

Royal



Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 42, No. 21

October 12, 2018

Contents

Act	Reg. No.	Page
Dairy Industry Act		
Fluid Dairy Pricing Regulations—amendment.	173/2018	535
Schedule 1—General Regulations—amendment.	172/2018	534
Education Act		
Council on African-Canadian Education Remuneration and Expenses Regulations.	165/2018	525
Council on Mi'kmaq Education Remuneration and Expenses Regulations.	164/2018	524
Provincial Advisory Council on Education Remuneration and Expenses Regulations.	163/2018	523
Education (CSAP) Act		
Council on African-Canadian Education Remuneration and Expenses Regulations —repeal.	167/2018	523
Council on Mi'kmaq Education Remuneration and Expenses Regulations—repeal.	166/2018	523
Employment Support and Income Assistance Act		
Employment Support and Income Assistance Regulations—amendment.	174/2018	536
Motor Vehicle Act		
Off-highway Vehicle Pilot Project Regulations.	168/2018	526
Off-highway Vehicles Act		
Off-highway Vehicles Designated Trails and Trail Permits Regulations—amendment.	169/2018	530
Off-highway Vehicles General Regulations—amendment.	170/2018	531
Off-highway Vehicles Trails Designation.	176/2018	540
Petroleum Products Pricing Act		
Prescribed Petroleum Products Prices.	162/2018	521
Prescribed Petroleum Products Prices.	175/2018	537

Summary Proceedings Act

Summary Offence Tickets Regulations—amendment..... 171/2018 532

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. 162/2018

Made: September 20, 2018

Filed: September 21, 2018

Prescribed Petroleum Products Prices

Order dated September 20, 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**M08884****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: Stephen T. McGrath, LL.B., 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 September 19, 2018, are:

Grade 1 Regular gasoline	68.1¢ per litre
Ultra-low-sulfur diesel oil	76.2¢ per litre

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

Gasoline:	
Grade 1	68.1¢ per litre
Grade 2	71.1¢ per litre
Grade 3	74.1¢ per litre
Ultra-low-sulfur diesel oil	76.2¢ 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:	minus 0.6¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.2¢ per litre

And whereas a winter blending adjustment of plus 0.4¢ 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., September 21, 2018.

Dated at Halifax, Nova Scotia, this 20th day of September, 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 September 21, 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	74.7	10.0	15.5	100.2	121.1	123.3	121.1	999.9
Mid-Grade Unleaded	77.7	10.0	15.5	103.2	124.5	126.7	124.5	999.9
Premium Unleaded	80.7	10.0	15.5	106.2	128.0	130.2	128.0	999.9
Ultra-Low-Sulfur Diesel	84.0	4.0	15.4	103.4	124.8	127.0	124.8	999.9
Zone 2								
Regular Unleaded	75.2	10.0	15.5	100.7	121.7	123.9	121.7	999.9
Mid-Grade Unleaded	78.2	10.0	15.5	103.7	125.1	127.3	125.1	999.9
Premium Unleaded	81.2	10.0	15.5	106.7	128.6	130.8	128.6	999.9
Ultra-Low-Sulfur Diesel	84.5	4.0	15.4	103.9	125.4	127.5	125.4	999.9
Zone 3								
Regular Unleaded	75.6	10.0	15.5	101.1	122.1	124.3	122.1	999.9
Mid-Grade Unleaded	78.6	10.0	15.5	104.1	125.6	127.8	125.6	999.9
Premium Unleaded	81.6	10.0	15.5	107.1	129.0	131.2	129.0	999.9
Ultra-Low-Sulfur Diesel	84.9	4.0	15.4	104.3	125.8	128.0	125.8	999.9
Zone 4								
Regular Unleaded	75.7	10.0	15.5	101.2	122.2	124.4	122.2	999.9
Mid-Grade Unleaded	78.7	10.0	15.5	104.2	125.7	127.9	125.7	999.9
Premium Unleaded	81.7	10.0	15.5	107.2	129.1	131.3	129.1	999.9
Ultra-Low-Sulfur Diesel	85.0	4.0	15.4	104.4	125.9	128.1	125.9	999.9
Zone 5								
Regular Unleaded	75.7	10.0	15.5	101.2	122.2	124.4	122.2	999.9
Mid-Grade Unleaded	78.7	10.0	15.5	104.2	125.7	127.9	125.7	999.9
Premium Unleaded	81.7	10.0	15.5	107.2	129.1	131.3	129.1	999.9
Ultra-Low-Sulfur Diesel	85.0	4.0	15.4	104.4	125.9	128.1	125.9	999.9
Zone 6								
Regular Unleaded	76.4	10.0	15.5	101.9	123.0	125.2	123.0	999.9
Mid-Grade Unleaded	79.4	10.0	15.5	104.9	126.5	128.7	126.5	999.9
Premium Unleaded	82.4	10.0	15.5	107.9	130.0	132.1	130.0	999.9
Ultra-Low-Sulfur Diesel	85.7	4.0	15.4	105.1	126.7	128.9	126.7	999.9

N.S. Reg. 163/2018 to N.S. Reg. 167/2018

Made: September 24, 2018

Filed: September 25, 2018

Various regulations respecting advisory councils under the *Education Act* and the *Education (CSAP) Act*

Order in Council 2018-251 dated September 24, 2018
Regulations and repeal of regulations made by the Governor in Council pursuant to Section 98 of the *Education Act* and Section 146 of the *Education (CSAP) Act*

The Governor in Council on the report and recommendation of the Minister of Education and Early Childhood Development dated September 7, 2018, is pleased, effective on and after September 24, 2018,

