

Royal Gazette

Part II Regulations under the Regulations Act

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NOW AVAILABLE

The October Issue of the Nova Scotia Regulations CD-Rom containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations is now available from the Office of the Registrar of Regulations. For information or subscriptions please call (902)424-6723 or visit our website at www.gov.ns.ca/just/regulations/cd.

N.S. Reg. 131/99

Made: December 3, 1999

Filed: December 6, 1999

Proclamation, S. 63, S.N.S. 1999, c. 5

Order in Council 1999-599 made December 3, 1999

Proclamation made by the Governor in Council

pursuant to Section 63

of the *Commercial Arbitration Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated November 19, 1999, pursuant to Section 63 of Chapter 5 of the Acts of 1999, the *Commercial Arbitration Act*, is pleased to order and declare by proclamation that Chapter 5 of the Acts of 1999, the *Commercial Arbitration Act*, come into force on and not before December 3, 1999.

PROVINCE OF NOVA SCOTIA

Sgd: *J. James Kinley*

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 63 of Chapter 5 of the Acts of 1999, the *Commercial Arbitration Act*, it is enacted as follows:

- 63** 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 5 of the Acts of 1999, the *Commercial Arbitration Act*, come into force on December 3, 1999;

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 5 of the Acts of 1999, the *Commercial Arbitration Act*, come into force on December 3, 1999, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved His Honour
the Honourable J. James Kinley, C.D.,
S.M., D.Eng., P.Eng., F.E.I.C., Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 3rd day of December, in
the year of Our Lord one thousand nine
hundred and ninety-nine and in the forty-
eighth year of Our Reign.

BY COMMAND:

Sgd: *Neil LeBlanc*
Acting Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 132/99

Made: November 30, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Municipality of the District of Argyle

Order dated November 30, 1999

made under Section 369 of the

Municipal Government Act

ORDER

NSUARB-MB-99-07

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE MUNICIPALITY OF THE DISTRICT OF ARGYLE** to confirm the number and boundaries of the polling districts and the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Municipality of the District of Argyle** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 30, 1999;

IT IS HEREBY ORDERED that the number of councillors for the Municipality of the District of Argyle is confirmed at nine and the number and boundaries of the polling districts are confirmed.

DATED at Halifax, Nova Scotia this 30th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 133/99

Made: October 26, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Municipality of the District of Guysborough

Order dated October 26, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-15

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE MUNICIPALITY OF THE DISTRICT OF GUYSBOROUGH** to confirm the number and boundaries of the polling districts and the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Municipality of the District of Guysborough** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on October 26, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Municipality of the District of Guysborough is confirmed at seven and the number and boundaries of the polling districts are confirmed.

AND IT IS FURTHER ORDERED that all provisions of the **Municipal Government Act** and the **Municipal Elections Act** and any other acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2000 will be complied with as if the above-noted changes had been made on the first day of March, 2000, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2000.

DATED at Halifax, Nova Scotia this 26th day of October, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 134/99

Made: October 27, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Municipality of the District of St. Mary's

Order dated October 27, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-26

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE MUNICIPALITY OF DISTRICT OF ST. MARY'S** to confirm the number and boundaries of the polling districts and the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Municipality of the District of St. Mary's** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on October 26, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Municipality of the District of St. Mary's is confirmed at seven and the number and boundaries of the polling districts are confirmed.

AND IT IS FURTHER ORDERED that all provisions of the **Municipal Government Act** and the **Municipal Elections Act** and any other acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2000 will be complied with as if the above-noted changes had been made on the first day of March, 2000, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2000.

DATED at Halifax, Nova Scotia this 27th day of October, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 135/99

Made: November 9, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Amherst

Order dated November 9, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-29

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF AMHERST** to
confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Amherst** pursuant to **s. 369**
of the **Municipal Government Act** and the Board having issued its decision on
November 9, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of
councillors for the Town of Amherst is confirmed at six.

DATED at Halifax, Nova Scotia this 9th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 136/99

Made: October 26, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Antigonish

Order dated October 26, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-31

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF ANTIGONISH**
to confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Antigonish** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on October 26, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Antigonish is confirmed at six, to be elected at large;

AND IT IS FURTHER ORDERED that all provisions of the **Municipal Government Act** and the **Municipal Elections Act** and any other acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Town in the year 2000 will be complied with as if the above-noted changes had been made on the first day of March, 2000, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2000.

