

# 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. 207/2009**

Made: April 29, 2009

Filed: May 4, 2009

Land Registration Administration Regulations

Order dated April 29, 2009  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 94 of the *Land Registration Act*

**In the matter of Section 94 of Chapter 6 of the Acts of 2001,  
the *Land Registration Act***

- and -

**In the matter of the repeal and replacement of the  
*Land Registration Administration Regulations***

**Order**

I, Richard Hurlburt, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, under Section 94 of Chapter 6 of the Acts of 2001, the *Land Registration Act*, hereby repeal the *Land Registration Administration Regulations*, N.S. Reg. 186/2007, made by the Minister of Service Nova Scotia and Municipal Relations by order dated March 23, 2007, and make new regulations respecting land registration administration set out in the attached Schedule "A", effective on and after the date on which Chapter 19 of the Acts of 2008, *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*, comes into force.

Dated and made at Halifax, Halifax Regional Municipality, Nova Scotia, April 29, 2009.

Sgd.: *Richard Hurlburt*  
Honourable Richard Hurlburt  
Minister of Service Nova Scotia and Municipal Relations

**Schedule "A"**

**Regulations Respecting Administration of the *Land Registration Act*  
made by the Minister of Service Nova Scotia and Municipal Relations  
under Section 94 of Chapter 6 of the Acts of 2001,  
the *Land Registration Act***

**Citation**

1 These regulations may be cited as the *Land Registration Administration Regulations*.

**Definitions**

2 (1) In these regulations,

"Act" means the *Land Registration Act*;

"AFR" means an application for registration in accordance with Section 37 of the Act;

"authorized lawyer" means a qualified lawyer who is subject to the Property Online user agreement and pre-authorized debit agreements required under Section 3;

“authorized lender” means a chartered bank, trust company, credit union or Provincial government lender, that is subject to the Property Online user agreement and pre-authorized debit agreements required under Section 3;

“authorized surveyor” means a practising land surveyor licensed under the *Land Surveyors Act* who is subject to the Property Online user agreement and pre-authorized debit agreement required under Section 3;

“benefit” means an appurtenance to a registrable or registered interest in a parcel;

“burden” means a restriction or limitation on the use and enjoyment of a parcel that attaches to a registrable or registered interest in a parcel;

“Condo Common View” means the information which is displayed electronically in Property Online which is linked to a condominium corporation registered under the *Condominium Act*;

“Department” means Service Nova Scotia and Municipal Relations;

“dual-purpose document” means a single document that affects 2 or more parcels, 1 or more of which is registered under the Act;

“electronic document submission” means submission of a document using Property Online;

“Land Information Network-Nova Scotia” or “LINS-NS” means the Province’s electronic database in which all land-related information and documents under the Act and the *Registry Act* are maintained;

“lender” means a chartered bank, trust company, credit union or Provincial government lender;

“parcel description certification application” or “PDCA” means an application in accordance with Section 7 to have the parcel identification number of the parcel assigned and matched to a legal description;

“PID” means parcel identification number;

“Property Online” means the Province’s online real property information system that provides Internet browser-based query access to Provincial mapping and other land-related information and electronic access for submitting documents under the Act and the *Registry Act*;

“registration and recording particulars of a document” means the year the document was registered or recorded and the document number or the book and page reference for the document;

“short form legal description” means a legal description that describes a parcel by referring to a plan of survey or subdivision that has been registered with an instrument under the *Registry Act*, filed under the *Registry Act*, or registered or recorded under the Act and includes all of the following:

- (i) the unique identifier for the parcel on the plan,
- (ii) the document number or plan reference for the plan as assigned by the land registration office,

(iii) the registration district where the parcel is located;

“textual qualification” or “TQ” means a statement in the textual qualification section of the parcel register which provides

- (i) a qualification of the lawyer’s certification of title,
- (ii) an explanatory note,
- (iii) a reference to title information or documentation, or
- (iv) a reference to an interest enabled by statute or common law;

“user number” means the unique identification number given to a Property Online user for the purpose of document submission.

**(2)** For the purposes of the Act,

“addresses of the parties” in subsection 67(1) of the Act means a complete address at which a person is able to receive information, including notices, by mail;

“mortgage” in subsection 37(3) of the Act and clause 46(1)(c) of the Act includes any amendment to a mortgage or agreement with the lender that increases the amount of the obligation secured, increases the amount available for borrowing under a mortgage, adds an additional parcel or permits additional advances up to the original amount secured, but does not include any of the following:

- (i) amendments other than those included under this clause,
- (ii) an assignment,
- (iii) a mortgage of a leasehold interest,
- (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount secured;

“municipality” has the same meaning as in the *Municipal Government Act*;

“non-resident” means any of the following:

- (i) an individual who resides outside the Province for 183 days or more in a calendar year, and includes a person who intends to reside outside the Province for 183 days or more in the present calendar year or the next calendar year,
- (ii) a body corporate
  - (A) whose head office is not in the Province, or
  - (B) in which the majority of the issued and outstanding shares are beneficially owned by non-residents, unless the body corporate is registered to do business in the Province and owns or leases an office, plant, factory or other structure in the Province for use by its business,

- (iii) a person who acquires a parcel for or on behalf of an individual or body corporate referred to in subclause (i) or (ii);

“person’s name” in subsection 66(8) of the Act means

- (i) if a parcel is registered under the Act, the name of the registered owner of the registered interest as shown in the parcel register, or
- (ii) if a parcel is not registered under the Act, the name shown on the relevant instrument registered under the *Registry Act*;

“Provincial mapping” means the system of geographical representation of parcels created and maintained as part of the land registration system established under the Act.

### Property Online

- 3** (1) Property Online is prescribed as the system through which persons authorized in this Section may query information or submit documents that are registered or recorded under the Act.
- (2) LIN-NS is prescribed as the system in which all documents that are registered or recorded under the Act are maintained.
- (3) To be an authorized lawyer, a qualified lawyer must
- (a) be a party to a current and valid Property Online authorized lawyer user agreement with the Minister; and
  - (b) be authorized under a current and valid Property Online pre-authorized debit agreement between their law firm and the Minister.
- (4) To be an authorized lender, a lender must be a party to the following current and valid agreements with the Minister:
- (a) an authorized lender user agreement; and
  - (b) a Property Online pre-authorized debit agreement.
- (5) If an authorized lawyer or authorized lender uses a separate debit account for payment of electronic document submission fees, they must be a party to an additional current and valid pre-authorized debit agreement for that account.
- (6) To be an authorized surveyor, a surveyor must be a party to the following current and valid agreements with the Minister:
- (a) a Property Online parcel certification user agreement; and
  - (b) a Property Online pre-authorized debit agreement.
- (7) Except as provided in subsection (8), to query information in Property Online, a person must be a party to, or be authorized under, the following current and valid agreements with the Minister:
- (a) a Property Online query user agreement; and
  - (b) a pre-authorized debit agreement.

- (8) A person may query information in Property Online at a land registration office without a query user agreement or pre-authorized debit agreement if they pay the applicable fee prescribed under the *Land Registration General Regulations* made under the Act.

#### Prescribed forms

- 4 (1) The forms listed in the following table and as attached to these regulations are prescribed to be used in the administration of the Act for the purposes stated and must include a certificate of legal effect in the manner prescribed in the form as required:

Form No.	Purpose of Form	Certificate of Legal Effect Included
1	to request a PID assignment	no
2	to submit a PDCA electronically or to amend the legal description in a parcel register electronically	no
5	to provide a declaration by the registered owners of a parcel on their residency status and whether the parcel is occupied without permission	no
6	to submit an AFR electronically	yes
6A	to correct errors or omissions in information previously submitted with a certificate of legal effect	yes
8	to give notice to a parcel owner as required under Sections 14, 15, 16, and 18	no
8A	to register notice under the <i>Registry Act</i> as required under Section 14	no
9	to give notice to an occupier or the most recent owner as shown on the consolidated index under Section 10	no
10	to give notice of crystallization of a floating charge in a debenture that affects a parcel registered under the Act	no
15	to give notice requiring the registrar to cancel the recording of a security interest in accordance with subsection 60(2) of the Act	yes
15A	<ul style="list-style-type: none"> <li>• to give notice as required under Section 63 of the Act, requiring a registrar to cancel the recording of a recorded interest or judgment that is recorded in a parcel register, and</li> <li>• to provide proof of service of the notice to the holder of the interest or judgment</li> </ul>	yes
16	to renew the recording of a judgment in accordance with subsection 66(5) of the Act	no
19	to record a certificate of <i>lis pendens</i> against a parcel registered under the Act in accordance with Section 58 of the Act	no
20	to update the name or address of a judgment debtor in accordance with subsection 26(3)	no

Form No.	Purpose of Form	Certificate of Legal Effect Included
21	<ul style="list-style-type: none"> <li>• in accordance with Section 22 of the Act, to register a change of name of an owner of an interest in a parcel register,</li> <li>• to remove a deceased joint tenant as owner of a parcel registered under the Act in accordance with Section 27 of the Act, or</li> <li>• to correct the misspelling of the name of an owner of an interest in a parcel register</li> </ul>	yes- to correct misspellings
22	to change the mailing address in a parcel register for <ul style="list-style-type: none"> <li>• a registered owner or recorded interest holder, or</li> <li>• occupier of lands owned by the Nova Scotia Farm Loan Board</li> </ul>	no
24	to change a registered interest and appurtenant interests or other interests and information in a parcel register, in accordance with Sections 29 to 32 and 37A of the Act	yes
26	<ul style="list-style-type: none"> <li>• to record an interest in a parcel register, in accordance with Section 47 of the Act</li> <li>• to record a power of attorney or revocation of a power of attorney</li> </ul>	yes
26L	to enable a lender, or a lender's authorized agent, to record a mortgage or mortgage-related document, to which the lender, or a predecessor organization, is a party	no
26N	to file a Form 9 and written directives in a parcel register under Section 10	no
27	to request cancellation of a recorded interest	yes
27L	to enable a lender, or a lender's authorized agent, to record a release of a mortgage or mortgage-related document, to which the lender, or a predecessor organization, is a party	no
28	to record any of the following relating to a parcel registered under the Act: <ul style="list-style-type: none"> <li>• a plan, boundary line agreement, statutory declaration for a deemed consolidation under Section 268A of the <i>Municipal Government Act</i></li> <li>• an instrument of subdivision or repeal of subdivision</li> <li>• a condominium declaration, condominium plan, initial condominium bylaws, or termination of condominium</li> </ul>	no
45	to add, confirm, delete and correct the interests, textual qualifications or parcel access type that are either not shown in the parcel register or have been placed in, or removed from, a parcel register on subdivision or registration of a condominium declaration, in accordance with subsection 13(5) of the Act and Section 9	yes
46	to record a certificate of judgment in the judgment roll	no
47	to record a certificate of satisfaction relating to a judgment in the judgment roll	no



Form No.	Purpose of Form	Certificate of Legal Effect Included
48	to record a full or partial release of a judgment in the judgment roll	no
48A	to cancel the recording of a judgment or a judgment-related document in a parcel register with a document other than a discharge of judgment	yes
48B	to record a judgment-related document in the judgment roll and in a parcel register	no
49	to correct an error in a request to record or request to cancel a recorded interest, which was previously submitted without a certificate of legal effect	yes
50	to update a parcel register to transfer an unregistered tenant in common interest in accordance with subsection 25(3)	no

- (2) To the extent permitted by Property Online, electronic forms in Property Online that correspond to the forms prescribed in this Section are prescribed for the same purposes and in substantially the same form, but an electronic form is not required to contain all the options and datafields available on the corresponding non-electronic form.
- (3) A form that includes a certificate of legal effect may be submitted only by an authorized lawyer, and must be signed by the authorized lawyer who submits the form.
- (4) Directions and explanations included in a form prescribed in this Section are binding but may be deleted when the form is submitted for filing, registering or recording at a land registration office.
- (5) The place of execution or a jurat in a form prescribed in this Section may be altered when the form is executed.
- (6) Any reference to location or place of residence in the Province contained in a form prescribed in this Section may be altered when the form is executed.
- (7) For a parcel that is owned by more than 1 person, any of the following may sign and submit a form, other than Form 5 as provided in subsection (8), that is required to be signed by the owner or registered owner of the parcel:
  - (a) any registered owner;
  - (b) any person who is entitled to be registered as an owner of a registrable interest in the parcel.
- (8) Except as provided in subsection 10(7), Form 5 must be signed by every owner of a registered interest in the parcel that is described in the form.

#### Document submission requirements

- 5 (1) A document that is submitted for registration or recording must be submitted together with the form prescribed for that purpose in Section 4, with all required fields completed, and the fee prescribed under the *Land Registration General Regulations* made under the Act, if any.

- (2) The submitter is responsible for the accuracy of all of the information required under subsection (1) and a registrar is entitled to rely on the information submitted in processing a document for registration or recording.
- (3) Subject to subsections (4) and (5), a document that is submitted non-electronically for registration or recording must be an original of the document or a copy of the document that is certified to be a true copy of the original by a court of competent jurisdiction or a registrar.
- (4) A document attachment or plan that is submitted non-electronically for registration or recording that is larger than 11 in. x 17 in. must be an original of the document and be submitted together with 1 of the following:
  - (a) a duplicate original copy;
  - (b) a copy that is certified to be a true copy of the original by a person authorized under the Act to sign a certificate of execution.
- (5) A dual-purpose document that is submitted non-electronically for registration or recording must be an original of the document and be submitted together with a copy or copies, as applicable, that are certified to be true copies of the original by a person authorized under the Act to sign a certificate of execution.
- (6) Documents that are submitted for registration under the *Registry Act* must be submitted separately from documents that are submitted for registration or recording under the Act, and payment of registration fees under the *Registry Act* must be made separately from payment of fees for registration or recording under the Act.
- (7) To record a plan of subdivision as exempt from the approval requirements under the *Municipal Government Act*, a submitter must provide all of the following, either on the face of the plan or in an attached affidavit:
  - (a) a clear statement of the exemption relied upon and the facts that support the exemption;
  - (b) evidence of the consent of the registered owner.
- (8) A document that relates to a parcel registered under the Act must incorporate the legal description for the parcel by stating one of the following:
  - (a) the full text of the legal description as set out in the parcel register;
  - (b) the short form legal description as set out in the parcel register;
  - (c) the PID for the registered parcel, as at the date of registration or recording.
- (9) A document that is submitted non-electronically for registration or recording must
  - (a) be typewritten in an ink that is not green or red and that remains visible when photocopied or scanned; and
  - (b) remain legible when photocopied or scanned.
- (10) A document may not be registered or recorded unless any required affidavit or certificate of execution has been properly sworn or signed before or by a person authorized under the Act to take

the affidavit or sign the certificate and the authorized person's name has been typed, stamped or printed legibly below their signature.

### Submitting documents electronically

- 6** (1) To the extent permitted by Property Online, an authorized lawyer must submit a document electronically for registration or recording in a register or roll, that has been established under the Act.
- (2) Despite subsection (1), an authorized lawyer may submit a document non-electronically if the authorized lawyer meets all of the following criteria:
- (a) they do not have access to high-speed Internet service;
  - (b) they have obtained the prior written approval of the Registrar General, who may withhold approval or impose limitations or other requirements that the Registrar General considers appropriate in the circumstances.
- (3) To the extent permitted by Property Online, and in accordance with the Property Online authorized lender user agreement, an authorized lender may submit a mortgage or a release of mortgage electronically for recording in a parcel register.
- (4) Except where the Act or the regulations state otherwise, a document submitted electronically and in accordance with the Act and the regulations has the same effect for all purposes as a document that is submitted non-electronically and in accordance with the Act and the regulations.
- (5) Subject to Property Online availability, a document may be submitted electronically at any time in accordance with the regulations, but is processed during the hours the land registration office is open to the public.
- (6) A document that is submitted electronically must be reviewed by a registrar before it is registered or recorded, and is subject to the registration and recording requirements of the Act and regulations.
- (7) Once a document that is submitted electronically is registered or recorded, the document is deemed to have been received and indexed by the registrar at the time of submission.
- (8) Electronic submission of a document is effected by submitting all of the following electronically:
- (a) the applicable form prescribed in Section 4, with all required fields completed;
  - (b) a scanned copy of the duly executed affidavit of value, if required under the *Municipal Government Act*;
  - (c) a scanned copy of the duly executed original document in portable document format, no larger than 4 megabytes (MB);
- (9) An authorized lawyer or authorized lender who submits a document electronically is responsible for the creation, quality and completeness of the electronic image of the document.
- (10) An authorized lawyer or authorized lender who submits a document electronically is required to retain either an original or true copy of the executed document and make it available for review by the Registrar General upon request and, if an authorized lawyer, for audit by the Nova Scotia Barristers' Society.

**PDCA and application to amend legal description**

- 7 (1) Subject to subsection (3), a PDCA and an application to amend a legal description must be submitted electronically in Form 2.
- (2) All of the provisions of this Section that apply to a PDCA also apply to an application to amend a legal description, to the extent that they relate to the amendment.
- (3) If the length of a legal description exceeds the space available in Form 2,
- (a) the PDCA in Form 2 must be submitted electronically and the legal description must be sent to the land registration office as a text file attached to an e-mail;
  - (b) a statement that the legal description is being submitted by e-mail must be inserted into the legal description field on the PDCA; and
  - (c) the PDCA number provided by the system once the PDCA is successfully submitted must be stated in the e-mail to which the legal description is attached.
- (4) Except as provided in subsection (5), a PDCA must be submitted by one of the following who is authorized in writing by the parcel owner, or another person permitted under subsection (6), or as required in Sections 14, 15, 16 and 18:
- (a) an authorized lawyer;
  - (b) an authorized surveyor.
- (5) If a person authorized in accordance with subsection (4) confirms the information contained in the statement of compliance on a PDCA, their staff may submit the PDCA on their behalf.
- (6) Submission of a PDCA may be authorized by a person other than the owner of a parcel if the authorizing person is one of the following:
- (a) a mortgagee of a parcel, and the owner of the parcel has refused to register title to the parcel; or
  - (b) a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*.
- (7) Subject to subsection (8), before an AFR in final form is submitted, the PDCA submitter must assist the parcel owner or authorizing person under subsection (6) in identifying the parcel's PID and take reasonable steps to identify the parcel, including all of the following:
- (a) reviewing the legal description;
  - (b) reviewing Provincial mapping of the parcel;
  - (c) placing a comment in the comments field if errors in the Provincial mapping of the parcel are identified .
- (8) Subsection (7) does not apply in respect to a parcel that is a condominium unit.

- (9) If a PID has not been assigned to a parcel in Provincial mapping, the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of a geographical representation of the parcel in Provincial mapping before submitting a PDCA.
- (10) Unless the description is for a unit as defined in the *Condominium Act*, every legal description submitted to a registrar must be accurate and complete and must contain
- (a) a description of the location, boundaries and extent of the parcel
    - (i) in full text, or
    - (ii) by reference to a unique identifier on either a plan of survey or subdivision, that has been
      - (A) registered with an instrument under the *Registry Act*,
      - (B) filed under the *Registry Act*, or
      - (C) registered or recorded under the Act;
  - (b) a description of all benefits, burdens and all parcels excepted out of the legal description
    - (i) in full text,
    - (ii) by reference to a unique identifier on either a plan of survey or subdivision, that has been
      - (A) registered with an instrument under the *Registry Act*,
      - (B) filed under the *Registry Act*, or
      - (C) registered or recorded under the Act, or
    - (iii) by reference to the registration or recording particulars of a document that has been registered or recorded under the *Registry Act* or the Act, if the document contains a description in full text;
  - (c) all information pertinent to the use of easements
    - (i) in full text, or
    - (ii) by reference to the registration or recording particulars of a document that has been registered or recorded under the *Registry Act* or the Act, if the document contains the usage details in full text;
  - (d) a statement that the parcel complies with, is exempt from, or is not subject to the subdivision provisions of Part IX of the *Municipal Government Act*; and
  - (e) if exempt from or not subject to the subdivision provisions of Part IX of the *Municipal Government Act*, a statement of the exemption relied upon and the facts supporting the exemption, or an explanation of why the parcel is not subject to the subdivision provisions, as applicable.