- (a) pursuant to Section 98 of Schedule A to Chapter 1 of the Acts of 2018, the *Education Act*, to
- (i) make regulations respecting the remuneration of and reimbursement for expenses of members of the Provincial Advisory Council on Education in the form set forth in Schedule “A” attached to and forming part of the report and recommendation,
 - (ii) make regulations respecting the remuneration of and reimbursement for expenses of members of the Council on Mi’kmaq Education in the form set forth in Schedule “B” attached to and forming part of the report and recommendation,
 - (iii) make regulations respecting the remuneration of and reimbursement for expenses of members of the Council on African-Canadian Education in the form set forth in Schedule “C” attached to and forming part of the report and recommendation; and
- (b) pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education (CSAP) Act*, to repeal the following regulations:
- (i) the *Council on Mi’kmaq Education Remuneration and Expenses Regulations*, N.S. Reg. 133/1997, made by the Governor in Council by Order in Council 97-641 dated October 7, 1997; **[subclause (i) filed as N.S. Reg. 166/2018]**
 - (ii) the *Council on African-Canadian Education Remuneration and Expenses Regulations*, N.S. Reg. 149/1997, made by the Governor in Council by Order in Council 97-710 dated November 12, 1997. **[subclause (ii) filed as N.S. Reg. 167/2018]**

N.S. Reg. 163/2018

Provincial Advisory Council on Education Remuneration and Expenses Regulations

Schedule “A”

**Regulations Respecting Remuneration and Reimbursement for Expenses
for Members of the Provincial Advisory Council on Education
made by the Governor in Council under Section 98
of Schedule A to Chapter 1 of the Acts of 2018, the *Education Act***

Citation

- 1 These regulations may be cited as the *Provincial Advisory Council on Education Remuneration and Expenses Regulations*.

Definitions

2 In these regulations,

“Chair” means a member of PACE chosen by the Minister under Section 13 of the *Education Act* to preside over meetings of PACE.

Remuneration

- 3 (1) Each member of PACE, other than the Chair and any member who is a civil servant, must be remunerated in the amount of \$600.00 per year for performing their duties as a member.
- (2) The Chair, if the Chair is not a civil servant, must be remunerated in the amount of \$800.00 per year for performing their duties as Chair.

Expenses

- 4 (1) Each member of PACE must be reimbursed for all reasonable travel and living expenses necessarily incurred in carrying out their duties as a member that would be reimbursed if the expenses had been incurred by a civil servant.
- (2) Reimbursement for an expense is payable to a member of PACE on the same terms and in the same manner as reimbursement would be paid to a civil servant for the expense.

N.S. Reg. 164/2018

Council on Mi’kmaq Education Remuneration and Expenses Regulations

Schedule “B”

**Regulations Respecting Remuneration and Reimbursement for Expenses
for Members of the Council on Mi’kmaq Education
made by the Governor in Council under Section 98
of Schedule A to Chapter 1 of the Acts of 2018, the *Education Act***

Citation

- 1 These regulations may be cited as the *Council on Mi’kmaq Education Remuneration and Expenses Regulations*.

Interpretation

2 In these regulations,

“Chair” means a member of CME chosen by CME under subsection 17(5) of the *Education Act* to preside over meetings of CME;

“CME” means the Council on Mi’kmaq Education continued under subsection 17(1) of the *Education Act*.

Remuneration

- 3 (1) Each member of CME, except for the Chair and any member who is a civil servant, must be remunerated in the amount of \$600.00 per year for performing their duties as a member.
- (2) The Chair, if the Chair is not a civil servant, must be remunerated in the amount of \$800.00 per year for performing their duties as Chair.

Expenses

- 4 (1) Each member of CME must be reimbursed for all reasonable travel and living expenses necessarily incurred in carrying out their duties as a member that would be reimbursed if the expenses had been incurred by a civil servant.
- (2) Reimbursement for an expense is payable to a member of CME on the same terms and in the same manner as reimbursement would be paid to a civil servant for the expense.
-

N.S. Reg. 165/2018

Council on African-Canadian Education Remuneration and Expenses Regulations

Schedule "C"

**Regulations Respecting Remuneration and Reimbursement for Expenses
for Members of the Council on African-Canadian Education
made by the Governor in Council under Section 98
of Schedule A to Chapter 1 of the Acts of 2018, the *Education Act***

Citation

- 1 These regulations may be cited as the *Council on African-Canadian Education Remuneration and Expenses Regulations*.

Interpretation

- 2 In these regulations,

“CACE” means the Council on African-Canadian Education continued under subsection 19(1) of the *Education Act*;

“Chair” means a member of CACE chosen by CACE under subsection 19(5) of the *Education Act* to preside over meetings of CACE.

Remuneration

- 3 (1) Each member of CACE, except for the Chair and any member who is a civil servant, must be remunerated in the amount of \$600.00 per year for performing their duties as a member.
- (2) The Chair, if the Chair is not a civil servant, must be remunerated in the amount of \$800.00 per year for performing their duties as Chair.

Expenses

- 4 (1) Each member of CACE must be reimbursed for all reasonable travel and living expenses necessarily incurred in carrying out their duties as a member that would be reimbursed if the expenses had been incurred by a civil servant.
- (2) Reimbursement for an expense is payable to a member of CACE on the same terms and in the same manner as reimbursement would be paid to a civil servant for the expense.

N.S. Reg. 168/2018

Made: September 24, 2018

Filed: September 25, 2018

Off-highway Vehicle Pilot Project Regulations

Order in Council 2018-252 dated September 24, 2018

Regulations made by the Governor in Council
pursuant to Section 307 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated September 4, 2018, and pursuant to Section 307 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to make regulations respecting an off-highway vehicle pilot project, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 1, 2018.

