

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. 133/2016

Made: June 29, 2016

Filed: June 30, 2016

Nova Scotia Building Code Regulations—amendment

Order dated June 29, 2016

Amendment to regulations made by the Minister of Municipal Affairs
pursuant to Section 4 of the *Building Code Act***In the matter of Section 4 of Chapter 46 of the Revised Acts of
[Statutes of Nova Scotia,] 1989, the *Building Code Act*****-and-****In the matter of an amendment to the *Nova Scotia Building Code Regulations*
made by the Minister of Municipal Affairs
under Section 4 of the *Building Code Act*****Order**

I, Zach Churchill, Minister of Municipal Affairs for the Province of Nova Scotia, pursuant to Section 4 of Chapter 46 of the Revised Statutes of [Nova Scotia,] 1989 ~~of the Acts of 1989~~, the *Building Code Act*, hereby make new amendments to the *Nova Scotia Building Code Regulations*, to clarify the application to a home-based business, in the manner set forth in the attached Schedule “A”.

This order is effective on and after August 1, 2016.

Dated and made June 29, 2016, at Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Zach Churchill*

Honourable Zach Churchill

Minister of Municipal Affairs

Schedule “A”**Amendments to the *Nova Scotia Building Code Regulations*
made by the Minister of Municipal Affairs
under Section 4 of the Revised Acts of
[Statutes of Nova Scotia,] 1989, the *Building Code Act***

1 The *Nova Scotia Building Code Regulations*, N.S. Reg. 176/2014, made by the Minister of Municipal Affairs on November 18, 2014, are amended by adding immediately after Article 1.2.1.2., the following article:

1.2.1.3. Home-Based Business Exemptions

- (1) The *authority having jurisdiction* may consider a *home-based business* as part of the *Group C residential occupancy* of a *dwelling unit* and not a separate *major occupancy* for the purposes of the *Code*, if all of the following criteria are met:
- a) the business or service use of the *dwelling unit*, an accessory *building* to the unit, or both is secondary to the *residential occupancy* use of the *dwelling unit*,

- b) at least 1 full-time resident of the *dwelling unit* with the *home-based business* operates the business or service,
 - c) the business or service use is not a *Group F1-High-hazard industrial occupancy*, or a *Group F2-Medium-hazard industrial occupancy*,
 - d) the *home-based business* uses an aggregate *floor area* of less than 50 m², and;
 - e) the *home-based business* uses less than 25% of the *floor area* of the *dwelling unit*.
- (2) A *home-based business*, that meets all of the criteria in sentence (1), is not considered a separate and adjoining *major occupancy* from the *dwelling unit* for the separation requirements in Article 3.1.3.1. (Part 3, Division B) of the *National Building Code of Canada*.
- (3) The *authority having jurisdiction* must not require additional water closets, under Article 3.7.2.2. (Part 3, Division B) of the *National Building Code of Canada*, for a *dwelling unit* with
- a) a *home-based business* that meets all the criteria in sentence (1), or
 - b) a *home-based business* located within an accessory *building* if that *building* is less than 45 m from the *dwelling unit*.
- (4) A *dwelling unit* with a *home-based business* conducted within the unit is considered a *building* which is exempt from the *barrier-free* design requirements under clause 3.8.1.1.(1)(a) of the regulations.
- (5) A *home-based business*, that meets all of the criteria in sentence (1), is not considered a separate *major occupancy* from the *dwelling unit* for occupancy classification purposes in Subsection 9.10.2. (Part 9, Division B) of the *National Building Code of Canada*.
- 2 The regulations are amended by adding to Article 1.3.1.3. immediately after “Heritage Conservation District” the following:
- “Home-based business” means a business or service use located in a *dwelling unit* that is used or occupied as a single housekeeping unit.

N.S. Reg. 134/2016

Made: June 30, 2016

Filed: July 4, 2016

Prescribed Petroleum Products Prices

Order dated June 30, 2016
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**M07532****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:** Peter W. Gurnham, Q.C., Chair

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 product 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 Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended June 29, 2016, are:

Grade 1 Regular gasoline	50.2¢ per litre
Ultra-low-sulfur diesel oil	50.0¢ per litre

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

Gasoline:	
Grade 1	50.2¢ per litre
Grade 2	53.2¢ per litre
Grade 3	56.2¢ per litre
Ultra-low-sulfur diesel oil	50.0¢ 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:	minus 0.3¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.4¢ 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., July 1, 2016.

Dated at Halifax, Nova Scotia, this 30th day of June, 2016.

