

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. 61/2018

Made: April 5, 2018

Filed: April 6, 2018

Prescribed Petroleum Products Prices

Order dated April 5, 2018
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**M08608**

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 April 4, 2018, are:

Grade 1 Regular gasoline	68.4¢ per litre
Ultra-low-sulfur diesel oil	67.7¢ per litre

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

Gasoline:	
Grade 1	68.4¢ per litre
Grade 2	71.4¢ per litre
Grade 3	74.4¢ per litre
Ultra-low-sulfur diesel oil	67.7¢ 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 1.1¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.4¢ per litre

And whereas a winter blending adjustment of plus 1.3¢ 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., April 6, 2018.

Dated at Halifax, Nova Scotia, this 5th day of April, 2018.

sgd: Lisa Wallace
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 April 6, 2018**

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	76.7	10.0	15.5	102.2	123.4	125.6	123.4	999.9
Mid-Grade Unleaded	79.7	10.0	15.5	105.2	126.8	129.0	126.8	999.9
Premium Unleaded	82.7	10.0	15.5	108.2	130.3	132.5	130.3	999.9
Ultra-Low-Sulfur Diesel	76.6	4.0	15.4	96.0	116.3	118.4	116.3	999.9
Zone 2								
Regular Unleaded	77.2	10.0	15.5	102.7	124.0	126.2	124.0	999.9
Mid-Grade Unleaded	80.2	10.0	15.5	105.7	127.4	129.6	127.4	999.9
Premium Unleaded	83.2	10.0	15.5	108.7	130.9	133.1	130.9	999.9
Ultra-Low-Sulfur Diesel	77.1	4.0	15.4	96.5	116.8	119.0	116.8	999.9
Zone 3								
Regular Unleaded	77.6	10.0	15.5	103.1	124.4	126.6	124.4	999.9
Mid-Grade Unleaded	80.6	10.0	15.5	106.1	127.9	130.1	127.9	999.9
Premium Unleaded	83.6	10.0	15.5	109.1	131.3	133.5	131.3	999.9
Ultra-Low-Sulfur Diesel	77.5	4.0	15.4	96.9	117.3	119.5	117.3	999.9
Zone 4								
Regular Unleaded	77.7	10.0	15.5	103.2	124.5	126.7	124.5	999.9
Mid-Grade Unleaded	80.7	10.0	15.5	106.2	128.0	130.2	128.0	999.9
Premium Unleaded	83.7	10.0	15.5	109.2	131.4	133.6	131.4	999.9
Ultra-Low-Sulfur Diesel	77.6	4.0	15.4	97.0	117.4	119.6	117.4	999.9
Zone 5								
Regular Unleaded	77.7	10.0	15.5	103.2	124.5	126.7	124.5	999.9
Mid-Grade Unleaded	80.7	10.0	15.5	106.2	128.0	130.2	128.0	999.9
Premium Unleaded	83.7	10.0	15.5	109.2	131.4	133.6	131.4	999.9
Ultra-Low-Sulfur Diesel	77.6	4.0	15.4	97.0	117.4	119.6	117.4	999.9
Zone 6								
Regular Unleaded	78.4	10.0	15.5	103.9	125.4	127.5	125.4	999.9
Mid-Grade Unleaded	81.4	10.0	15.5	106.9	128.8	131.0	128.8	999.9
Premium Unleaded	84.4	10.0	15.5	109.9	132.2	134.4	132.2	999.9
Ultra-Low-Sulfur Diesel	78.3	4.0	15.4	97.7	118.2	120.4	118.2	999.9

N.S. Reg. 62/2018

Made: March 27, 2018

Approved: April 4, 2018

Filed: April 9, 2018

Bulk Haulage Regulations—amendment

Order dated April 4, 2018
Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

**Amendment to the *Bulk Haulage Regulations*
made under the *Dairy Industry Act***

I certify that on March 27, 2018, the Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, in the manner set forth in the attached Schedule “A”, effective on and after May 1, 2018.

Signed at Truro, in the County of Colchester, Nova Scotia on April 6, 2018.

Dairy Farmers of Nova Scotia

per: sgd: *Brian Cameron*
Brian Cameron
General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on April 4, 2018.