Schedule “A”**Regulations Respecting a Pilot Project for Off-highway Vehicles
made under Section 307 of Chapter 293 of
the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*****Interpretation****Citation**

1 These regulations may be cited as the *Off-highway Vehicle Pilot Project Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Motor Vehicle Act*;

“controlled access highway” means a highway designated as a controlled access highway pursuant to the *Public Highways Act*;

“OHV” means an off-highway vehicle as defined in the *Off-highway Vehicles Act*;

“participant” means a person who is eligible to operate an OHV in a pilot area;

“pilot area” means a portion of a public highway designated as an off-highway vehicle trail by the Minister of Lands and Forestry for the purposes of these regulations;

“pilot project” means the Department’s project for researching, testing and evaluating the use of off-highway vehicles on highways, as authorized by these regulations.

(2) In accordance with the *Public Service Act*, a reference in these regulations to “Minister” means the Minister of Transportation and Infrastructure Renewal, and a reference to “department” means a reference to the Department of Transportation and Infrastructure Renewal.

Application of Act and its regulations

3 Except as otherwise provided in these regulations, the provisions of the Act and its regulations applicable to motor vehicles apply to the operation of an OHV in a pilot area, except those provisions that by their very nature can have no application.

Pilot Project

Pilot project duration

4 The pilot project begins on October 1, 2018, and ends on October 2, 2021.

Permitted OHVs

5 Only an OHV that meets all of the following criteria may be operated in a pilot area as part of the pilot project in accordance with these regulations:

- (a) it has 4 or more wheels, the tires of which are all in contact with the ground;
- (b) it has either a steering wheel or handle bars for steering control.

Eligibility for participation in pilot project

- 6 (1) To be a participant, a person must have a driver's license in accordance with Sections 64 and 65 of the Act and regulations made under Section 66 of the Act.
- (2) A licensed learner is not eligible to be a participant and must not participate in the pilot project.
- (3) A person must not operate an OHV in a pilot area unless they carry third-party liability insurance in at least the amount required by the regulations under the *Off-highway Vehicles Act*.

Operating OHV in Pilot Areas

Permitted operation on highways

7 Except as otherwise permitted under the *Off-highway Vehicles Act*, a person must not drive an OHV on a highway unless they are a participant operating the OHV in accordance with these regulations.

Passengers

8 A participant must not operate an OHV in a pilot area with a passenger unless both of the following conditions are met:

- (a) the OHV is designed by the original equipment manufacturer to carry both a driver and a passenger or passengers;
- (b) the passenger is seated,
 - (i) for an OHV that is designed to be straddled, straddling the passenger seat behind the driver, facing forward and has their feet securely on the separate foot rests intended for the passenger;
 - (ii) for an OHV with seats that are not designed to be straddled, in the seat designed for the passenger.

Age limit for passengers

9 A participant must not operate an OHV in a pilot area with a passenger who is under the age of 9 years.

Permitted time of day

10 A participant must not operate an OHV in a pilot area between 30 minutes after sunset and 30 minutes before sunrise.

Maximum speed

11 A participant must not operate an OHV in a pilot area at a rate of speed greater than 25 km/h.

No towing

12 A participant must not operate an OHV in a pilot area to tow another person, vehicle or device.

Helmets

13 A person must not operate or be a passenger on an OHV operated in a pilot area unless that person is wearing a helmet that complies with standards determined by or in accordance with the regulations to the *Off-highway Vehicles Act*.

Rules of the Road in Pilot Areas**OHV to be driven on shoulder**

- 14** (1) An OHV operated in a pilot area must be driven
- (a) in the same direction as the traffic using the same side of the highway; and
 - (b) on the shoulder of the highway, except as provided in Sections 15 and 16.
- (2) When driven on the shoulder, an OHV must be driven as close to and parallel with the right edge of the shoulder as can be done practically and safely.
- (3) When entering the shoulder, a participant operating an OHV must yield the right of way to any traffic already using the shoulder and must enter the shoulder only when it is safe to do so.

When OHV driven on roadway

- 15** (1) An OHV may be driven on the roadway in a pilot area in any of the following circumstances:
- (a) there is no shoulder;
 - (b) the shoulder is not wide enough to be driven with all tires off the roadway completely;
 - (c) the shoulder is obstructed;
 - (d) the operator of the OHV is preparing to make a left turn across the roadway.
- (2) When driven on the roadway as permitted under this Section, an OHV must be driven as close to and parallel with the right edge of the roadway as can be done practically and safely.
- (3) When entering the roadway, a participant operating an OHV must yield the right of way to any traffic already using the roadway and must enter the roadway only when it is safe to do so.
- (4) An OHV must be driven on the roadway if it is being driven across a level railway crossing in a pilot area.

Pilot areas and controlled access highways

- 16** (1) In this Section, “ditch”, in relation to a highway, means the area between the boundary line of the highway and the line of the shoulder farthest removed from the travelled portion of the highway.
- (2) On a portion of a controlled access highway that has been designated as a pilot area, an OHV must be operated only in the ditch, and must not be operated on the shoulder or the roadway of the highway.

No overtaking and passing

- 17 (1) Except as provided in subsection (2), a participant operating an OHV in a pilot area must not overtake and pass any moving motor vehicle when both the OHV and the other vehicle are travelling on the same shoulder or roadway of the highway.
- (2) A participant operating an OHV in a pilot area may overtake and pass a stationary OHV or motor vehicle on the shoulder, if the movement can be made in safety while remaining on the shoulder and to the left of the other OHV or motor vehicle.