- (11) When the legal description submitted for PDCA approval relates to a unit as defined in the *Condominium Act*, the description must be accurate and complete but must contain only
- (a) the name of the County where the condominium corporation is situate, together with the condominium corporation number as assigned by the Registrar of Condominiums;
  - (b) the description for the unit as detailed in the condominium description on file with the Registrar of Condominiums;
  - (c) a benefit, using the following wording: “together with the common interest appurtenant thereto”; and
  - (d) a burden, using the following wording: “subject to the Declaration and By-Laws (*remove reference to By-Laws if none have been registered*) of (*insert condominium corporation name and number*)”.
- (12) If a legal description submitted in a PDCA makes reference to a plan of survey or approved plan of subdivision that is not registered or recorded in the land registration office, the PDCA submitter must
- (a) forward a copy of the referenced plan of survey or approved plan of subdivision to the registrar for recording in the parcel register once created; or
  - (b) include detailed reasons with the PDCA why the plan of survey or approved plan of subdivision cannot be located or obtained by the submitter.
- (13) If the legal description of a registered parcel must be amended as the result of the creation of a plan of survey or the approval of a plan of subdivision affecting the parcel, the registered owner of the parcel, or a municipal development officer, as applicable,
- (a) must record the plan upon which the legal description is based in the parcel register; and
  - (b) may use a short form legal description as the amended legal description.
- (14) A registrar may conditionally approve a PDCA subject to a correction of the legal description by the PDCA submitter.
- (15) An AFR of a parcel may not be submitted in final form in accordance with clause 10(2)(b) until the submitter has submitted an application to amend the legal description if required by the registrar.
- (16) Subject to subsection (17) and notwithstanding that watercourses are vested in the Crown by virtue of Section 103 of the *Environment Act*, a watercourse is deemed not to subdivide the parcel or parcels through which it flows.
- (17) Except as provided in subsection (18), if after considering the nature and use of both a watercourse and the land through which it flows, a PDCA submitter or a registrar determines that the watercourse creates a natural boundary,
- (a) the watercourse is deemed to subdivide the parcel or parcels through which it flows; and
  - (b) the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of an electronic geographical representation of the parcel before making a PDCA.

- (18) A parcel for which subdivision approval has been granted under the *Municipal Government Act*, or the former *Planning Act*, may not be subdivided under subsection (17).
- (19) If a registrar determines that a PDCA is accurate, complete and in compliance with the Act and the regulations, the registrar must approve the PDCA.

#### **Creation of legal description on subdivision**

- 8 (1) If a parcel registered under the Act is subsequently subdivided, a legal description must be created for each subdivided parcel and the remainder lands.
- (2) The registrar may
- (a) create a short form legal description for one or more of the subdivided parcels and the remainder lands if the details shown on the plan of survey or approved plan of subdivision for a parcel referred to in subsection (1) are sufficient; or
  - (b) require the registered owner of the parcel referred to in subsection (1) to submit the full text of the information required in subsection 7(10) by submitting a PDCA under subsection 7(1) for each subdivided parcel and the remainder lands.

#### **Amendment of legal description and parcel register on subdivision or condominium unit creation**

- 9 (1) On subdivision, the registrar shall remove the parcel access type from the parcel register of each parcel created on subdivision, including the remainder parcel.
- (2) On registration of a condominium declaration, the registrar shall place in the parcel register of each unit created by the condominium declaration, the interests, and textual qualifications that were in the parcel register of the parcel existing prior to the registration of the condominium declaration.
- (3) The registered owner of a parcel registered under the Act that is created on subdivision or registration of a condominium declaration must file all of the following before submitting an request to change the registered owner of the parcel:
- (a) a Form 45 adding, confirming, deleting or correcting, as necessary, the interests, textual qualifications and parcel access type that
    - (i) are not shown in the parcel register,
    - (ii) have been placed in the parcel register under subsection 13(5) of the Act or subsection (2), or
    - (iii) have been removed from the parcel register under subsection (1);
  - (b) any consequential amendment of the legal description for the parcel in Form 2.

#### **Application for registration (AFR)**

- 10 (1) An AFR must be submitted by an authorized lawyer who is authorized to do so by the parcel owner or another person permitted under subsection (5).
- (2) An AFR must be submitted electronically in Form 6
- (a) in draft form for preliminary approval by the registrar; and

- (b) in final form, after receipt of the preliminary approval of the registrar.
- (3) An AFR submitted in final form under clause 2(b)
- (a) contains and satisfies the requirements under clause 37(4) (b), (ba), (f) and (g) of the Act;
  - (b) registers title to the parcel under the Act; and
  - (c) creates the parcel register for the parcel at the time the application is submitted.
- (4) A reference in the AFR to the book and page in the registry of deeds for the document that most recently conveyed the registrable interest will be accepted as evidence of compliance with Part V of the *Municipal Government Act* for the purposes of clause 37(4)(e) of the Act.
- (5) Submission of an AFR and any forms associated with the application, may be authorized by a person other than the owner of a parcel if the authorizing person
- (a) is the mortgagee of a parcel and the owner of the parcel has refused to register title to the parcel;
  - (b) is a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*;
  - (c) is a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*; or
  - (d) is a person who has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*.
- (6) An authorized lawyer who submits an AFR in final form under clause (2)(b) must complete, retain and make available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society, the original or a true copy of any of the following items:
- (a) written authorization to submit the PDCA and AFR, if the submitting lawyer does not have a solicitor-client relationship with the owner of the parcel being registered;
  - (b) an owner's declaration regarding occupation of the parcel and residency status in Form 5 and, if signed by the authorized lawyer or authorized surveyor, evidence of the information relied upon under subsection (7);
  - (c) the notice of parcel registration, in Form 9, sent in accordance with this Section, together with proof of service in accordance with Section 30, and any written directions given by the Registrar General under this Section, if applicable;
  - (d) the Statement of Registered and Recorded Interests that was sent electronically to the submitting lawyer upon submission of the AFR in final form;
  - (e) the official report for the legal description from the parcel description database in *Property Online* at the time of submission of the AFR in final form;



- (f) the abstract of title upon which the submitting lawyer's certified opinion of title is based showing the chain of ownership of the parcel; and
  - (g) evidence of compliance with the *Municipal Government Act*.
- (7) An owner's declaration in Form 5 may be executed by an authorized lawyer or authorized surveyor if the authorized lawyer or authorized surveyor is able to execute the declaration based on either of the following:
- (a) personal knowledge of the facts;
  - (b) information received from the current or previous owner.
- (8) If a person executing an owner's declaration in Form 5 is an authorizing person under subsection (5), the Form 5 may indicate that the person executing the Form 5 has no personal knowledge regarding occupancy of the parcel.
- (9) If a parcel owner's declaration regarding occupation in Form 5 discloses that the parcel is occupied without permission, the authorized lawyer submitting the AFR must
- (a) immediately after submitting the AFR in final form, provide a notice of parcel registration in Form 9 to the occupier indicating that an AFR of the parcel has been made; and
  - (b) submit a true copy of the notice sent to the occupier in Form 9 together with proof of service in accordance with Section 29, using Form 26N.
- (10) Except as provided in subsection (11), if an authorized lawyer who is certifying title to a parcel whose ownership is registered in whole or in part on the basis of adverse possession, must
- (a) send a notice of registration in Form 9 to the last known owner, before the owner whose interest is being registered with the AFR, of the parcel as shown on the consolidated index that is maintained under the *Registry Act*; and
  - (b) submit a true copy of the notice sent in Form 9 and any written directions from the Registrar General under subsection 31(2) using Form 26N, together with proof of service in accordance with Section 30.
- (11) Notice is not required to be sent under subsection (10) if
- (a) the Registrar General is satisfied that it would not be practicable to give notice in the circumstances and provides written directions to the authorized lawyer that no notice is required; and
  - (b) the authorized lawyer submits a true copy of the Registrar General's written directions using Form 26N.
- (12) If at any time after registration of title to a parcel, a registered owner becomes aware that the declaration required under clause (6)(b) was not accurate, they must do all of the following without delay:
- (a) complete a new Form 5;

- (b) provide notice in Form 9 to any occupier;
  - (c) submit a true copy of the notice and proof of service, as required by subsection (9), using Form 26N.
- (13) An authorized lawyer who is certifying title to a parcel whose ownership is registered in whole or in part on the basis of adverse possession must ensure that all of the following are done with the necessary statutory declarations that provide evidence of the adverse possession interest being certified, in compliance with Nova Scotia Barristers' Society practice standards:
- (a) the declarations are filed in the Registry of Deeds before the parcel is registered under the Act;
  - (b) the declarations are listed as enabling documents in the registered interest portion of the AFR for the parcel, noting the registered owner as the interest holder for each of the statutory declarations.
- (14) Sections 14, 16, 17 and 18 apply, with necessary changes, to an AFR that includes the recording of a benefit or burden that affects another parcel in addition to the parcel being registered.

### Textual qualifications

- 11 (1) An authorized lawyer submitting an opinion on title in an AFR or a certificate of legal effect may include a textual qualification if the lawyer is of the opinion that the textual qualification is the only means to provide a complete statement of all the interests affecting the parcel.
- (2) A textual qualification must meet all of the following criteria:
- (a) it must include a clear statement of the certifying lawyer's opinion about its effect;
  - (b) it must form part of the authorized lawyer's certificate of legal effect or opinion of title;
  - (c) it must not limit, contradict or make ambiguous any other information in the parcel register, including the legal description.

### Registration of condominium units

- 12 (1) An AFR for a unit as defined in the *Condominium Act* must include
- (a) a benefit, using the following wording: "together with the common interest appurtenant thereto";
  - (b) a burden, using the following wording: "subject to the Declaration and By-Laws (*remove reference to By-Laws if none have been registered*) of (*insert county name or initial(s)*) CC No. (*insert condominium corporation number*)";
  - (c) all other benefits and burdens that are not declarations, by-laws or amendments to declarations or by-laws, but are interests in the unit or the common interest appurtenant thereto, including those detailed in the condo declaration; and
  - (d) all recorded interests in the unit or the common interest appurtenant thereto.
- (2) The enabling instrument for the benefit and burden described in clauses (1)(a) and (b) must be the declaration for the condominium corporation.

- (3) Subject to the caution displayed in the Important Notice section of the Condo Common View, the relevant documents displayed in the Condo Common View, including in the linked screen views in the section entitled “Parcels as existing prior to the Condominium Declaration”, are deemed to be registered and recorded, as applicable, in the parcel register for each of the condominium corporation units, that is registered under the Act.
- (4) A document certifying the deregistration of a condominium corporation with units registered under the Act may not be recorded unless all the units in the condominium corporation have been registered under the Act.

#### **Registration of interest under Section 41 of the Act**

**13** A person registering an interest in a parcel under Section 41 of the Act must first submit

- (a) a PDCA in accordance with Section 7; and
- (b) an AFR in accordance with Section 10.

#### **Addition of a benefit or burden to a parcel registered under the Act**

- 14** (1) An authorized lawyer may add any benefit or burden permitted under the Act to be added to a parcel register, if authorized by the registered owner of the parcel, by submitting a Form 24 together with the document that conveys or evidences the benefit or burden.
- (2) If a benefit or burden added under subsection (1) affects another parcel registered under the Act, and the corresponding benefit or burden is not already included in the affected parcel register, an authorized lawyer submitting a Form 24 under subsection (1) must also submit another Form 24 to add the corresponding benefit or burden to the affected parcel register.
  - (3) If a benefit or burden added under subsection (1) affects another parcel not registered under the Act, an authorized lawyer submitting a Form 24 under subsection (1) must register a notice of the corresponding benefit or burden under the *Registry Act*, by filing a Form 44 and one of the following:
    - (a) a Form 8A, for all benefits or burdens other than as referred to in clause (b);
    - (b) the document evidencing the benefit or burden, if it is a grant of easement.
  - (4) An authorized lawyer who submits a Form 24 under subsection (1) must also apply to amend the legal description for each parcel registered under the Act to which a burden or benefit has been added.
  - (5) An authorized lawyer who submits a Form 24 under subsection (1) must serve notice, in Form 8, on the owner of the parcel to which the benefit or burden is being added under subsection (2), unless the owner has executed the document that conveys or evidences the benefit and corresponding burden.
  - (6) If notice is required to be served under subsection (5), an authorized lawyer who submits a Form 24 under subsection (1) must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers’ Society.
  - (7) A document filed under clause 3(a) or (b) must reference the owner of the parcel not registered under the Act as shown on the consolidated index maintained under the *Registry Act*, unless

- (a) an assessment account is associated with the parcel in Property Online, in which case the document may instead reference the owner of the parcel as shown in Property Online; or
  - (b) the Registrar General is satisfied that it would not be practicable to identify the owner on the consolidated index and the Registrar General does one or both of the following:
    - (i) provides written directions to the authorized lawyer about how the owner must be referenced;
    - (ii) issues a written directive about how an owner may be referenced in the applicable circumstances.
- (8) An authorized lawyer must retain a true copy of any written directions received under subsection (7) and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

#### **Addition of a benefit or burden to a parcel not registered under the Act**

- 15 (1) A person who registers a document that creates or evidences a benefit or burden on a parcel not registered under the Act, which also affects a parcel registered under the Act, must also cause an authorized lawyer to submit a Form 24 to add the corresponding benefit or burden to the affected parcel register together with a true copy of the document that conveys or evidences the benefit and the corresponding burden, which has been certified to be a true copy of the original by a person authorized under the Act to sign a certificate of execution.
- (2) The authorized lawyer who has submitted the Form 24 under subsection (1), must also make application to amend the legal description of the parcel registered under the Act to which a benefit or burden has been added under subsection (1).
- (3) The authorized lawyer who has submitted the Form 24 under subsection (1) must serve notice, in Form 8, on the owner of the parcel registered under the Act to which a benefit or burden has been added under subsection (1), unless the owner has executed the document that conveys the benefit and the corresponding burden.
- (4) Where notice is required to be served under subsection (3), the authorized lawyer who has submitted the Form 24 under subsection (1), must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

#### **Addition of burdens and restrictive covenants which do not require identification or addition of benefit**

- 16 (1) Despite Sections 14 and 15, an authorized lawyer is not required to identify or add a corresponding benefit to other affected parcels when adding
- (a) a burden in favour of a public utility, an unidentified utility, or a municipality, or
  - (b) restrictive covenants,
- to a parcel registered under the Act.
- (2) The authorized lawyer who makes an application to add an interest in clause (1)(a) or (b) to a parcel registered under the Act must
- (a) submit a request and certificate of legal effect, in Form 24, to revise the parcel register of the parcel to which the interest is being added; and

- (b) make application to amend the legal description of the parcel to which the interest is being added; and
  - (c) serve notice, in Form 8, on the owner of the parcel to which the interest is being added, unless the owner has executed the document that conveys or evidences the interest.
- (3) If notice is required to be served under clause (2)(c), the authorized lawyer who makes application to add the interest in clause (1)(a) or (b) to a parcel registered under the Act, must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Exemption from requirement to identify or add corresponding benefit or burden**

- 17 (1) Despite Sections 14 and 15, an authorized lawyer who is adding a benefit or burden to a parcel that is registered under the Act, may be exempted from the requirement to identify or add a corresponding benefit or burden to other affected parcels if a registrar is satisfied that it would not be practicable to do so.
- (2) To obtain an exemption under subsection (1), an authorized lawyer must apply in writing to a registrar, providing the reasons for the request and any additional information requested by the registrar.
- (3) An authorized lawyer must retain a true copy of an exemption obtained under subsection (1) and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Notice of overriding interest in a registered parcel**

- 18 Any person recording an overriding interest in a parcel registered under the Act must notify the registered owner in Form 8 and, if adding a benefit or burden to a parcel, comply with the requirements in Sections 14, 16 and 17.

**Registrar General's correction of error or omission**

- 19 (1) Except as provided in Section 20 for correcting a registrar's error or omission, the Registrar General may correct an error or omission in a parcel register in accordance with this Section.
- (2) The Registrar General must provide notice in writing of the details of any identified error or omission and the proposed correction to all of the following:
- (a) any registered owner of the affected parcel;
  - (b) any interest holder shown in the parcel register who may be affected by the error or omission;
  - (c) the authorized lawyer who certified the information being corrected.
- (3) Any registered owners and any interest holders notified under subsection (2) must be given 15 days from the date of the notice to consent or object to the Registrar General's proposed correction.
- (4) If a notified registered owner or interest holder objects to a proposed correction within 15 days from the date of the notice under subsection (2), the Registrar General must make any necessary further inquiries and notify any registered owners and any interest holders who received the original notice that
- (a) the Registrar General has abandoned the proposed correction; or

- (b) the proposed correction will take effect 30 days after the date of the notice under this subsection unless they have commenced a proceeding in the Supreme Court of Nova Scotia and submitted a certificate of *lis pendens* in Form 19 for recording.
- (5) If all notified registered owners and interest holders consent or do not object to the Registrar General's correction proposal, the Registrar General may direct a registrar to correct the error or omission as proposed.
- (6) Nothing in this Section affects the Registrar General's powers under Section 56 of the Act.

#### **Correction of registrar's errors**

- 20** (1) The Registrar General may direct a registrar to correct a registrar's error in a parcel register caused by an error in processing, indexing or accepting a document.
- (2) All of the following must be done to complete the correction of a registrar's error under this Section:
- (a) the registrar must ensure that a written record of the correction is placed in the parcel register;
  - (b) notice is provided in accordance with Section 19, unless the Registrar General is satisfied that no registered owner or interest holder could be adversely affected by the correction.

#### **Request for correction of errors in recorded interests previously submitted without a certificate of legal effect**

- 21** (1) An authorized lawyer who is acting on behalf of a registered owner of an affected parcel or any other interest holder affected by an error in a request to record, or request to cancel the recording of, a recorded interest previously submitted on a Form 26, 26L, 27 or 27L that does not contain a certificate of legal effect may request correction of the error by submitting a request to a registrar in Form 49, if the lawyer has done one of the following:
- (a) they have notified and obtained the consent, in writing, of the registered owner of the affected parcel and any other interest holder shown in the parcel register who may be affected by the error;
  - (b) they have obtained the prior written approval of the Registrar General, who may withhold approval or impose such notice or other requirements as the Registrar General considers appropriate in the circumstances.
- (2) An authorized lawyer must retain a true copy of all documentation or information that supports their requested correction and any approvals and consents obtained under this Section and make them available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

#### **Correction of errors or omissions in registration, recording or other information certified by certificate of legal effect**

- 22** (1) In this Section, "certificate of legal effect" includes an opinion of title on an AFR.
- (2) An authorized lawyer who is aware that there is an error or omission in a registration or recording or other information in a parcel register certified by a certificate of legal effect that the authorized lawyer previously submitted as required under these regulations must, without delay, request a correction of the particulars certified by the certificate of legal effect in Form 6A and do one of the following:

- (a) notify and obtain the consent, in writing, of the registered owner of the affected parcel and any other interest holder shown in the parcel register, who may be affected by the error or omission; or
  - (b) obtain the prior written approval of the Registrar General, who may withhold approval or impose any notice or other requirements the Registrar General considers appropriate in the circumstances.
- (3) An authorized lawyer who is acting on behalf of a registered owner of an affected parcel or any other interest holder affected by an error or omission may submit a correction of the error or omission in a registration or recording or other information in a parcel register certified by a certificate of legal effect previously submitted by another authorized lawyer, if the lawyer complies with the requirements in subsection (2) and has one of the following:
- (a) the agreement, in writing, of the authorized lawyer who previously submitted the certificate of legal effect;
  - (b) the written approval of the Registrar General, who may withhold approval or impose any notice or other requirements the Registrar General considers appropriate in the circumstances.
- (4) An authorized lawyer must retain a true copy of all documentation or information that supports their correction and any approvals and consents obtained under this Section and make them available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

### Content of parcel register

23 (1) A parcel register must contain all of the following:

- (a) the PID assigned to the parcel;
- (b) a legal description for the parcel that complies with subsection 7(10);
- (c) the name and mailing address, if known, of each registered owner of the registered interest in the parcel described in clauses 17(1)(a), (b) and (c) of the Act;
- (d) the names and mailing addresses, if known, of all holders of a recorded interest in the parcel;
- (e) the submission particulars or full text of every document by which the title to the parcel is affected, as registered or recorded under the Act or the *Registry Act*;
- (f) a reference to the instrument type assigned to any registered or recorded interest, which information is provided for convenience only and is not part of the registered or recorded interest;
- (g) a reference to the interest type assigned to any registered or recorded interest;
- (h) a reference to any judgment recorded within the registration district which is, or may be, a charge upon the registered interests of the registered owner and any predecessor in title at the time of registration or revision of the registered ownership of the parcel;
- (i) a reference to any statement made under Section 38 of the Act as to whether any of the owners of the interest is a non-resident;
- (j) the manner of tenure for the registered interest in the parcel;

- (k) any textual qualification added under Section 11.
- (2) A parcel register is deemed to be a complete statement of all judgments recorded in the registration district which are, or may be, a charge upon the registered interests of the registered owner and any predecessor in title at the time of registration or, if subsequently revised, at the time of the last revision of the registered ownership of the parcel.
- (3) An archive register is not part of a parcel register.
- (4) A reference to an enabling instrument in a parcel register can be used to enable all benefits and burdens referred to in that instrument, which are between the same parties.

