

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. 32/2017

Made: March 7, 2017

Filed: March 8, 2017

Summary Offence Tickets Regulations—amendment

Order dated March 7, 2017

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Sections 8 and 8A of the *Summary Proceedings Act***Order****Made under Sections 8 and 8A 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 Sections 8 and 8A 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 Schedule PT to 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, by striking out the out of court settlement amounts of \$46.60 in items 1–9 under the heading “Town of Lunenburg By-law No. 20 – Parking Meters” and substituting \$56.60; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence referred to in clause (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 March 7, 2017, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Diana Whalen*

Honourable Diana Whalen

Attorney General and Minister of Justice

N.S. Reg. 33/2017

Made: March 9, 2017

Filed: March 10, 2017

Spring Weight Restriction Regulations—amendment

Order dated March 9, 2017

Amendment to regulations made by the Director of Operations Services,
Department of Transportation and Infrastructure Renewal
pursuant to subsection 20(1) of the *Public Highways Act*

**In the matter of subsection 20(1) of Chapter 371
of the Revised Statutes of Nova Scotia, 1989,
the *Public Highways Act***

Order

Pursuant to subsection 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act*, Kevin Mitchell, Director of Operations Services, Department of Transportation and Infrastructure Renewal, hereby orders that Appendix 1: List of Highways Exempt from Spring Weight Restrictions to the order respecting spring weight restrictions, N.S. Reg. 27/2017, made by the Executive Director of Maintenance and Operations, Department of Transportation and Infrastructure Renewal on February 27, 2017, is amended

- (a) under the heading “Colchester County”, to correct a typographical error, by striking out “Gaspereau Cross” in item 26 and substituting “Gasper Cross”; and
- (b) under the heading “Pictou County”, to correct a typographical error in item 43 and re-order items 41 to 43 alphabetically, by striking out items 41, 42 and 43 and substituting the following items:
 - 41. **Salter Road (0640)**, from Pleasant Valley Road at Pleasant Valley southerly to Route 289 at Union Centre, 3.2 km.
 - 42. **Scotch Hill Road (0788)**, from Route 376 at Lyons Brook northerly to TIR base, 0.4 km.
 - 43. **Simpsons Road (0679)**, from Three Brooks Road at Caribou easterly to Gulf Seafoods Ltd., 0.8 km.

Dated and made at Halifax, Nova Scotia, on March 9, 2017.

sgd. *Kevin Mitchell*
Kevin Mitchell, P. Eng.
Director of Operations Services
Department of Transportation and Infrastructure Renewal

N.S. Reg. 34/2017

Made: March 9, 2017

Filed: March 10, 2017

Prescribed Petroleum Products Prices

Order dated March 9, 2017
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**M07919****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:** Roberta J. Clarke, Q.C., 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 wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended March 8, 2017, are:

Grade 1 Regular gasoline	52.7¢ per litre
Ultra-low-sulfur diesel oil	55.9¢ per litre

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

Gasoline:	
Grade 1	52.7¢ per litre
Grade 2	55.7¢ per litre
Grade 3	58.7¢ per litre
Ultra-low-sulfur diesel oil	55.9¢ 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 0.4¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.2¢ per litre

And whereas a winter blending adjustment of plus 4.5¢ per litre is required for ultra-low-sulfur diesel oil;

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., March 10, 2017.

Dated at Halifax, Nova Scotia, this 9th day of March, 2017.

sgd: Doreen Friis
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 March 10, 2017**

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	59.5	10.0	15.5	85.0	103.6	105.8	103.6	999.9
Mid-Grade Unleaded	62.5	10.0	15.5	88.0	107.1	109.2	107.1	999.9
Premium Unleaded	65.5	10.0	15.5	91.0	110.5	112.7	110.5	999.9
Ultra-Low-Sulfur Diesel	67.4	4.0	15.4	86.8	105.7	107.9	105.7	999.9
Zone 2								
Regular Unleaded	60.0	10.0	15.5	85.5	104.2	106.4	104.2	999.9
Mid-Grade Unleaded	63.0	10.0	15.5	88.5	107.6	109.8	107.6	999.9
Premium Unleaded	66.0	10.0	15.5	91.5	111.1	113.3	111.1	999.9
Ultra-Low-Sulfur Diesel	67.9	4.0	15.4	87.3	106.3	108.4	106.3	999.9
Zone 3								
Regular Unleaded	60.4	10.0	15.5	85.9	104.6	106.8	104.6	999.9
Mid-Grade Unleaded	63.4	10.0	15.5	88.9	108.1	110.3	108.1	999.9
Premium Unleaded	66.4	10.0	15.5	91.9	111.6	113.7	111.6	999.9
Ultra-Low-Sulfur Diesel	68.3	4.0	15.4	87.7	106.7	108.9	106.7	999.9
Zone 4								
Regular Unleaded	60.5	10.0	15.5	86.0	104.8	107.0	104.8	999.9
Mid-Grade Unleaded	63.5	10.0	15.5	89.0	108.2	110.4	108.2	999.9
Premium Unleaded	66.5	10.0	15.5	92.0	111.7	113.8	111.7	999.9
Ultra-Low-Sulfur Diesel	68.4	4.0	15.4	87.8	106.8	109.0	106.8	999.9
Zone 5								
Regular Unleaded	60.5	10.0	15.5	86.0	104.8	107.0	104.8	999.9
Mid-Grade Unleaded	63.5	10.0	15.5	89.0	108.2	110.4	108.2	999.9
Premium Unleaded	66.5	10.0	15.5	92.0	111.7	113.8	111.7	999.9
Ultra-Low-Sulfur Diesel	68.4	4.0	15.4	87.8	106.8	109.0	106.8	999.9
Zone 6								
Regular Unleaded	61.2	10.0	15.5	86.7	105.6	107.8	105.6	999.9
Mid-Grade Unleaded	64.2	10.0	15.5	89.7	109.0	111.2	109.0	999.9
Premium Unleaded	67.2	10.0	15.5	92.7	112.5	114.7	112.5	999.9
Ultra-Low-Sulfur Diesel	69.1	4.0	15.4	88.5	107.6	109.8	107.6	999.9