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 July 1, 2016**

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
Zone 1								
Regular Unleaded	57.1	10.0	15.5	82.6	100.5	102.6	100.5	999.9
Mid-Grade Unleaded	60.1	10.0	15.5	85.6	104.0	106.0	104.0	999.9
Premium Unleaded	63.1	10.0	15.5	88.6	107.4	109.5	107.4	999.9
Ultra-Low-Sulfur Diesel	57.6	4.0	15.4	77.0	94.1	96.1	94.1	999.9
Zone 2								
Regular Unleaded	57.6	10.0	15.5	83.1	101.1	103.2	101.1	999.9
Mid-Grade Unleaded	60.6	10.0	15.5	86.1	104.5	106.6	104.5	999.9
Premium Unleaded	63.6	10.0	15.5	89.1	108.0	110.1	108.0	999.9
Ultra-Low-Sulfur Diesel	58.1	4.0	15.4	77.5	94.6	96.7	94.6	999.9
Zone 3								
Regular Unleaded	58.0	10.0	15.5	83.5	101.5	103.6	101.5	999.9
Mid-Grade Unleaded	61.0	10.0	15.5	86.5	105.0	107.1	105.0	999.9
Premium Unleaded	64.0	10.0	15.5	89.5	108.4	110.5	108.4	999.9
Ultra-Low-Sulfur Diesel	58.5	4.0	15.4	77.9	95.1	97.2	95.1	999.9
Zone 4								
Regular Unleaded	58.1	10.0	15.5	83.6	101.7	103.7	101.7	999.9
Mid-Grade Unleaded	61.1	10.0	15.5	86.6	105.1	107.2	105.1	999.9
Premium Unleaded	64.1	10.0	15.5	89.6	108.6	110.6	108.6	999.9
Ultra-Low-Sulfur Diesel	58.6	4.0	15.4	78.0	95.2	97.3	95.2	999.9
Zone 5								
Regular Unleaded	58.1	10.0	15.5	83.6	101.7	103.7	101.7	999.9
Mid-Grade Unleaded	61.1	10.0	15.5	86.6	105.1	107.2	105.1	999.9
Premium Unleaded	64.1	10.0	15.5	89.6	108.6	110.6	108.6	999.9
Ultra-Low-Sulfur Diesel	58.6	4.0	15.4	78.0	95.2	97.3	95.2	999.9
Zone 6								
Regular Unleaded	58.8	10.0	15.5	84.3	102.5	104.5	102.5	999.9
Mid-Grade Unleaded	61.8	10.0	15.5	87.3	105.9	108.0	105.9	999.9
Premium Unleaded	64.8	10.0	15.5	90.3	109.4	111.4	109.4	999.9
Ultra-Low-Sulfur Diesel	59.3	4.0	15.4	78.7	96.0	98.1	96.0	999.9

N.S. Reg. 135/2016 to 136/2016

Made: July 4, 2016

Filed: July 4, 2016

General Labour Standards Code Regulations—amendment;
Minimum Wage Order (General)—amendmentOrder in Council 2016-160 dated July 4, 2016
Amendment to regulations made by the Governor in Council
pursuant to Sections 7 and 50 of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated June 16, 2016, and pursuant to Sections 7 and 50 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased to, effective on and after July 4, 2016,

- (a) amend the general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, to exempt athletes from the application of Sections 32 to 43, 50, 51, 53 to 56, 61 to 67 and 71 to 78 of the *Labour Standards Code*, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) amend the *Minimum Wage Order (General)*, N.S. Reg. 5/99, made by the Governor in Council by Order in Council 1999-56 dated February 17, 1999, to exempt athletes from the application of the *Minimum Wage Order (General)*, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation.

N.S. Reg. 135/2016

General Labour Standards Code Regulations—amendment

Schedule “A”**Amendment to the General Regulations Respecting Labour Standards
made by the Governor in Council under Section 7 of Chapter 246
of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code***

Section 2 of the general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, is amended by

- (a) renumbering subsection (4A) as (4B); and
- (b) adding the following subsection immediately after subsection (4):
 - (4A)** Athletes while engaged in activities related to their athletic endeavour are exempt from the application of all of the following provisions of the Code:
 - (a) Sections 32, 33, 34, 35 and 36;
 - (b) Sections 37, 38, 39, 40, 41, 42 and 43;
 - (c) Sections 50, 51, 53, 54, 55 and 56;
 - (d) Sections 61, 62, 63, 64, 65, 66, 66A, 66B and 67; and
 - (e) Sections 71, 72, 73, 74, 75, 76, 77 and 78.

N.S. Reg. 136/2016

Minimum Wage Order (General)–amendment

Schedule “B”

**Amendment to the *Minimum Wage Order (General)*
made by the Governor in Council under Sections 7 and 50
of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code***

Section 2 of the *Minimum Wage Order (General)*, N.S. Reg. 5/99, made by the Governor in Council by Order in Council 1999-56 dated February 17, 1999, is amended by

- (a) striking out “excepting” and substituting “except all of the following”;
- (b) striking out “and” at the end of clause (k);
- (c) striking out the period at the end of clause (l) and substituting a semicolon; and
- (d) adding the following clause immediately after clause (l):
 - (m) athletes while engaged in activities related to their athletic endeavour.