Turning, stopping or decreasing speed

- 18 (1) A participant operating an OHV making a turn, stopping or decreasing speed must give a hand and arm signal in the manner required by subsection 119(3) of the Act.
- (2) Before beginning a left turn a participant operating an OHV must, without interfering with the movement of traffic travelling in the same direction as the OHV, move away from the shoulder or the right edge of the roadway and be positioned on the roadway in the position from which the left turn is to be made.
- (3) On completing a left turn from one road onto another road, a participant operating an OHV must, without interfering with the movement of traffic travelling in the same direction as the OHV, move to the right edge of the roadway or shoulder.

Penalties**Category F offences**

- 19 The penalties for a violation of any of the following provisions of these regulations are the penalties provided for a category F offence in the *Summary Proceedings Act*: Sections 6, 7, 10, 11, 12, 14, 15 and 17.

Category F (double) offences

- 20 The penalties for a violation of any of the following provisions of these regulations are the penalties provided for a category F (double) offence in the *Summary Proceedings Act*: Sections 9, 13, 16 and 18.

N.S. Reg. 169/2018 to N.S. Reg. 170/2018

Made: September 24, 2018

Filed: September 25, 2018

Off-highway Vehicles Designated Trails and Trail Permits Regulations—amendment;
Off-highway Vehicles General Regulations—amendment

Order in Council 2018-253 dated September 24, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 25 of the *Off-highway Vehicles Act*

The Governor in Council on the report and recommendation of the Minister of Lands and Forestry and the Minister of Transportation and Infrastructure Renewal dated August 14, 2018, and pursuant to Section 25 of Chapter 323 of the Revised Statutes of Nova Scotia, 1989, the *Off-highway Vehicles Act*, is pleased, effective on and after September 24, 2018, to

- (a) amend the *Off-highway Vehicles Designated Trails and Trail Permits Regulations*, N.S. Reg. 224/2006, made by the Governor in Council by Order in Council 2006-534 dated December 8, 2006, respecting the

operation of off-highway vehicles on portions of public highways designated as trails for the purpose of the Off-highway Vehicle Road Access Pilot Project under the *Motor Vehicle Act*, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and

- (b) amend the *Off-highway Vehicles General Regulations*, N.S. Reg. 13/1988, made by the Governor in Council by Order in Council 1988-66 dated January 21, 1988, to allow operation of off-highway vehicles on sections of controlled access highways that have been designated as trails for the purpose of the Off-highway Vehicle Road Access Pilot Project under the *Motor Vehicle Act*, in the manner set out in Schedule “B” attached to and forming part of the report and recommendation.

N.S. Reg. 169/2018

Off-highway Vehicles Designated Trails and Trail Permits Regulations—amendment

Schedule “A”

**Amendment to the *Off-highway Vehicles Designated Trails and Trail Permits Regulations*
made by the Governor in Council under Section 25
of Chapter 323 of the Revised Statutes of Nova Scotia, 1989,
the *Off-highway Vehicles Act***

- 1 Section 2 of the *Off-highway Vehicles Designated Trails and Trail Permits Regulations*, N.S. Reg. 224/2006, made by the Governor in Council by Order in Council 2006-534 dated December 8, 2006, is amended by

- (a) striking out the clause letter before each definition;
- (b) striking out “Natural Resources” in the definition of “Minister” and substituting “Lands and Forestry”; and
- (c) adding the following definition where it belongs in alphabetical order:

“*Off-highway Vehicles General Regulations*” means the *Off-highway Vehicles General Regulations* made under the Act;

- 2 The regulations are further amended by adding the following Sections immediately after Section 3:

Portion of public highway designated as trail

- 4 A designation of a trail may include a portion of a public highway as part of the trail if all of the following conditions are met:

- (a) the trail is for the purposes of trail connectivity;
- (b) the Minister has the Minister of Transportation and Infrastructure Renewal’s prior written consent to the designation.

Recognized club or association requesting designation of public highway

- 4A (1) A recognized club or association that requests the Minister to designate a portion of a public highway as a trail must apply to the Minister of Transportation and Infrastructure Renewal for a permit to construct any infrastructure required to allow OHVs to safely access the public highway.

- (2) A recognized club or association that is granted a permit under subsection (1) must, at its own cost, make any improvements to the area of access to the public highway that, in the opinion of the Minister of Transportation and Infrastructure and Renewal, are required for OHVs to safely access the public highway.

3 The regulations are further amended by

- (a) repealing subsection 12(4); and
- (b) adding the following Section immediately after Section 12:

Deemed trail permit for operation on designated trail on public highway

12A Despite Section 12, for the purposes of operating an OHV on a portion of a public highway that is designated as a trail, the re-validation sticker issued as proof of the annual renewal of the OHV's registration permit under subsection 3(7) of the *Off-highway Vehicles General Regulations* is deemed to be the trail permit.

4 The regulations are further amended by adding the following Section immediately after Section 16:

Operation of OHV on portion of public highway

17 An OHV may be operated on a portion of a highway that has been designated as a trail only if operated in accordance with the *Off-highway Vehicle Pilot Project Regulations* made under the *Motor Vehicle Act*.

