers of Nova Scotia

per: *B. Cameron*
Brian Cameron
General Manager

Approved by the Natural Products Marketing Council at Truro, Nova Scotia on July 18, 2008.

Natural Products Marketing Council

Per: *E. A. Crouse*
Elizabeth A. Crouse
Acting General Manager

Schedule A

**Amendment to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia under clauses 14(1)(c)
and 15(1)(g) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act***

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

- 3 (1)** Except as provided in subsection (2), the prices payable by processors in Nova Scotia for milk components are as set out in the following table, and are payable on a free on board (FOB) plant basis:

Component Prices - Per Kilogram for Classes 1, 2, 3 and 4				
Class of Milk	\$ Per Kg of Butterfat	\$ Per kg of Protein	\$ Per kg of Other Solids	\$ Per hl Solids-Non Fat
1(a)	7.3661			62.9700
1(b)	7.3661			51.2000
1(c)	85% of the Class 1(a) or Class 1(b) Butterfat and Solids Non-fat			
2	7.4853	5.7152	5.7152	
3(a)	7.4853	13.3104	0.8360	
3(b)	7.4853	12.8561	0.8360	
4(a)	7.4853	5.1588	5.1588	
4(b)	7.4853	5.2674	5.2674	
4(c)	85% of the Class 4(a) component prices			
4(d)	7.4853	5.1588	5.1588	

N.S. Reg. 355/2008

Made: August 19, 2008

Filed: August 19, 2008

Proclamation, S. 7, S.N.S. 2006, c. 49 and S. 2, S.N.S. 2007, c. 50

Order in Council 2008-428 dated August 19, 2008

Proclamation made by the Governor in Council
pursuant to Section 7 of*An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act*
and Section 2 of*An Act to Amend Chapter 31 of the Acts of 2000, the Probate Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated July 25, 2008, and pursuant to Section 7 of Chapter 49 of the Acts of 2006, *An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act*, and Section 2 of Chapter 50 of the Acts of 2007, *An Act to Amend Chapter 31 of the Acts of 2000, the Probate Act*, is pleased to order and declare by proclamation that Chapter 49 of the Acts of 2006, *An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act*, and Chapter 50 of the Acts of 2007, *An Act to Amend Chapter 31 of the Acts of 2000, the Probate Act*, do come into force on and not before August 19, 2008.

PROVINCE OF NOVA SCOTIA

sgd: **Thomas A. Cromwell**

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 7 of Chapter 49 of the Acts of 2006, *An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act*, and Section 2 of Chapter 50 of the Acts of 2007, *An Act to Amend Chapter 31 of the Acts of 2000, the Probate Act, Act*, it is enacted as follows:

- 7 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
- 2 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 49 of the Acts of 2006, *An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act*, and Chapter 50 of the Acts of 2007, *An Act to Amend Chapter 31 of the Acts of 2000, the Probate Act*, do come into force on and not before August 19, 2008;

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 49 of the Acts of 2006, *An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act*, and Chapter 50 of the Acts of 2007, *An Act to Amend Chapter 31 of the Acts of 2000, the Probate Act*, do come into force on and not before August 19, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour the Honourable Thomas A. Cromwell, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 19th day of August in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 356/2008

Made: August 19, 2008

Filed: August 19, 2008

Probate Court Practice, Procedure and Forms Regulations

Order in Council 2008-429 dated August 19, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 106 of the *Probate Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated July 25, 2008, and pursuant to Section 106 of Chapter 31 of the Acts of 2000, the *Probate Act*, is pleased to amend the *Probate Court Practice, Procedure and Forms Regulations*, N.S. Reg. 119/2001, made by the Governor in Council by Order in Council 2001-450 dated September 17, 2001, to prescribe the manner in which holograph wills must be proved, in the manner set out in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 19, 2008.

Schedule "A"

**Amendment to the *Probate Court Practice, Procedure
and Forms Regulations* made under Section 106 of Chapter 31
of the Acts of 2000, the *Probate Act***

- 1 Section 2 of the *Probate Court Practice, Procedure and Forms Regulations*, N.S. Reg. 119/2001, made by the Governor in Council by Order in Council 2001-450 dated September 17, 2001, is amended by adding the following clause immediately after clause (j):
 - (ja) "holograph will" means a will wholly in the testator's own handwriting and signed by the testator;
- 2 The heading to Section 11 is amended by adding "other than holograph will" immediately after "will".
- 3 (1) Section 11 of the regulations is amended by
 - (a) renumbering subsection (1) as subsection (1A); and
 - (b) adding the following subsection immediately before subsection (1A):
 - (1) This Section applies to proof of execution of wills other than holograph wills.
- (2) Section 11 of the regulations is further amended by
 - (a) striking out "Subject to subsection (3), for" in subsection (1A) and substituting "For";
 - (b) striking out "For greater certainty, an" in subsection (3) and substituting "An"; and
 - (c) adding "respecting wills other than holograph wills" immediately after "*Wills Act*" in subsection (10).
- 4 The regulations are further amended by adding the following heading and Section immediately after Section 11:

