

# 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. 167/2012**

Made: August 30, 2012

Filed: August 31, 2012

Prescribed Petroleum Products Prices

Order dated August 30, 2012  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

**Order****NSUARB-GAS-W-12-35****In the Matter of the *Petroleum Products Pricing Act*****- and -**

**In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

**Before:** Murray E. Doehler, CA, P. Eng., Member**Order**

**Whereas** the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

**And whereas** the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

**And whereas** the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended August 29, 2012, are:

Grade 1 Regular gasoline	81.8¢ per litre
Ultra-low-sulfur diesel oil	85.2¢ per litre

**Now therefore** the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	81.8¢ per litre
Grade 2	84.8¢ per litre
Grade 3	87.8¢ per litre
Ultra-low-sulfur diesel oil	85.2¢ per litre

**And now therefore** the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 1.4¢ per litre
Ultra-low-sulfur diesel oil:	plus 1.0¢ per litre

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., August 31, 2012.

**Dated** at Halifax, Nova Scotia, this 30th day of August, 2012.

Sgd: *Elaine Wagner*  
Clerk of the Board

## Schedule "A"

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on August 31, 2012**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 15% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
<b>Zone 1</b>								
Regular Unleaded	89.7	10.0	15.5	115.2	138.0	140.1	138.0	999.9
Mid-Grade Unleaded	92.7	10.0	15.5	118.2	141.5	143.5	141.5	999.9
Premium Unleaded	95.7	10.0	15.5	121.2	144.9	147.0	144.9	999.9
Ultra-Low-Sulfur Diesel	92.7	4.0	15.4	112.1	134.4	136.5	134.4	999.9
<b>Zone 2</b>								
Regular Unleaded	90.2	10.0	15.5	115.7	138.6	140.6	138.6	999.9
Mid-Grade Unleaded	93.2	10.0	15.5	118.7	142.0	144.1	142.0	999.9
Premium Unleaded	96.2	10.0	15.5	121.7	145.5	147.5	145.5	999.9
Ultra-Low-Sulfur Diesel	93.2	4.0	15.4	112.6	135.0	137.1	135.0	999.9
<b>Zone 3</b>								
Regular Unleaded	90.6	10.0	15.5	116.1	139.0	141.1	139.0	999.9
Mid-Grade Unleaded	93.6	10.0	15.5	119.1	142.5	144.6	142.5	999.9
Premium Unleaded	96.6	10.0	15.5	122.1	145.9	148.0	145.9	999.9
Ultra-Low-Sulfur Diesel	93.6	4.0	15.4	113.0	135.5	137.5	135.5	999.9
<b>Zone 4</b>								
Regular Unleaded	90.7	10.0	15.5	116.2	139.2	141.2	139.2	999.9
Mid-Grade Unleaded	93.7	10.0	15.5	119.2	142.6	144.7	142.6	999.9
Premium Unleaded	96.7	10.0	15.5	122.2	146.1	148.1	146.1	999.9
Ultra-Low-Sulfur Diesel	93.7	4.0	15.4	113.1	135.6	137.7	135.6	999.9
<b>Zone 5</b>								
Regular Unleaded	90.7	10.0	15.5	116.2	139.2	141.2	139.2	999.9
Mid-Grade Unleaded	93.7	10.0	15.5	119.2	142.6	144.7	142.6	999.9
Premium Unleaded	96.7	10.0	15.5	122.2	146.1	148.1	146.1	999.9
Ultra-Low-Sulfur Diesel	93.7	4.0	15.4	113.1	135.6	137.7	135.6	999.9
<b>Zone 6</b>								
Regular Unleaded	91.4	10.0	15.5	116.9	140.0	142.0	140.0	999.9
Mid-Grade Unleaded	94.4	10.0	15.5	119.9	143.4	145.5	143.4	999.9
Premium Unleaded	97.4	10.0	15.5	122.9	146.9	148.9	146.9	999.9
Ultra-Low-Sulfur Diesel	94.4	4.0	15.4	113.8	136.4	138.5	136.4	999.9

**N.S. Reg. 168/2012**

Made: August 31, 2012

Filed: September 4, 2012

Dalhousie University-Nova Scotia Agricultural College Merger Date Order

Order in Council 2012-276 dated August 31, 2012

Order made by the Governor in Council

pursuant to subsection 19(1) of the

*Dalhousie University-Nova Scotia Agricultural College Merger Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated August 28, 2012, and pursuant to subsection 19(1) of Chapter 3 of the Acts of 2012, the *Dalhousie University-Nova Scotia Agricultural College Merger Act*, is pleased to fix the date for the merger of the Nova Scotia Agricultural College with Dalhousie University as September 1, 2012.