N.S. Reg. 170/2018

Off-highway Vehicles General Regulations—amendment

Schedule “B”

**Amendment to the *Off-highway Vehicles General Regulations*
made by the Governor in Council under Section 25
of Chapter 323 of the Revised Statutes of Nova Scotia, 1989,
the *Off-highway Vehicles Act***

- 1 Subsection 1A(1) of the *Off-highway Vehicles General Regulations*, N.S. Reg. 13/1988, made by the Governor in Council by Order in Council 88-66 dated January 21, 1988, is amended by
- (a) striking out the clause letter before each definition;
- (b) striking out “Natural Resources” in subclause (ii) of the definition of “highway” and substituting “Lands and Forestry”; and
- (c) striking out “Transportation and Public Works” wherever it occurs in subclause (iii) of the definition of “highway” and substituting “Transportation and Infrastructure Renewal”.
- 2 Section 3 of the regulations is amended by adding the following subsections immediately after subsection (6):
- (7) On receipt of a renewal application and fee under subsection (6), the Department may issue a re-validation sticker in the form approved by the Minister as proof that the registration permit for the OHV has been renewed.

- (8) A re-validation sticker must be displayed on an OHV in a manner and location approved by the Minister.
- 3 Section 13 of the regulations is amended by adding “, except as authorized under Section 17 of the *Off-highway Vehicles Designated Trails and Trail Permits Regulations* made under the Act for a portion of a highway designated as a trail” immediately after “Public Highways Act”.
-

N.S. Reg. 171/2018

Made: September 19, 2018

Filed: September 26, 2018

Summary Offence Tickets Regulations—amendment

Order dated September 19, 2018

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, Mark Furey, Attorney General and Minister of Justice for the Province of Nova Scotia, under Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after October 17, 2018, 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 *Cannabis Control Act* as summary offence ticket offences and to repeal and replace the offences under the *Liquor Control Act*, 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 set out opposite the description of that offence, and the out-of-court settlement amount includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made Sept 19, 2018, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Mark Furey*

Honourable Mark Furey

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***

- 1 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, are amended by repealing Schedule 20 and substituting the following Schedule:

**Schedule 20
Liquor Control Act**

Offence	Section	Out of Court Settlement
1 Keeping liquor for sale	78(1)	NIL
2 Illegally possessing liquor	78(2)	\$467.50
3 Illegally consuming liquor (person 19 years of age or older)	78(3)	\$467.50
4 Person under 19 years of age illegally consuming liquor	78(3A)	\$295.00
5 Being intoxicated in public place	87(1)	\$134.00
6 Illegally selling liquor to or supplying or procuring liquor for (specify) person under 19 years of age	89(1)	NIL
7 Knowingly selling liquor illegally to person under 19 years of age	89(2)	NIL
8 Person under 19 years of age illegally procuring liquor	89(2A)	\$295.00
9 Person under 19 years of age in licensed premises where prohibited	89(3)	\$295.00
10 Permitting person under 19 years of age in licensed premises where prohibited	89(4)	NIL
11 Permitting drunkenness on premises	95(a)	NIL
12 Permitting consumption of liquor by person under influence of liquor on premises	95(b)	NIL
13 Giving liquor to person under influence of liquor	95(c)	NIL
14 Purchasing liquor from unauthorized seller	101	\$295.00
15 Presenting false proof of age to obtain identification card	102	\$295.00
16 Presenting false proof of age to purchase liquor	102	\$295.00

- 2 The regulations are further amended by adding the following Schedule immediately after Schedule 45:

**Schedule 46
Cannabis Control Act**

Offence	Section	Out of Court Settlement
1 Person under 19 years of age possessing, distributing, consuming, purchasing or attempting to purchase (specify) cannabis	16(1)	\$295.00

2	Person under 19 years of age cultivating, propagating or harvesting cannabis or offering to do same (specify)	16(2)	\$295.00
3	Person under 19 years of age purchasing or attempting to purchase (specify) cannabis accessory	16(3)	\$295.00
4	Selling or distributing (specify) cannabis to person under 19 years of age	17(1)	NIL
5	Selling or delivering (specify) cannabis to person who appears under 25 years of age without confirming identification	17(2)	NIL
6	Presenting false proof of age to purchase cannabis	17(4)	\$295.00
7	Selling or distributing (specify) cannabis accessory to person under 19 years of age	18(1)	\$295.00
8	Involving person under 19 years of age in commission of offence	19(1)	NIL
9	Person other than authorized seller selling cannabis	20(1)(a)	NIL
10	Person other than authorized seller operating store selling cannabis	20(1)(b)	NIL
11	Purchasing cannabis from other than authorized seller	20(2)	\$295.00
12	Knowingly selling or distributing (specify) cannabis to person who appears to be intoxicated	21	NIL
13	Illegally consuming cannabis in vehicle	22	NIL
14	Illegally transporting cannabis in vehicle	23	\$295.00

N.S. Reg. 172/2018

Made: September 25, 2018

Filed: September 27, 2018

Schedule 1—General Regulations—amendment

Order dated September 25, 2018

Amendment to regulations made by the Natural Products Marketing Council pursuant to Section 9 of the *Dairy Industry Act***Natural Products Marketing Council**

I certify that the Natural Products Marketing Council, pursuant to Section 9 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at its meeting on September 25, 2018 carried a motion to amend *Schedule 1—General Regulations*, N.S. Reg. 198/[19]89, made by the Nova Scotia Dairy Commission on August 11, 1989, in the manner set forth in the attached Schedule “A”, effective on and after October 1, 2018.

Signed at Truro, in the County of Colchester, Nova Scotia on September 26, 2018.