**Prescribed contracts**

- 24** (1) Option agreements and rights of first refusal are prescribed contracts for the purposes of the definition of “interest” in clause 3(1)(g) of the Act.
- (2) A prescribed contract may be recorded in a parcel register and, if recorded, is subject to the Act’s recording and cancellation of recording provisions.

**Tenants in common**

- 25** (1) An application for registration of a tenant in common interest in a parcel which has not been registered under the Act must be made in accordance with the provisions of Section 10 and must clearly state the percentage or share of each interest being registered.
- (2) In order to register an unregistered tenant in common interest in a parcel which has been registered under the Act, an authorized lawyer must complete and submit a request and certificate of legal effect in Form 24 and complete, retain and make available for review by the Registrar General upon request and audit by the Nova Scotia Barristers’ Society, the following items:
- (a) an owner’s declaration regarding occupation of parcel and residency status in Form 5;
  - (b) a copy of the abstract of title upon which the submitting lawyer’s opinion in Form 24 is based; and
  - (c) a copy of the notice of registration in Form 9, together with proof of service in accordance with Section 30, if applicable.
- (3) If an unregistered tenant in common interest in a parcel which has been registered under the Act is transferred for no value as disclosed in the affidavit filed under the *Municipal Government Act*, the owner of the unregistered tenant in common interest must apply to have the parcel register updated using Form 50.

**Judgment information**

- 26** (1) For the purposes of recording a judgment in accordance with subsections 67(1) and (4) of the Act or requesting confirmation of a debtor’s identity in accordance with Section 68 of the Act, information that tends to distinguish a person from another person of the same or similar name includes a date of birth.
- (2) For the purposes of clause 66A(2)(a) of the Act,
- (a) surnames that begin with “Mc” are identical to surnames that begin with “Mac” and *vice versa*;



- (b) surnames that include apostrophes, accents, spaces or a mixture of upper and lower case letters are identical to names of the same spelling that do not include these features; and
  - (c) names of legal entities that include “the”, “a” or “an” are identical to names of the same spelling that do not include these words.
- (3) A judgment creditor who holds a judgment that is recorded in the judgment roll may update the name or address of the judgment debtor in the judgment roll and, if applicable, the parcel register, by recording a request in Form 20.
- (4) An update of name or address under subsection (3) is effective from the date and time that the request was recorded.
- (5) On the coming into force of the Act, statutory declarations respecting judgments must be recorded in the judgment roll.
- (6) An affidavit recorded under subsection 68(3) of the Act must be recorded in the judgment roll and must have attached as exhibits
- (a) a copy of the request for confirmation that was sent to the judgment creditor under subsection 68(1) of the Act;
  - (b) proof of delivery of the request for confirmation;
  - (c) any request for further information received from the judgment creditor; and
  - (d) a copy of the response to any request for further information together with proof of delivery of the response.

#### **Deemed removal or request for cancellation of judgments**

- 27 (1) A judgment is deemed to be removed from the judgment roll when any of the conditions of subsection 66(4) of the Act are met.
- (2) For a judgment recorded in the judgment roll or a parcel register,
- (a) a full or partial release signed by the judgment creditor under subsection 69(3) of the Act, and recorded using a request in Form 48; or
  - (b) a certificate of satisfaction or certificate of discharge from the court that is recorded using a request in Form 47,

is deemed to be evidence of a request by the holder of the interest to cancel the recording of the interest under clause 57(1)(b) of the Act, and may be recorded by the debtor or debtor’s agent.

#### **Security interest holder compliance with subsection 51(4) of the Act**

- 28 (1) Subsection 51(4) of the Act does not apply to a security interest that is intended to remain in place to secure future advances.
- (2) Except as provided in subsection (3), a security interest holder is not in compliance with the requirement to record a release of a security interest in subsection 51(4) of the Act unless all necessary releases of a security interest and related documents are submitted for recording within a reasonably prompt time after the obligation secured by the security interest is paid in full.

- (3) A security interest holder is deemed to be in compliance with subsection 51(4) of the Act if, at an owner's request, the security interest holder sends a release of the security interest to the owner for recording and the release is recorded.

**Notice to cancel or amend a recorded interest**

- 29 (1) A notice in Form 15 to a registrar to cancel or amend the recording of a security interest under subsection 60(2) of the Act must be submitted together with
- (a) a statutory declaration that outlines to the registrar's satisfaction the reasonable and probable grounds that were used as a basis for the demand to cancel or amend the recording of the security interest; and
  - (b) proof that the demand was served on the security interest holder in accordance with Section 30.
- (2) A notice in Form 15A to a registrar to cancel the recording of a recorded interest or judgment under Section 63 of the Act must be submitted together with
- (a) an affidavit that complies with subsection 63(2) of the Act; and
  - (b) proof that the demand was served on the interest holder in accordance with Section 31.

**Proof of service**

- 30 The service of any document may be proved by an affidavit, which must state
- (a) by whom the document was served;
  - (b) the day of the week and the date on which it was served;
  - (c) where it was served; and
  - (d) how service was effected,

and a copy of any document served must be attached as an exhibit to the affidavit.

**Service of notice**

- 31 (1) Unless otherwise provided in the Act or these regulations, all notices required by the Act or these regulations to be sent must be sent by any means that affords proof of delivery.
- (2) If the name or address of a person to whom a notice must be sent is not known, or if service under subsection (1) is not practicable, the Registrar General may provide directions for substituted service of any notice required by the Act or these regulations.

**Appeals to Registrar General**

- 32 (1) To appeal a decision of a registrar under Section 90 of the Act, a person must submit an appeal in writing to the Registrar General in paper format or electronically, following the instructions in Property Online, together with all of the following:
- (a) the fee prescribed under the *Land Registration General Regulations*, if any;
  - (b) a copy of the registrar's decision that is being appealed;
  - (c) a copy of the documents that are the subject matter of the appeal;

- (d) a clear statement of the reasons why the registrar’s decision is incorrect and any other explanatory information.
- (2) An application for an appeal under this Section must state in bold in the subject line “Appeal of a Registrar’s Decision - PID(s) (insert PIDs of affected parcel(s))- County(ies) (insert name(s) of County/ies where affected parcel(s) are located)”.

**Form 1**  
**Purpose: To request a PID assignment**

Registration district: \_\_\_\_\_  
 Submitter’s user number: \_\_\_\_\_  
 Submitter’s name: \_\_\_\_\_

<b>Land Registration Office use only</b>	
PID assigned	_____
Property Mapper	_____
Date:	_____

(Select one)

- This parcel is not mapped
- This parcel is a portion of existing PID \_\_\_\_\_.
- This parcel is not mapped and is being subdivided by deed out of existing PID \_\_\_\_\_.

Assessment account: \_\_\_\_\_ External file number: \_\_\_\_\_

Parcel location: Civic # \_\_\_\_\_ Street name: \_\_\_\_\_ Lot # \_\_\_\_\_  
 Community: \_\_\_\_\_

Additional location information: \_\_\_\_\_

Reference for latest conveyance document that contains a legal description (include the description number if there are multiple parcels in the legal description):

<b>Book</b>		<b>Page</b>	
<b>Document Number</b>		<b>Year</b>	
<b>Description Number (if applicable)</b>			

Is the request for parcel description certification related to a pending property transaction?  
 Yes  No

*Note: The form must include sufficient information concerning the size and location of the parcel as will permit the registrar to assign the parcel identification number for the parcel and create a geographical representation of the parcel in Provincial mapping, showing it in relation to neighbouring parcels with reasonable accuracy.*

**Additional comments:**

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**Statement of Applicant**

1. I have reviewed the mapping and confirm that the parcel described in the attached legal description is not geographically represented on the Provincial map.
2. I have attached information that is intended to enable the property mapper to locate and geographically represent the parcel.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
 \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 Signature of Applicant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 2**

**Parcel Description Certification Application**

*Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(g)*  
*Land Registration Administration Regulations, clause 5(1)(a) and subsection 7(1)*  
 (Electronic Application)

PID	
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Application type: *If PID has a certified legal description, field defaults to amending parcel; if not, it defaults to existing parcel (system generated).*

User-supplied reference: \_\_\_\_\_

Assessment account number (AAN): \_\_\_\_\_

Reference for latest conveyance document that contains a legal description (*put comment in comment field if multiple parcels in the legal description*):

Book: \_\_\_\_\_

Page: \_\_\_\_\_

Document/instrument number/year: \_\_\_\_\_

Parcel location: *Civic number, street name, lot number, community (all system generated)*

Apparent owners: *Name, sub-type, type, interest type, qualifier (all system generated)*

Legal description:

Comments:

Statement of Compliance:

*Please note: If the authorized submitter has confirmed the information below, staff of the authorized submitter may submit the PDCA on the authorized submitter's behalf.*

The authorized submitter is submitting this PDCA for approval and confirms that:

The owner applicant has authorized him/her to submit this application.

The authorized submitter has reviewed the legal description included in this application and checked the provincial property mapping graphics. If the graphics do not match the legal description, any apparent discrepancies have been noted in the comments field of this application.

The legal description is accurate and complete and complies with the *Land Registration Administration Regulations*, professional standards regarding legal descriptions and the PDCA standards and policies.

Before an application for registration is submitted in final form the authorized submitter will confirm with the owner that the graphics identified by the PID appear to match the legal description for the PID.

**Form 5**

**Purpose: owner’s declaration regarding occupation of parcel and residency status**

Registration district: \_\_\_\_\_

Submitter’s user number: \_\_\_\_\_

Submitter’s name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs.)*

**And in the matter of** the registration of the above-noted parcel(s) under the *Land Registration Act* and regulations:

I/We (*insert name(s)*) \_\_\_\_\_, of \_\_\_\_\_ in the County of \_\_\_\_\_, solemnly declare (*select all statements that apply*):

- I am/We are/the corporation is the owner(s) of the parcel identified as the above-noted PID.
- Her Majesty the Queen in Right of Canada/the Province of Nova Scotia is the owner(s) of the parcel identified as the above-noted PID.
- I am/the corporation is a non-owner of the parcel who is authorized under the *Land Registration Administration Regulations* to execute this declaration.
- I am/we are/the corporation is a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
- To my/our knowledge neither the parcel nor a portion of the parcel is occupied without permission.
- To my/our knowledge the whole or a portion of the above-noted parcel is occupied without permission.

The occupation commenced on or about \_\_\_\_\_.

The name and address of the person in occupation is (*if unknown, state “unknown”*)  
\_\_\_\_\_.

Other details relating to the occupation without permission are as follows:

--

I am/we are/the corporation is submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*.

**If at any time after the registration, I/we/the corporation become(s) aware that this declaration is not accurate, a new Form 5 will be completed and notice provided to any occupier in accordance with the *Land Registration Administration Regulations*.**

I make/we make this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

**Declared** at \_\_\_\_\_, )  
 In the )  
 County of \_\_\_\_\_, )  
 Province of Nova Scotia, on \_\_\_\_\_ )  
 \_\_\_\_\_, 2\_\_\_\_ before me, )  
 \_\_\_\_\_ )  
 A Commissioner/Barrister of the Supreme ) \_\_\_\_\_  
 Court of Nova Scotia ) (Type name of deponent(s) below line.)

**Form 6**  
**Application for Registration**  
*Land Registration Act, S.N.S. 2001, c. 6, subsections 18(1) and 37(4)*  
*Land Registration Administration Regulations, clause 9(2)(a)*  
**(Electronic Application)**

AFR tracking number: (system generated)  
 Parcel Identification Number (PID): \_\_\_\_\_  
 Location: (system generated)  
 Title certification date/time (yyyy-mm-dd hh:mi): \_\_\_\_\_

Parcel access: Pick from: public, public (other), private, private (by grant), private (by prescription), private (openly used and enjoyed), private (other), right of way/driveway, right of way/walkway, navigable waterway, no access, other (specify) \_\_\_\_\_

Triggered by: Pick from: deed, mortgage, subdivision, new condominium corporation, voluntary or certificate of title

Comments:

Manner of tenure: Pick from: joint tenants, tenants in common, not applicable, not specified, mixture of joint tenants and tenants in common. The description of tenure field is optional if the manner of tenure is “tenants in common”, and mandatory if the manner of tenure is a “mixture.”

Description of tenure:

--

**Registered Interests**

Name (individual or company or entity): \_\_\_\_\_

Qualifier (if applicable): Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: Pick from: fee simple, interest of Her Majesty, life interest or remainder interest.

Instrument type: Pick from list of document types

County (of recording for document) \_\_\_\_\_

Enabling document recording particulars: *(complete sub-screen fields)*

Mailing address: \_\_\_\_\_

Non-resident of Nova Scotia status: *(yes or no to disclosure statement)***Farm Loan Board - Occupants and Mailing Address**

Name (individual or company or entity): \_\_\_\_\_

Mailing address: \_\_\_\_\_

**Benefits to the Registered Interest****Benefit Details**

Interest type: Pick from: Easement/ROW Holder (Benefit), Condominium Interest (Benefit), Party to Agreement (Benefit), Covenant Holder (Benefit) or Licensee (Benefit)

Instrument type: Pick from instrument type list

Enabling document recording particulars: *(complete sub-screen fields)*

Unregistered interests: Yes or No

Servient Tenement PID  
or Various PIDS (not specified) \_\_\_\_\_ **Benefits to the Registered Interests - Servient Tenement PIDS**

PID: \_\_\_\_\_

Choose Benefit Enabling Instrument: (System generated list)

Benefit ID: (System generated)

Unregistered Interest Yes or No

**Burdens on the Registered Interests**



Name (individual or company or entity): \_\_\_\_\_

Qualifier (if applicable): Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: Pick from: Condominium interest (burden), covenant holder (burden), easement/right of way holder (burden), party to agreement (burden), licensee (burden) or easement/ROW holder (burden)/dominant PID

Instrument type: Pick from list of document types

County (of recording for document)  
Enabling document recording particulars: \_\_\_\_\_  
(complete sub-screen fields)

Dominant Tenement PID  
or Various PIDS (not specified) \_\_\_\_\_

Unregistered interest: Yes or No

Mailing address: \_\_\_\_\_

### **Burdens on the Registered Interests - Dominant Tenement PIDs**

PID or Various PIDs,  
Not Specified \_\_\_\_\_

Instrument type: Pick from list of document types

County (of recording for document) \_\_\_\_\_

Enabling document recording particulars: Choose an existing burden/enabling instrument

Unregistered interest: Yes or No

### **Textual Qualifications on Title**

### **Tenants in Common Not Registered Under the *Land Registration Act***

(For a new name to be added):

Name of Individual, Company or Entity: \_\_\_\_\_

Qualifier (if applicable) Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: (System generated)

Import Property Online owners: (yes or no)

### **Recorded interests**

Name (individual or company or entity): \_\_\_\_\_

Qualifier (if applicable): Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: Pick from: assignee, attorney, claimant/plaintiff, condo interest, debenture holder, deponent, easement security interest, guardian, judgment creditor, lessee, licensee, mortgagee, party to agreement, personal representative, tax sale recipient or trustee.

Instrument type: Pick from list of document types

County (of recording for document) \_\_\_\_\_

Enabling document recording particulars: *(complete sub-screen fields)*

Unregistered interest: Yes or No

Mailing address: \_\_\_\_\_

#### OPINION & CERTIFICATE OF TITLE

I hereby certify to the Registrar General under clause 37(4)(b) of the *Land Registration Act* as follows:

1. The information contained in the Application for Registration for this parcel is a true and correct summary of the title information with respect to the PID that is described below, as disclosed by the records on file in the Land Registration Office for the county where the parcel lies, and in the Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5.
2. This opinion of title is based upon a title search and abstract of title that have been conducted or completed in accordance with the current Nova Scotia Barristers' Society Professional Standards: Real Property Transactions in Nova Scotia.
3. This opinion is subject to the accuracy of the indices at the office of the Registrar of Deeds.
4. The abstract of title shows a chain of ownership of the parcel to the standard required to demonstrate a marketable title under (select all that apply)
  - the *Marketable Titles Act*
  - the common law
  - the *Limitation of Actions Act*
  - other enactment (specify):
5. The root of title to this parcel is found in a document that has the following particulars:  
Instrument Type:  
  
Execution Date (yyyy-mm-dd):    Registration Date (yyyy-mm-dd):  
  
Book #: \_\_\_\_\_ Page #: \_\_\_\_\_ Document #: \_\_\_\_\_
6. This Application for Registration is a true and accurate summary of the registered interest, benefits, burdens, qualifications on title, recorded interests, and means of access that apply to this parcel.
7. There are no other encumbrances affecting the title to the land disclosed by the records on file in the land registration office for the county where the parcel lies except those specified herein.
8. The applicable statement respecting the subdivision provisions contained in Part IX of the *Municipal Government Act* is accurately set forth in the official parcel description for the parcel.

9. For the purposes of registration of the title of the above-noted PID a policy of title insurance (select one)
- was not issued with respect to this parcel
  - was issued with respect to this parcel in order to (provide details of the reason a title insurance policy was required)
10. Unless noted above, this opinion is subject to
- (a) rights in respect of the lands, which may have been acquired by adverse possession or prescription; and
  - (b) overriding interests stipulated in Section 73 of the *Land Registration Act* that are not contained in registered instruments that appear within the period covered by the title search and abstract of title referenced in this certification and opinion.
11. I have obtained all affidavits and other documents required under Section 37 of the *Land Registration Act* and the *Land Registration Administration Regulations*, and these documents, and the Abstract of Title referenced in Certification Statement Number 2, will be retained and available for audit by the Nova Scotia Barristers' Society.
12. No opinion is expressed as to
- (a) the actual boundaries of the lands, the location of any buildings or structures in relation to the actual boundaries of the lands, or the size of the lands;
  - (b) the validity, enforceability of, or compliance with, restrictive covenants if contained in the signed Statement of Registered and Recorded Interests attached hereto; or
  - (c) the validity or effect of the recorded interests listed in the signed Statement of Registered and Recorded Interests attached hereto.

#### Parcel Description Information

**Form 6A**

**Purpose: to correct error(s) or omission(s) in information which was previously submitted with a Certificate of Legal Effect**

**(Instrument type: 855)**

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**I confirm that I have read the requirements for submission of this form, as set out in Section 22 of the Land Registration Administration Regulations, and have obtained any required consents and complied with any notice requirements and directions.**

I am submitting this form to correct error(s) or omission(s) made in the submission of the following (*select appropriate box*):

- Document Number \_\_\_\_\_
- Application for Registration

The reason(s) for the correction is/are as follows (*Note: this field must be completed*):

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- The interests or information in the parcel register are to be changed as follows: (*insert N/A if not applicable*):

<b>Instrument type</b>	
<b>Expiry date</b> (if applicable)	
<b>Interest holder and type to be removed</b> (if applicable)	

<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> (if applicable)	
<b>Manner of tenure to be removed</b> (if applicable)	
<b>Manner of tenure to be added</b> (if applicable)	
<b>Description of mixture of tenants in common and joint tenancy</b> (if applicable)	
<b>Percentage or share of interest held</b> (for use with tenant in common interests)	
<b>Non-resident</b> (to qualified solicitor's information and belief) (Yes/No?)	
<b>Servient Tenement PID</b> (if applicable)	
<b>Access type to be added</b> (if applicable)	
<b>Access type to be removed</b> (if applicable)	
<b>Textual Qualification to be removed</b> (if applicable)	
<b>Textual Qualification to be added</b> (if applicable)	
<b>Reference to related instrument in names-based roll/parcel register</b> (if applicable)	

- I have searched the judgment roll with respect to the registration or revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

<b>Instrument type</b>	
<b>Interest holder name and type to be added</b>	
<b>Interest holder mailing address</b>	
<b>Judgment Roll reference</b>	

#### Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
Signature of authorized lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 8**

**Purpose: to give notice to a registered owner that a benefit, burden or an overriding interest has been added to the parcel register**

<b>PID</b>	
<b>PID</b>	

(Expand box for additional PIDs.)

**Take notice that** pursuant to the *Land Registration Act* and the *Land Registration Administration Regulations*, the following interest has been added to the parcel register(s) of the above-noted PID(s).

Type of interest added to the parcel register:	
Name of interest holder added:	
Servient tenement PID (if applicable):	
Mailing address of interest holder:	
Document recording particulars:	

A copy of the document, which was recorded to add the interest, is attached to this notice.