N.S. Reg. 137/2016

Made: July 4, 2016

Filed: July 4, 2016

Capital Investment Tax Credit Regulations

Order in Council 2016-168 dated July 4, 2016
Regulations made by the Governor in Council
pursuant to subsection 49A(14) of the *Income Tax Act*

The Governor in Council on the report and recommendation of the Minister of Finance and Treasury Board dated April 7, 2016, and pursuant to subsection 49A(14) of Chapter 217 of the Revised Statutes of Nova Scotia, 1989, the *Income Tax Act*, is pleased to make regulations respecting the tax incentive for large capital equipment investments, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after January 1, 2015.

Schedule “A”

**Regulations Respecting the Capital Investment Tax Credit
made by the Governor in Council under Section 49A of
Chapter 217 of the Revised Statutes of
Nova Scotia, 1989, the *Income Tax Act***

Citation

1 These regulations may be cited as the *Capital Investment Tax Credit Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Income Tax Act*;

“available for use” means available for use as determined under either of the following:

- (i) subsection 13(27) of the Federal Act, without reference to paragraph (c),
- (ii) subsection 13(28) of the Federal Act, without reference to paragraph (d);

“business plan”, in reference to a corporation, means the business plan submitted with the corporation’s application for an eligibility certificate under clause 4(2)(b);

“effective date” means the date identified in a business plan as the earliest date that qualified property in respect of the project is, or is expected to be, acquired;

“eligibility certificate” means a certificate issued under Section 5 in respect of an eligible corporation that is determined to be eligible to apply for a tax-credit certificate;

“NAICS Canada” means the North American Industry Classification System (NAICS) Canada, as revised in 2012, published by Statistics Canada and developed by the federal government and the governments of the United States of America and Mexico for use in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the Canadian business economy;

“project” means a single project of a corporation;

“revenue from government sources” means revenue received from a federal, provincial or municipal government, including a crown corporation, agency, board or tribunal, whether or not received under a contract for services;

“tax-credit certificate” means a tax-credit certificate issued under subsection 49A(6) of the Act.

- (2) A reference in these regulations to the Minister of Finance and Treasury Board of the Province includes a person designated by the Minister of Finance and Treasury Board of the Province as referred to in subsections 49A(5), (6) and (12) of the Act.

Approved projects

3 A project that satisfies all of the following conditions is an approved project:

- (a) the aggregate of all amounts, each of which is the capital cost of qualified property in respect of the project is, or is expected to be, not less than the following:
 - (i) \$5 million over a period of 24 months from the effective date,
 - (ii) \$7.5 million over a period of 36 months from the effective date,
 - (iii) \$10 million over a period of 48 months from the effective date,
 - (iv) \$15 million over a period of 60 months from the effective date;
- (b) less than 50% of the revenue from the project will be revenue from government sources;
- (c) the project is, in the opinion of the Minister of Finance and Treasury Board of the Province, consistent with the Province’s priority of achieving sustained economic development and

growth through investments in significant capital projects such as new technologies or expansions that result in gains in innovation, productivity or competitiveness as well as increased international trade.

Eligible corporations

4 A corporation that satisfies all of the following conditions is an eligible corporation:

- (a) it is incorporated under the laws of Canada or a province of Canada and is a taxable Canadian corporation;
- (b) it has a permanent establishment in the Province;
- (c) its principal activity does not fall within 1 of the following classes under NAICS Canada:
 - (i) industry group 2111 (oil and gas extraction),
 - (ii) industry group 2212 (natural gas distribution),
 - (iii) sector 23 (construction),
 - (iv) industry group 3273 (cement and concrete product mixing),
 - (v) industry 32712 (clay building material and refractory manufacturing),
 - (vi) industry 32412 (asphalt paving, roofing and saturated materials manufacturing),
 - (vii) sector 44–45 (retail trade),
 - (viii) industry 323113 (commercial screen printing),
 - (ix) industry 323114 (quick printing),
 - (x) industry 323115 (digital printing).

Eligibility certificate

5 (1) A corporation must apply for and receive an eligibility certificate before applying for a tax-credit certificate.