Proof of execution of holograph will

- 11A (1)** For an application for a grant of probate or administration with the will annexed made respecting a holograph will, the due execution of the holograph will shall be proved by an affidavit in Form 2A.
- (2)** An affidavit in Form 2A may be taken at or after the time the holograph will is executed and either before or after the death of the testator.
- (3)** An affidavit in Form 2A is valid if it
- (a)** was signed prior to the coming into force of the Act; and
 - (b)** meets the requirements of the Act.
- (4)** If a registrar, deputy registrar, notary public or barrister of the Supreme Court is not available to take an affidavit in Form 2A, the person seeking to prove the execution of a holograph will shall obtain written approval from the Registrar for another person to take the affidavit.
- (5)** If it appears to the registrar that the execution of a holograph will does not comply with the requirements of the *Wills Act* respecting holograph wills, the registrar shall refuse to approve the application for a grant respecting the will.

5 The regulations are further amended by striking out clause 36(c) and substituting the following clause:

- (c)** the following applicable proof of execution of the will:
- (i)** for a will other than a holograph will, an affidavit of execution of the will in Form 2 or such other evidence of due execution of the will as is required under Section 11, or both,
 - (ii)** for a holograph will, an affidavit in Form 2A or such other evidence of due execution of the will as is required under Section 11A, or both;

6 The regulations are further amended by striking out clause 38(c) and substituting the following clause:

- (c)** the following applicable proof of execution of the will:
- (i)** for a will other than a holograph will, an affidavit of execution of the will in Form 2 or such other evidence of due execution of the will as is required under Section 11, or both,
 - (ii)** for a holograph will, an affidavit in Form 2A or such other evidence of due execution of the will as is required under Section 11A, or both;

7 The regulations are further amended by adding the attached Form 2A immediately after Form 2.

Form 2A - Affidavit Proving Execution of Holograph Will

Form 2
Probate District:
Probate Court File No:

IN THE COURT OF PROBATE FOR NOVA SCOTIA

IN THE ESTATE OF , Deceased

Affidavit Proving Execution of a Holograph Will
(Section 11A)

I, name of deponent, of street and postal address, place, province/state, country, make oath and say:

1. (a) I was well acquainted with the deceased, name of deceased. I frequently saw the deceased write and sign their name and I am well acquainted with the deceased's handwriting and signature.

OR

(b) I am well acquainted with name. I have frequently seen name write and sign their name and I am well acquainted with their handwriting and signature.

[Choose (a) or (b) and delete the other.]

2. I have carefully examined the document dated date which is marked as Exhibit A to this Affidavit.

3. I believe the whole of the document including the signature to be in the handwriting of name of signor.

Sworn before me at
in the Country of
Province of Nova Scotia, on
20
A Barrister of the Supreme Court of Nova Scotia,
Notary Public in and for the Province of Nova
Scotia, Registrar of Probate or Deputy Registrar of
Probate

Signature

N.S. Reg. 357/2008

Made: August 19, 2008

Filed: August 19, 2008

Proclamation, S. 24, S.N.S. 2008, c. 4

Order in Council 2008-430 dated August 19, 2008
Proclamation made by the Governor in Council
pursuant to Section 24 of the
Justice Administration Amendment (2008) Act

The Governor in Council on the report and recommendation of the Minister of Justice dated July 25, 2008, and pursuant to Section 24 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 4 and 5 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amend Chapter 81 of the Revised Statutes, 1989, the *Companies Act*, do come into force on and not before August 19, 2008.

PROVINCE OF NOVA SCOTIA

sgd: **Thomas A. Cromwell**

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 24 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, it is enacted as follows:

- 24** 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 Sections 4 and 5 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amend Chapter 81 of the Revised Statutes, 1989, the *Companies Act*, do come into force on and not before August 19, 2008;

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 Sections 4 and 5 of Chapter 4 of the Acts of 2008, the *Justice Administration Amendment (2008) Act*, which amend Chapter 81 of the Revised Statutes, 1989, the *Companies Act*, do come into force on and not before August 19, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour
the Honourable Thomas A. Cromwell,
Administrator of the Government of the Province
of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 19th day of August in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 358/2008

Made: August 19, 2008

Filed: August 19, 2008

Proclamation, S. 16, S.N.S. 2008, c. 3

Order in Council 2008-431 dated August 19, 2008
Proclamation made by the Governor in Council
pursuant to Section 16 of the
Health Professions Disciplinary Proceedings Protection (2008) Act