**And take notice that** the parcel description for the above-noted PIDs has or will be altered in accordance with the *Land Registration Administration Regulations* to reflect the addition of the interest to the parcel(s) register.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Signature of authorized lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 8A**

**Purpose: to give notice to a land owner under the Registry Act**

(Note: Form 8A must be attached to a Form 44)

**(Instrument code: 407)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

**Take notice that** the records under the *Registry Act* show

\_\_\_\_\_

(insert owner's name from the consolidated index)

to be the owner(s) of lands which are affected by the recording of a benefit or burden against a parcel registered under the *Land Registration Act*, in the manner indicated on this form.

(Select appropriate option)

- Take notice that** lands owned by the above-noted person(s) appear to benefit from the addition of a burden to the following parcel(s) that are registered under the *Land Registration Act* (box can be expanded for additional PIDs):

PID	
PID	
Interest holder name and type added to registered parcel	

**-or-**

- Take notice that** lands owned by the above-noted person(s) appear to be burdened by the addition of a benefit to the following parcel(s) that are registered under the *Land Registration Act* (box can be expanded for additional PIDs):

<b>PID</b>	
<b>PID</b>	
Interest holder name and type added to registered parcel	

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
 \_\_\_\_\_, 2 \_\_\_\_.



\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 9**

***Purpose: to give notice of parcel registration to interested parties***

To: *Name*  
*Address*

**Take notice** that the lands located at (*insert civic address of the parcel(s)*) \_\_\_\_\_  
\_\_\_\_\_ known as (*insert PID(s)*)  
\_\_\_\_\_, has/have been registered under the *Land Registration Act*. A copy  
of the legal description and parcel graphics from *Property Online* for the registered parcel(s) are attached to this  
notice (*attach legal description and POL graphics for parcel(s)*)

**You are receiving notice of the registration because** your property interests may be affected by the  
registration, in particular (*state reason clearly in layman's terms*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Delete the following paragraph, if not applicable)*

**If you believe that you may have an interest in the above lands, through occupation or usage, then you  
may have to take action to preserve your rights, within the ten-year time limit set out in subsection 74(2)  
of the *Land Registration Act*.**

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of  
Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 10****Purpose: To give notice of crystallization of debenture****(Instrument code: 809)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs: Maximum 9 PIDs per form.)**(Select one)*

- Floating charge debenture is recorded in the parcel register(s) as:  
document number \_\_\_\_\_ book/page \_\_\_\_\_ year \_\_\_\_\_.
- Floating charge debenture is not recorded in the parcel register and particulars are as follows.

**Floating Charge Debenture particulars** *(use only if second box was selected above)*

<b>Instrument type</b>	Floating Charge Debenture
<b>Interest holder name and type</b> <i>(to be added if debenture is registered or recorded, but not in the specified parcel register(s))</i>	
<b>Mailing address of interest holder added</b> (if applicable)	
<b>Reference to recording particulars of debenture under the <i>Registry Act</i></b>	

**Crystallization particulars** *(required whether debenture is recorded in the parcel register or not)*

<b>Instrument type</b>	Notice of Crystallization of Debenture
<b>Interest holder name and type to be added</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder added</b>	
<b>Reference to recording particulars of debenture being crystallized</b>	

**Notice is hereby given that** the floating charge contained in the specified debenture has been crystallized.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of  
Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of interest holder/agent*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 15**

*Purpose: to give notice to the registrar to cancel the recording of a security interest*

**(Instrument code: 831)**

For Office Use

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	_____
PID	_____

*(Expand box for additional PIDs Maximum 9 PIDs per form.)*

**Take notice that** *(select one)*

- the debtor named in the security interest, particulars of which are set out on this form (“the security interest”)
- a person who has or had a registered interest in the above-noted PID(s) to which the security interest purportedly relates

has served notice on the holder(s) of the security interest to discharge or amend the interest in so far as it relates to the above-noted PID(s).

**And further take notice that** the following documentation is attached to this form:

- (a) a statutory declaration that outlines the reasonable and probable grounds that were used as a basis for the demand to amend or cancel the recording of the security interest;
- (b) a copy of the written demand on the holder(s) of the security interest which clearly sets out the obligations under Section 60 of the *Land Registration Act* requiring the interest holder(s) to take action to continue the recording of the interest;

(c) proof of service of the demand in accordance with Section 60 of the *Land Registration Act*.

**And further take notice that** 30 days have passed since the service of the demand upon the holder(s) of the security interest and there has been no compliance with the demand.

**Therefore** the undersigned requires the registrar to cancel the security interest as instructed on this form:

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page if applicable)</i>	

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
 \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 15A**

**Purpose: to give the registrar notice to cancel a recorded interest or judgment**

**(Instrument code: 841)**

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs: Maximum 9 PIDs per form.)*

**Take notice that** the registered owner(s) of the above-noted PID(s) request(s) the Registrar General to cancel the recording of the recorded interest or judgment, particulars of which are set out below, in accordance with Section 63 of the *Land Registration Act*.

**And further take notice that** the following documentation is attached to this form:

- (a) an affidavit outlining the basis for the owner's objection to the recorded interest or judgment and the reason why the recorded interest or judgment should be cancelled;
- (b) a copy of the notice requiring cancellation of the recorded interest or judgment which clearly sets out the obligations under Section 63 of the *Land Registration Act* requiring the interest holder(s) to take action to substantiate the interest;
- (c) proof of service of the notice on all parties as required in Section 63 of the *Land Registration Act*.

**And further take notice that:**

Sixty days has expired after the service of the notice on the holder of the interest and, where the interest is a servitude, on the owner of every parcel identified in the recorded document as land to which the benefit of the servitude is annexed; and

No certificate of *lis pendens* has been recorded by any person certifying that proceedings in court have been commenced to substantiate the recorded interest; and

The person who caused the notice to be served is the registered owner of the parcel against which the recording to be cancelled was recorded.

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	

<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page if applicable)</i>	
---	--

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 16**

***Purpose: to renew the recording of a judgment***

*Note: Renewal must be recorded prior to the expiration of five years from the date of the judgment or the date of the recording of the most recent renewal of the judgment.*

**(Instrument code: 715 - First renewal)**

**(Instrument code: 716 - Second renewal)**

**(Instrument code: 717 - Final renewal)**

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of the judgment debtor** *(insert name as stated on judgment)*  
\_\_\_\_\_;

**And in the matter of the judgment creditor** *(insert name as stated on judgment and current mailing address)*  
\_\_\_\_\_;

Take notice that the undersigned judgment creditor/agent of judgment creditor requests that the above-noted judgment be renewed as follows (*select one*):

- First Renewal**  
 Judgment number \_\_\_\_\_ issued by the Court on (*insert date*) \_\_\_\_\_ and first recorded on (*insert date*) \_\_\_\_\_ as document (*insert document/instrument number/year; include book/page if applicable*) \_\_\_\_\_
- Second Renewal** \_\_\_\_\_  
 (*insert document number of first renewal*)
- Third Renewal** \_\_\_\_\_  
 (*insert document number of second renewal*)

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Witness (*Barrister/Commissioner*)

\_\_\_\_\_  
*Authorized signature of judgment creditor/agent*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Certificate of Commissioner:**

I certify that on \_\_\_\_\_, 2\_\_\_\_\_, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

\_\_\_\_\_  
A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly below signature)

Form 19

Purpose: to record a Certificate of Lis Pendens against a parcel registered under the Land Registration Act

(Instrument code: 826)

Registration district:
Submitter's user number:
Submitter's name:

For Office Use

Dashed box for office use

In the matter of Parcel Identification Number (PID)

Table with 2 columns and 2 rows for PID entries

(Expand box for additional PIDs. Maximum of 9 PIDs per form.)

And in the matter of registered owner

Take notice that an action was commenced in the Supreme Court of Nova Scotia on 2, between:

Plaintiff:

-and-

Defendant:

Court file no.:

Claim of builders' lien for \$

(For use when the pending action is with respect to a builders' lien) to enforce against the above-noted PIDs

Table with 2 columns: Interest holder and type to be added, Mailing address of interest holder to be added

Dated at, in the County of, Province of Nova Scotia, 2.

Signature of Prothonotary



Form 20

Purpose: to update the name and/or address of a judgment debtor

(Instrument code: 713)

Registration district: \_\_\_\_\_
Submitter's user number: \_\_\_\_\_
Submitter's name: \_\_\_\_\_

For Office Use

[Large dashed box for office use]

In the matter of Parcel Identification Number (PID)

Table with 2 columns and 2 rows for PID information.

In the matter of judgment debtor (insert name) \_\_\_\_\_;

And in the matter of an update of the name and/or address of the judgment debtor;

And in the matter of a certificate of judgment/renewal of judgment recorded in the judgment roll as document/instrument number (insert document/instrument number/year; include book/page if applicable) \_\_\_\_\_.

The judgment creditor requests that the following information be updated (choose all options that apply)

- 1. Update judgment debtor's name to \_\_\_\_\_
2. Update judgment debtor's address to \_\_\_\_\_
3. Update the above-noted parcel registers with this information.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

Signature of judgment creditor/agent

Name: \_\_\_\_\_
Address: \_\_\_\_\_
Phone: \_\_\_\_\_
E-mail: \_\_\_\_\_
Fax: \_\_\_\_\_

**Form 21**

**Purpose: to submit an interest holder's change of name or correction of misspelling of name; or to remove a deceased joint tenant as owner**

- (Instrument code: 109 - change of name)**
- (Instrument code: 126- correction of misspelling of name)**
- (Instrument code: 127- removal of deceased JT)**

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs, Maximum 9 PIDs per form)*

**To the registrar** *(select applicable box):*

**Death of Joint Tenant**

- A joint tenant in the above-noted parcel register(s) is deceased and proof of death is attached. I hereby request that his/her name be removed as an owner of the above-noted PID,
- Change manner of tenure to \_\_\_\_\_ *(if applicable)*

**Name Change**

- The name of a registered interest holder has changed
- The name of a recorded interest holder has changed

As a result, I request that the parcel register information be updated for the following registered or recorded instruments:

*(insert document number/book and page number of current enabling instrument(s) that appears in the parcel register).*

**And take notice that** an affidavit outlining the particulars of the name change, and also, if applicable, the Order, certificate or document effecting the change of name is attached.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of registered owner/interest holder/agent*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

or

**Correction of a Misspelling of Name** (*Note: This section must be completed and signed by an authorized lawyer*)

- The name of a registered interest holder was misspelled as currently shown in the parcel register.
- The name of a recorded interest holder was misspelled as currently shown in the parcel register.

As a result, I request that the parcel register information be corrected for the following registered or recorded instruments: (*insert document number/book and page number of current enabling instrument(s) that appears in the parcel register*).

An affidavit outlining the particulars of the misspelling and the proposed correction is attached.

**Certificate of Legal Effect**

I certify that, in my professional opinion, it is appropriate to make the corrections to the misspelling of the name in the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of  
Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 22**  
**Purpose: Change of Address form**

**(Instrument code: 449)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs.)*

**And in the matter of** document/instrument *(insert document/instrument number/year; include book/page if applicable) (for names-based roll—include all instruments affected by the change of address)*

\_\_\_\_\_;

**And/or in the matter of** *(select one and insert name)* the registered owner/a recorded interest holder

\_\_\_\_\_:

**Take notice that** *(select one)*

- I am the above-noted registered owner/agent.
- I am the occupier of the above-noted PID(s), which are owned by the Nova Scotia Farm Loan Board.
- I am the above-noted recorded interest holder/agent.

**And further take notice** that I have reviewed the address information contained in Property Online and hereby request that my address be changed as follows *(please print or type)*:

*New address:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**And further take notice** that this address change is to be applied to all tax notices and tax bills relating to the above-noted PID(s).

- Yes                       No

**And further take notice** that I understand that this address must be used to serve all notices and documents requiring service under the *Land Registration Act*.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2\_\_\_\_\_.

Signature of owner/interest holder/agent/occupier of Nova Scotia Farm Loan Board Parcel(s)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 24**

**Purpose: to change the registered interest, benefits or burdens**

**(Instrument code: 450)**

*(If change(s) requested relate(s) to one or more of the following and no other interests are being added or removed on this form: manner of tenure, description of manner of tenure, non-resident status, parcel access or NSFLB occupant. Note: This form cannot be used to correct an error in a parcel register).*

**(Instrument code: 451)**

*(Change to existing servient or dominant tenement PID number in a parcel register as a result of subdivision or consolidation. Note: This form cannot be used to correct an error in a parcel register)*

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

In the matter of Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

The following additional forms are being submitted simultaneously with this form and relate to the attached document: (check appropriate boxes, if applicable)

- Form 24(s)
- Form 8A(s)

Additional information: *(check appropriate boxes, if applicable).*

- This Form 24 creates or is part of a subdivision or consolidation

- This Form 24 is a municipal or provincial street or road transfer
- This Form 24 is adding a corresponding benefit or burden as a result of an AFR of another parcel.

**Power of attorney** (*Note: completion of this section is mandatory*)

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to make the changes to the registered interests, or benefits or burdens, and other related information, in the above-noted parcel register(s), as set out below.

The registered interests and related information are to be changed as follows:

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> (if applicable)	
<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> (if applicable)	
<b>Manner of tenure to be removed</b> (if applicable)	
<b>Manner of tenure to be added</b> (if applicable)	
<b>Description of mixture of tenants in common and joint tenancy</b> (if applicable)	
<b>Access type to be removed</b> (if applicable)	
<b>Access type to be added</b> (if applicable)	
<b>Percentage or share of interest held</b> (for use with tenant in common interests)	
<b>Non-resident</b> (to qualified solicitor's information and belief)(Yes/No?)	
<b>Reference to related instrument in parcel register</b> (if applicable)	
<b>Reason for removal of interest</b> (for use only when interest is being removed by operation of law and no document is attached) <b>Instrument code: 443</b>	

The following tenant in common interests that appear in the section of the parcel register(s) labelled “Tenants in Common not registered pursuant to the *Land Registration Act*” are to be removed because the interests are being registered (*insert names to be removed*):

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I have searched the judgment roll with respect to this revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

<b>Instrument type</b>	
<b>Interest holder name and type to be added</b>	
<b>Interest holder mailing address</b>	
<b>Judgment Roll reference</b>	

The following benefits are to be added and/or removed in the parcel register(s):

(*Note: An amending PDCA is required if the changes being made to the benefit section are not currently reflected in the description in the parcel register.*)

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> ( <i>if applicable</i> )	
<b>Interest holder and type to be added</b> ( <i>if applicable</i> ) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
<b>Mailing address of interest holder to be added</b> ( <i>if applicable</i> )	
<b>Servient tenement parcel(s)</b> ( <i>list all affected PIDs</i> ):	
<b>Reference to related instrument in names-based roll/parcel register</b> ( <i>if applicable</i> )	
<b>Reason for removal of interest</b> ( <i>for use only when interest is being removed by operation of law</i> ) <b>Instrument code: 443</b>	

The following burdens are to be added and/or removed in the parcel register(s):

(*Note: An amending PDCA is required if the changes being made to the burden section are not currently reflected in the description in the parcel register.*)

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> ( <i>if applicable</i> )	

<b>Interest holder and type to be added</b> <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
<b>Mailing address of interest holder to be added</b> <i>(if applicable)</i>	
<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable)</i>	
<b>Reason for removal of interest</b> <i>(for use only when interest is being removed by operation of law)</i> <b>Instrument code: 443</b>	

The following recorded interests are to be added and/or removed in the parcel register:

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>(if applicable)</i>	
<b>Interest holder and type to be added</b> <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
<b>Mailing address of interest holder to be added</b> <i>(if applicable)</i>	
<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable)</i>	
<b>Reason for removal of interest</b> <i>(for use only when interest is being removed by operation of law)</i> <b>Instrument code: 443</b>	

The textual qualifications are to be changed as follows:

<b>Textual qualification on title to be removed</b> <i>(insert any existing textual description being changed, added to or altered in any way)</i>	
<b>Textual qualification on title to be added</b> <i>(insert replacement textual qualification)</i>	
<b>Reason for change to textual qualification</b> <i>(for use only when no document is attached)</i> <b>Instrument code: 838</b>	

The following information about the occupier of the parcel, which is owned by the Nova Scotia Farm Loan Board, is to be changed:



<b>Name and mailing address of occupier to be removed</b>	
<b>Name and mailing address of occupier to be added</b>	

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, on \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

- This document also affects non-land-registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 26**

**Purpose: to record an interest in a parcel; or  
to record a power of attorney in the power of attorney roll**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**Power of attorney** *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:

- recorded in the attorney roll
- recorded in the parcel register
- incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document (*select applicable box*):

- in the parcel register as a recorded interest
- in the power of attorney roll
- in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

<b>Instrument type</b>	
<b>Expiry date</b> ( <i>if applicable</i> )	
<b>Interest holder and type to be added</b> ( <i>if applicable</i> ) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> ( <i>for power of attorney, provide mailing address for donee</i> )	
<b>Name and mailing address power of attorney donor to be added</b> ( <i>if applicable</i> )	
<b>Name and mailing address power of attorney donee to be added</b> ( <i>if applicable</i> )	
<b>Reference to related instrument in names-based roll/parcel register</b> ( <i>if applicable</i> ) ( <i>for power of attorney to be duplicated, insert document/instrument number/year; include book/page if applicable</i> )	

The textual qualifications in the above-noted parcel register(s) are to be changed as follows:

<b>Textual qualification on title to be removed</b> <i>(insert any existing textual description being changed, added to or altered in any way)</i>	
<b>Textual qualification on title to be added</b> ( <i>insert replacement textual qualification</i> )	

#### Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of  
 Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

- This document also affects non-land-registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 26L**

***Purpose: for a lender to record their interest in a parcel register or their power of attorney in the power of attorney roll***

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

This form is submitted to record the attached document *(select applicable box)*:

- in the parcel register as a recorded interest
- in the power of attorney roll
- in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

<b>Instrument type</b>	
<b>Expiry date</b> (if applicable)	

<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> (for power of attorney, provide mailing address for donee)	
<b>Name and mailing address of power of attorney donor to be added</b> (if applicable)	
<b>Name and mailing address of power of attorney donee to be added</b> (if applicable)	
<b>Reference to related instrument in names-based roll/parcel register</b> (if applicable) <i>(for power of attorney to be duplicated, insert document/instrument number/year; include book/page if applicable)</i>	

**Power of attorney** *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
- recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

**Priority of interest:** *(Note: completion of this section is mandatory)*

If the security interest being recorded with this form is being submitted by a lender which currently has a security interest recorded in the parcel register of the above-noted PID(s), the lender must select one of the following boxes to indicate the intended priority of the attached security interest in relation to the lender's other security interests showing in the parcel register(s) at the time of recording:

- first charge
- second charge
- third charge
- other (specify priority) \_\_\_\_\_

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of  
Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

Signature of lender or authorized agent

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

- This document also affects non-land-registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 26N**

*Purpose: to record Form 9 and written directives in a parcel register*

**(Instrument Code: 858)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**Take notice that** the attached document(s) relate(s) to the following parcel(s) registered under the *Land Registration Act*

PID	
PID	

For Office Use

*(Expand box for additional PIDs.)*

This form is submitted to record the following documents *(select all applicable boxes)*:

- Form 9
- proof of service
- written directives from the Registrar General
- other *(specify)* \_\_\_\_\_

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Signature of authorized lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 27**

**Purpose: to request cancellation of a recorded interest**

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	_____
PID	_____

(Expand box for additional PIDs. **Maximum 9 PIDs per form.**)

**Power of attorney** (Note: completion of this section is mandatory)

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document and to cancel the following recorded interests in the above-noted parcel register(s):

<b>Instrument type</b>	_____
<b>Interest holder and type to be removed (if applicable)</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	_____
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page) (this is a mandatory field for this form)</i>	_____

The following textual qualifications in the above-noted parcel register(s) are to be changed as follows:

<i>Textual qualification on title to be removed (insert any existing textual description being changed, added to or altered in any way)</i>	
<i>Textual qualification on title to be added (insert replacement textual qualification)</i>	

- The party releasing the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.**

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
 \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

- This document also affects non-land-registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 27L**

***Purpose: for a lender to request a cancellation of their recorded interest in a parcel register or record a revocation of their power of attorney in the power of attorney roll***

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**Power of attorney** (Note: completion of this section is mandatory)

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document and to cancel the following recorded interest in the above-noted parcel register(s):

<b>Instrument type</b>	
<b>Interest holder and type to be removed (if applicable)</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page) (this is a mandatory field for this form)</i>	

- The party releasing the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.**

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of lender or authorized lender*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

- This document also affects non-land-registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.