(2) An application for an eligibility certificate must be in a form acceptable to the Minister of Finance and Treasury Board of the Province, and include all of the following:

- (a) proof that the corporation is an eligible corporation and that its corporate registration status is in good standing;
- (b) a business plan containing, at a minimum, all of the following information:
 - (i) projected financial statements for the corporation for the taxation years covering the duration of the project,
 - (ii) financial statements for the corporation's preceding taxation year,
 - (iii) a description of the project's expected outcomes, including the impact on the economic development of the Province,

- (iv) a list of each qualified property that will be acquired in respect of the project, including:
 - (A) its estimated capital cost,
 - (B) the year it will be purchased, and
 - (C) the year it will be available for use,
 - (v) a statement outlining how the qualified property is necessary to achieve the project's expected outcomes;
- (c) a statement signed by an authorized officer of the corporation giving consent on behalf of the corporation to the Minister to publish all of the following information:
- (i) the name of the corporation,
 - (ii) the amount of the tax credit applied for,
 - (iii) the amount of the tax credit received;
- (d) any information that the Minister requires in order to determine any of the following:
- (i) that the corporation is an eligible corporation,
 - (ii) that the project is an approved project,
 - (iii) that the corporation will be entitled to receive a tax-credit certificate in accordance with Section 8.
- (3) The Minister of Finance and Treasury Board of the Province must issue an eligibility certificate to an eligible corporation if they are satisfied, based on the information provided by the corporation, and any other information available to them, that the corporation will be entitled to receive a tax-credit certificate in accordance with Section 8.
- (4) The decision of the Minister of Finance and Treasury Board of the Province to issue or refuse to issue an eligibility certificate under subsection (3) is final.

Revocation of eligibility certificate

- 6 (1) An eligibility certificate is automatically revoked if a project fails to meet any of the capital cost conditions in clause 3(a).
- (2) The Minister of Finance and Treasury Board of the Province may, at any time after an eligibility certificate has been issued, revoke the eligibility certificate in any of the following circumstances:
- (a) the corporation does not acquire the qualified property or have it available for use in accordance with the timeline set out in their business plan;
 - (b) in the opinion of the Minister of Finance and Treasury Board of the Province, the corporation's total expenditures on qualified property in respect of the project are no longer expected to meet the one of the capital cost conditions in clause 3(a);

- (c) in the opinion of the Minister of Finance and Treasury Board of the Province, the corporation has not complied with any provision of the Act or these regulations or the spirit and intent of the Act or these regulations;
 - (d) the Minister of Finance and Treasury Board of the Province determines that the eligibility certificate was issued based on information or documentation that is false or misleading, or has materially changed.
- (3) An eligibility certificate revoked under this Section is void *ab initio*.

Reinstatement of eligibility certificate

- 7 (1) A corporation whose eligibility certificate is revoked under subsection 6(1) may apply to have the certificate reinstated.
- (2) The Minister of Finance and Treasury Board of the Province may reinstate a corporation's eligibility certificate if the corporation demonstrates, to the satisfaction of the Minister of Finance and Treasury Board of the Province, that there were circumstances beyond the corporation's control that caused the project to fail to meet the capital cost conditions in clause 3(a).

Application for tax-credit certificate

- 8 (1) An application for a tax-credit certificate for a taxation year must be made no later than 18 months after the end of the taxation year in which the qualified property in respect of which the tax-credit certificate is sought was acquired by the corporation.
- (2) An application for a tax-credit certificate for a taxation year must be in a form acceptable to the Minister of Finance and Treasury Board of the Province, and include any information and records the Minister of Finance and Treasury Board of the Province requires to determine whether the criteria set out in the Act and regulations for issuing the tax-credit certificate are met, including all of the following:
- (a) a copy of the corporation's eligibility certificate for the approved project;
 - (b) the corporation's T2 corporate tax return, including Schedule 31, and financial statements for the taxation year immediately preceding the taxation year for which the tax-credit certificate is sought;
 - (c) a draft of the corporation's Schedule 31 to their T2 corporate tax return for the taxation year, with a statement identifying which qualified property shown on the schedule was acquired in respect of the approved project, and reconciling the acquisition of the qualified property to its business plan;
 - (d) proof of the capital cost of each qualified property shown on the corporation's draft Schedule 31 to their T2 corporate tax return for the taxation year;
 - (e) a statement showing the government assistance received, or expected to be received, by the corporation that may reasonably be considered to relate to the acquisition of the qualified property;
 - (f) a status report for the corporation's approved project with an explanation for any deviation from its business plan.

Qualified property acquired in respect of an approved project

- 9 (1) A qualified property acquired by a corporation is acquired in respect of an approved project if it meets all of the following criteria:
- (a) it is identified by property type and cost in the business plan;
 - (b) it is acquired and became available for use in the taxation year identified in the business plan;
 - (c) its acquisition is necessary to achieve the outcomes identified in the business plan.
- (2) A qualified property acquired by a corporation is considered to be acquired in respect of an approved project, despite subsection (1), if any of the following circumstances apply, and the Minister of Finance and Treasury Board of the Province is of the opinion that the difference is immaterial:
- (a) the property differs from the description given in the business plan;
 - (b) the property was acquired or became available for use in a different year than was identified in the business plan.