The Governor in Council on the report and recommendation of the Minister of Health dated August 7, 2008, and pursuant to Section 16 of Chapter 3 of the Acts of 2008, the *Health Professions Disciplinary Proceedings Protection (2008) Act*, is pleased to order and declare by proclamation that Chapter 3 of the Acts of 2008, the *Health Professions Disciplinary Proceedings Protection (2008) Act*, do come into force on and not before August 19, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Thomas A. Cromwell

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 16 of Chapter 3 of the Acts of 2008, the *Health Professions Disciplinary Proceedings Protection (2008) Act*, it is enacted as follows:

- 16** This Act has effect on and after such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 3 of the Acts of 2008, the *Health Professions Disciplinary Proceedings Protection (2008) Act*, do come into force on and not before August 19, 2008;

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 3 of the Acts of 2008, the *Health Professions Disciplinary Proceedings Protection (2008) Act*, do come into force on and not before August 19, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour the Honourable Thomas A. Cromwell, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 19th day of August in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 359/2008

Made: August 19, 2008

Filed: August 19, 2008

Minimum Wage Order (General)

Order in Council 2008-433 dated August 19, 2008
Amendment to regulations made by the Governor in Council
pursuant to Sections 50 and 52 of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Labour and Workforce Development dated July 31, 2008, and pursuant to Sections 50 and 52 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased to amend Order in Council 2008-145 made by [the] Governor in Council on March 26, 2008, respecting amendments to the *Minimum Wage Order (General)*, N.S. Reg. 5/99, to correct a typographical error in Schedule "A" to the Order in Council by striking out "\$4.45" in the table in item 2 of the Schedule and substituting "\$3.45".

N.S. Reg. 360/2008

Made: August 18, 2008

Filed: August 19, 2008

Polling Districts and Number of Councillors Order
for the Municipality of the County of AntigonishOrder dated August 18, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act***Order****NSUARB-MB-07-10****Nova Scotia Utility and Review Board**
in the Matter of the *Municipal Government Act***- and -****In the matter of an application** by the **Municipality of the County of Antigonish** to confirm the number of councillors and to retain the present boundaries of the polling districts**Before:** Murray E. Doehler, CA, P.Eng., Member**O r d e r****Whereas** an application having been made by the Municipality of the County of Antigonish (“Antigonish”) pursuant to s. 369 of the *Municipal Government Act* and the Board having issued its decision on the number of councillors and on the boundaries of polling districts on September 25, 2007;**And whereas** the Board approved the number of councillors, but requested that Antigonish re-examine the polling district boundaries to try and obtain a relative parity of voting power of $\pm 10\%$;**And whereas** Council presented various options at a public meeting on January 15, 2008, at which the public did not prefer any of these options over the status quo;**And whereas** Council, at a duly constituted meeting, took all the public discussions into consideration and decided to forward another application to the Board for the status quo;**And whereas** Council noted the following changes:

- District #1: Proposed to include that portion of Glebe Road that is presently in District #2. Also proposed to include that area along Pleasant Valley Road south, both sides, up to, but not including Clydesdale Road and all lands in between.—Currently District #4
- District #3: Proposed to include those lands starting at the corner of the Purl Brook Road moving north along Highway #7, both sides, up to Pitchers Farm Road. Then along Pitchers Farm Road around to Glen Road and along Glen Road back to Highway #7 and all lands in between.—Currently District #10
- District #4: Proposed to include both sides of Spruce Lane then the south side of Post Road west to the corner of the Addington Forks Road.—Currently District #10

- District #7: In addition, along Summerside Road east to the point where it intersects with the Summerside Bayfield Road. Then along Summerside Bayfield Road, on the west side only to Highway #4. Along Highway #4, both sides, east to Gorman Road. Then along the west side only of Gorman Road and Afton Road and all lands in between.—Currently District #8
- District #8: Proposed to include from the corner of the Linwood Road east along Highway #4, both sides, to the corner of the Cape Jack Road at Linwood.—Currently District #9

It is hereby ordered that the number of councillors for the Municipality is confirmed at 10, and the number and boundaries of the existing polling districts are confirmed.

Dated at Halifax, Nova Scotia this 18th day of August, 2008.