**Form 28**

**Purpose: to record certain types of non-enabling documents in a parcel register**

For Office Use

Registration district: \_\_\_\_\_

Submitter's user no.: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

The attached plan/document relates to the following parcels registered under the *Land Registration Act*

PID	
PID	

*(Expand box for additional PIDs.)*

**Municipal file number or land registration file number** *(insert file number used when PIDs were originally assigned during pre-approval):* \_\_\_\_\_

This form is submitted to record the following non-enabling instrument in the above-noted parcel register(s) *(select one):*

- plan
- boundary line agreement
- instrument of subdivision
- statutory declaration regarding de facto consolidation
- condominium declaration
- initial condominium bylaws
- condominium plan
- repeal of subdivision
- termination of condominium
- other *(specify)* \_\_\_\_\_

**And in the matter of** registered owner *(insert name)* \_\_\_\_\_:

**Note:** *An amending Parcel Description Certification Application may be required.*

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_,  
2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of applicant/municipal official/owner/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 45**

**Purpose: to add, confirm, delete and correct, the interests, textual qualifications or parcel access type in the parcel register(s)**

*Note: If there are inherited interest flags in the parcel register, a Form 45 is required to be recorded before the registered interest can be changed. The form must be completed, even if only to confirm that no changes are to be made.*

**(Instrument code: 836)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

<b>PID</b>	
<b>PID</b>	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

**1. Parcel access type** *(choose applicable box)*

*(direct or indirect right of access to the parcel, if any, from a public street, highway or navigable waterway to the parcel appearing on the face of the record)*

The parcel access type as currently shown in the parcel register is correct.

OR

The parcel access type as currently shown must be added or changed to:

- |   |  |
|---|--|
| <input type="checkbox"/> public<br><input type="checkbox"/> no access<br><input type="checkbox"/> public (other)<br><input type="checkbox"/> private<br><input type="checkbox"/> private (by grant)<br><input type="checkbox"/> private (by prescription) | <input type="checkbox"/> private (openly used and enjoyed)<br><input type="checkbox"/> private (other)<br><input type="checkbox"/> right of way/driveway<br><input type="checkbox"/> right of way/walkway<br><input type="checkbox"/> navigable waterway<br><input type="checkbox"/> other (must include TQ) |
|---|--|

2. The following interests or entries that were placed in the parcel register(s) for the above-noted PID(s) on subdivision are **to be removed** from the parcel register(s)(select all that apply):

<b>Interest holder and type</b>	
<b>Enabling Instrument Reference</b> <i>(insert book and page or instrument number, as applicable):</i>	
<b>Textual Qualification</b>	

**3. All other interests or entries, including textual qualifications, are to remain in the parcel register(s).**

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
 \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
 Signature of authorized lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

*Note: An amending Parcel Description Certification Application is required if benefits or burdens are being removed.*

**Form 46**

**Purpose: To record a judgment in the judgment roll by recording a Certificate of Judgment executed by the prothonotary**

**(Instrument code: 707)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

Court file #	
Name of court	

*(Insert title of proceeding/style of cause.)*

**Judgment creditor information**

**Name** (must include first and last name; must include middle name or initial if available):

(first) \_\_\_\_\_ (middle) \_\_\_\_\_ (last) \_\_\_\_\_

**-Or-**

**Company name:** \_\_\_\_\_

**Address** (must include a valid Canada Post mailing address where judgment creditor can be served, and must include the civic address if available):

<b>Mailing address:</b>				
	PO Box:		Town	
	Province			Postal Code
<b>Civic address: (if different from mailing address)</b>	Street name and number			
	Town		Province	

Name of lawyer (must be included if the creditor is/was represented): \_\_\_\_\_

Other information (must include at least one other piece of information that tends to distinguish the judgment creditor from all others): \_\_\_\_\_

**Judgment debtor information**

Name (must include first and last name; must include middle name or initial if available):

(first) \_\_\_\_\_ (middle) \_\_\_\_\_ (last) \_\_\_\_\_

-Or-

Company name: \_\_\_\_\_

Address (must include a valid Canada Post mailing address where judgment debtor can be served, and must include the civic address if available):

<b>Mailing address:</b>	PO Box:		Town	
	Province			Postal Code
<b>Civic address: (if different from mailing address)</b>	Street name and number			
	Town		Province	

Name of lawyer (must be included if the debtor is/was represented): \_\_\_\_\_

Other information (must include at least one other piece of information that tends to distinguish the judgment debtor from all others): \_\_\_\_\_

<b>Debt</b>	
<b>Interest</b>	
<b>Costs</b>	
<b>Judgment</b>	

I hereby certify that judgment has been entered in the above-noted action for the (select one and insert name of judgment creditor) plaintiff/defendant \_\_\_\_\_, against the (select one and insert name of judgment debtor) plaintiff/defendant \_\_\_\_\_, for (insert amount of debt) \$ \_\_\_\_\_ and pre-judgment interest of \$ \_\_\_\_\_ and \$ \_\_\_\_\_ costs of suit; amounting in all to \$ \_\_\_\_\_.

I further certify that the foregoing is a true abstract of the original judgment in the above-noted action, entered in the records of the court at \_\_\_\_\_, which judgment was duly signed on \_\_\_\_\_, 2\_\_\_\_\_.

Given under seal of the Court at \_\_\_\_\_ on \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Signature of (Deputy) Prothonotary

(Insert name, address and contact information for lawyer/individual recording the judgment.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

Form 47

Purpose: To cancel the recording of a judgment in the judgment roll by recording a certificate of satisfaction executed by the prothonotary

(Instrument code: 709)

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

[Dashed box for office use]

In the matter of :

the judgment debtor(s) \_\_\_\_\_;

the judgment creditor \_\_\_\_\_;

the following judgment:

Reference of Judgment Recorded:

Book & Page #	Document #:	Registration Year:	Other Information

Take notice that the undersigned hereby requests that the registrar cancel the recording of the interest as identified in the attached certificate of satisfaction and as set out below:

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

Signature of interest holder/agent/ judgment debtor/ owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

Court file # \_\_\_\_\_

Name of court: \_\_\_\_\_

(Insert title of proceeding/style of cause.)

**Certificate of Satisfaction**

**I hereby certify** that the judgment in the above action, signed on \_\_\_\_\_, 2 \_\_\_\_, for (enter judgment amount) \_\_\_\_\_, all inclusive of debts and costs, was fully satisfied by the judgment debtor on \_\_\_\_\_, 2 \_\_\_\_.

**Certified** under the seal of the Court at \_\_\_\_\_, Nova Scotia, on \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Signature of (Deputy) Prothonotary

Return to:

(Insert name and mailing address lawyer/individual requesting certificate.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

Note: If judgment that is being removed also appears in a parcel register for any PID, it will automatically be removed from that PID's register by the system, by the next business day.

**Form 48**

**Purpose: To record in the judgment roll, a full or partial release of judgment signed by the judgment creditor**

For Office Use

**(Instrument code: 709 - Full release)**

**(Instrument code: 710- Partial release)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of** the judgment that is recorded in the roll as follows:

<i>(Insert Book/page and document/year reference of judgment)</i>	
The judgment creditor(s) <i>(insert name(s) of all judgment creditors)</i>	
The judgment debtor(s) <i>(insert name(s) of all judgment debtors)</i>	

The attached document is *(check one)*:

- a full release of the judgment by the creditor(s) against ALL judgment debtor(s); or
- a partial release of the judgment

**Note: if the effect of the partial release is to remove properties from the effect of the judgment, then a Schedule "A" containing a full legal description of each property released must be attached to this form.**

**Take notice that** the undersigned hereby requests that the registrar record the release/partial release in the judgment roll.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*Signature of interest holder/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

Court File # \_\_\_\_\_  
Name of Court: \_\_\_\_\_

(Insert title of proceeding/style of cause.)

(select one) Full/Partial Release of Judgment

The judgment creditor hereby releases the following judgment debtor(s) named (insert the name(s) of all of the judgment debtors who are being released from the judgment) \_\_\_\_\_ from the judgment that was entered against the judgment debtor(s) on \_\_\_\_\_, 2\_\_\_\_, and recorded at the Registry of Deeds Office/Land Registration Office in \_\_\_\_\_, Nova Scotia, in (insert document/instrument number/year; include book/page if applicable) \_\_\_\_\_.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Witness (Barrister/Commissioner)

\_\_\_\_\_  
Signature of judgment creditor (or assignee) or agent

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

Certificate of Commissioner:

I certify that on \_\_\_\_\_, 2\_\_\_\_, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

\_\_\_\_\_  
A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly.)

Note: If a full release of judgment (code 709) is submitted, then the judgment will be removed from the judgment roll and the applicable parcel register(s) by the Land Registration Office. If a partial release is submitted, it will be recorded in the judgment roll, but will not act to remove the judgment from the roll or the parcel register(s).



**Form 48A**

**Purpose: To cancel the recording of a judgment in a parcel register with a certificate of legal effect**

*Note: This form acts to remove the judgment and/or judgment-related interest from the specified parcel register(s) only. Judgments are removed from the judgment roll only on the recording of a full discharge of judgment or on expiry. This form cannot be used for cancellations as a result of a full discharge, expiry or by operation of law.*

**(Instrument code: 728)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

- This form is submitted to remove the following judgments or judgment-related documents from the above-noted parcel register(s), based on the effect of the attached document(s):

<b>Instrument type of document attached</b>	
<b>Interest holder and type to be removed</b>	
<b>Instrument reference</b> <i>(insert book and page or instrument number of enabling instrument being removed)</i>	

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 48B**

**Purpose: To record a judgment-related document (documents other than judgments or partial or full discharges) in the judgment roll and parcel register, if applicable**

Registration district: _____ Submitter's user number: _____ Submitter's name: _____	For Office Use <div style="border: 1px dashed black; width: 300px; height: 150px; margin: 0 auto;"></div>
---	--

**1. Recording in the judgment roll (selection of one box is mandatory):**

**I request that the document indicated below, which is attached to this form, be recorded in the judgment roll:**

- statutory declaration respecting judgments;
- assignment of judgment;
- postponement of judgment;
- partial release of judgment;
- judgment amendment;
- order for judgment;
- order to set aside judgment;
- assignment of bankruptcy;
- discharge of bankruptcy;

**2. Recording in parcel register - if applicable**

**- only permitted for the following options, and only if the relevant judgment to be amended, assigned, or postponed currently appears in the parcel register(s):**

**I request that the document indicated below, which is attached to this form, be recorded in the parcel register(s), of the properties registered under the *Land Registration Act* indicated below:**

- assignment of judgment;
- judgment amendment;
- postponement of judgment;

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

*(Following section must be completed if recording in the parcel register is requested:*

<b>Instrument type</b>	
<b>Interest holder name and type to be added</b>	

<b>Interest holder name and type to be changed</b> ( <i>used only for assignment of judgment to change current judgment creditor to "Interest Assigned"</i> )	
<b>Mailing Address of interest holder added</b>	
<b>Instrument reference</b> ( <i>insert book and page or document number of the affected judgment</i> ) <i>Note: postponement of judgment requires the recording particulars of the judgment affected as well as the document being given priority</i>	

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of submitter*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 49**

*Purpose: to correct a recording or cancellation of recording which were submitted without a certificate of legal effect*

**(Instrument code: 822)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum of 9 PIDs per form.)*

**Take notice that** (*select one*)

- A Form 26 request to record an interest was made in error or contains an error;

A Form 27 request to cancel the recording of an interest was made in error or contains an error;

Explain Error (*it is mandatory to complete this field*):

---



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**And further take notice that** the undersigned interest holder hereby requests that the registrar correct the parcel register in accordance with the information set out below:

<b>Instrument type</b>	
<b>Expiry date (if applicable)</b>	
<b>Interest holder and type to be removed (if applicable)</b>	
<b>Interest holder and type to be added (if applicable)</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added (if applicable)</b>	
<b>Reference to related instrument in names-based roll/parcel register (if applicable) (insert document/instrument number/year; include book/page if applicable)</b>	

**Certificate of Legal Effect:**

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

Note: If the document contained an error or an interest has been added to an incorrect PID and is being removed with this Form 49, the corrected document must be attached to this Form 49.

**Form 50**

**Purpose: To update a parcel register respecting the transfer (for no value) of a tenant in common interest which is not registered under the Land Registration Act**

(Note: Form 50 must be attached to a Form 44 and is registered under the Registry Act)

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

(Expand box for additional PIDs. **Maximum of 9 PIDs per form.**)

**Take notice that** an unregistered tenant in common interest in the above-noted parcel(s) has been transferred for no value as shown on the attached *Municipal Government Act* Affidavit of Value;

**And further take notice that** the undersigned owner of the unregistered tenant in common interest hereby requests that the registrar update the parcel register(s) in accordance with the information set out below:

<b>Instrument type/code</b>	
<b>Expiry date (if applicable)</b>	
<b>Interest holder and type to be removed (if applicable)</b>	
<b>Interest holder and type to be added (if applicable)</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added (if applicable)</b>	
<b>Reference to related instrument in names-based roll/parcel register (if applicable)</b> <i>(insert document/instrument number/year; include book/page if applicable)</i>	

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
 \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Witness (Barrister/Commissioner)*

\_\_\_\_\_  
*Signature of owner of unregistered tenant in common interest or agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Certificate of Commissioner:**

I certify that on \_\_\_\_\_, 2\_\_\_\_\_, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

\_\_\_\_\_  
*A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly.)*

**N.S. Reg. 208/2009**

Made: December 17, 2008

Approved: March 13, 2009

Filed: May 4, 2009

St. Croix Marsh Body Land Use Regulations

Order dated December 17, 2008  
Regulations made by the NS 38 St. Croix Marsh Body  
and approved by the Agricultural Marshland Conservation Commission  
pursuant to clause 14(e) of the *Agricultural Marshland Conservation Act*

I certify that the NS 38 St. Croix Marsh Body pursuant to clause 14(e) of Chapter 22 of the Acts of 2000, the *Agricultural Marshland Conservation Act*, at its meeting on December 17, 2008, carried a motion to make land use regulations in the form attached.

The regulations are effective on and after the date they are approved by the Agricultural Marshland Conservation Commission.

Signed at Windsor, in Hants County, Nova Scotia, on February 27, 2009.

NS 38 St. Croix Marsh Body

per: sgd.: *Charlotte Harper*  
Charolette Harper  
Secretary

I certify that the Agricultural Marshland Conservation Commission, on a mailout ballot dated for March 13, 2009, carried a motion to adopt regulations respecting land use in the St. Croix Marsh Body, made under clause 14(e) of the *Agricultural Marshland Conservation Act*, S.N.S. 2000, c. 22, in the form attached.

These regulations are effective on and after [sic].

Signed at Truro, in Colchester County, Nova Scotia, on April 1, 2008.

Agricultural Marshland Conservation Commission

per: sgd.: *Bradford Crewe*  
Brad Crewe  
Secretary

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### Schedule "A"

#### Regulations Respecting Land Use in the St. Croix Marsh Body made pursuant to clause 14(e) of Chapter 22 of the Act[s] of 2000, the *Agricultural Marshland Conservation Act*

#### Title

1 These regulations may be cited as the *St. Croix Marsh Body Land Use Regulations*.

#### Uses and activities

- 2 (1) No person shall construct works or use or develop lands within, on, or affecting the NS 38 St. Croix Marsh marshland sections in any way that is not conducive to and in conformity with sound agricultural purposes and practices.
- (2) For the purposes of subsection (1), uses and activities deemed to be conducive to and in conformity with sound agricultural purposes and practices include all of the following:
- (a) the tilling of soil;
  - (b) the planting and harvesting of crops;
  - (c) the growing of grains and forage crops for livestock feed;
  - (d) the growing of grass and legume crops;
  - (e) the growing of food crops for human consumption;
  - (f) the spreading of manure;
  - (g) the spreading of commercial (chemical) and natural fertilizer;
  - (h) the spreading of limestone;
  - (i) pest and weed control;
  - (j) pre-existing, non-conforming uses, only where and as they presently exist (e.g., driving range and remote-controlled airplane clubs).
- (3) For the purposes of subsection (1), non-permitted works, uses or developments include all of the following:
- (a) land-fill sites or dumps of any kind;
  - (b) recreational activities of any kind;

- (c) residential or commercial structures;
  - (d) drilled wells;
  - (e) sewage treatment plants or lagoons;
  - (f) industrial structures or uses;
  - (g) ponds for non-agricultural uses;
  - (h) hunting without permission.
- 

**N.S. Reg. 209/2009**

Made: May 4, 2009

Filed: May 5, 2009

Proclamation, S. 16, S.N.S. 2007, c. 51

Order in Council 2009-222 dated May 4, 2009  
Proclamation made by the Governor in Council  
pursuant to Section 16 of

*An Act to Amend Chapter 377 of the Revised Statutes, 1989, the Public Service Superannuation Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated April 23, 2009, pursuant to Section 16 of Chapter 51 of the Acts of 2007, *An Act to Amend Chapter 377 of the Revised Statutes, 1989, the Public Service Superannuation 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 subsection (2) of Section 14 of Chapter 51 of the Acts of 2007, *An Act to Amend Chapter 377 of the Revised Statutes, 1989, the Public Service Superannuation Act*, do come into force on and not before May 4, 2009.

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 16 of Chapter 51 of the Acts of 2007, *An Act to Amend Chapter 377 of the Revised Statutes, 1989, the Public Service Superannuation Act*, it is enacted as follows:

- 16** 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 subsection (2) of Section 14 of Chapter 51 of the Acts of 2007, *An Act to Amend Chapter 377 of the Revised Statutes, 1989, the Public Service Superannuation Act*, do come into force on and not before May 4, 2009;



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 subsection (2) of Section 14 of Chapter 51 of the Acts of 2007, *An Act to Amend Chapter 377 of the Revised Statutes, 1989, the Public Service Superannuation Act*, do come into force on and not before May 4, 2009, 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 4th day of May in the year of Our Lord two thousand and nine and in the fifty-eighth year of Our Reign.

BY COMMAND:

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

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**N.S. Reg. 210/2009**

Made: April 2, 2009

Approved: May 4, 2009

Filed: May 5, 2009

Shelburne River Wilderness Area Designation

Order in Council 2009-223 dated May 4, 2009

Designation made by the Minister of Environment and approved by the Governor in Council pursuant to Section 11 of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated April 2, 2009, and pursuant to Section 11 of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment of a wilderness area to be known as Shelburne River Wilderness Area, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 4, 2009.

**Schedule "A"****In the matter of Section 11 of Chapter 27 of the Acts of 1998,  
the *Wilderness Areas Protection Act***

- and -

**In the matter of the designation of a wilderness area on Crown lands  
near Shelburne River, Queens County  
to be known as Shelburne River Wilderness Area**

I, David Morse, Minister of Environment for the Province of Nova Scotia, pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, hereby designate an area of Crown land as described in Schedule "A" to be known as Shelburne River Wilderness Area, the approximate boundary of which is shown on the map attached as Schedule "B", the actual boundary of which is described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Lands Record Centre as required by subsection 11(3) of the Act.

The designation is effective on and after the date it is approved by the Governor in Council.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, Apr 2, 2009.