Records kept by eligible corporation

- 10 (1) An eligible corporation must keep records in the form required by the Minister of Finance and Treasury Board of the Province, and containing any information that the Minister of Finance and Treasury Board of the Province considers necessary to determine that the eligible corporation is complying with the Act and these regulations.
- (2) An eligible corporation must keep the records required by subsection (1) at its head office or at another place approved by the Minister of Finance and Treasury Board of the Province.

N.S. Reg. 138/2016

Made: July 4, 2016

Filed: July 4, 2016

Liquor Licensing Regulations—amendment

Order in Council 2016-176 dated July 4, 2016

Amendment to regulations made by the Governor in Council
pursuant to Section 50 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated June 7, 2016, and pursuant to Section 50 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, to simplify the method for determining the maximum number of persons permitted in licensed premises and eliminate the prescribed time after which an eating establishment may convert to a lounge for premises operated as a combined lounge and eating establishment, in the manner set forth in Schedule “A”, attached to and forming part of the report and recommendation, effective on and after July 4, 2016.

Schedule "A"

**Amendment to the *Liquor Licensing Regulations*
made by the Governor in Council under Section 50 of
Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act***

- 1 (1) The *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, are amended by repealing subsection 22(1) and substituting the following subsection:
- (1) Before granting a permanent license, the Executive Director must determine an approximate number of persons that the proposed licensed premises may hold in accordance with the maximum permitted under subsection 22A(2), and must include that information in any notice of public consultation provided in accordance with subsection 49(8) or 49(12) of the Act.
- (2) Subsection 22(2) of the regulations is repealed and the following subsection substituted:
- (2) At the time of granting a permanent license, the Executive Director must confirm the actual maximum number of persons the proposed licensed premises may hold in accordance with Section 22A and specify that number on the license.
- (3) Subsection 22(3) of the regulations is repealed.
- (4) Subsection 22(5) of the regulations is repealed and the following subsection substituted:
- (5) When notified under subsection (4) that the occupant load for a licensed premises has been changed, the Executive Director must change the maximum number of persons the licensed premises may hold, as specified on the license, to the maximum in accordance with subsection 22A(1).
- 2 Section 22A of the regulations is repealed and the following Section substituted:
- Maximum number of persons permitted in a licensed premises**
- 22A (1)** Except as provided by subsection (2), the maximum number of persons permitted in a licensed premises is the number equivalent to the occupant load determined by a fire official.
- (2) The maximum number of persons permitted in a licensed premises for which the occupant load is not determined by a fire official is determined based on an allowance for no more than 1 person for every 1.1148 m² (12 ft.²) of the licensed premises' customer accommodation area.
- (3) The Executive Director may issue a policy establishing the method of determining the size of a customer accommodation area.
- 3 Subsection 71(2) of the regulations is amended by striking out "after 9:00 p.m.".

N.S. Reg. 139/2016

Made: June 30, 2016

Filed: July 8, 2016

Electoral Districts Order: Conseil scolaire acadien provincial

Order dated June 30, 2016
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act*

Order**M07258****Nova Scotia Utility and Review Board****In the matter of the *Education Act***

- and -

In the matter of an application by the **Conseil scolaire acadien provincial** to increase the number of school board members from 17 to 18; to increase the number of electoral districts from 9 to 10; and to amend the ~~boundaries~~ [boundaries] of the electoral districts

Before: Roland A. Deveau, Q.C., Vice Chair**Order**

An application having been made by the **Conseil scolaire acadien provincial** pursuant to s. 43 of the *Education Act*, and the Board having issued its decision on June 30, 2016;

It is hereby ordered:

1. That the number of members for the Conseil scolaire acadien provincial is set at 18;
2. That the number of electoral districts of the Conseil scolaire acadien provincial is set at 10;
3. The electoral districts of Argyle, Clare and Halifax will each elect three members; the electoral districts of Inverness and Richmond will each elect two members and the electoral districts of Antigonish, Greenwood, South Shore, Truro and Victoria-Cape Breton will each elect one member. The members in those districts with more than one member will be elected "at large";
4. That the descriptions of the boundaries of the 10 electoral districts shall be as outlined in Schedule "A";

And it is further ordered that all provisions of the *Education 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 school board members in the year 2016 will be complied with as if the above-noted changes had been made on the first day of March 2016, but for all other purposes such changes shall take effect on the first day of the first meeting of the school board after the election of school board members for the year 2016.

Dated at Halifax, Nova Scotia, this 30th day of June, 2016.

sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"**Conseil scolaire acadien provincial**
Electoral Districts/2016

Electoral District of Argyle is comprised of the Municipality of the District of Argyle, the Municipality of the District of Yarmouth, the Town of Yarmouth, the Municipality of the District of Barrington, the Town of Clarke's Harbour, the Municipality of the District of Shelburne, the Town of Shelburne and the Town of Lockeport.