Natural Products Marketing Council

per: sgd: *E. A. Crouse*
 Elizabeth A. Crouse
 Director

Schedule "A"**Amendment to *Schedule 1–General Regulations*
made by the Natural Products Marketing Council
under Section 9 of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Clause 22(1)(b) of *Schedule 1–General Regulations*, N.S. Reg. 198/[19]89, made by the Nova Scotia Dairy Commission on August 11, 1989, is amended by

(a) renumbering subclauses (vi) to (vii) as subclauses (vii) to (viii), respectively; and

(b) adding the following subclause immediately after subclause (v):

(vi) 1.5 L

N.S. Reg. 173/2018

Made: September 25, 2018

Filed: September 27, 2018

Fluid Dairy Pricing Regulations–amendment

Order dated September 25, 2018

Amendment to regulations made by the Natural Products Marketing Council
pursuant to Section 9 of the *Dairy Industry Act*

Natural Products Marketing Council

I certify that the Natural Products Marketing Council, pursuant to Section 9 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at its meeting on September 25, 2018 carried a motion to amend the *Fluid Dairy Pricing Regulations*, N.S. Reg. 95/2003, made by the Natural Products Marketing Council on April 8, 2003, in the manner set forth in the attached Schedule "A", effective on and after October 1, 2018.

Signed at Truro, in the County of Colchester, Nova Scotia on September 26, 2018.

Natural Products Marketing Council

per: sgd: *E. A. Crouse*
Elizabeth A. Crouse
Director

Schedule "A"**Amendment to the *Fluid Dairy Pricing Regulations*
made by the Natural Products Marketing Council
under clauses 9(c) and (d) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Section 2 of the *Fluid Dairy Pricing Regulations*, N.S. Reg. 95/2003, made by the Natural Products Marketing Council on April 8, 2003, is amended by

- (a) adding the following row immediately under the row beginning “2 L” in clause (a):

1.5 L 2.05

- (b) adding the following row immediately under the row beginning “2 L” in clause (b):

1.5 L 2.03

- (c) adding the following row immediately under the row beginning “2 L” in clause (c):

1.5 L 2.00

N.S. Reg. 174/2018

Made: September 28, 2018

Filed: September 28, 2018

Employment Support and Income Assistance Regulations—amendment

Order in Council 2018-260 dated September 28, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated September 7, 2018, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, to enhance the employment income exemption structure, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 1, 2018.

Schedule “A”

**Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council under Section 21
of Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act***

The *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, are amended by repealing subsection 48(1) and substituting the following subsection:

Percentage of net wages

48 (1) Income from wages shall be computed as follows:

- (a) for an applicant, 100% of net wages earned shall be chargeable income;
- (b) for a recipient, except as provided in clause (c), net wages earned shall be exempted in accordance with the following table and the remainder shall be chargeable income:

Amount of Net Wages	Exemption Rate	Chargeable Rate
on the first \$250	100%	0%

on the next \$250 (\$250.01–\$500)	75%	25%
on the next \$250 (\$500.01–\$750)	50%	50%
over \$750	25%	75%

- (c) for a recipient who is engaged in supported employment, net wages earned from employment shall be exempted in accordance with the following table and the remainder shall be chargeable income:

Amount of Net Wages	Exemption Rate	Chargeable Rate
on the first \$350	100%	0%
on the next \$150 (\$350.01–\$500)	75%	25%
on the next \$250 (\$500.01–\$750)	50%	50%
over \$750	25%	75%

N.S. Reg. 175/2018

Made: September 27, 2018

Filed: September 28, 2018

Prescribed Petroleum Products Prices

Order dated September 27, 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

M08896

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: Roland A. Deveau, 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 September 26, 2018, are:

Grade 1 Regular gasoline	69.5¢ per litre
Ultra-low-sulfur diesel oil	77.5¢ per litre

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

Gasoline:	
Grade 1	69.5¢ per litre
Grade 2	72.5¢ per litre
Grade 3	75.5¢ per litre
Ultra-low-sulfur diesel oil	77.5¢ 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:	nil
Ultra-low-sulfur diesel oil:	plus 0.6¢ per litre

And whereas a winter blending adjustment of plus 0.4¢ 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., September 28, 2018.

Dated at Halifax, Nova Scotia, this 27th day of September, 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 September 28, 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	85.8	4.0	15.4	105.2	126.8	129.0	126.8	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	86.3	4.0	15.4	105.7	127.4	129.6	127.4	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	86.7	4.0	15.4	106.1	127.9	130.1	127.9	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	86.8	4.0	15.4	106.2	128.0	130.2	128.0	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	86.8	4.0	15.4	106.2	128.0	130.2	128.0	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	87.5	4.0	15.4	106.9	128.8	131.0	128.8	999.9

N.S. Reg. 176/2018

Made: September 28, 2018

Filed: October 1, 2018

Off-highway Vehicles Trails Designation

Order dated September 28, 2018

Designation made by the Minister of Lands and Forestry
pursuant to subsection 12D(1) of the *Off-highway Vehicles Act***In the matter of subsection 12D(1) of Chapter 323
of the Revised Statutes of Nova Scotia, 1989,
the *Off-highway Vehicles Act***

- and -

**In the matter of Section 4 of the
Off-highway Vehicles Designated Trails and Trail Permits Regulations
made under Section 25 of the *Off-highway Vehicles Act***

- and -

**In the matter of the designation of portions of public highways as off-highway vehicle trails
for the purpose of the *Off-highway Vehicle Pilot Project Regulations*
made under the *Motor Vehicle Act***

I, Iain Rankin, Minister of Lands and Forestry for the Province of Nova Scotia, pursuant to subsection 12D(1) of Chapter 323 of the Revised Statutes of Nova Scotia, 1989, the *Off-highway Vehicles Act* (the “Act”) and in accordance with Section 4 of the *Off-highway Vehicles Designated Trails and Trail Permits Regulations* made under the Act, hereby designate portions of public highways located on lands owned by Her Majesty the Queen in Right of the Province of Nova Scotia, under the administration and control of the Minister of Transportation and Infrastructure Renewal, at various locations in the Province of Nova Scotia shown in bold line on the maps attached as Schedules “A”, “B”, “C”, “D”, “E” and “F”, filed at the Department of Lands and Forestry, as off-highway vehicle trails for the purpose of the *Off-highway Vehicle Pilot Project Regulations* made under the *Motor Vehicle Act*.