Sgd.: *David Morse*  
Honourable David Morse  
Minister of Environment

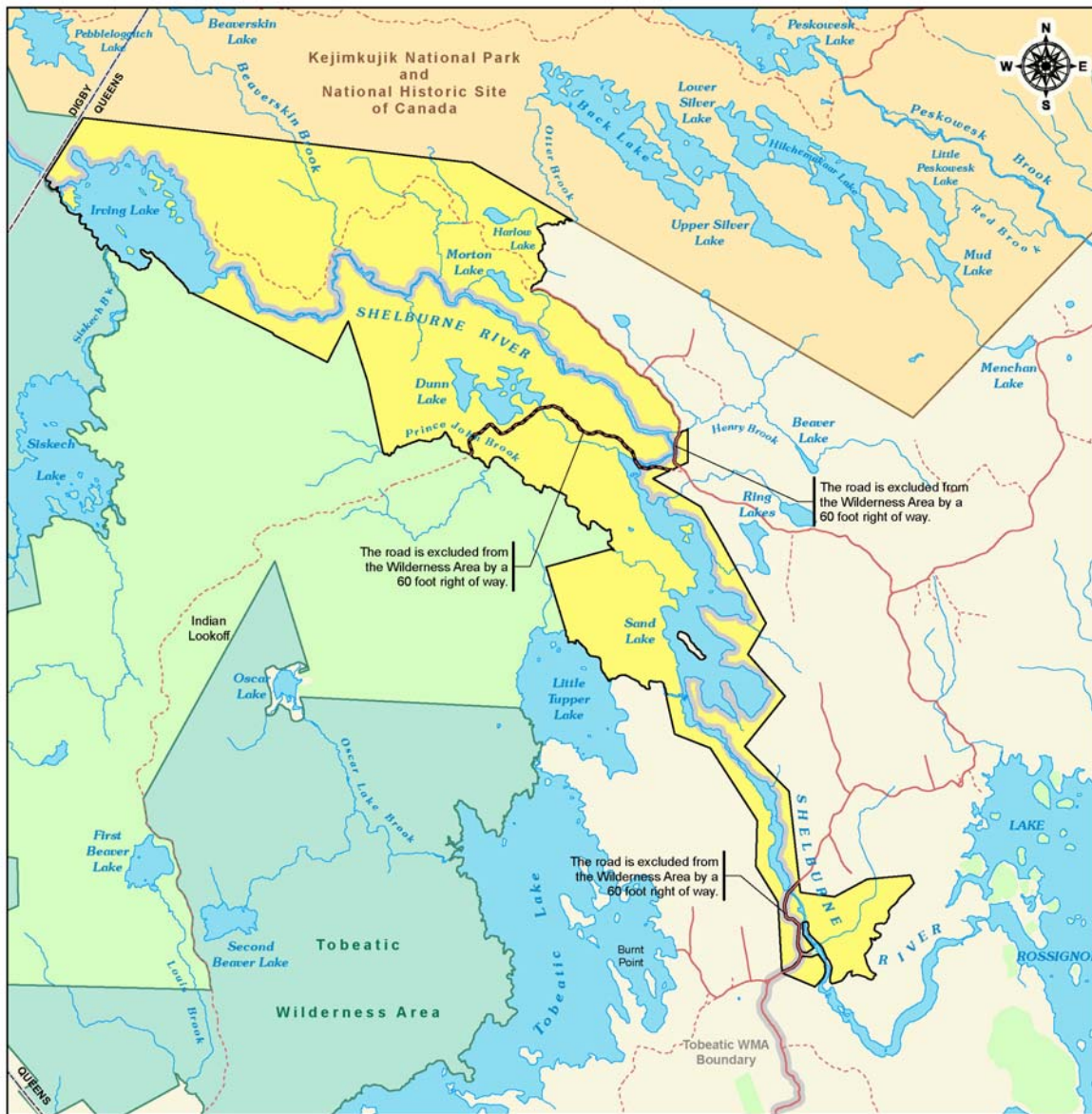
**Schedule "A"****Description of Shelburne River Wilderness Area**

**All** that certain tract of land and land covered by water shown outlined in bold line on Plan showing Shelburne River Wilderness Area, filed at the Provincial Crown Lands Record Centre, under Field Plot P-025/09, said tract of land located at Shelburne River, Queens County, Province of Nova Scotia.

**Containing** an approximate total area of 2267 hectares.

Schedule "B"

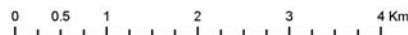
Map showing Approximate Boundaries of Shelburne River Wilderness Area



Shelburne River Wilderness Area



- Shelburne River Wilderness Area
- Kejimikujik National Park
- Tobetic Wilderness Area
- Tobetic Wildlife Management Area (WMA) Boundary
- Crown Land



Map produced by the Protected Areas Branch of NS Environment, March, 2009.

The information shown here was obtained courtesy of the NS Geomatics Centre (SNSMR) and the NS Department of Natural Resources.

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This map is a geographic representation only. NS Environment accepts no responsibility for any errors or omissions contained herein.



**N.S. Reg. 211/2009**

Made: May 4, 2009

Filed: May 5, 2009

Proclamation, S. 2, S.N.S. 2008, c. 65

Order in Council 2009-226 dated May 4, 2009

Proclamation made by the Governor in Council

pursuant to Section 2 of

*An Act to Amend Chapter 335 of the Revised Statutes, 1989, the Partnerships and Business Names Registration Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated April 21, 2009, pursuant to Section 2 of Chapter 65 of the Acts of 2008, *An Act to Amend Chapter 335 of the Revised Statutes, 1989, the Partnerships and Business Names Registration Act*, is pleased to order and declare by proclamation that Chapter 65 of the Acts of 2008, *An Act to Amend Chapter 335 of the Revised Statutes, 1989, the Partnerships and Business Names Registration Act*, do come into force on and not before May 4, 2009.

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 65 of the Acts of 2008, *An Act to Amend Chapter 335 of the Revised Statutes, 1989, the Partnerships and Business Names Registration 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 65 of the Acts of 2008, *An Act to Amend Chapter 335 of the Revised Statutes, 1989, the Partnerships and Business Names Registration Act*, do come into force on and not before May 4, 2009;

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 65 of the Acts of 2008, *An Act to Amend Chapter 335 of the Revised Statutes, 1989, the Partnerships and Business Names Registration Act*, do come into force on and not before May 4, 2009, 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 4th day of May in the year of  
Our Lord two thousand and nine and in the fifty-  
eighth year of Our Reign.

BY COMMAND:

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

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**N.S. Reg. 212/2009**

Made: May 4, 2009

Filed: May 5, 2009

Fisheries and Aquaculture Loans Regulations

Order in Council 2009-227 dated May 4, 2009  
Amendment to regulations made by the Governor in Council  
pursuant to Section 42 of the *Fisheries and Coastal Resources Act*

The Governor in Council on the report and recommendation of the Minister of Fisheries and Aquaculture dated April 23, 2009, and pursuant to Section 42 of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, is pleased to amend the regulations respecting fisheries and aquaculture loans, N.S. Reg. 191/80, made by the Governor in Council by Order in Council 80-1707 dated December 16, 1980, to provide for loans for fishing licences, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 4, 2009.

**Schedule "A"**

**Amendment to the Regulations Respecting Fisheries and Aquaculture Loans  
made by the Governor in Council under Section 42  
of Chapter 25 of the Acts of 1996,  
the *Fisheries and Coastal Resources Act***

- 1 Section 1 of the regulations respecting fisheries and aquaculture loans, N.S. Reg. 191/80, made by the Governor in Council by Order in Council 80-1707 dated December 16, 1980, is amended by
  - (a) striking out the period at the end of clause (g) and substituting a semicolon; and
  - (b) adding the following clause immediately after clause (g):
    - (h) "licence" means a licence issued or granted under the *Fisheries Act* (Canada).
- 2 Subsection 2(1) of the regulations is amended by adding the following clause immediately after clause (b):

(ba) purchasing a licence;

3 The regulations are further amended by adding the following Section immediately after Section 4:

**Application for loan for licence**

**4A** In addition to the requirement for an application in Section 4, an application for a loan for a licence shall include all of the following:

- (a) a business plan in a form acceptable to the Board;
- (b) forms entitled “Acknowledgment of Request for Licence Activity” and “Notice to Department of Fisheries and Oceans of an Arrangement with Recognized Financial Institution” published by the federal Department of Fisheries and Oceans.

4 (1) Subsection 5(1) of the regulations is amended by striking out “in subsection (2)” and substituting “in subsections (2) and (2A)”.

(2) Section 5 is further amended by adding the following subsection immediately after subsection (2):

**(2A)** The deposits paid to the Board in connection with an approved loan for purchasing a licence is a minimum deposit of 5% of the total loan.

5 Subsection 6(1) of the regulations is amended by

- (a) striking out “and” at the end of clause (d); and
- (b) adding the following clause immediately after clause (d):
  - (da) up to a maximum of 20 years for a loan for a licence;

6 Section 8 of the regulations is amended by adding the following clause immediately after clause (d):

- (da) on loans for licences, an enforceable security interest ranking in first priority when registered or otherwise perfected under the *Personal Property Security Act* on all personal property as the Board considers appropriate;

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**N.S. Reg. 213/2009**

Made: May 4, 2009

Filed: May 5, 2009

Proclamation, S. 111, S.N.S. 2007, c. 29

Order in Council 2009-230 dated May 4, 2009  
Proclamation made by the Governor in Council  
pursuant to Section 111 of the  
*Dental Hygienists Act*

The Governor in Council on the report and recommendation of the Minister of Health dated April 22, 2009, pursuant to Section 111 of Chapter 29 of the Acts of 2007, the *Dental Hygienists Act*, is pleased to order and declare by proclamation that Chapter 29 of the Acts of 2007, the *Dental Hygienists Act*, do come into force on and not before May 15, 2009.

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 111 of Chapter 29 of the Acts of 2007, the *Dental Hygienists Act*, it is enacted as follows:

- 111** 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 29 of the Acts of 2007, the *Dental Hygienists Act*, do come into force on and not before May 15, 2009;

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 29 of the Acts of 2007, the *Dental Hygienists Act*, do come into force on and not before May 15, 2009, 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 4th day of May in the year of  
Our Lord two thousand and nine and in the fifty-  
eighth year of Our Reign.

BY COMMAND:

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

**N.S. Reg. 214/2009**

Made: February 10, 2008

Approved: May 4, 2009

Filed: May 5, 2009

Dental Hygienists Regulations

Order in Council 2009-231 dated May 4, 2009  
Regulations made by the Board of Directors of the Nova Scotia Dental Hygienists Association  
and approved by the Governor in Council  
pursuant to subsection 7(4) of the *Dental Hygienists Act*

The Governor in Council on the report and recommendation of the Minister of Health dated April 22, 2009, and pursuant to subsection 7(4) of Chapter 29 of the Acts of 2007, the *Dental Hygienists Act*, is pleased to approve of new regulations made by the Board of Directors of the Nova Scotia Dental Hygienists Association respecting dental hygienists in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 15, 2009.

**Schedule "A"**

I hereby certify that at a duly convened meeting of the Board of Directors of the Nova Scotia Dental Hygienists Association held on February 10, 2008, the Board carried a motion to approve the attached regulations pursuant to subsection 7(4) of Chapter 29 of the Acts of 2007, the *Dental Hygienists Act*.

Dated at Halifax, Nova Scotia, this 13th day of June, 2008.

Sgd.: *Karen Wolf*

Board of Directors of the Nova Scotia Dental Hygienists Association

Per: Karen Wolf, President

**Regulations Respecting Dental Hygienists  
made pursuant to subsection 7(4) of Chapter 29 of the  
Acts of 2007, the *Dental Hygienists Act***

**Interpretation****Citation**

1 These regulations may be cited as the *Dental Hygienists Regulations*.

**Definitions**

2 In these regulations,

- (a) "Act" means the *Dental Hygienists Act*;
- (b) "Agreement on Internal Trade" means the agreement dated July 1, 1995, as amended, signed by the federal, provincial and territorial governments of Canada, to facilitate the free movement of persons, goods, services and investments throughout Canada;
- (c) "licensing year" means a 12-month period approved by the Council;



- (d) “Mutual Recognition Agreement” means any valid agreement between the College or its predecessor Nova Scotia Dental Hygienists Association and other dental hygiene regulatory bodies in Canada regarding recognition of qualifications of applicants from other provinces and territories of Canada;
- (e) “nurse practitioner” means a nurse practitioner as defined in the *Registered Nurses Act*;
- (f) “scaling teeth and root planing” includes curetting of surrounding tissue;
- (g) “self-directed clinical practice” means the practice of dental hygiene without a written protocol;
- (h) “self-initiation module” means the self-initiation module of continuing education approved by the Council, designed to provide education to dental hygienists regarding matters relevant to self-directed clinical practice;
- (i) “written protocol” means a protocol that authorizes a dental hygienist to perform certain procedures, and contains the information set out in Schedule A.

### Registration

#### Qualifications for registration

**3** Except as provided in Section 4 for persons subject to the Mutual Recognition Agreement, a person must possess all the following qualifications for registration in the register:

- (a) they must be a Canadian citizen, or be legally entitled to live and work in Canada;
- (b) they must have graduated from an accredited dental hygiene program or successfully completed any examinations approved by the Council;
- (c) they must have successfully completed the certifying examination or examinations of the National Dental Hygiene Certification Board or equivalent from the Province of Quebec, unless they held the equivalent of a practising licence before May 1, 1996, in any other jurisdiction approved by the Council;
- (d) they must be in good standing with the dental hygiene regulatory authority in each jurisdiction in which they previously practised dental hygiene;
- (e) they must not be under investigation for any complaints, and must not be the subject of any disciplinary proceedings that would prohibit or restrict their ability to practise dental hygiene;
- (f) they must not have pleaded guilty to or been convicted of a criminal offence for which a pardon has not been issued that would reasonably be considered to have negative implications for the profession as a whole or for their practice of dental hygiene;
- (g) they must have demonstrated proficiency in the English language in a manner determined by the Council.

#### Registration of dental hygienists – Mutual Recognition Agreement transfers

**4** A person who is licensed to practise as a dental hygienist under a non-restricted license issued before July 1, 2001, in a jurisdiction that is a signatory to the Mutual Recognition Agreement is eligible to be registered in the Register upon compliance with clause 3(c) and Section 5.

**Applying for registration**

- 5** (1) An applicant for registration must submit a completed application in the form prescribed by the Registrar together with all of the following:
- (a) the applicable registration fee;
  - (b) an unmounted passport-size photograph of the applicant;
  - (c) a copy of the applicant's birth certificate or other identification documents satisfactory to the Registrar;
  - (d) a certified copy of any degrees, diplomas and certificates the applicant holds from accredited dental hygiene programs or other dental hygiene programs, or other information acceptable to the Registrar instead of certified copies;
  - (e) the applicant's curriculum vitae, including a chronological listing of previous education and employment with descriptions of the applicant's clinical and non-clinical experience;
  - (f) any reference information the Registrar requires;
  - (g) information required by the Registrar to verify the requirements of clauses 3(d) to (g).
- (2) The Registrar may waive any of the criteria for registration required by these regulations for either of the following reasons:
- (a) it is required by the Agreement on Internal Trade or by law;
  - (b) it is consistent with the objects and purpose of the College and the Registrar considers it necessary.

**Registrar may require interview**

- 6** The Registrar may require an applicant for registration to have a personal interview with any 1 or more of the following:
- (a) the Registrar;
  - (b) the Credentials Committee;
  - (c) the Council.

**Classes of Applicants and Members****Classes**

- 7** The following are the 6 classes of applicants and members under the Act:
- (a) practising;
  - (b) non-practising;
  - (c) provisional;
  - (d) student;

- (e) honorary;
- (f) life.

### **Qualifications for practising licence**

**8 (1)** A member applying for a practising licence must possess all of the following qualifications:

- (a) they must not currently be subject to any disciplinary finding that would prohibit them from practising dental hygiene;
- (b) they must intend to practise dental hygiene in the Province;
- (c) they must be currently certified in CPR, to the level approved by the Council;
- (d) for an applicant who graduated from an accredited dental hygiene program more than 3 years before their application, they must
  - (i) have completed, in the 3 years immediately before their application, 45 hours of continuing competency requirements approved by the Council, and
  - (ii) have been practising dental hygiene in the 3 years immediately before the date of their application;
- (e) for an applicant who graduated from an accredited dental hygiene program more than 3 years before their application who does not meet the requirements of subclauses (d)(i) and (ii), they must meet the alternate requirements approved by the Council;
- (f) for an applicant who has not practised dental hygiene for the 3 years immediately before their application, they must have passed any examination or examinations approved by resolution of the Council;
- (g) they must complete an assessment or examination approved by the Council that tests the applicant's knowledge of all of the following:
  - (i) the Act,
  - (ii) the regulations made under the Act,
  - (iii) the bylaws made under the Act,
  - (iv) the code of ethics approved under the bylaws,
  - (v) the standards of practice approved under the bylaws,
  - (vi) any matters relevant to the practice of dental hygiene in the Province as determined by the Council;
- (h) for an applicant who intends to engage in self-directed clinical practice and for an applicant applying for a practising licence 2 years after being issued an initial licence under the Act, they must
  - (i) have successfully completed the self-initiation module, or

- (ii) have equivalent education or experience to that provided by the self-initiation module, as determined by the Registrar.
- (2) With the exception of clause (1)(h), the Registrar may waive any of the criteria for a practising licence required by these regulations for either of the following reasons:
- (a) it is required by the Agreement on Internal Trade or by law;
  - (b) it is consistent with the objects and purpose of the College and the Registrar considers it necessary.

#### **Applying for practising licence**

**9** A member applying for a practising licence must submit a completed application in the form prescribed by the Registrar together with all of the following:

- (a) the applicable licensing fee;
- (b) any information the Registrar may require to establish that the applicant is competent and capable and of such character to safely and ethically conduct the practice of dental hygiene;
- (c) proof of the insurance coverage required by Section 10;
- (d) information required by the Registrar to verify the applicable requirements of subsection 8(1).

#### **Insurance coverage for members who hold practising licences**

**10** A member who holds a practising licence must have professional liability insurance coverage or similar malpractice protection coverage in the minimum aggregate amount of \$2 000 000.

#### **Entitlements of member who holds practising licence**

**11** A member who holds a practising licence is entitled to all of the following:

- (a) practise dental hygiene as set out in this Act and these regulations;
- (b) use the title “Dental Hygienist” or “Registered Dental Hygienist”, and use the initials “D.H.” or “R.D.H.”;
- (c) if elected, hold office on the Council;
- (d) be eligible to serve as an appointed member on any committee of the College;
- (e) attend, participate and vote at meetings of the College.

#### **Qualifications for non-practising licence**

**12** An applicant for a non-practising licence must meet all of the following qualifications:

- (a) they must not currently be subject to any disciplinary finding that would prohibit them from practising dental hygiene;
- (b) they must not currently be practising dental hygiene in the Province.

#### **Applying for non-practising licence**

**13** An applicant for a non-practising licence must submit a completed application in the form prescribed by the Registrar together with the applicable licensing fee.

**Entitlements of member who holds non-practising licence**

**14** A member holding a non-practising licence is entitled to all of the following:

- (a) if elected, hold office on the Council;
- (b) be eligible to serve as an appointed member on any committee of the College;
- (c) attend, participate and vote at meetings of the College.

**Qualifications for student class**

**15** A person applying for entry in the student class must meet all of the following qualifications:

- (a) they must be a full-time student of an accredited dental hygiene program in the Province;
- (b) they must not be currently engaged in active professional employment as a dental hygienist or intending to provide services described in Section 22 of the Act outside of the clinical practicum component of the accredited dental hygiene program;
- (c) they must be of good character.

**Applying for entry in the student class**

**16** An applicant for entry in the student class must submit an application in the form prescribed by the Registrar together with all of the following:

- (a) the applicable fee;
- (b) information required by the Registrar to verify that the applicant meets the requirements of Section 15.

**Entitlements of persons in the student class**

**17** A person whose name has been entered in the student class is entitled to all of the following:

- (a) attend and participate in meetings of the College;
- (b) be eligible to serve as an appointed member on any committee of the College;
- (c) access to communications, newsletters and other services of the College as determined by the Council.

**Qualifications for entry in the honorary class**

**18** The Council may grant honorary status to any person who meets all of the following qualifications:

- (a) the person is not otherwise eligible for registration or licensing under the Act;
- (b) the person is nominated by at least 5 voting members who have signed a petition stating their reasons for nominating the person;
- (c) as determined by a majority of the Council, the person has made such outstanding contributions to the College or to the profession of dental hygiene that the person is deserving of honorary status in the College.

**Entitlements of persons in the honorary class**

**19** A person whose name has been entered in the honorary class is entitled to all of the following:

- (a) attend and participate in meetings of the College;
- (b) access to communications, newsletters and other services of the College as determined by the Council.

### **Qualifications for life membership**

**20 (1)** The Council may grant life membership to a person who meets all of the following qualifications:

- (a) the person ~~have~~ [has] been a member in good standing of the College or its predecessor for at least 15 years;
- (b) the person [has] been nominated by at least 5 voting members who have signed a petition stating their reasons for nominating the person;
- (c) as determined by the Council, the person has made such outstanding contributions to the College or to the profession of dental hygiene that they are deserving of life membership in the College.

**(2)** A person is eligible for life membership whether or not they hold another licence.

### **Entitlements of life members**

**21** A person who has been granted a life membership is entitled to all of the following:

- (a) attend and participate in meetings of the College;
- (b) vote at general meetings of the College;
- (c) access to communications, newsletters and other services of the College as determined by the Council.

### **Term of licences**

**22** Unless it is suspended or revoked, a practising, non-practising or student licence issued under these regulations remains in effect until the end of the licensing year in which it is issued.

### **Renewing licences**

- 23 (1)** An applicant for renewal of a practising, non-practising or student licence may renew their licence by following the same procedure and meeting the same qualifications as for an initial licence.
- (2)** If a member fails to renew their practising licence by the renewal date, the Registrar must notify the member and their employer, if any, by registered mail that the member is unable to practise dental hygiene until the member meets the requirements for renewal of their licence.