Electoral District of Clare is comprised of the Municipality of the District of Clare, the Municipality of the District of Digby and the Town of Digby.

Electoral District of Halifax is comprised of the Halifax Regional Municipality.

Electoral District of Inverness is comprised of the Municipality of the County of Inverness.

Electoral District of Richmond is comprised of the Municipality of the County of Richmond and the Town of Port Hawkesbury.

Electoral District of Antigonish is comprised of the Municipality of the County of Antigonish, the Municipality of the District of Guysborough, the Municipality of the District of St. Mary's, the Municipality of the County of Pictou, the Municipality of the District of East Hants and the Towns of Antigonish, Mulgrave, Pictou, New Glasgow, Stellarton, Westville and Trenton.

Electoral District of Greenwood is comprised of the Municipality of the County of Annapolis, the Municipality of the County of Kings, the Municipality of the District of West Hants and the Towns of Windsor, Hantsport, Wolfville, Kentville, Berwick, Middleton, Bridgetown, and Annapolis Royal.

Electoral District of Victoria-Cape Breton is comprised of the Municipality of the County of Victoria and the Cape Breton Regional Municipality.

Electoral District of South Shore is comprised of the Region of Queens Municipality, the Municipality of the District of Lunenburg, the Municipality of the District of Chester, and the Towns of Lunenburg, Bridgewater and Mahone Bay.

Electoral District of Truro is comprised of the Municipality of the County of Colchester, the Municipality of the County of Cumberland, and the Towns of Truro, Amherst, Oxford and Stewiacke.

N.S. Reg. 140/2016

Made: July 4, 2016

Filed: July 8, 2016

Polling Districts Order: Town of New Glasgow

Order dated July 4, 2016
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order**M06944****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 New Glasgow** to confirm the number of councillors and to amend the boundaries of the polling districts

Before: Roland A. Deveau, Q.C., Vice Chair
Kulvinder S. Dhillon, P.Eng., Member

Order

An application having been made by the Town of New Glasgow pursuant to s. 369 of the *Municipal Government Act* and the Board having issued its written decision on June 30, 2016;

It is hereby ordered that:

1. The number of councillors is confirmed at six;
2. The number of polling districts is confirmed at three, each electing two councillors;
3. The descriptions of the polling districts are set out in Schedule "A", attached to and forming part of this Order;

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 2016 will be complied with as if the above-noted changes had been made on the first day of March, 2016, 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 2016.

Dated at Halifax, Nova Scotia this 4th day of July, 2016.

sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

Ward Number 1 - known as the "South End", ~~comprised of~~ [comprises] all of that part of the town lying on the east side of the East River and to the south of Lorne Street/George Street, and is bounded southerly by the Municipality of the County of Pictou, easterly by the Municipality of the County of Pictou, northerly by Lorne Street/George Street and westerly by the East River.

Ward Number 2 - known as the "North End", ~~comprised of~~ [comprises] all of that part of the town lying on the east side of the East River and to the north of Lorne Street/George Street, and is bounded southerly by Lorne Street/George Street, easterly by the Municipality of the County of Pictou, northerly by the Town of Trenton and westerly by the East River.

Ward Number 3 - known as the "West Side", ~~comprising of~~ [comprises] all that part of the town on the west side of the East River and is bounded southerly by the Town of Stellarton, easterly by the East River, westerly by the Municipality of the County of Pictou and northerly by the Municipality of the County of Pictou.

N.S. Reg. 141/2016

Made: July 5, 2016

Filed: July 8, 2016

Electoral Districts Order: Strait Regional School Board

Order dated July 5, 2016
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act*

Order

M07229

Nova Scotia Utility and Review Board

In the matter of the *Education Act*

- and -

In the matter of an application by **Strait Regional School Board** to confirm the number of school board members and electoral districts and to amend the boundaries of the electoral districts

Before: David J. Almon, LL.B., Member

Order

An application having been made by the Strait Regional School Board pursuant to s. 43 of the *Education Act* and the Board having issued its decision on July 4, 2016;

It is hereby ordered that the application is approved as follows:

1. The number of electoral districts for the Strait Regional School Board is confirmed at 10, each electing one member;
2. The proposed boundaries of the electoral districts are approved; and

3. The descriptions of all electoral districts are set out in Schedule “A”, attached to and forming part of this Order;

And it is further ordered that all provisions of the *Education 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 school board members in the year 2016 will be complied with as if the above-noted changes had been made on the first day of March 2016, but for all other purposes such changes shall take effect on the first day of the first meeting of the school board after the election of school board members for the year 2016.