Sgd.: *Paul Allen*
Clerk of the Board

**Schedule “A”
Municipality of the County of Antigonish**

**District 1
Arisaig / Cape George / Pleasant Valley**

Beginning at the southern shore of [the] Northumberland Strait at the dividing line of the Counties of Antigonish and Pictou;

Thence easterly following the various courses of the shores of [the] Northumberland Strait to Cape George;

Thence continuing in a southerly direction along the shore of St. George’s Bay to that point where the boundary line between lands formerly of Donald Boyd and now of Margaret J. Boyd (PID 1206903) and lands formerly of Hudson Poole and now of John K. Boyd (PID 1303510) meets the shore;

Thence in a westerly direction in a straight line that passes just to the south of the Beaver Road until it reaches the Glebe Road in the vicinity of the Heffernan Marsh;

Thence southwardly along the various courses of the Glebe Road to that point where the boundary line between lands of Her Majesty the Queen (PID 1304088) and lands of Daniel Huntley (PID 1298694) meets the eastern margin of the Road;

Thence in an easterly direction, along the said lands of Daniel Huntley to the northeasterly corner of those lands;

Thence in a southerly direction along the rear line of said lands of Daniel Huntley, lands of Thomas Huntley (PID 1302967), and lands of Archibald Huntley (PID 1298702) to the southeasterly corner of the last mentioned lands;

Thence along the southerly boundary of the said lands of Archibald Huntley to the Glebe Road;

Thence continuing southwardly following the various courses of the Glebe Road until it meets the Big Marsh Road, and continuing further southerly along the Big Marsh Road to its intersection with the Cloverville Road;

Thence southwesterly to the boundary of District 2 to the west of Provincial Highway No. 245, along a direct line that would extend from the said intersection to Crown Post No. 3104 near Brown's Mountain;

Thence in a southerly direction, along the said boundary of District 2 until the southerly boundary of lands of Blair and Ashley Armsworthy (PID 10024725);

Thence in westerly direction along said boundary as well as along the southerly boundary of lands of Sanhaven Farms (PID 10021897) to that point where the said boundary meets the rear, or eastern line of those lots which have frontage on the Pleasant Valley Road;

Thence in a southerly direction along the said line to the rear line of those lots which have frontage on Mountainview Road and then along the rear line of those said lots fronting on Mountainview Road in a, first, easterly direction, then in a southerly direction and then in a westerly direction to the southeasterly corner of lands of Kenneth and Susan Stewart (PID 10011765) and following the southern boundary of that lot to the Pleasant Valley Road and then continuing to the western margin thereof;

Thence in a southeasterly direction, along the western margin of the Pleasant Valley Road to that point where it intersects with the Clydesdale Road;

Thence in a westerly direction along the Clydesdale Road to that point where the rear line of lands of Jeffrey and Kelly Sylvester (PID 10074284) meets the road;

Thence in a northerly direction along the rear line of lots fronting on Pleasant Valley Road to the northwesterly corner of lands of George Gills (PID 1311901) and then easterly along the northern boundary of those lands to the western margin of the Pleasant Valley Road;

Thence northerly, along the Road to that point where lands of the Antigonish County Volunteer Fire Department (PID 10101715) meets the Road margin;

Thence continuing northerly, along the rear lines of all those various lots that front on the Pleasant Valley Road to the aforementioned direct line that would extend from the said intersection of the Big Marsh and Cloverville Roads to Crown Post No. 3104 near Brown's Mountain;

Thence in a southwesterly direction, along that said direct line to Crown Post 3104;

Thence continuing southwesterly in a direct line to Crown Post No. 3118 on the Pictou County boundary line;

Thence in a northerly direction along said Pictou County line to the place of beginning.

District 2 North Grant / Cloverville / Lakevale

Beginning at that point where the boundary line between lands formerly of Donald Boyd and now of Margaret J. Boyd (PID 1206903) and lands formerly of Hudson Poole and now of John K. Boyd (PID 1303510) meets the shore of St. George's Bay;

Thence following the several courses of the shoreline of St. George's Bay and Antigonish Harbour in a southerly and westerly direction until it comes to a point where the boundary line of the Town of Antigonish intersects the said shoreline;

Thence following the said boundary line of the Town of Antigonish in a northerly and westerly direction to its point of intersection of the right-of-way now or formerly of the Canadian National Railway;

Thence along the northern margin of the said railway right-of-way in a northwesterly and westerly direction to a point to the west of Provincial Highway No. 245 that is a sufficient distance therefrom to allow a line approximately parallel to the highway, proceeding north, to pass to the west of each residence, the driveway and ordinary access to which is from the said highway;

Thence in a northerly direction along said line as described in the preceding paragraph to a point on a line that passes directly from the intersection of Cloverville Road and the Big Marsh Road to Crown Post No. 3104 near Brown's Mountain Road (which is the boundary with District 1);

Thence in an easterly direction along said line to the junction of Cloverville Road and the Big Marsh Road;

Thence in a northerly direction along the Big Marsh Road to its intersection with the Glebe Road and continuing northwardly along the Glebe Road to that point where the southerly boundary of lands of Archibald Huntley (PID 1298702) meets the eastern margin of the road;