### **Transfer of student, life and honorary members**

**24** A person who was [a] student, life or honorary member of the Nova Scotia Dental Hygienist Association immediately before the date the Act comes into force is deemed to meet the qualifications for and must be entered as [a] members in the same licensing class under the Act after the Act comes into force.

## **Scope of Practice**

### **Actions prescribed as included in practice of dental hygiene**

**25** The following actions are prescribed under clause 22(1)(b) of the Act as being included in the scope of practice of dental hygienists, and dental hygienists are authorized to carry out the following actions under the specified conditions:

- (a) ordering, prescribing and administering all of the following drugs:
  - (i) antimicrobial agents, other than antibiotics,
  - (ii) desensitizing agents, including topical anaesthetics,
  - (iii) anticariogenic agents;
- (b) ordering, administering and interpreting radiographs for dental hygiene services;
- (c) administering oral anaesthetic, only if under the written order of the client's dentist or physician;
- (d) performing orthodontic and restorative procedures, only if under the written order of a dentist.

#### **Actions prescribed as excluded from practice of dental hygiene**

**26** The following actions are prescribed under clause 22(1)(c) of the Act as being excluded from the scope of practice of dental hygienists, and dental hygienists are not authorized to carry out the following actions:

- (a) diagnosis, other than diagnosis for dental hygiene services and interventions set out in Section 22 of the Act;
- (b) dental treatment planning, other than planning for dental hygiene services and interventions set out in Section 22 of the Act;
- (c) severing or cutting hard or soft tissue, other than curettage coincidental to scaling teeth or root planing;
- (d) ordering, administering or prescribing drugs other than the drugs listed in clause 25(a) or (c);
- (e) prescribing or designing intra-oral appliances or prosthetics other than athletic mouth guards.

#### **Protocol for authorizing dental hygienist to perform certain procedures**

**27** A dental hygienist who did not meet the licensing qualifications in clause 8(h) may perform the following procedures only if authorized by a dentist in a written protocol:

- (a) scaling teeth and root planing;
- (b) ordering, administering and interpreting radiographs for dental hygiene purposes;
- (c) ordering, administering or prescribing the drugs listed in clause 25(a).

#### **Contraindications to performing scaling teeth and root planing**

- 28** (1) In this Section, "clearance" means a written authorization from a client's dentist, physician or a nurse practitioner providing authority to a dental hygienist to engage in scaling teeth and root planing, despite the presence of any of the conditions outlined in subsection (3).
- (2) The conditions outlined in subsection (3) are not contraindications under clause 23(1)(b) of the Act if there is a relevant, current and documented clearance for the client.
- (3) All of the following are prescribed as contraindications under clause 23(1)(b) of the Act, and a dental hygienist must not, on their own initiative, perform scaling teeth and root planing nor continue scaling teeth and root planing for a client when any of the following conditions are

reported or known to be present in the client, or if the dental hygienist is in doubt as to the status or accuracy of the medical or oral health history of the client, unless there is a relevant, current and documented clearance as provided for in subsection (2):

- (a) except as provided in subsection (4), any cardiac condition for which antibiotic prophylaxis is recommended in the guidelines set by the American Heart Association;
  - (b) any condition, other than as listed in clause (a), for which antibiotic prophylaxis is recommended or required;
  - (c) any unstable medical or unstable oral health condition that may affect the appropriateness or safety of the procedure;
  - (d) active chemotherapy or radiation therapy, or previous head or neck radiation;
  - (e) immunosuppression caused by disease, medications or treatment modalities;
  - (f) any blood disorders;
  - (g) active tuberculosis;
  - (h) drug or alcohol dependency that may affect the appropriateness or safety of the procedure;
  - (i) high risk of infective endocarditis;
  - (j) a medical or oral health condition that the dental hygienist is unfamiliar with or that could affect the appropriateness, efficacy or safety of the procedure;
  - (k) a drug or a combination of drugs that the dental hygienist is unfamiliar with or that could affect the appropriateness, efficacy or safety of the procedure;
  - (l) a medical history that indicates a known medical intervention requiring a dental pre-screening.
- (4) A dental hygienist may perform scaling teeth and root planing on their own initiative when a client has a cardiac condition for which antibiotic prophylaxis is recommended in the guidelines set by the American Heart Association if all of the following criteria are met:
- (a) the dental hygienist has consulted with the client's dentist, physician or nurse practitioner about the client's condition;
  - (b) it is determined that it is appropriate to proceed with the procedure when the client is taking the prescribed medication in accordance with the guidelines;
  - (c) the client confirms that they are taking the prescribed medication in accordance with the guidelines.

### Discipline

#### Member responsible for expenses

**29** Except for costs awarded under Section 61 of the Act, a member is responsible for all expenses they incur in their defence during a discipline proceeding.



**Additional Hearing Committee rules of procedure**

**30** The Hearing Committee may determine any additional rules of procedure for hearings that are not covered by the Act or these regulations.

**Witnesses**

- 31** (1) Witnesses at a hearing must testify under oath or affirmation.
- (2) An oath or affirmation taken at a hearing may be administered by any member of the Hearing Committee, or other person in attendance authorized by law to administer oaths or affirmations.
- (3) Witnesses who are present under subpoena at a hearing are entitled to the same allowance as witnesses attending a trial of an action in the Supreme Court of Nova Scotia.

**Evidence**

- 32** (1) Evidence may be presented at a hearing in any manner that the Hearing Committee considers appropriate in accordance with the Act, and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.
- (2) Evidence obtained by the Hearing Committee and information obtained by the Investigation Committee or an investigator regarding a complaint that has not been dismissed by the Investigation Committee must be preserved for at least 5 years from the date the evidence is presented or the information is obtained.

**Publication and notification of revocations and suspensions**

- 33** (1) The College must publish a notice of any suspension or revocation of a member's licence or revocation of a member's registration in at least 1 newspaper with circulation throughout the Province.
- (2) The College must notify all of the following of any suspension or revocation of a member's licence or revocation of a member's registration:
- (a) dental hygiene regulatory authorities in other Canadian jurisdictions;
  - (b) the Federation of Dental Hygiene Regulating Authorities;
  - (c) its members.
- (3) The Hearing Committee must determine whether to publish a decision, or part of a decision, that results in a disposition other than a suspension or revocation.

**Suspension of licence for contravention of legislation**

- 34** (1) The Registrar may suspend a member's licence without notice or investigation upon proof of contravention of any requirement of the Act, the regulations or the bylaws that requires the member to pay a fee, file a document or to do any other act by a specified or ascertainable date.
- (2) A member whose licence is suspended under subsection (1) must immediately cease practising dental hygiene until the member is reinstated and a notice of reinstatement is received from the Registrar.
- (3) The Registrar must not reinstate a member's licence suspended under subsection (1) until the member has paid the fee, filed the document or carried out whatever act was required.

- (4) Despite Section 33, the Registrar may determine whether a suspension under this Section requires publication, but any publication must be in accordance with subsections 33(1) and (2).

### Advertising

#### Advertising standards

- 35 (1) In this Section, “advertising” means to publish, display, or distribute any advertisement, announcement or information related to a dental hygienist’s practice, or to cause or permit it, directly or indirectly, to be published, displayed, distributed or used.
- (2) A member must ensure that any advertising for their services meets all of the following criteria:
- (a) it is accurate and not false, fraudulent, ambiguous or likely to be confusing, misleading or deceptive;
  - (b) it is capable of being proven to be true by facts independent of personal feelings, beliefs, opinions or interpretations;
  - (c) it is of a dignified nature and in good taste, so as to uphold the dignity, honour and ethics of the profession and not bring the dental hygienist or the profession into disrepute;
  - (d) it does not make comparisons with another practice or practitioner, or suggest that the services provided are unique or superior to another practice or practitioner;
  - (e) it does not refer to the quality of services provided;
  - (f) it is directed at the general public and not at an individual member of the public other than current clients of record;
  - (g) it is relevant to the public’s ability to make an informed choice.
- (3) In clause (2)(g), “information relevant to the public’s ability to make an informed choice” includes all of the following information:
- (a) a dental hygienist’s
    - (i) name,
    - (i) professional description,
    - (iii) academic degrees gained by examination;
  - (b) the office’s
    - (i) location and address,
    - (ii) e-mail address,
    - (iii) telephone and fax numbers,
    - (iv) hours and days it is open;
  - (c) the languages spoken at the office;

- (d) universal symbols, such as symbols for wheelchair accessibility, credit cards or debit card systems;
- (e) the services available.

**Professional corporations advertising**

**36** Section 35 applies with the necessary changes in detail to professional corporations.

**Schedule A – Suggested Protocol for Authorizing Dental Hygienist to Perform Procedures**

**Order to Proceed with Scaling and Root Planing when a Dental Hygienist has not been Authorized by the College of Dental Hygienists to Engage in Self-directed Practice Including Curetting Surrounding Tissue; Ordering, Administering and Interpreting Radiographs for Dental Hygiene Purposes; and Ordering, Administering and/or Prescribing Those Drugs Included in Clause 25(a) of the *Dental Hygienist Regulations***

In this office, it is the accepted protocol that each patient shall undergo a comprehensive examination by a dentist, which examination shall include a detailed medical and oral health history, which medical and oral health history shall be updated at every subsequent appointment.

If there are no changes in the medical or oral health since a patient’s last appointment in this office, I authorize the dental hygienist(s) listed below to undertake: scaling and root planing, including curetting surrounding tissue; and/or ordering, administering and interpreting radiographs for dental hygiene purposes; ~~and~~; and/or ordering, administering, and/or prescribing those drugs included in clause 25(a) of the *Dental Hygienists Regulations*.

If the patient discloses changes in the patient’s medical or oral health since the patient’s last appointment in this office, the dental hygienist shall not undertake any of the above services unless the dental hygienist has obtained a patient-specific order from me, or a dentist authorized by me to issue orders in my absence.

Dental Hygienist(s) authorized under this protocol

Name(s) (printed)

Signature(s)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Authorizing dentist’s signature

Date

\_\_\_\_\_

\_\_\_\_\_

**N.S. Reg. 215/2009**

Made: May 4, 2009

Filed: May 5, 2009

Proclamation, S. 6, S.N.S. 2008, c. 53

Order in Council 2009-235 dated May 4, 2009

Proclamation made by the Governor in Council

pursuant to Section 6 of

*An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated April 15, 2009, pursuant to Section 6 of Chapter 53 of the Acts of 2008, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, is pleased to order and declare by proclamation that Chapter 53 of the Acts of 2008, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, do come into force on and not before May 4, 2009.

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 6 of Chapter 53 of the Acts of 2008, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, it is enacted as follows:

- 6** 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 53 of the Acts of 2008, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, do come into force on and not before May 4, 2009;

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 53 of the Acts of 2008, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, do come into force on and not before May 4, 2009, 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 4th day of May in the year of Our Lord two thousand and nine and in the fifty-eighth year of Our Reign.

BY COMMAND:

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

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**N.S. Reg. 216/2009**

Made: May 5, 2009

Filed: May 5, 2009

Proclamation—General Assembly

Order in Council 2009-242 dated May 5, 2009  
Proclamation made by the Executive Council of Nova Scotia

The Lieutenant Governor of the Province of Nova Scotia by and with the advice of the Executive Council of Nova Scotia is pleased to order that this present General Assembly of Nova Scotia be dissolved and that an election be instituted in all of the Electoral Districts of Nova Scotia and is further pleased to fix the date of the Writs of Election as Tuesday, May 5, 2009, and to fix the date of ordinary polling day as Tuesday, June 9, 2009, and to order that a Proclamation do issue accordingly.

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 we have thought fit by and with the advice of Our Executive Council for Nova Scotia to dissolve this present General Assembly, We do for that end publish this Our Royal Proclamation and do hereby dissolve the said General Assembly accordingly, and the Members of the House of Assembly are discharged from their meeting and attendance;

AND WE, being desirous and resolved as soon as may be to meet Our People of Our Province of Nova Scotia, and to have their advice in General Assembly, do hereby make known Our Royal Will and Pleasure to call a General Assembly, and do hereby further declare that by and with the advice of Our said Executive Council, We have this day given orders for the issuing of Our Writs in due form for the election of Members to serve in the House of Assembly for the several Electoral Districts of the Province, which Writs are to bear date the 5th day of May, 2009, and the date of ordinary polling day to be Tuesday, the 9th of June, 2009.

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 5th day of May in the year of Our Lord two thousand and nine and in the 58th year of Our Reign.

BY COMMAND:

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

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**N.S. Reg. 217/2009**

Made: April 23, 2009 and May 6, 2009

Filed: May 6, 2009

Summary Offence Tickets Regulations

Order in Council 2009-243 dated May 6, 2009

Amendment to regulations made by the Minister of Justice and the Governor in Council pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated April 23, 2009, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia 1989, the *Summary Proceedings Act*, is pleased to amend Schedule 4 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to include an offence under the *Motor Vehicle Act* respecting daytime running lights and to set the out-of-court settlement amount for the offence, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 6, 2009.

**Order**

I, Cecil P. Clarke, Minister of Justice and Attorney General of Nova Scotia, hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of an offence set out in the amendment to Schedule 4 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, as set forth in Schedule "A", is the amount of the out-of-court settlement set out in clause 5A(1)(b) of the *Summary Offence Tickets Regulations* that corresponds to the offence category set out opposite the description of the offence in Schedule "A", and the out-of-court settlement amount includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

This Order is effective on and after the making by the Governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

**Dated and made** April 23, 2009, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Cecil P. Clarke*  
Honourable Cecil P. Clarke  
Minister of Justice and Attorney General of Nova Scotia

### Schedule "A"

**Amendment to the *Summary Offence Tickets Regulations*  
made by the Governor in Council pursuant to Section 8 of Chapter 450  
of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act***

1 Schedule 4 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by adding the following item immediately after item 297:

297A.	Driving without lighted daytime running lights or lighted headlamps	174A(1)	B
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**N.S. Reg. 218/2009**

Made: May 6, 2009

Filed: May 6, 2009

Proclamation, S. 32(5), S.N.S. 2008, c. 2

Order in Council 2009-244 dated May 6, 2009  
Proclamation made by the Governor in Council  
pursuant to subsection 32(5) of the  
*Financial Measures (2008) Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated April 23, 2009, and pursuant to subsection (5) 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 Section 3 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, which amends Chapter 103 of the Revised Statutes, 1989, the *Corrections Act*, do come into force on and not before May 6, 2009, which effect on and after April 1, 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 subsection (5) of Section 32 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, it is enacted as follows:

- 32 (5)** Sections 2 to 4, 27, 28 and 31 have effect on and after April 1, 2008, upon the Governor in Council so ordering by proclamation.

AND WHEREAS it is deemed expedient that Section 3 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, which amends Chapter 103 of the Revised Statutes, 1989, the *Corrections Act*, do come into force on and not before May 6, 2009, with effect on and after April 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 Section 3 of Chapter 2 of the Acts of 2008, the *Financial Measures (2008) Act*, which amends Chapter 103 of the Revised Statutes, 1989, the *Corrections Act*, do come into force on and not before May 6, 2009, with effect on and after April 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 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 6th day of May in the year of Our Lord two thousand and nine and in the fifty-eighth year of Our Reign.

BY COMMAND:

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



**N.S. Reg. 219/2009**

Made: May 6, 2009

Filed: May 6, 2009

Proclamation, S. 3, S.N.S. 2008, c. 64

Order in Council 2009-245 dated May 6, 2009

Proclamation made by the Governor in Council

pursuant to Section 3 of

*An Act to Amend Chapter 334 of the Revised Statutes, 1989, the Partnership Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated April 29, 2009, and pursuant to Section 3 of Chapter 64 of the Acts of 2008, *An Act to Amend Chapter 334 of the Revised Statutes, 1989, the Partnership Act*, is pleased to order and declare by proclamation that Chapter 64 of the Acts of 2008, *An Act to Amend Chapter 334 of the Revised Statutes, 1989, the Partnership Act*, do come into force on and not before June 1, 2009.

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 3 of Chapter 64 of the Acts of 2008, *An Act to Amend Chapter 334 of the Revised Statutes, 1989, the Partnership Act*, it is enacted as follows:

- 3** 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 64 of the Acts of 2008, *An Act to Amend Chapter 334 of the Revised Statutes, 1989, the Partnership Act*, do come into force on and not before June 1, 2009;

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 64 of the Acts of 2008, *An Act to Amend Chapter 334 of the Revised Statutes, 1989, the Partnership Act*, do come into force on and not before June 1, 2009, 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 6th day of May in the year of Our Lord two thousand and nine and in the fifty-eighth year of Our Reign.

BY COMMAND:

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

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**N.S. Reg. 220/2009**

Made: May 6, 2009

Filed: May 6, 2009

Atlantic Lottery Regulations

Order in Council 2009-252 dated May 6, 2009  
Amendment to regulations made by the Governor in Council  
pursuant to Section 127 of the *Gaming Control Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Workforce Development dated April 21, 2009, and pursuant to Section 127 of Chapter 4 of the Acts of Nova Scotia, 1994-95, the *Gaming Control Act*, is pleased to amend the *Atlantic Lottery Regulations*, N.S. Reg. 36/95, made by the Governor in Council by Order in Council 95-255 dated April 4, 1995 in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 1, 2009.

**Schedule "A"**

**Amendment to the *Atlantic Lottery Regulations*  
made by the Governor in Council pursuant to  
Section 127 of Chapter 4 of the Acts of 1994-95,  
the *Gaming Control Act***

- 1 Section 2 of the *Atlantic Lottery Regulations*, N.S. Reg. 36/95, made by the Governor in Council by Order in Council 95-255 dated April 4, 1995, is amended by
- (a) repealing clause (b);
  - (b) repealing clauses (f) and (g) and substituting the following clauses:
    - (f) "lottery equipment" means all of the following:
      - (i) a ticket,
      - (ii) a terminal for selling or validating tickets,
      - (iii) a ticket checker,

- (iv) any computer equipment or software used by the Lottery Corporation, a lottery equipment supplier or a retailer in operating a lottery scheme governed by these regulations,
  - (v) a lottery management system,
  - (vi) any equipment that could influence the outcome of a lottery scheme or, in the opinion of the Executive Director, is integral to conducting, managing or operating a lottery scheme;
- (g) “lottery equipment supplier” means a person, other than the Lottery Corporation, the Corporation or the Interprovincial Lottery Corporation, who does any of the following:
- (i) manufactures, provides, installs, tests, maintains or repairs lottery equipment,
  - (ii) provides gaming services that could influence the outcome of a lottery scheme or, in the opinion of the Executive Director, are integral to conducting, managing or operating a lottery scheme;
- (ga) “lottery management system” means a centralized computer system for monitoring lottery equipment and for recording or transmitting gaming information or information about transactions in a lottery scheme;
- (gb) “registered lottery equipment supplier” means a lottery equipment supplier registered under Part II of the Act as a registered supplier;
- (c) repealing clause (i) and substituting the following clause:
- (i) “ticket” means a ticket, certificate, electronic record or other instrument issued under a lottery scheme and authorized for sale by the Corporation;
- (d) adding the following clause immediately after clause (i):
- (ia) “ticket checker” means a computer device that is linked to the Lottery Corporation’s lottery management system and enables a player to independently check whether a ticket is a winning ticket;
- (e) striking out “; and” at the end of clause (j) and substituting a period; and
- (f) repealing clause (k).
- 2 The regulations are further amended by adding the following heading and Section immediately after Section 2:

**Application of regulations**

**2A** These regulations apply to lottery schemes conducted and managed by the Corporation and operated by the Lottery Corporation, but do not apply to lottery schemes to which the *Video Lottery Regulations* made under the Act apply.

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

**3** A lottery scheme must consist of a system for issuing and selling tickets and for distributing prizes to winners selected in one of the following ways:

- (a) at random from among the holders of tickets issued or sold;
- (b) in relation to the outcome of sporting events or other events and in accordance with game rules established by the Lottery Corporation.

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

**3A** A prize must consist of one of the following:

- (a) a sum of money;
- (b) goods.

5 Section 4 of the regulations is amended by striking out “shall” and substituting “must” in subsections (1) and (2).

6 (1) Subsection 5(3) of the regulations is amended by striking out “shall” and substituting “may”.

(2) Subsection 5(4) of the regulations is amended by striking out “No retailer shall” and substituting “A retailer must not”.

7 Sections 6 and 7 of the regulations are repealed and the following Sections substituted:

**Retailer operating procedures**

**6 (1)** If tickets in a lottery scheme are to be sold through retailers, the Lottery Corporation must submit retailer operating procedures for the lottery scheme to the Executive Director for approval.

**(2)** Retailer operating procedures must include procedures for activating tickets, selling tickets, validating tickets and paying prizes.