This designation is effective on October 1, 2018, and expires on October 1, 2021, unless the designation is revoked at an earlier time.

Dated and made September 28, 2018, at Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Iain Rankin*

Honourable Iain Rankin

Minister of Lands and Forestry

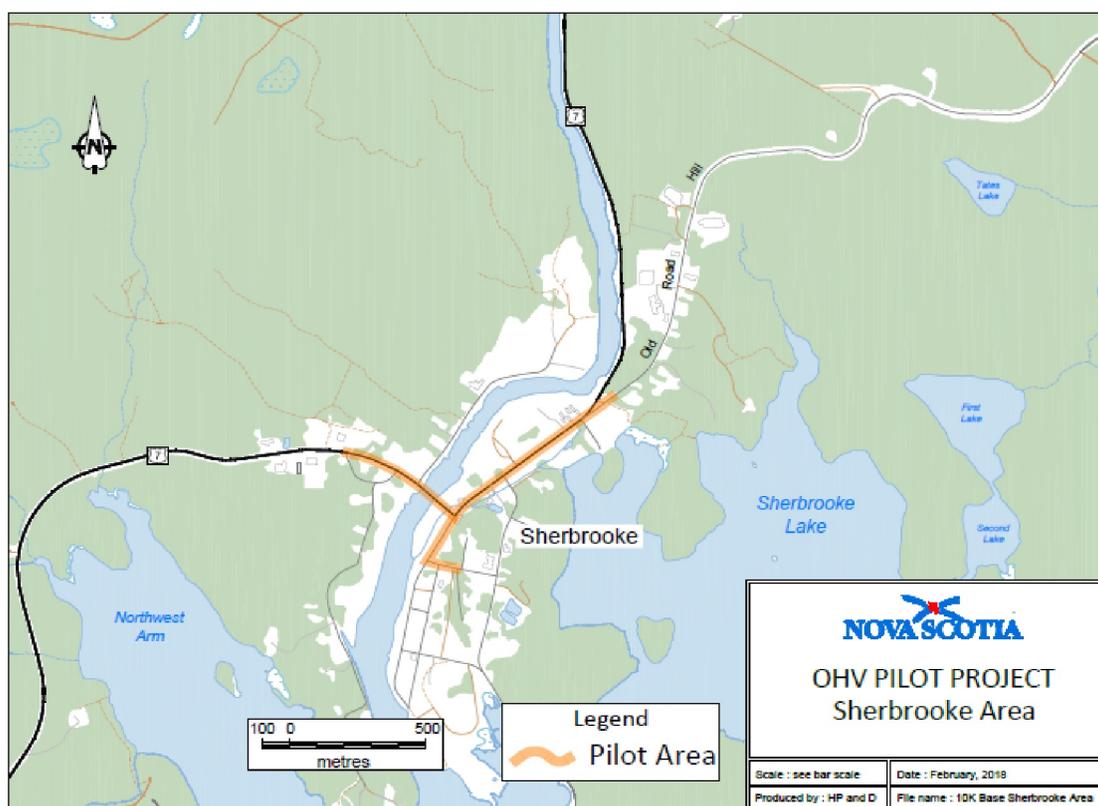
Schedule A

Sherbrooke Area

Two portions of public highway designated:

1. Beginning at the intersection of the existing trail with Highway 7 near Guysborough County at coordinates East 579559, North 4999516; then east along Highway 7 for 490 m to its intersection with Main Street; then northeast along Main Street for 635 m to its intersection with Old Road Hill; then northeast along Old Road Hill for 100 m to its intersection with the existing trail.
2. Beginning at the intersection of Highway 7 and Main Street; then southwest along Main Street to its intersection with Court Street; then east along Court Street for 90 m to coordinates East 579965, North 4999086.

(Coordinates are Universal Transverse Mercator (“UTM”) map coordinates taken from Google Earth.)