Natural Products Marketing Council

per: sgd: *E.A. Crouse*
Elizabeth A. Crouse, P.Ag.
Director

Schedule “A”

**Amendment to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Section 7 of the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, is amended by repealing clause (a) and substituting the following clause:

- (a) for farm pick-up:

Transporter	Maximum Rate/100 L
Agropur Co-operative	\$2.31
Agropur Scotsburn Division	\$3.04
Fisher Transport Limited	\$1.62
Winterthur Farm–Rudolph Burghardt	\$5.30

N.S. Reg. 63/2018

Made: April 10, 2018

Filed: April 10, 2018

Ticket Lottery Regulations–amendment

Order in Council 2018-107 dated April 10, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 127 of the *Gaming Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated February 21, 2018, and pursuant to Section 127 of Chapter 4 of the Acts of 1994-95, the *Gaming Control Act*, is pleased to amend the *Ticket Lottery Regulations*, N.S. Reg. 41/1995, made by the Governor in Council by Order in Council 95-260 dated April 4, 1995, to increase the monetary threshold used to define whether an applicant must apply for a permit or a licence for a ticket lottery, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 10, 2018.

Schedule “A”

**Amendment to the *Ticket Lottery Regulations*
made by the Governor in Council under Section 127
of Chapter 4 of the Acts of 1994-95, the *Gaming Control Act***

Section 2 of the *Ticket Lottery Regulations*, N.S. Reg. 41/1995, made by the Governor in Council by Order in Council 95-260 dated April 4, 1995, is amended by

- (a) striking out “\$500.01” in clause (n) and substituting “\$4000.01”; and
- (b) striking out “\$500” in clause (r) and substituting “\$4000”.

N.S. Reg. 64/2018

Made: April 10, 2018

Filed: April 13, 2018

Teachers' Pension Plan Regulations—amendment

Memorandum of Agreement dated April 10, 2018 and March 6, 2018
Amendment to regulations made by the Minister of Finance and Treasury Board
and the Nova Scotia Teachers' Union
pursuant to Sections 14 and 20 of the *Teachers' Pension Plan Act*

**Memorandum of Agreement
Between
Her Majesty the Queen in the Right of the Province of Nova Scotia
Represented by the Minister of Finance
and
the Nova Scotia Teachers' Union
a body corporate established pursuant to the *Teaching Profession Act*,
being Chapter 462 of the Revised Statutes of Nova Scotia, 1989**

Whereas Sections 14 and 20 of Chapter 26 of the Acts of 1998, the *Teachers' Pension Act* provides that the Minister of Finance (“the Minister”) and the Nova Scotia Teachers' Union (“the Union”) may make regulations setting out the terms of the Teachers' Pension Plan (“the Pension Plan”);

And whereas the *Teachers' Pension Plan Regulations* (“the Regulations”) were made as of March 31, 1999, as N.S. Reg. 88/1999;

And whereas the By-laws of the Union, as amended by Resolution 2000-15, authorize the Executive of the Union to exercise on behalf of the Union the powers of the Union under the *Teachers' Pension Act*;

And whereas by resolution of the Executive of the Union dated January 19, 2018, the Executive approved the amendments to the Regulations as set out in Schedule “A” attached hereto and authorized the President of the Union to sign the amendments to the Regulations on behalf of the Executive;

The Minister and the Union hereby amend the Regulations in the manner set forth in the attached Schedule “A”, effective on and after February 1, 2018.

Signed and sealed in the presence of:

sgd: *Byron Rafuse*
Witness

) sgd: *Mark Furey*
) Minister of Finance and Treasury Board
)
) April 10, 2018
) Date
)
)

sgd: *J. Kerr*
Witness

) sgd: *L. Doucet*
) Liette Doucet
) President, Nova Scotia Teachers' Union
)
) March 6, 2018
) Date

Schedule "A"

**Amendments to the *Teachers' Pension Plan Regulations*
made pursuant to Sections 14 and 20 of the Acts of Chapter 26 of the Acts of 1998,
the *Teachers' Pension Act***