DATED at Halifax, Nova Scotia this 26th day of October, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 137/99

Made: November 19, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Clark's Harbour

Order dated November 19, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-36

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

**IN THE MATTER OF AN APPLICATION by THE TOWN OF CLARK'S
HARBOUR to confirm the number of councillors**

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Clark's Harbour** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 19, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Clark's Harbour is confirmed at six.

DATED at Halifax, Nova Scotia this 19th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 138/99

Made: November 29, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Kentville

Order dated November 29, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-39

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF KENTVILLE**
to confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Kentville** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 29, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Kentville is confirmed at six.

DATED at Halifax, Nova Scotia this 29th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 139/99

Made: November 18, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Mulgrave

Order dated November 18, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-44

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF MULGRAVE**
to confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Mulgrave** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 18, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Mulgrave is confirmed at four.

DATED at Halifax, Nova Scotia this 18th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 140/99

Made: October 27, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Oxford

Order dated October 27, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-46

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF OXFORD** to
confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Oxford** pursuant to
s. 369 of the **Municipal Government Act** and the Board having issued its decision
on October 27, 1999;

IT IS HEREBY ORDERED that the application is approved and the
number of councillors for the Town of Oxford is confirmed at six, to be elected at
large;

AND IT IS FURTHER ORDERED that all provisions of the **Municipal
Government Act** and the **Municipal Elections Act** and any other acts of the
Province of Nova Scotia applying to the preparation for and holding of the regular
election of councillors of the Town in the year 2000 will be complied with as if the
above-noted changes had been made on the first day of March, 2000, but for all
other purposes, such changes shall take effect on the first day of the first meeting of
the Council after the election of councillors for the year 2000.

DATED at Halifax, Nova Scotia this 27th day of October, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 141/99

Made: November 9, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Parrsboro

Order dated November 9, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-47

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF PARRSBORO**
to confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Parrsboro** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 9, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Parrsboro is confirmed at four.

DATED at Halifax, Nova Scotia this 9th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 142/99

Made: November 19, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Stewiacke

Order dated November 19, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-53

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF STEWIACKE**
to confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Stewiacke** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 19, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Stewiacke is confirmed at six.

DATED at Halifax, Nova Scotia this 19th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 143/99

Made: November 18, 1999

Filed: December 6, 1999

Wards/Polling Districts Order: Town of Yarmouth

Order dated November 18, 1999
made under Section 369 of the
Municipal Government Act

ORDER

NSUARB-MB-99-59

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MUNICIPAL GOVERNMENT ACT

- and -

IN THE MATTER OF AN APPLICATION by **THE TOWN OF YARMOUTH**
to confirm the number of councillors

BEFORE: Linda D. Garber

ORDER

An Application having been made by the **Town of Yarmouth** pursuant to **s. 369** of the **Municipal Government Act** and the Board having issued its decision on November 18, 1999;

IT IS HEREBY ORDERED that the application is approved and the number of councillors for the Town of Yarmouth is confirmed at six.

DATED at Halifax, Nova Scotia this 18th day of November, 1999.

Sgd: Elaine Wagner
Clerk of the Board

N.S. Reg. 144/99

Made: December 16, 1999

Filed: December 17, 1999

Workers' Compensation General Regulations

Order in Council 1999-619 made December 16, 1999

Amendment to regulations approved by the Governor in Council pursuant to subsections 42(1) and (3), 125(1), (2) and (3), 128(2), 184(1) and (2) and Section 217 of the *Workers' Compensation Act*

The Governor in Council on the report and recommendation of the Minister of Labour dated December 2, 1999, and pursuant to subsections 42(1) and (3), 125(1), (2) and (3), 128(2), 184(1) and (2) and Section 217 of Chapter 10 of the Statutes of Nova Scotia, 1994-95, the *Workers' Compensation Act*, is pleased to approve the making by the Workers' Compensation Board of Nova Scotia of amendments to the *Workers' Compensation General Regulations* approved by Order in Council 96-59 dated January 31, 1996, in the manner set forth in Schedule A attached to and forming part of the report and recommendation, effective January 1, 2000.