Thence in an easterly direction, along the said lands of Archibald Huntley to the southeasterly corner of those lands;

Thence in a northerly direction along the rear line of said lands of Archibald Huntley, lands of Thomas Huntley (PID 1302967), and lands of Daniel Huntley (PID1298694) to the northeasterly corner of the last mentioned lands;

Thence along the northerly boundary of the said lands of Daniel Huntley to the Glebe Road;

Thence northwardly along the Glebe Road to that point, in the vicinity of the Heffernan Marsh where a direct line from the point of beginning that passes just south of the Beaver Road meets the Road;

Thence in an easterly direction, along said direct line, to the point of beginning.

District 3 St. Joseph's

Beginning at the point of intersection of the Guysborough and Pictou County Lines;

Thence northerly along the Pictou County Line to a point where it comes to Crown Post No. 3188 at a point on the boundary of District 1;

Thence easterly along the southern boundary of District 1 to Crown Post No. 3104;

Thence southeasterly in a direct line to a point on the westerly boundary of lands now or formerly of Lawrence Baxter (bearing Property Identification Number 1212802 and shown on LRIS Plan 11E/09T4) that is 150 feet south of the southerly margin of the West River;

Thence in an easterly direction, in a direct line, to a point north of the end of the Purl Brook Road that is a sufficient distance from that Road to allow a line approximately parallel thereto to pass behind each residence, a property line of which fronts on the Road;

Thence following said described approximately parallel line to the point where the westerly limit of that lot which is at the intersection of the Road and Highway No. 7 meets the Road;

Thence in a northeasterly direction along a line approximately parallel to the said Highway that is a sufficient distance therefrom to pass behind every residence on the west side of the Highway to the northwesterly corner

of that lot owned by Don and Sandra Duncan (PID 10030229) opposite the intersection of the Highway and the Pitcher's Farm Road and then along the northerly boundary of that lot to the western margin of the highway;

Thence across the Highway to that point where the northerly boundary of lands of Keith and Cheryl MacCormick (PID 1282565) meets the Highway;

Thence in a southeasterly direction along the rear or northerly lines of those lots that front on the Pitcher's Farm Road to the Dunmore base line that is the boundary with District 6;

Thence in a southerly direction along said baseline to the southeast corner of the Donald MacDonald Grant;

Thence southerly in a straight line to where the western boundary of the William Sinclair Grant intersects the Guysborough County Line;

Thence along the Guysborough County line to the place of beginning.

District 4 Fringe Area West

Beginning at that point where the northerly boundary of that lot owned by Don and Sandra Duncan (PID 10030229) meets the western margin of Highway Number 7 opposite the intersection of the Highway and Pitcher's Farm Road;

Thence in a northeasterly direction in a direct line from said point to the point of intersection of the northerly limit of Lower West River Road, and the western boundary of lands now or formerly of John W. Bowie, described in Book 199 Page 270, at the Antigonish Registry of Deeds;

Thence in an easterly direction, along the northern limit of the Lower West River Road a distance of 800 feet, more or less, to the intersection of the said northern limit of the road and the eastern boundary of the said Bowie lands;

Thence in a northerly direction along a line that would meet the southerly limit of the Trans-Canada Highway 1,600 feet east of the Addington Forks Road until it strikes the southerly boundary of lands of Her Majesty the Queen (PID 1281856);

Thence in an easterly direction along the rear line of those lots that have frontage on the Trans-Canada Highway, as well as those lots on Spruce Lane, to the southeasterly corner of lands of Brian and Mary Barkhouse (PID 1210020) and thence northerly along that lot to the boundary of the Town of Antigonish;

Thence in a northerly and easterly direction, along the said Town boundary to that point where the boundary meets the southerly margin of the right-of-way now or formerly of the Canadian National Railway;

Thence in a northwesterly and westerly direction, along the said margin of the railway right-of-way to a point to the west of Provincial Highway No. 245 that is a sufficient distance therefrom to allow a line approximately parallel to the highway, proceeding north, to pass to the west of each residence, the driveway and ordinary access to which is from the said highway;

Thence in a northerly direction along the line described in the preceding paragraph to that point where the southerly boundary of lands of Blair and Ashley Armsworthy (PID 10024725) meets the said line;

Thence in westerly direction along said boundary as well as along the southerly boundary of lands of Sanhaven Farms (PID 10021897) to that point where the said boundary meets the rear, or eastern line of those lots which have frontage on the Pleasant Valley Road;