**(3)** The Lottery Corporation must ensure that each retailer is provided with a copy of the approved retailer operating procedures for each lottery scheme the retailer participates in.

**(4)** The Lottery Corporation must take all reasonable steps to ensure that a retailer acts in accordance with the approved retailer operating procedures.

**(5)** A retailer must comply with the approved retailer operating procedures.

**Age restrictions**

**7 (1)** A person must not sell a ticket to a person who is under 19 years old.

**(2)** A retailer must not validate a ticket presented by a person who is under 19 years old.

**(3)** A retailer must not pay out a prize to a person who is under 19 years old.

**(4)** A retailer must require a person who appears to be under 19 years old to provide proof of age before doing any of the following:

- (a) selling a ticket to the person;
- (b) validating a ticket presented by the person;

- (c) paying out a prize to the person.

**Credit granting and loans**

**7A** A retailer must not grant credit or provide a loan to enable a person to buy a ticket.

**Signature required for validation**

**7B** If a ticket contains a line for the signature of the ticket-holder, a retailer must not validate the ticket unless it has been signed.

**Validating tickets**

**7C (1)** This Section applies if a retailer validates tickets through a computer terminal linked to the Lottery Corporation's lottery management system.

**(2)** A retailer must locate any computer terminal used to validate a ticket so that the ticket validation results are visible to the person presenting the ticket for validation.

**(3)** After validating a ticket, a retailer must immediately

**(a)** give the person presenting the ticket a validation slip that corresponds to the ticket being presented for validation; and

**(b)** return the ticket to the person presenting the ticket.

**(4)** A retailer must ensure that a ticket checker is available and accessible for use by any person who wishes to check a ticket held by that person.

**Lottery Corporation to provide equipment**

**7D** The Lottery Corporation must ensure that a retailer is provided with the lottery equipment required for the retailer to comply with these regulations and the retail operating procedures for all lottery schemes the retailer participates in.

8 Section 8 of the regulations is amended by striking out "shall" wherever it appears and substituting "must".

9 Section 9 of the regulations is amended by

**(a)** striking out "within 12 months of the date on which the winning ticket of the claimant was drawn or issued, or within the time limit otherwise specified on the ticket, whichever is the earlier" and substituting "on or before any expiration date marked on the ticket by the Lottery Corporation" in clause (b); and

**(b)** adding "or the Corporation" immediately following "if required by the Lottery Corporation" in clause (d).

10 The regulations are further amended by adding the following headings and Sections immediately after Section 10:

**Retailer prize payout**

**10A** If a retailer pays out a prize to a winner, the retailer must pay the winner the full amount of the prize.

**Retailer to report problems to Lottery Corporation**

**10B** A retailer must promptly report the occurrence of any of the following to the Lottery Corporation:

- (a) a suspected defect, suspected abuse, suspected illegality or suspected criminal activity in relation to a lottery scheme;
- (b) a suspected malfunction [of] or damage to lottery equipment.

**Retailer winning over \$1000**

**10C** When claiming a prize greater than \$1000 as a result of participating in a lottery scheme as a player, a retailer must inform the entity paying out a prize that they are a retailer.

- 11 Section 11 of the regulations is amended by striking out “shall” and substituting “must”.
- 12 (1) Section 12 of the regulations is amended by striking out “Nova Scotia” in subsections (1) and (2) and substituting “the Province”.
- (2) Section 12 of the regulations is further amended by striking out “The provisions of Section 8 of these regulations do” and substituting “Section 8 does”.
- 13 Section 14 of the regulations is amended by
- (a) striking out “from the revenues it receives from the Lottery Corporation from the Auto Plus Lottery, the following” in subsection (1) and substituting “the following from the revenue it receives”;
  - (b) striking out “; and” in clause (1)(b) and substituting a period;
  - (c) repealing clause (1)(c); and
  - (d) striking out “clauses (1)(a), (b) or (c) based on the revenues received by the Corporation from the Auto Plus Lottery through the Lottery Corporation” in subclause (2)(c) and substituting “clauses (1)(a) and (b)”.
- 14 The regulations are further amended by adding the following Sections immediately after Section 14:

**Lottery equipment supplier as class of suppliers for registration**

**15** “Lottery equipment supplier” is established as a class of suppliers for the purposes of registration as a registered supplier under the Act

**Actions limited to registered lottery equipment suppliers**

**16** Only the following may carry out any of the actions described in the definition of “lottery equipment supplier” in clause 2(f):

- (a) the Lottery Corporation;
- (b) the Corporation;
- (c) the Interprovincial Lottery Corporation;
- (d) a registered lottery equipment supplier.

**Designated goods and services**

**17** For purposes of Part II of the Act, the goods and services described in the definition of “lottery equipment supplier” are designated goods and services, except when performed by one of the following:

- (a) the Lottery Corporation;
- (b) the Corporation;
- (c) the Interprovincial Lottery Corporation.

**Lottery equipment supplier registration or renewal**

- 18 (1)** An application for registration or renewal of registration as a lottery equipment supplier must be in a form provided by the Director of Registration and must be accompanied by a fee of \$250.
- (2)** A registration granted or renewed under this Section expires 2 years from the date set out on the certificate of registration.

**Lottery equipment**

- 19 (1)** The Executive Director may establish technical standards for categories of lottery equipment.
- (2)** A registered lottery equipment supplier must not sell or lease lottery equipment unless
- (a) the equipment meets the applicable technical standard for the equipment; or
  - (b) if no applicable technical standard has been established for the equipment, the equipment is approved by the Executive Director for use in a lottery scheme.
- (3)** The Lottery Corporation must not use lottery equipment in a lottery scheme unless
- (a) the equipment meets the applicable technical standard for the equipment; or
  - (b) if no applicable technical standard has been established for the equipment, the equipment is approved by the Executive Director for use in a lottery scheme.

**Notification when selling or leasing lottery equipment**

- 20 (1)** A registered lottery equipment supplier must notify the Executive Director at least 2 weeks before they sell or lease a piece of lottery equipment that falls into a category for which an applicable technical standard is established under Section 19.
- (2)** A notification under subsection (1) must include all of the following information:
- (a) the date the registered lottery equipment supplier intends to sell or lease the equipment;
  - (b) the technical standard that applies to the equipment;
  - (c) a description of the equipment's features.
- (3)** On receiving notification under subsection (1), the Executive Director may request that the registered lottery equipment supplier provide information on any testing conducted on the equipment by the supplier or on the supplier's behalf to ensure that the equipment meets the applicable standard.

**Approval of lottery equipment**

- 21 (1)** The Executive Director may approve lottery equipment for use in a lottery scheme.

- (2) An application from a registered lottery equipment supplier for approval of lottery equipment must be in the form required by the Executive Director.
- (3) The Executive Director may make any inquiries or investigations that the Executive Director considers appropriate in assessing the lottery equipment and may require that the reasonable costs of the inquiry or investigation be paid by the supplier.
- (4) The Executive Director may impose conditions on an approval of lottery equipment.
- (5) A registered equipment supplier must sell or lease lottery equipment only in accordance with the conditions imposed on an approval for the equipment and the Lottery Corporation must use lottery equipment only in accordance with conditions imposed on an approval for the equipment.
- (6) All lottery equipment that has been sold or leased to the Lottery Corporation on or before the date this Section comes into force is deemed to be approved by the Executive Director.

**Supplier to notify Executive Director of problem with lottery equipment**

**22** A registered lottery equipment supplier who becomes aware of any problem with the integrity, security or accounting capability of any lottery equipment provided by the supplier must immediately notify the Executive Director and the Lottery Corporation.

**Alterations to lottery equipment**

**23** The Lottery Corporation must notify the Executive Director no later than 30 days after making any alteration to lottery equipment used in a lottery scheme.

**Lottery scheme standards**

- 24** (1) The Executive Director may establish standards for categories of lottery schemes, including standards respecting any of the following:
- (a) the design of a lottery scheme;
  - (b) manufacturing, supplying, delivering, installing and maintaining things used in a lottery scheme;
  - (c) measures that must be taken to ensure that a lottery scheme is fair, honest, secure, safe and capable of being audited, including the manner and form for reporting on those measures to the Executive Director.
- (2) The Lottery Corporation must not operate a lottery scheme unless
- (a) the lottery scheme meets the applicable standard for the category of lottery scheme; or
  - (b) if no applicable standard has been established for the lottery scheme, the lottery scheme is approved by the Executive Director.

**Notifying Executive Director of lottery scheme being introduced**

- 25** (1) The Lottery Corporation must notify the Executive Director at least 2 weeks before offering a lottery scheme for sale to the public that falls into a category for which an applicable technical standard has been established under Section 24.
- (2) A notification under subsection (1) must include all of the following information:



- (a) the date the lottery scheme is to be introduced for sale to the public;
  - (b) the standard that applies to the lottery scheme;
  - (c) a description of the lottery scheme that includes the rules of play and the proposed reward and odds.
- (3) On receiving notification under subsection (1), the Executive Director may request that the Lottery Corporation provide any of the following:
- (a) information on any testing conducted on the lottery scheme by the Lottery Corporation or on the Lottery Corporation's behalf to ensure that the lottery scheme meets the applicable standard;
  - (b) specifications of the physical components of the lottery scheme, including representative physical components.

#### **Approval of lottery scheme**

- 26 (1) Before introducing a lottery scheme for sale to the public that falls into a category for which no applicable standard has been established, the Lottery Corporation must apply to the Executive Director for approval of the lottery scheme.
- (2) The Executive Director may make any inquiries or investigations that the Executive Director considers appropriate in assessing a lottery scheme and may require that the reasonable costs of the inquiry or investigation be paid by the Lottery Corporation.
- (3) The Executive Director may impose conditions on an approval of a lottery scheme and the Lottery Corporation must operate the lottery scheme in accordance with any conditions imposed.
- (4) All lottery schemes operated by the Lottery Corporation on the date this Section comes into force are deemed to be approved by the Executive Director.

#### **Notifying Executive Director when removing lottery scheme from sale**

- 27 The Lottery Corporation must immediately notify the Executive Director in writing when it removes a lottery scheme from sale to the public.

#### **Internal control system for integrity of lottery schemes**

- 28 (1) The Lottery Corporation must implement an internal control system that is designed to ensure the integrity of lottery schemes and protect players and the public.
- (2) An internal control system must provide reasonable assurance of all of the following:
- (a) that financial records and reporting will be accurate, reliable and prepared on a timely basis;
  - (b) that the potential for error and fraud is minimized;
  - (c) that tickets will be safeguarded;
  - (d) that adequate inquiries are made into the character of retailers and prospective retailers;

- (e) that adequate inquiries are made into the character of prospective employees of the Lottery Corporation;
  - (f) that the functions, duties and responsibilities of employees of the Lottery Corporation are appropriately segregated to minimize opportunities for collusion between employees.
- (3) The Lottery Corporation must ensure that its operations are conducted in accordance with the internal control system.
- (4) If required by the Executive Director, the Lottery Corporation must have its internal control system reviewed by an independent licensed public accountant at its own expense to ensure that its internal controls comply with the requirements of this Section.
- (5) If a review is required under subsection (4), the Lottery Corporation must submit the accountant's report to the Executive Director within the time period specified by the Executive Director.
- (6) The Executive Director may require the Lottery Corporation to make changes to the internal control system at any time.
- (7) The Lottery Corporation must implement all changes to the internal control system required by the Executive Director within the time period specified by the Executive Director.

**Lottery Corporation reporting to Executive Director**

- 29 (1) When requested by the Executive Director, the Lottery Corporation must provide the Executive Director with a list of all retailers and their operating locations.
- (2) The Lottery Corporation must promptly report all of the following to the Corporation and the Executive Director:
- (a) any defect, abuse, illegality or criminal activity in relation to a lottery scheme;
  - (b) a win of a prize over \$1000 by a retailer or employee of a retailer.

**N.S. Reg. 221/2009**

Made: April 30, 2009

Filed: May 6, 2009

Prescribed Petroleum Products Prices

Order dated April 30, 2009  
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, Richard Hurlburt, 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 April 23, 2009, which prescribed prices April 24, 2009; 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 May 1, 2009.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on April 30, 2009.

Sgd.: *Richard Hurlburt*  
Honourable Richard Hurlburt  
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 May 1, 2009**

<b>Table 1: Benchmark Prices for Regulated Petroleum Products</b> (cents/litre)	
Regular unleaded gasoline	44.5
Mid-grade unleaded gasoline	47.5
Premium unleaded gasoline	50.5
Ultra-low-sulfur diesel oil	44.8

<b>Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products</b> (cents/litre)									
		<b>Retail Mark-up</b>				<b>Retail Price</b> (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	<b>Fixed Wholesale Price</b> (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>									
Regular Unleaded	76.3	4.0	5.5	4.0	999.9	90.7	92.4	90.7	999.9
Mid-Grade Unleaded	79.3	4.0	5.5	4.0	999.9	94.1	95.8	94.1	999.9
Premium Unleaded	82.3	4.0	5.5	4.0	999.9	97.5	99.2	97.5	999.9
Ultra-Low-Sulfur Diesel	70.5	4.0	5.5	4.0	999.9	84.2	85.9	84.2	999.9
<b>Zone 2</b>									
Regular Unleaded	76.7	4.0	5.5	4.0	999.9	91.2	92.9	91.2	999.9
Mid-Grade Unleaded	79.7	4.0	5.5	4.0	999.9	94.6	96.3	94.6	999.9
Premium Unleaded	82.7	4.0	5.5	4.0	999.9	98.0	99.7	98.0	999.9
Ultra-Low-Sulfur Diesel	70.9	4.0	5.5	4.0	999.9	84.6	86.3	84.6	999.9
<b>Zone 3</b>									
Regular Unleaded	77.2	4.0	5.5	4.0	999.9	91.8	93.5	91.8	999.9
Mid-Grade Unleaded	80.2	4.0	5.5	4.0	999.9	95.1	96.8	95.1	999.9
Premium Unleaded	83.2	4.0	5.5	4.0	999.9	98.5	100.2	98.5	999.9
Ultra-Low-Sulfur Diesel	71.4	4.0	5.5	4.0	999.9	85.2	86.9	85.2	999.9
<b>Zone 4</b>									
Regular Unleaded	77.2	4.0	5.5	4.0	999.9	91.8	93.5	91.8	999.9
Mid-Grade Unleaded	80.2	4.0	5.5	4.0	999.9	95.1	96.8	95.1	999.9
Premium Unleaded	83.2	4.0	5.5	4.0	999.9	98.5	100.2	98.5	999.9
Ultra-Low-Sulfur Diesel	71.4	4.0	5.5	4.0	999.9	85.2	86.9	85.2	999.9
<b>Zone 5</b>									
Regular Unleaded	77.2	4.0	5.5	4.0	999.9	91.8	93.5	91.8	999.9
Mid-Grade Unleaded	80.2	4.0	5.5	4.0	999.9	95.1	96.8	95.1	999.9
Premium Unleaded	83.2	4.0	5.5	4.0	999.9	98.5	100.2	98.5	999.9
Ultra-Low-Sulfur Diesel	71.4	4.0	5.5	4.0	999.9	85.2	86.9	85.2	999.9
<b>Zone 6</b>									
Regular Unleaded	78.0	4.0	5.5	4.0	999.9	92.7	94.4	92.7	999.9
Mid-Grade Unleaded	81.0	4.0	5.5	4.0	999.9	96.1	97.7	96.1	999.9
Premium Unleaded	84.0	4.0	5.5	4.0	999.9	99.4	101.1	99.4	999.9
Ultra-Low-Sulfur Diesel	72.2	4.0	5.5	4.0	999.9	86.1	87.8	86.1	999.9

**N.S. Reg. 222/2009**

Made: May 12, 2009

Filed: May 12, 2009

Revenue Act Regulations

Order in Council 2009-255 dated May 12, 2009  
Amendment to regulations made by the Governor in Council  
pursuant to Section 92 of the *Revenue Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated May 6, 2009, and pursuant to Section 92 of Chapter 17 of the Acts of 1995-96, the *Revenue Act*, is pleased to amend the *Revenue Act Regulations*, N.S. Reg. 63/96, made by [the] Governor in Council by Order in Council 96-230 dated March 29, 1996, to amend the fuel tax refund requirements for the Community Transportation Assistance Program in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 12, 2009.

**Schedule “A”**

**Amendment to the *Revenue Act Regulations*  
made by the Governor in Council under  
Section 92 of Chapter 17 of the Acts of 1995-1996,  
the *Revenue Act***

The *Revenue Act Regulations*, N.S. Reg. 63/96, made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, are amended by repealing clause 23(1)(n) and substituting the following clause:

- (n) on or after April 29, 2008, to operate motor vehicles and equipment while being used for purposes of the Community Transportation Assistance Program by or on behalf of an organization funded under that program.

**N.S. Reg. 223/2009**

Made: May 7, 2009

Filed: May 13, 2009

Prescribed Petroleum Products Prices

Order dated May 7, 2009  
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, Richard Hurlburt, 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 April 30, 2009, which prescribed prices May 1, 2009; 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 May 8, 2009.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on May 7, 2009.

Sgd.: *Richard Hurlburt*  
Honourable Richard Hurlburt  
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 May 8, 2009**

<b>Table 1: Benchmark Prices for Regulated Petroleum Products</b> (cents/litre)	
Regular unleaded gasoline	49.4
Mid-grade unleaded gasoline	52.4
Premium unleaded gasoline	55.4
Ultra-low-sulfur diesel oil	44.8

<b>Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products</b> (cents/litre)									
	<b>Fixed Wholesale Price</b> (excludes GST)	<b>Retail Mark-up</b>				<b>Retail Price</b> (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
		Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>									
Regular Unleaded	81.2	4.0	5.5	4.0	999.9	96.3	98.0	96.3	999.9
Mid-Grade Unleaded	84.2	4.0	5.5	4.0	999.9	99.7	101.4	99.7	999.9
Premium Unleaded	87.2	4.0	5.5	4.0	999.9	103.1	104.8	103.1	999.9
Ultra-Low-Sulfur Diesel	70.5	4.0	5.5	4.0	999.9	84.2	85.9	84.2	999.9
<b>Zone 2</b>									
Regular Unleaded	81.6	4.0	5.5	4.0	999.9	96.7	98.4	96.7	999.9
Mid-Grade Unleaded	84.6	4.0	5.5	4.0	999.9	100.1	101.8	100.1	999.9
Premium Unleaded	87.6	4.0	5.5	4.0	999.9	103.5	105.2	103.5	999.9
Ultra-Low-Sulfur Diesel	70.9	4.0	5.5	4.0	999.9	84.6	86.3	84.6	999.9
<b>Zone 3</b>									
Regular Unleaded	82.1	4.0	5.5	4.0	999.9	97.3	99.0	97.3	999.9
Mid-Grade Unleaded	85.1	4.0	5.5	4.0	999.9	100.7	102.4	100.7	999.9
Premium Unleaded	88.1	4.0	5.5	4.0	999.9	104.1	105.8	104.1	999.9
Ultra-Low-Sulfur Diesel	71.4	4.0	5.5	4.0	999.9	85.2	86.9	85.2	999.9
<b>Zone 4</b>									
Regular Unleaded	82.1	4.0	5.5	4.0	999.9	97.3	99.0	97.3	999.9
Mid-Grade Unleaded	85.1	4.0	5.5	4.0	999.9	100.7	102.4	100.7	999.9
Premium Unleaded	88.1	4.0	5.5	4.0	999.9	104.1	105.8	104.1	999.9
Ultra-Low-Sulfur Diesel	71.4	4.0	5.5	4.0	999.9	85.2	86.9	85.2	999.9
<b>Zone 5</b>									
Regular Unleaded	82.1	4.0	5.5	4.0	999.9	97.3	99.0	97.3	999.9
Mid-Grade Unleaded	85.1	4.0	5.5	4.0	999.9	100.7	102.4	100.7	999.9
Premium Unleaded	88.1	4.0	5.5	4.0	999.9	104.1	105.8	104.1	999.9
Ultra-Low-Sulfur Diesel	71.4	4.0	5.5	4.0	999.9	85.2	86.9	85.2	999.9
<b>Zone 6</b>									
Regular Unleaded	82.9	4.0	5.5	4.0	999.9	98.2	99.9	98.2	999.9
Mid-Grade Unleaded	85.9	4.0	5.5	4.0	999.9	101.6	103.3	101.6	999.9
Premium Unleaded	88.9	4.0	5.5	4.0	999.9	105.0	106.7	105.0	999.9
Ultra-Low-Sulfur Diesel	72.2	4.0	5.5	4.0	999.9	86.1	87.8	86.1	999.9