- 1 Subsection 2(2) of the *Teachers' Pension Plan Regulations*, N.S. Reg. 88/1999, made by the Minister of Finance and the Nova Scotia Teachers' Union on March 31, 1999, is amended by
 - (a) adding "and Treasury Board" immediately after "Minister of Finance" in clause (w);
 - (b) repealing subclause 2(2)(y)(iv);
 - (c) amending clause (al) by
 - (i) striking out "of the same or opposite sex",
 - (ii) striking out ", or" at the end of subclause (iii), and adding the following subclause immediately after subclause (iii):
 - (iia) are domestic partners within the meaning of Section 52 of the *Vital Statistics Act*, or
 - (d) adding the following clause immediately after clause (ana):
 - (anb) "Teachers' Pension Board" means the Teachers' Pension Board established under an agreement concerning the Pension Plan and the Fund dated June 22, 2005, between the Province and the Union, and continued under an agreement concerning the Pension Plan and the Fund dated July 2, 2014, between the Province and the Union;
- 2 Subsection 4(2A) of the regulations is amended by
 - (a) striking out "between August 1, 2000 and July 31, 2018" and substituting "commencing on or after August 1, 2000";
 - (b) striking out "he was" in clause (a) and substituting "they were";
 - (c) adding "and" immediately after the semicolon at the end of clause (b);
 - (d) striking out "; and" at the end of clause (c) and substituting a period; and
 - (e) repealing clause (d).
- 3 Clause 12(3)(a) of the regulations is amended by adding "service" immediately before "prior to January 1, 1966".
- 4 Subsection 13(2) of the regulations is amended by striking out "Sections" and substituting "Section".
- 5 Clause 18(2)(b) of the regulations is amended by striking out "subclauses (3)(a)(i) and (ii)" and substituting "subclauses (a)(i) and (ii)".
- 6 Clause 20(b) of the regulations is repealed and the following clause substituted:

- (b) where the deceased member had no spouse as of the date of death, to
- (i) a designated beneficiary, or
 - (ii) if there is no designated beneficiary, to the estate of the deceased member.
- 7 (1) Clause 21(12)(a) of the regulations is repealed and the following clause substituted:
- (a) a member, the total contributions of the member, with interest as set out in Section 29, shall be paid to
 - (i) a designated beneficiary, or
 - (ii) if there is no designated beneficiary, to the estate of the deceased member;
 - (2) Subclause 21(12)(b)(ii) of the regulations is repealed and the following subclause substituted:
 - (ii) in the absence of children specified in subclause (i), to
 - (A) a designated beneficiary, or
 - (B) if there is no designated beneficiary, the estate of the deceased former member, or
 - (C) if there is no designated beneficiary and the estate of the deceased former member has been closed, the estate of the deceased spouse of the deceased former member, provided the spouse was the last person to receive a survivor pension.
- 8 (1) The regulations are further amended by adding the heading “**Election of options prior to retirement date**” immediately before Section 21A.
- (2) Subsection 21A(6) is amended by striking out “dependent” and substituting “dependant”.
- (3) Subsection 21A(19) is amended by adding “the” immediately after “and after”.
- 9 Subsection 29(1) of the regulations is repealed and the following subsection substituted:
- (1) The interest rate, for a given school year, attributable to interest payable in respect of refunds of contributions, on which interest shall be calculated from August 1 following the end of the school year for which the contributions were made to the date of payment of the refund, shall be at a rate equal to the average yield for the 12-month period ending on October 31 in the preceding calendar year, of the 5-year personal fixed term chartered bank deposit rate as determined from the Canadian Socio-Economic Information Management (CANSIM) Series B 14045 published in the Bank of Canada Review, and shall be compounded annually.
 - (1A) The interest rate attributable to interest payable in respect of payments of commuted values, on which interest shall be calculated from the effective date of the commuted value to the date payment of the commuted value is made, shall be at a rate equal to the rate used to calculate the commuted value.
- 10 (1) ~~Subsection~~ [Clause] 31(1)(a) is redesignated as subsection 31(1).

- (2) ~~Subsection~~ [Clause] 31(1)(ai) is redesignated as subsection 31(1A) and amended by striking out “Despite clause (a)” and substituting “Despite subsection (1)”.
 - (3) ~~Subsection~~ [Clause] 31(1)(b) is redesignated as subsection 31(1B) and amended by striking out “or subsection 31(1)(a)” and substituting “or subsection 31(1)” in subclause (8).
- 11
- (1) Clause 31(2)(h) of the regulations is amended by striking out “40 days” and substituting “the maximum period permitted under the *Employment Insurance Act* (Canada) for employment insurance compassionate care benefits”.
 - (2) Subsection 31(4) of the regulations is amended by
 - (a) striking out “Teachers’ Pension Partners’ Board” and substituting “Teachers’ Pension Board”;
 - (b) striking out “advise” and substituting “advice”; and
 - (c) redesignating clause 31(4)(j) as clause 31(4)(i).
 - (3) Subsection 31(4A) of the regulations is amended by striking out “he” and substituting “they”.
 - (4) Subsection 31(4C) of the regulations is amended by
 - (a) striking out “he is” and substituting “they are”;
 - (b) striking out “he shall” and substituting “they shall”; and
 - (c) striking out “he has” and substituting “they have”.
 - (5) Subsection 31(7) of the regulations is amended by striking out “Minister” wherever it appears and substituting “participating employer”.
- 12
- Clause 32(1)(a) of the regulations is amended by striking out “Culture” and substituting “Early Childhood Development”.
- 13
- Clause 41(1)(b) of the regulations is amended by
- (a) striking out “or” at the end of subclause (i); and
 - (b) adding the following subclause immediately after subclause (i):
 - (ia) domestic partnership, as defined under the *Vital Statistics Act*, or