Schedule "A"

Amendments to the *Workers' Compensation General Regulations* made pursuant to subsections 42(1) and (3), 125(1), (2) and (3), 128(2), 184(1) and (2), and to Section 217 of Chapter 10 of the Acts of 1994-95, the *Workers' Compensation Act*

- 1 The *Workers' Compensation General Regulations* made by the Workers' Compensation Board and approved by the Governor in Council by Order in Council 96-59 dated January 31, 1996, is amended by adding the following Section immediately after Section 1:
 - 1A (1) In these regulations "assessable payroll" includes employment earnings reportable to the Canada Customs and Revenue Agency in Box 14 of T4 slips, labelled as "Employment Income" or "Gross Earnings", but does not include
 - (a) earnings in excess of the maximum amount for a worker's gross annual earnings determined as maximum earnings pursuant to clause 41(c) of the Act;
 - (b) earnings of classes of workers excluded from the Act;
 - (c) employer-funded short and long-term disability benefits;
 - (d) employer-funded top-up of workers' compensation benefits, wage-loss replacement plans, maternity and parental benefits; or

- (e) an amount included in Box 14 of a T4 slip that is an allowance for equipment used at the employee's expense provided for in subclause 8(1)(i)(iii) of the *Income Tax Act (Canada)*.
 - (2) For greater certainty, nothing in these regulations shall be interpreted as limiting the discretion of the Board to determine, for the purposes of Section 9 of the Act, the amount that shall be deemed to be the earnings of a worker, and to determine the assessment to be remitted by a person who is deemed to be an employer pursuant to Section 9 of the Act.
- 2 Clause 20(c) of the regulations is amended by
- (a) striking out subclauses (v) and (vii) and substituting the following paragraphs:
 - (v) federal employment insurance benefits, excluding benefits payable for maternity or parental leave,
 - (vii) tips and gratuities, if reportable on a worker's T4 slip,
 - (b) striking out the period at the end of subclause (viii) and substituting a comma; and
 - (c) adding the following paragraph immediately after subclause (viii):
 - (ix) taxable benefits, if reportable on a worker's T4 slip.
- 3 Section 35 of the regulations is repealed and the following Section substituted:
- 35 (1)** Unless otherwise approved by the Board, an employer shall
- (a) report the employer's assessable payroll; and
 - (b) remit assessments in respect of the employer's assessable payroll
- to the Board on a periodic basis at the same time as the employer is required to report and remit to the Canada Customs and Revenue Agency for the purposes of income tax, Canada Pension Plan contributions, and employment insurance premiums.
- (2) For the purposes of clause (1)(a), subject to subsection 1A(2), assessment premiums shall be determined by multiplying the employer's assessable payroll by the applicable assessment rate per hundred dollars of assessable payroll.
- 4 Section 37 of the regulations is repealed and the following Section substituted:
- 37 (1)** Where an employer fails to report to the Board

- (a) the employer's assessable payroll; or
- (b) any information required by the Board pursuant to Section 127 of the Act,

the employer is liable to a penalty equal to 10% of the assessment premium for the reporting period.

- (2) For purposes of subsection (1), the penalty may be increased to 20% if the Board determines that the employer
 - (a) has wilfully misrepresented information; or
 - (b) failed to report in accordance with subsection 35(1) more than once in a 12-month period.
- (3) If no assessment premium is remitted by the employer when a remittance is required pursuant to subsection 35(1), the penalty referred to in subsection (1) may be based on the weighted average assessment premium for the employer during the previous 12 months, and months with no assessable payroll shall not be included in the average.

5 Section 38 of the regulations is repealed and the following substituted:

38 Where an employer does not pay an assessment within the time required by the Board, the employer is liable for interest on the balance owed calculated at the rate set out in Sections 4301 and 4302 of the *Income Tax Regulations (Canada)*.

6 Section 39 of the regulations is repealed and the following Section substituted:

39 Where an employer under-reports the assessable payroll in a report provided to the Board pursuant to subsection 35(1), the employer is liable for a penalty of

- (a) 10% of the difference between the actual assessment required pursuant to Section 35 and the assessment as originally calculated; and
- (b) interest calculated at the rate set out in Sections 4301 and 4302 of the *Income Tax Regulations (Canada)*.

7 Section 40 of the regulations is repealed.