Thence in a southerly direction along the said line to the rear line of those lots which have frontage on Mountainview Road and then along the rear line of those said lots fronting on Mountainview Road in a, first, easterly direction, then in a southerly direction and then in a westerly direction to the southeasterly corner of lands of Kenneth and Susan Stewart (PID 10011765) and following the southern boundary of that lot to the Pleasant Valley Road and then continuing to the western margin thereof;

Thence in a southeasterly direction, along the western margin of the Pleasant Valley Road to that point where it intersects with the Clydesdale Road;

Thence in a westerly direction along the Clydesdale Road to that point where the rear line of lands of Jeffrey and Kelly Sylvester (PID 10074284) meets the road;

Thence in a northerly direction along the rear line of lots fronting on Pleasant Valley Road to the northwesterly corner of lands of George Gills (PID 1311901) and then easterly along the northern boundary of those lands to the western margin of the Pleasant Valley Road;

Thence northerly, along the Road to that point where lands of the Antigonish County Volunteer Fire Department (PID) meet the Road margin;

Thence continuing northerly, along the rear lines of all those various lots that front on the Pleasant Valley Road to a direct line that would extend from the said intersection of the Big Marsh and Cloverville Roads to Crown Post No. 3104 near Brown's Mountain, which is the boundary of District 1;

Thence in a westerly direction, along said last mentioned line, to said Crown Post No. 3104;

Thence southeasterly, in a direct line, to a point on the westerly boundary of lands now or formerly of Lawrence Baxter (bearing Property Identification Number 1212802 and shown on LRIS Plan 11E/09T4) that is 150 feet south of the southerly margin of the West River;

Thence in an easterly direction, in a direct line, to a point north of the end of the Purl Brook Road that is a sufficient distance from that Road to allow a line approximately parallel thereto to pass in an easterly direction behind each residence, a property line of which fronts on the northerly side of the Road;

Thence following said described approximately parallel line to the point where the westerly limit of that lot which is at the intersection of the Road and Highway No. 7 meets the Road;

Thence in a northeasterly direction along a line approximately parallel to the said Highway that is a sufficient distance therefrom to pass behind every residence on the west side of the Highway to the northwesterly corner of that lot owned by Don and Sandra Duncan (PID 10030229) opposite the intersection of the Highway and the Pitcher's Farm Road and then along the northerly boundary of that lot to the western margin of the highway, the place of beginning.

District 5 Pomquet

Beginning at the Bridge over the Pomquet River at Heatherton on the Trans-Canada Highway and following the various courses of the Pomquet River and Pomquet Harbor northeasterly until it reaches the shores of St. George's Bay;

Thence along the various courses of the shoreline of St. George's Bay in a northwesterly direction to the shores of Antigonish Harbour;

Thence following the shoreline of Antigonish Harbour in a southwesterly direction to the mouth of the South River;

Thence following the South River upstream until it comes to the South River Bridge that crosses the Trans-Canada Highway at Lower South River;

Thence in an easterly direction along the Trans-Canada Highway to the place of beginning.

**District 6
St. Andrew's**

Beginning at a point where the Pomquet River crosses the boundary line between Antigonish and Guysborough Counties;

Thence westerly along said County line to a point where the base line marks the eastern boundary of District #3;

Thence following said boundary line northerly to a point where it intersects with Jacks Brook at the Trans-Canada Highway;

Thence following the baseline of the William's Point lots to the waters of the south arm of Antigonish Harbour;

Thence following the shoreline of Antigonish Harbour in a southwesterly direction to the mouth of the South River and following the said South River upstream until it comes to the South River bridge at Lower South River where it crosses the Trans-Canada Highway;

Thence following the Trans-Canada Highway easterly to a point where said highway is crossed by Pomquet River Road;

Thence southerly in a straight line to a point where an iron bridge crosses the Pomquet River on the public highway at Meadow Green;

Thence following the courses of the Pomquet River upstream in a southerly direction, a distance of approximately 3,800 feet to a point where a brook enters into the said Pomquet River;

Thence southeasterly in a straight line to a point marked by Crown Post #6512;

Thence southerly to a point on the northerly boundary of the Glassburn Road marked by Crown Post #6513 and continuing southerly 33 feet to centerline of said Glassburn Road;

Thence following the centerline of said Glassburn Road southerly to a point on the aforementioned boundary line between Antigonish and Guysborough Counties;

Thence in a westerly direction along the said boundary line between Antigonish and Guysborough Counties to the point of beginning.