Dated at Halifax, Nova Scotia this 5th day of July, 2016.

sgd: *Elaine Wagner*
Clerk of the Board

Schedule “A”

Electoral District 1: North Inverness includes, among others, the communities of Inverness, Cheticamp and Pleasant Bay. At the farthest point north is the community of Meat Cove. There are three schools: Pleasant Bay School (P to 6), which feeds into Cape Breton Highlands Education Centre/Academy (P to 12) (together these schools form a feeder system), and the Inverness Education Centre/Academy, which is a standalone school (P to 12). District 1 totals 2052.7 km². District 1 encompasses Municipal Polling Districts 1, 2 and 3 in the County of Inverness.

Electoral District 2: Central Inverness includes, among others, the communities of Port Hood, Mabou, and Whycocomagh. There are three schools: Bayview Education Centre (P to 8) and Whycocomagh Education Centre (P to 8) both feed into Dalbrae Academy (9 to 12) (together these schools form a feeder system). District 2 totals 1077.5 km². District 2 encompasses Municipal Polling Districts 4 and 5 in the County of Inverness.

Electoral District 3: South Inverness includes, among others, the Town of Port Hawkesbury and a portion of the Municipality of Inverness. There are two schools: the Tamarac Education Centre (P to 8) which feeds into the Strait Area Education Recreation Centre (“SAERC”) (9 to 12) (these schools are part of the same feeder system). Both are in the Town of Port Hawkesbury. District 3 totals 644.67 km². District 3 encompasses all of Municipal Polling District 6 in the County of Inverness, including the Town of Port Hawkesbury.

Electoral District 4: West Richmond includes, among others, the community of Louisdale, as well as several smaller communities spread throughout the district including Dundee, and Janvrin Harbour. There are two schools: Felix Marchand Education Centre (P to 4), which feeds into Richmond Education Centre/Academy (“RECA”) (5 to 12) (these schools are part of the same feeder system). District 4 totals 364.83 km². District 4 encompasses the Municipal Polling Districts 1, 2 and 3 of the County of Richmond.

Electoral District 5: East Richmond includes, among others, the community of St. Peter’s, as well as several smaller communities spread throughout the district including Forchu, Framboise and Johnstown. There is one school in the district, the East Richmond Education Centre (P to 8), which feeds into RECA. District 5 totals approximately 949.92 km². District 5 encompasses Municipal Polling Districts 4 and 5 of the County of Richmond.

Electoral District 6: Town of Antigonish totals 4.88 km². The Town of Antigonish forms this district. There is one school in this district: Dr. John Hugh Gillis Regional High School (9 to 12) (“JHG”).

Electoral District 7: West Antigonish includes, among others, the communities of Williams Point, Lakevale, and Maryvale. There are three schools in this district: Antigonish Education Centre (P-4), H.M. MacDonald Elementary School and (P to 6), which feeds into St. Andrew’s Junior School (5 to 8) (“SAJS”). The district

totals 1127.14 km². It encompasses Municipal Polling Districts 1, 2, 3, 4 and 10 and represents part of the rural population around the Town of Antigonish.

Electoral District 8: East Antigonish includes, among others, the communities of Tracadie, Bayfield and St. Andrews. There are two schools: St. Andrew[s] Consolidated (P to 6) (which feeds into SAJS) and the East Antigonish Education Centre/Academy (P to 12), which is a stand-alone school. District 8 totals 807.1 km². It encompasses Municipal Polling Districts 5, 6, 7, 8 and 9 and represents part of the rural population around the Town of Antigonish.

Electoral District 9: East Guysborough includes, among others, the communities of Canso, Mulgrave, and Guysborough. It has three schools, the Mulgrave Memorial Education Centre (P to 8) (which feeds into SAERC), and two stand-alone schools Chedabucto Education Centre/Guysborough Academy (P to 12) and the Fanning Education Centre/Canso Academy (P to 12). It totals 1648.1 km². It encompasses Municipal Polling Districts 1–6 in the Municipality of Guysborough, as well as the Town of Mulgrave.

Electoral District 10: West Guysborough encompasses the Municipal District of St. Mary's and Polling District 7 from the Municipality of Guysborough, including, among others, the communities of Sherbrooke, Ecum Secum and Trafalgar. It has one stand-alone school, the St. Mary's Education Centre/Academy (P to 12). It is the largest district in geography and totals 2588.4 km².

N.S. Reg. 142/2016

Made: July 7, 2016

Filed: July 8, 2016

Prescribed Petroleum Products Prices

Order dated July 7, 2016
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

M07556

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

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 product 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 Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended July 6, 2016, are:

Grade 1 Regular gasoline	48.4¢ per litre
Ultra-low-sulfur diesel oil	49.6¢ per litre

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

Gasoline:	
Grade 1	48.4¢ per litre
Grade 2	51.4¢ per litre
Grade 3	54.4¢ per litre
Ultra-low-sulfur diesel oil	49.6¢ 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:	minus 0.7¢ per litre
Ultra-low-sulfur diesel oil:	Nil

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., July 8, 2016.