N.S. Reg. 35/2017

Made: March 14, 2017

Filed: March 14, 2017

Veterinary Medical Regulations—amendment

Order in Council 2017-54 dated March 14, 2017

Amendment to regulations made by the Council of the Nova Scotia
Veterinary Medical Association and approved by the Governor in Council
pursuant to Section 6 of the *Veterinary Medical Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated January 25, 2017, and pursuant to Section 6 of Chapter 13 of the Acts of 2001, the *Veterinary Medical Act*, is pleased to approve of amendments made by the Council of the Nova Scotia Veterinary Medical Association to the *Veterinary Medical Regulations*, N.S. Reg. 37/2006, made by the Council of the Nova Scotia Veterinary Medical Association and approved by the Governor in Council by Order in Council 2006-104 dated February 17, 2006, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 14, 2017.

Schedule “A”

I certify that the Council of the Nova Scotia Veterinary Medical Association, at its meeting on October 15, 2016, carried a motion to amend the *Veterinary Medical Regulations*, N.S. Reg. 37/2006, made by the Council and approved by the Governor in Council by Order in Council 2006-104 dated February 17, 2006, in the manner set forth in the attached.

The amendments to the regulations referred to in this certificate are effective on and after the date they are approved by the Governor in Council.

Signed at Halifax, in the Halifax Regional Municipality, Nova Scotia, on March 15, 2017.

Council of the Nova Scotia Veterinary Medical Association

per: sgd. *F.D. Richardson*
Registrar

**Amendment to the *Veterinary Medical Regulations*
made by the ~~Governor in Council~~ [Council of the Nova Scotia Veterinary Medical Association]
under Section 6 of Chapter 13 of the ~~Statutes of Nova Scotia~~, [Acts of] 2001,
the *Veterinary Medical Act***

1 Subsection 2(1) of the *Veterinary Medical Regulations*, N.S. Reg. 37/2006, made by the Council of the Nova Scotia Veterinary Medical Association and approved by the Governor in Council by Order in Council 2006-104 dated February 17, 2006, is amended by

- (a) striking out the clause letter before each definition; and
- (b) adding the following clauses where they belong in alphabetical order:

“aquatic animal” means an animal that is grown at an aquaculture site and has water as its natural habitat during all stages of its development or life cycle;

“aquaculture” has the same meaning as “aquaculture” as defined in the *Fisheries and Coastal Resources Act*;

- 2 Section 70 of the regulations is amended by
 - (a) striking out “and” at the end of clause (g);
 - (b) striking out the period at the end of clause (h) and substituting a semicolon; and
 - (c) adding the following clauses immediately after clause (h):
 - (i) aquatic animal facility;
 - (j) aquatic animal ambulatory service.
- 3 The regulations are further amended by adding the following Sections immediately after Section 78:

Aquatic animal facility

- 78A (1)** The scope of the practice for an aquatic animal facility is limited to examination, diagnostics, euthanasia, prophylactic and medical and surgical treatment for aquatic animals.
- (2)** An aquatic animal facility must meet the standards set out in the by-laws.

Aquatic animal ambulatory service

- 78B (1)** The scope of practice for an aquatic animal ambulatory service is limited to the same services as an aquatic animal facility, if the standards for an aquatic animal facility as set out in the by-laws are met.
- (2)** An aquatic animal ambulatory service must be conducted from a vehicle that meets the standards set out in the by-laws.
- (3)** An aquatic animal ambulatory service must be operated from, and under the same proprietorship as, an aquatic animal facility.