**N.S. Reg. 169/2012**

Made: August 31, 2012

Filed: September 4, 2012

Sonic Devices Regulations

Order in Council dated August 31, 2012

Regulations made by the Governor in Council

pursuant to Section 15 of the *Farm Practices Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated August 2, 2012, and pursuant to Section 15 of Chapter 3 of the Acts of 2000, the *Farm Practices Act*, is pleased to make regulations respecting sonic device usage in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 31, 2012.

**Schedule "A"**

**Regulations Respecting Acceptable Practices for  
Using Sonic Devices to Protect Crops  
made by the Governor in Council under  
Section 15 of Chapter 3 of the Acts of 2000,  
the *Farm Practices Act***

**Citation**

1 These regulations may be cited as the *Sonic Devices Regulations*.

**Definitions**

2 In these regulations,

"firing" means a discharge of sound from a sonic device;

"in use", in relation to a sonic device, means being fired or ready for immediate firing;

"sonic device" means any machinery that is able to produce sound of greater than 100 decibels in volume and is used to protect crops from bird[s] and other animals.

**Minimum separation from property, road or path**

- 3** (1) Except as provided in subsection (2), and unless consent to a shorter distance is given under subsection (3), there must be a distance of at least 175 m (575 ft.) between a sonic device in use and any of the following:
- (a) a private property other than the property on which the sonic device is located;
  - (b) a public road or public pathway.
- (2) For a sonic device that is set to emit sound of 100 decibels or less, the minimum separation distance is 125 m (410 ft.).
- (3) An affected property owner may consent in writing to a shorter minimum distance than that required by subsection (1) or (2), and may change or revoke their consent at any time.

**Minimum separation distance between sonic devices**

- 4** There must be a distance of at least 75 m (245 ft.) between any 2 sonic devices in use.

**Placing directional sonic device**

- 5** (1) In this Section, “directional sonic device” means a sonic device that emits most of its generated sound in 1 general direction.
- (2) A person must not point a directional sonic device at any of the following:
- (a) a structure built for storage or residence purposes;
  - (b) a public road or public pathway.

**Permitted times for firing sonic device**

- 6** (1) A sonic device may be fired only during the period between 30 minutes before sunrise and 30 minutes after sunset.
- (2) For the purpose of this Section, sunrise and sunset times for a given day are as published by a federal government department or a local newspaper for the geographical location closest to the location of the sonic device.

**Maximum discharge frequency**

- 7** (1) In this Section, “activation” of a sonic device means 2 or 3 firings from the device within a 30-second period.
- (2) The maximum frequency at which a sonic device may be fired is either
- (a) 1 firing every 5 minutes; or
  - (b) 11 activations every hour.

**Monitoring requirements**

- 8** (1) An owner of a sonic device or the owner’s designate must check the device at least once a week to ensure that it meets the requirements of these regulations, and in particular must check all of the following:
- (a) the volume level at which the device is set;

- (b) the times during which the device is programmed to be in use;
  - (c) the frequency at which the device is being fired.
- (2) An owner of a sonic device or the owner's designate must provide the name, address, telephone number and e-mail address of each person who uses the sonic device to the Department of Agriculture through the regional office of the Department that is nearest to the owner's location.
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**N.S. Reg. 170/2012**

Made: September 4, 2012

Filed: September 5, 2012

Marine Service Technician Trade Designation

Order dated September 4, 2012  
made by the Minister of Labour and Advanced Education  
pursuant to Section 17 of the *Apprenticeship and Trades Qualifications Act*

**In the matter of Section 17 of Chapter 1 of the Acts of 2003,  
the *Apprenticeship and Trades Qualifications Act***

- and -

**In the matter of designating the marine service technician trade  
as a designated trade**

**Order**

I, Marilyn More, Minister of Labour and Advanced Education, pursuant to Section 17 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, hereby designate the marine service technician trade as a designated trade, effective on and after the date of this Order.