N.S. Reg. 65/2018

Made: April 12, 2018

Filed: April 13, 2018

Prescribed Petroleum Products Prices

Order dated April 12, 2018

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**M08617****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: Steven M. Murphy, MBA, 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 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 April 11, 2018, are:

Grade 1 Regular gasoline	68.4¢ per litre
Ultra-low-sulfur diesel oil	67.6¢ per litre

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

Gasoline:

Grade 1	68.4¢ per litre
Grade 2	71.4¢ per litre
Grade 3	74.4¢ per litre
Ultra-low-sulfur diesel oil	67.6¢ 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 1.1¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.3¢ per litre

And whereas a winter blending adjustment of plus 0.8¢ 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., April 13, 2018.

Dated at Halifax, Nova Scotia, this 12th day of April, 2018.

sgd: *Bruce A. Kiley*
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 April 13, 2018**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices (Pump Prices includes 15% HST)		Full-Service Pump Prices	
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	76.7	10.0	15.5	102.2	123.4	125.6	123.4	999.9
Mid-Grade Unleaded	79.7	10.0	15.5	105.2	126.8	129.0	126.8	999.9
Premium Unleaded	82.7	10.0	15.5	108.2	130.3	132.5	130.3	999.9
Ultra-Low-Sulfur Diesel	76.0	4.0	15.4	95.4	115.6	117.8	115.6	999.9
Zone 2								
Regular Unleaded	77.2	10.0	15.5	102.7	124.0	126.2	124.0	999.9
Mid-Grade Unleaded	80.2	10.0	15.5	105.7	127.4	129.6	127.4	999.9
Premium Unleaded	83.2	10.0	15.5	108.7	130.9	133.1	130.9	999.9
Ultra-Low-Sulfur Diesel	76.5	4.0	15.4	95.9	116.2	118.3	116.2	999.9
Zone 3								
Regular Unleaded	77.6	10.0	15.5	103.1	124.4	126.6	124.4	999.9
Mid-Grade Unleaded	80.6	10.0	15.5	106.1	127.9	130.1	127.9	999.9
Premium Unleaded	83.6	10.0	15.5	109.1	131.3	133.5	131.3	999.9
Ultra-Low-Sulfur Diesel	76.9	4.0	15.4	96.3	116.6	118.8	116.6	999.9
Zone 4								
Regular Unleaded	77.7	10.0	15.5	103.2	124.5	126.7	124.5	999.9
Mid-Grade Unleaded	80.7	10.0	15.5	106.2	128.0	130.2	128.0	999.9
Premium Unleaded	83.7	10.0	15.5	109.2	131.4	133.6	131.4	999.9
Ultra-Low-Sulfur Diesel	77.0	4.0	15.4	96.4	116.7	118.9	116.7	999.9
Zone 5								
Regular Unleaded	77.7	10.0	15.5	103.2	124.5	126.7	124.5	999.9
Mid-Grade Unleaded	80.7	10.0	15.5	106.2	128.0	130.2	128.0	999.9
Premium Unleaded	83.7	10.0	15.5	109.2	131.4	133.6	131.4	999.9
Ultra-Low-Sulfur Diesel	77.0	4.0	15.4	96.4	116.7	118.9	116.7	999.9
Zone 6								
Regular Unleaded	78.4	10.0	15.5	103.9	125.4	127.5	125.4	999.9
Mid-Grade Unleaded	81.4	10.0	15.5	106.9	128.8	131.0	128.8	999.9
Premium Unleaded	84.4	10.0	15.5	109.9	132.2	134.4	132.2	999.9
Ultra-Low-Sulfur Diesel	77.7	4.0	15.4	97.1	117.5	119.7	117.5	999.9