Dated at Halifax, Nova Scotia, this 7th day of July, 2016.

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 July 8, 2016**

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
Zone 1								
Regular Unleaded	54.9	10.0	15.5	80.4	98.0	100.0	98.0	999.9
Mid-Grade Unleaded	57.9	10.0	15.5	83.4	101.4	103.5	101.4	999.9
Premium Unleaded	60.9	10.0	15.5	86.4	104.9	107.0	104.9	999.9
Ultra-Low-Sulfur Diesel	56.8	4.0	15.4	76.2	93.2	95.2	93.2	999.9
Zone 2								
Regular Unleaded	55.4	10.0	15.5	80.9	98.6	100.6	98.6	999.9
Mid-Grade Unleaded	58.4	10.0	15.5	83.9	102.0	104.1	102.0	999.9
Premium Unleaded	61.4	10.0	15.5	86.9	105.5	107.5	105.5	999.9
Ultra-Low-Sulfur Diesel	57.3	4.0	15.4	76.7	93.7	95.8	93.7	999.9

Zone 3								
Regular Unleaded	55.8	10.0	15.5	81.3	99.0	101.1	99.0	999.9
Mid-Grade Unleaded	58.8	10.0	15.5	84.3	102.5	104.5	102.5	999.9
Premium Unleaded	61.8	10.0	15.5	87.3	105.9	108.0	105.9	999.9
Ultra-Low-Sulfur Diesel	57.7	4.0	15.4	77.1	94.2	96.3	94.2	999.9
Zone 4								
Regular Unleaded	55.9	10.0	15.5	81.4	99.1	101.2	99.1	999.9
Mid-Grade Unleaded	58.9	10.0	15.5	84.4	102.6	104.6	102.6	999.9
Premium Unleaded	61.9	10.0	15.5	87.4	106.0	108.1	106.0	999.9
Ultra-Low-Sulfur Diesel	57.8	4.0	15.4	77.2	94.3	96.4	94.3	999.9
Zone 5								
Regular Unleaded	55.9	10.0	15.5	81.4	99.1	101.2	99.1	999.9
Mid-Grade Unleaded	58.9	10.0	15.5	84.4	102.6	104.6	102.6	999.9
Premium Unleaded	61.9	10.0	15.5	87.4	106.0	108.1	106.0	999.9
Ultra-Low-Sulfur Diesel	57.8	4.0	15.4	77.2	94.3	96.4	94.3	999.9
Zone 6								
Regular Unleaded	56.6	10.0	15.5	82.1	99.9	102.0	99.9	999.9
Mid-Grade Unleaded	59.6	10.0	15.5	85.1	103.4	105.5	103.4	999.9
Premium Unleaded	62.6	10.0	15.5	88.1	106.8	108.9	106.8	999.9
Ultra-Low-Sulfur Diesel	58.5	4.0	15.4	77.9	95.1	97.2	95.1	999.9

N.S. Reg. 143/2016

Made: July 7, 2016

Filed: July 11, 2016

Summary Offence Tickets Regulations—amendment

Order dated July 7, 2016

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Section 8 of the *Summary Proceedings Act***Order****Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Diana Whalen, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this order, hereby

- (a) amend the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the *Halifax Regional Municipality Charter* as summary offence ticket offences in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court

settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made July 7, 2016 at Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Diana Whalen*
Honourable Diana Whalen
Attorney General and Minister of Justice

Schedule "A"

**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to
Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

The *Summary Offence Ticket[s] Regulations*, N.S. Reg. 281/2011, made by Order of the Attorney General and Minister of Justice dated October 4, 2011, are amended by adding the following Schedule immediately after Schedule 43A:

**Schedule 44
Halifax Regional Municipality Charter**

Offence	Section	Out of Court Settlement
1 Refusing access to inspector exercising power granted under Act	367(3)(d)	\$237.50
2 Interfering with inspector exercising power granted under Act	367(3)(d)	\$237.50
3 Violating provision (specify) of Act or order, regulation or by-law (specify) in force in accordance with Act	369(1)(a)	\$237.50
4 Failing to do anything required (specify) by order, regulation or by-law (specify) in force in accordance with Act	369(1)(b)	\$237.50
5 Permitting anything (specify) to be done in violation of Act or order, regulation or by-law (specify) in force in accordance with Act	369(1)(c)	\$237.50
6 Obstructing or hindering any person in performance of duties (specify) under Act or order, regulation or by-law (specify) in force in accordance with Act	369(1)(d)	\$237.50