Dated and made at Halifax, Nova Scotia, Sept. 4, 2012.

sgd.: *Marilyn More*  
Honourable Marilyn More  
Minister of Labour and Advanced Education

**N.S. Reg. 171/2012**

Made: September 6, 2012

Filed: September 10, 2012

Prescribed Petroleum Products Prices

Order dated September 6, 2012  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

**Order****NSUARB-GAS-W-12-36****In the Matter of the *Petroleum Products Pricing Act*****- and -****In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations*****Before:** Kulvinder S. Dhillon, P. Eng., Member**Order**

**Whereas** the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

**And whereas** the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

**And whereas** the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended September 5, 2012, are:

Grade 1 Regular gasoline	82.4¢ per litre
Ultra-low-sulfur diesel oil	85.6¢ per litre

**Now therefore** the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	82.4¢ per litre
Grade 2	85.4¢ per litre
Grade 3	88.4¢ per litre
Ultra-low-sulfur diesel oil	85.6¢ per litre

**And now therefore** the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 1.2¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.6¢ per litre

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., September 7, 2012.

**Dated** at Halifax, Nova Scotia, this 6th day of September, 2012.

Sgd: *Elaine Wagner*  
Clerk of the Board

## 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 September 7, 2012**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
<b>Zone 1</b>								
Regular Unleaded	90.1	10.0	15.5	115.6	138.5	140.5	138.5	999.9
Mid-Grade Unleaded	93.1	10.0	15.5	118.6	141.9	144.0	141.9	999.9
Premium Unleaded	96.1	10.0	15.5	121.6	145.4	147.4	145.4	999.9
Ultra-Low-Sulfur Diesel	92.7	4.0	15.4	112.1	134.4	136.5	134.4	999.9
<b>Zone 2</b>								
Regular Unleaded	90.6	10.0	15.5	116.1	139.0	141.1	139.0	999.9
Mid-Grade Unleaded	93.6	10.0	15.5	119.1	142.5	144.6	142.5	999.9
Premium Unleaded	96.6	10.0	15.5	122.1	145.9	148.0	145.9	999.9
Ultra-Low-Sulfur Diesel	93.2	4.0	15.4	112.6	135.0	137.1	135.0	999.9
<b>Zone 3</b>								
Regular Unleaded	91.0	10.0	15.5	116.5	139.5	141.6	139.5	999.9
Mid-Grade Unleaded	94.0	10.0	15.5	119.5	142.9	145.0	142.9	999.9
Premium Unleaded	97.0	10.0	15.5	122.5	146.4	148.5	146.4	999.9
Ultra-Low-Sulfur Diesel	93.6	4.0	15.4	113.0	135.5	137.5	135.5	999.9
<b>Zone 4</b>								
Regular Unleaded	91.1	10.0	15.5	116.6	139.6	141.7	139.6	999.9
Mid-Grade Unleaded	94.1	10.0	15.5	119.6	143.1	145.1	143.1	999.9
Premium Unleaded	97.1	10.0	15.5	122.6	146.5	148.6	146.5	999.9
Ultra-Low-Sulfur Diesel	93.7	4.0	15.4	113.1	135.6	137.7	135.6	999.9
<b>Zone 5</b>								
Regular Unleaded	91.1	10.0	15.5	116.6	139.6	141.7	139.6	999.9
Mid-Grade Unleaded	94.1	10.0	15.5	119.6	143.1	145.1	143.1	999.9
Premium Unleaded	97.1	10.0	15.5	122.6	146.5	148.6	146.5	999.9
Ultra-Low-Sulfur Diesel	93.7	4.0	15.4	113.1	135.6	137.7	135.6	999.9
<b>Zone 6</b>								
Regular Unleaded	91.8	10.0	15.5	117.3	140.4	142.5	140.4	999.9
Mid-Grade Unleaded	94.8	10.0	15.5	120.3	143.9	145.9	143.9	999.9
Premium Unleaded	97.8	10.0	15.5	123.3	147.3	149.4	147.3	999.9
Ultra-Low-Sulfur Diesel	94.4	4.0	15.4	113.8	136.4	138.5	136.4	999.9