**District 7
Heatherton**

Beginning at that point where the Old Lane Road meets the waters of St. George's Bay;

Thence in a southerly direction along the western margin of the said Road to the intersection with the Summerside Bayfield Road;

Thence along the western margin of the Summerside Bayfield Road in a southerly direction to its intersection with Provincial Highway No. 4;

Thence across Highway No. 4 to the southeastern corner of that intersection;

Thence in an easterly direction along the southern side of Highway No. 4 to its intersection with the western side of Gorman Road;

Thence in a southerly direction, along the western side of Gorman Road, past the Trans-Canada Highway to the centre line of the Afton Road;

Thence in a southeasterly direction, along the centre line of the Afton Road to the boundary line between Guysborough and Antigonish Counties;

Thence westerly, southwesterly and westerly along said boundary line to a point where it intersects the centerline of the public road leading through Glassburn;

Thence northwesterly following the centerline of the said Glassburn Road to a point perpendicular to and 33 feet south of Crown Survey Post No. 6513;

Thence northeasterly 33 feet to a crown Post No. 6513 and continuing along the westerly boundary of Crown land to Crown Post No. 6512;

Thence northwesterly in a straight line to a point where a brook enters into the Pomquet River, and said point being approximately 3,800 feet upstream from the point where an iron bridge crosses the Pomquet River on the public highway at Meadow Green;

Thence downstream in a northerly direction along the Pomquet River to the point where said iron bridge crosses the said Pomquet River on the public highway at Meadow Green;

Thence northerly in a straight line to a point where the Pomquet River Road crosses the Trans-Canada Highway;

Thence in a southeasterly direction along the Trans-Canada Highway to the Pomquet River;

Thence northeasterly following various courses of the Pomquet River downstream to the mouth of Pomquet Harbour;

Thence continuing along the shoreline of Pomquet Harbour and St. George's Bay, northeasterly and easterly, to the place of beginning and including Pomquet Island.

District 8
Tracadie / Monastery

Beginning at that point where the Old Lane Road meets the waters of St. George's Bay;

Thence in a southerly direction along the western margin of the said Road to the intersection with the Summerside Bayfield Road;

Thence along the western margin of the Summerside Bayfield Road in a southerly direction to its intersection with Provincial Highway No. 4;

Thence across Highway No. 4 to the southeastern corner of that intersection;

Thence in an easterly direction along the southern side of Highway No. 4 to its intersection with the western side of Gorman Road;

Thence in a southerly direction, along the western side of Gorman Road, past the Trans-Canada Highway to the centre line of the Afton Road;

Thence in a southeasterly direction, along the centre line of the Afton Road to the boundary line between Guysborough and Antigonish Counties.

Thence easterly along said boundary line to a point marked 'D' on that Plan prepared by John J. Delorey, N.S.L.S. signed the 1st day of June, 1985 and revised the 23rd day of June, 1986 and entitled 'Plan showing an area of land enclosed within the bounds of the letters A, B, C and D containing 3.8 square miles (9.9 square km) presently within the Municipality of the District of Guysborough but proposed to be annexed to the Municipality of the District of Antigonish';

Thence in a southeasterly direction, south thirty-one degrees thirty-nine minutes fifty-five seconds east (S 31-39-55 E) a distance of two thousand twenty-three (2,023) metres more or less to a point referred to as 'C' on the said Plan;

Thence in a northeasterly direction, north fifty-three degrees sixteen minutes forty-five seconds east (N 52-16-45 E) a distance of six thousand fifty-five decimal three seven seven (6055.377) metres to a point referred to as 'B' on the said Plan;

Thence in a northwesterly direction, north twenty-two degrees fifty-seven minutes fifteen seconds west (N 22-57-15 W) a distance of one thousand two hundred ten decimal zero zero zero (1210.000) metres to a point referred to as 'A' on the said Plan that is on the Antigonish-Guysborough County line;

Thence in a southwesterly direction along the said County line to point that is the terminus of a line that runs as follows:

Starting at the southeasterly corner of lands now or formerly of C. Rodney Tate at Linwood Station Road designated by PID Number 10031854 and thence proceeding southerly in a direct line to that point where the westerly boundary of lands of Ernest and Shirley DeCoste designated by PID Number 10000784 meets the lands of the Cape Breton and Central Nova Scotia Railway Limited, and thence in a continuation of that direct line southerly until the line reaches the said terminus point at the County line;

Thence in a northerly direction along the line described in the preceding paragraph to the said southeasterly corner of the Tate lands;

Thence in a westerly direction along the southern boundary of said Tate lands to the eastern margin of the Linwood Station Road;

Thence in a northerly direction in a straight line to that point where the eastern margin of the Linwood Road meets the northern boundary of the right-of-way of the Trans-Canada Highway;

Thence in an easterly direction, along the boundary of the Trans-Canada Highway to the westerly margin of the right-of-way of the Cape Breton Central Nova Scotia Railway;

Thence in a northerly direction along the said right-of-way to the point where the northern line of lands of Francis and Hilma Fougere (PID 10000867) meets it;