N.S. Reg. 36/2017

Made: March 14, 2017

Filed: March 14, 2017

Day Care Regulations—amendment

Order dated March 14, 2017

Amendment to regulations made by the Governor in Council
pursuant to Section 15 of the *Day Care Act*

The Governor in Council on the report and recommendation of the Minister of Education and Early Childhood Development dated January 24, 2017, and pursuant to Section 15 of Chapter 120 of the Revised Statutes of Nova Scotia, 1989, the *Day Care Act*, is pleased to amend the *Day Care Regulations*, N.S. Reg. 193/2010, made by the Governor in Council by Order in Council 2010-456 dated December 20, 2010, to clarify various licensing and other requirements in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 14, 2017.

Schedule "A"

**Amendment to the *Day Care Regulations*
made by the Governor in Council under Section 15 of
Chapter 120 of the Revised Statutes of Nova Scotia, 1989,
the *Day Care Act***

- 1 The *Day Care Regulations*, N.S. Reg. 193/2010, made by the Governor in Council by Order in Council 2010-456 dated December 20, 2010, are amended by adding the following definition immediately after the definition of "care provider" in subsection 2(1):

"Competency Based Assessment Program" means the assessment process approved by the Minister for child care centre employees with a related credential and relevant experience to demonstrate and document knowledge and competencies required for a Level 2 Classification;

- 2 Section 15A of the regulations is amended by
- (a) striking out "6" in subsection (1) and substituting "7";
 - (b) striking out "6" in subsection (2) and substituting "7"; and
 - (c) striking out "8" in subsection (3) and substituting "9".
- 3 The regulations are further amended by adding the following Section immediately after Section 33:

Supervision

33A A facility director, agency director or care provider must ensure that every child is accounted for at all times during operating hours, including during outings and field trips, and that no child leaves the indoor or outdoor play space or the facility or, in the case of a family home day care program, the play group space or family home without the knowledge of the staff or care provider.

- 4 The table in subsection 34(1) of the regulations is amended under the heading "Family Home Day Care Program" by
- (a) striking out "6" and substituting "7" in the right-hand column of the row beginning "Any age"; and
 - (b) striking out "8" and substituting "9" in the right-hand column of the row beginning "School age".
- 5 Subsection 36(4) of the regulations is amended by
- (a) adding ", or be working on completing the Competency Based Assessment Program" immediately after "classification" in clause (a); and
 - (b) adding ", or be working on completing the Competency Based Assessment Program" immediately after "approval" in clause (b).
- 6 Subsection 37(3) of the regulations is amended by
- (a) striking out "either of the following qualifications" and substituting "any of the following qualifications";
 - (b) striking out the period at the end of clause (b) and substituting a semicolon; and

- (c) adding the following clause immediately after clause (b):
- (c) successful completion of the Competency Based Assessment Program within 1 year of beginning the program, unless another timeline for completion is approved by the Minister.
-

N.S. Reg. 37/2017

Made: March 9, 2017

Filed: March 14, 2017

Lake Major Watershed Protected Water Area Regulations—amendment

Order dated March 9, 2017

Amendment to regulations made by the Minister of Environment
pursuant to subsection 106(6) of the *Environment Act*

**In the matter of regulations respecting the
Lake Major Watershed Protected Water Area
made under Section 106 of Chapter 1 of the Acts of 1994-95,
the *Environment Act***

and

**In the matter of an amendment to the regulations respecting
the Lake Major Watershed Protected Water Area
made by the Minister of Environment pursuant to
subsection 106(6) of the *Environment Act***

Order

I, Margaret Miller, Minister of Environment for the Province of Nova Scotia, pursuant to Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, hereby amend the regulations respecting the Lake Major Watershed Protected Water Area, N.S. Reg 154/92, made by the Minister of the Environment by order dated July 10, 1992, in the manner set forth in Schedule “A”, effective on and after the date of this order.

Dated and made in Halifax, Nova Scotia March 9, 2017.

sgd. *M. Miller*

Honourable Margaret Miller

Minister of Environment

Schedule “A”

**Amendment to the Regulations Respecting the
Lake Major Watershed Protected Water Area
made by the Minister of Environment under subsection 106(6)
of Chapter 1 of the Acts 1994-95, the *Environment Act***

- 1 Subsection 4(4) of the regulations respecting the Lake Major Watershed Protected Water Area, N.S. Reg 154/92, made by the Minister of the Environment by order dated July 10, 1992, is repealed and the following subsection substituted:

- (4) No person shall operate a vessel on Lake Major that is powered by a motor greater than 9.9 hp or that carries more than 23 L of gasoline, unless the person meets both of the following conditions:
 - (a) they are required to operate the vessel on Lake Major to safeguard its water supply;
 - (b) they have been granted prior written authorization by the Water Works Operator.

- 2 The regulations are further amended by striking out “Water Utility” everywhere it appears in Sections 1 to 19 and substituting “Water Works Operator”.