**N.S. Reg. 172/2012**

Made: September 10, 2012

Filed: September 12, 2012

## Energy-efficient Appliances Regulations

Order in Council 2012-295 dated September 10, 2012  
Amendment to regulations made by the Governor in Council  
pursuant to Section 5 of the *Energy-efficient Appliances Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated August 28, 2012, and pursuant to Section 5 of Chapter 2 of the Acts of 1991, the *Energy-efficient Appliances Act*, is pleased to amend the *Energy-efficient Appliances Regulations*, N.S. Reg. 400/2008, made by the Governor in Council by Order in Council 2008-501 dated September 23, 2008, to add provisions respecting the use of LED technology for roadway street lighting, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 10, 2012.

**Schedule “A”**

**Amendment to the *Energy-efficient Appliances Regulations*  
made by the Governor in Council under Section 5 of Chapter 2  
of the Acts of 1991,  
the *Energy-efficient Appliances Act***

- 1 Section 2 of the *Energy-efficient Appliances Regulations*, N.S. Reg. 400/2008, made by the Governor in Council by Order in Council 2008-501 dated September 23, 2008, is amended by
- (a) adding the following clause immediately after clause (e):
    - (ea) “conventional roadway lighting” means non-high mast roadway lighting, including conversions from cobra-head lighting, used along streets, roadways and highways, but does not include decorative street lighting;
  - (b) adding the following clauses immediately after clause (h):
    - (ha) “IESNA” means the Illuminating Engineering Society of North America;
    - (hb) “LED” means light emitting diode;
    - (hc) “municipality” means
      - (i) a regional municipality, town or county or district municipality,
      - (ii) an electric utility owned and operated by a municipal body referred to in subclause (i);
  - (c) striking out the period at the end of clause (i) and adding a semicolon, and adding the following clause immediately after clause (i):
    - (j) “NSPI” means Nova Scotia Power Incorporated.

2 The regulations are further amended by adding the following Sections immediately after Section 7:

**Restrictions on use of non-LED roadway lighting**

- 8** (1) Conventional lighting that is not LED and that fails to comply with ANSI/IESNA RP-8, *American National Standard Practice for Roadway Lighting* must not be used by the following after the dates indicated:
- (a) by NSPI, after December 31, 2019;
  - (b) by a municipality, after December 31, 2022.
- (2) Except as provided in subsection (3), after the date these regulations come into force, any fixture that requires maintenance or fails to comply with ANSI/IESNA RP-8, *American National Standard Practice for Roadway Lighting* must be replaced with LED lighting that complies with the standard.
- (3) Subsection (2) does not apply if a replacement schedule that meets the applicable requirements of subsection (1) is approved by the Minister.

**Reports for roadway lighting compliance**

- 9** (1) On or before June 30, 2013, each municipality must file a report with the Minister setting out all of the following:
- (a) the number of non-high mast roadway lights it owns;
  - (b) whether the municipality intends to take ownership of any non-high mast roadway lights owned by NSPI;
  - (c) the replacements to conventional roadway lighting, beginning on June 30, 2013, to comply with the restrictions set out in Section 8.
- (2) On or before June 30, 2013, each municipality must inform NSPI in writing if the municipality intends to take ownership of any non-high mast roadway lights and identify the lights by location.
- (3) On or before September 30, 2013, NSPI must file a report with the Minister that includes all of the following:
- (a) the number of non-high mast roadway lights it owns and the locations of the lights;
  - (b) whether a municipality intends to take ownership of any non-high mast roadway lights owned by NSPI;
  - (c) the replacements to conventional roadway lighting, beginning on September 30, 2013, to comply with the restrictions set out in Section 8.

3 Schedule 1: Table of Designated Appliances and Corresponding Efficiency Standards to the regulations is amended by striking out the row containing item 16 and substituting the following row:

16. Conventional roadway lighting	LED	LED fixture complies with ANSI/IESNA RP-8 criteria	On or after Jan. 1, 2009
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