Thence in a westerly direction along said line to the southeastern corner of lands of Christina and Robert MacDonald (PID 1257054), and along the eastern and northern boundary of that lot to the eastern margin of Highway No. 4;

Thence in a direct line, across the highway to the point of intersection of the northern margin of the highway and the western side of the Cape Jack Road;

Thence in a northerly direction along said road to a point opposite the northeasterly corner of lands of Ronald and Ada Bennett (PID 1307054) and thence westerly to that corner;

Thence in a westerly direction along the northern boundary of said Bennett lands and continuing along the northern boundary of said MacDonald lands that are on the western side of the Highway to the waters of Little Tracadie Harbour;

Thence following the various courses of Little Tracadie Harbour to St. George's Bay;

Thence following the various courses of St. George's Bay northerly and westerly to the place of beginning.

District 9 Havre Boucher

Beginning at that point where the northern boundary of lands of Christina and Robert MacDonald (PID 1257054) meets the waters of Little Tracadie Harbour;

Thence in an easterly direction along the northern boundary of said MacDonald lands and further along the northern boundary of lands of Ronald and Ada Bennett (PID 1307054) to the northeastern corner thereof and then in a direct line to the western margin of the Cape Jack Road;

Thence in a southerly direction along the west side of the Cape Jack Road to its intersection with Provincial Highway No. 4 and further, in a direct line to that point on the south side of the Highway where the northerly boundary of lands of the said Christina and Robert MacDonald that are on the southeast side of the highway meets the highway;

Thence following the northern and eastern boundaries of the said MacDonald lands to the northerly boundary of Francis and Hilma Fougere (PID 10000867), and then easterly along that boundary to the western margin of the right-of-way of the Cape Breton Central Nova Scotia Railway;

Thence in a southerly direction along the said right-of-way to the northerly margin of the right-of-way of the Trans-Canada Highway;

Thence in a westerly direction along that right-of-way to the eastern margin of the Linwood Road;

Thence in a direct line southerly that point where the southern boundary of lands of C. Rodney Tate (PID 10031854) meets the eastern margin of the Linwood Station Road;

Thence in an easterly direction along the said southern boundary of the said Tate lands to the southeastern corner thereof;

Thence southerly, in a direct line to that point where the westerly boundary of lands of Ernest and Shirley DeCoste designated by PID Number 10000784 meets the lands of the Cape Breton and Central Nova Scotia Railway Limited, and thence in a continuation of that direct line southerly until the line reaches a point on the Antigonish–Guysborough County Line;

Thence easterly along said County line until it comes to the Strait of Canso at Auld's Cove;

Thence following the shoreline northerly and westerly and southerly to the place of beginning.

District 10 Fringe Area South

Beginning at that point where the northerly boundary of lands of Keith and Cheryl MacCormick (PID 1282565) meets the eastern margin of Highway Number 7;

Thence in a southeasterly direction along the rear or northerly lines of those lots that front on the Pitcher's Farm Road to the Dunmore base line that is the boundary with District 6;

Thence northeastwardly to a point on No. 4 Highway at Jack's Brook;

Thence following the baseline of William's Point lots to the waters of the South Arm of Antigonish Harbour;

Thence following the various courses of the shoreline of Antigonish Harbour in a northwesterly direction and crossing Antigonish Harbour to strike the western bank of the mouth of the North River;

Thence southwardly along the shoreline of Antigonish Harbour until it comes to the mouth of the West River;

Thence along said West River upstream to McAmis' Bridge and continuing to the Trans-Canada Highway;

Thence following the Trans-Canada Highway in a westerly direction to the point of intersection of the southern and western boundary lines of the Town of Antigonish;

Thence in a southerly direction to the southeasterly corner of lands of Brian and Mary Barkhouse (PID 1210020);

Thence in an westerly direction along the rear line of those lots that have frontage on the Trans-Canada Highway to a point on the southerly boundary of lands of Her Majesty the Queen (PID 1281856) that intersects a direct line from the eastern boundary of lands now or formerly of John W. Bowie described in Book 199, Page 270 to a point 1,600 feet east of the intersection of the Addington Forks Road and the Trans-Canada Highway;

Thence in a southerly direction, in a direct line from said point on the southern boundary of said Crown lands to said eastern boundary of lands now or formerly of John Bowie;

Thence in a westerly direction, along the northern limit of Lower West River Road a distance of 800 feet, more or less, to the intersection of said northern limit of the road and the eastern boundary of said Bowie land;

Thence in a southwesterly direction in a direct line to the northwesterly corner of that lot owned by Don and Sandra Duncan (PID 10030229) opposite the intersection of the Highway and the Pitcher's Farm Road and then along the northerly boundary of that lot to the western margin of the highway.

Thence across the Highway to the place of beginning.