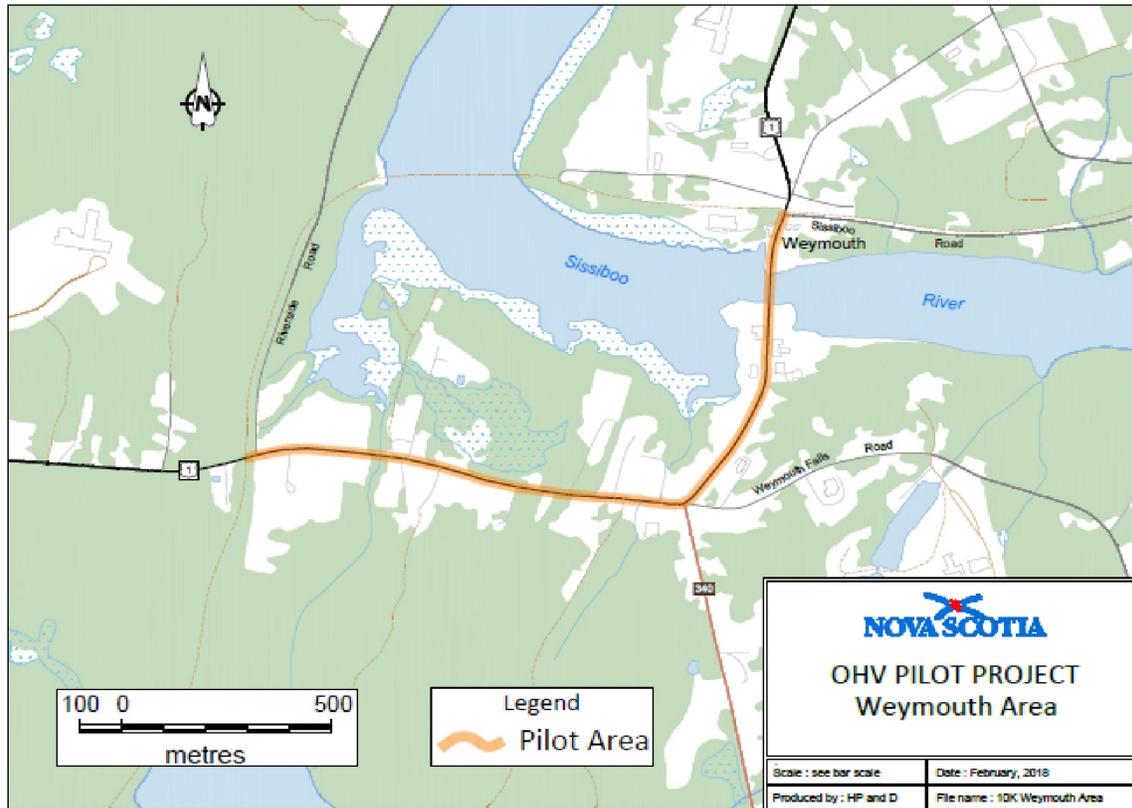


Schedule B

Weymouth Area

Beginning at the intersection of the existing trail on the former rail bed with Highway 1, North of Weymouth, Digby County, at coordinates East 261483, North E [sic] 4921956; then along Highway 1 for 810 m to its intersection with Route 340, Weymouth Falls Road; then west along Highway 1 for 1060 m to its intersection with the existing trail on the former rail bed at coordinates East 737944 North 4921282.

(Coordinates are Universal Transverse Mercator (“UTM”) map coordinates taken from Google Earth.)

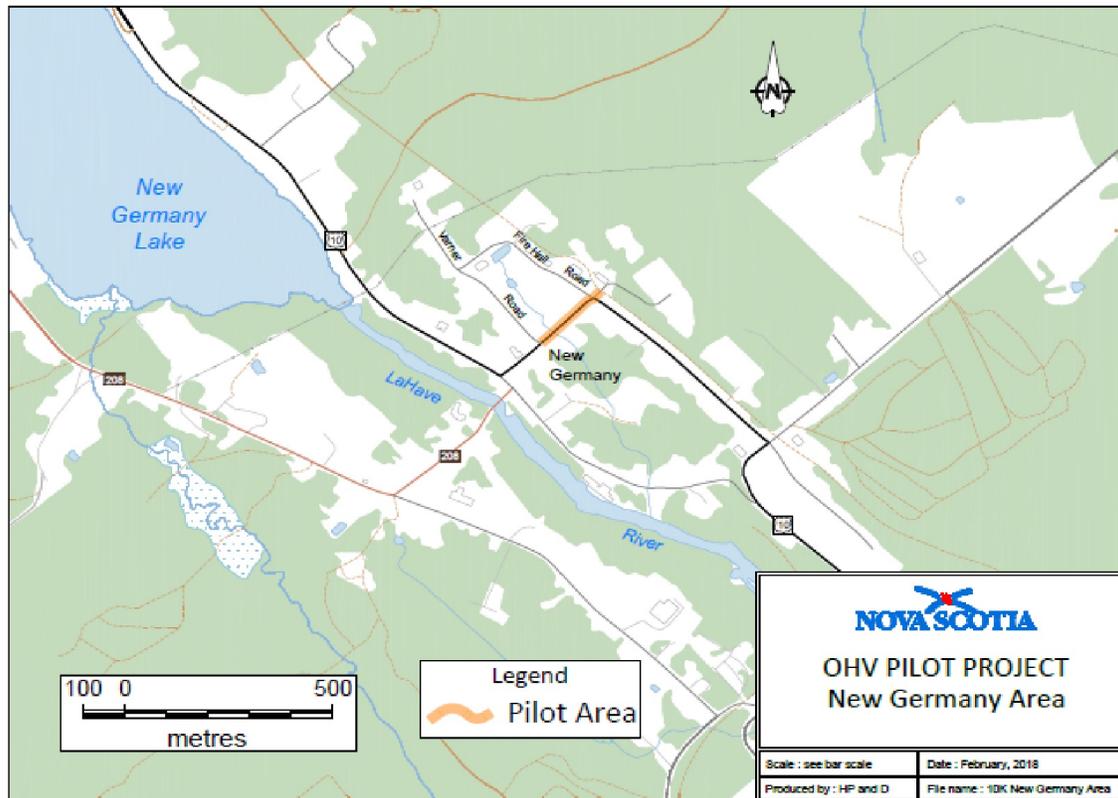


Schedule C

New Germany Area

Beginning at the intersection of the trail on the former rail bed with Maple Drive, New Germany (near Fire Hall), Lunenburg County, at coordinates East 363164, North 4934130; then southwest, crossing Highway 10 and continuing on Highway 10 for 210 m to its intersection with Varner Road at coordinates East 363012, North 4934000.

(Coordinates are Universal Transverse Mercator (“UTM”) map coordinates taken from Google Earth.)

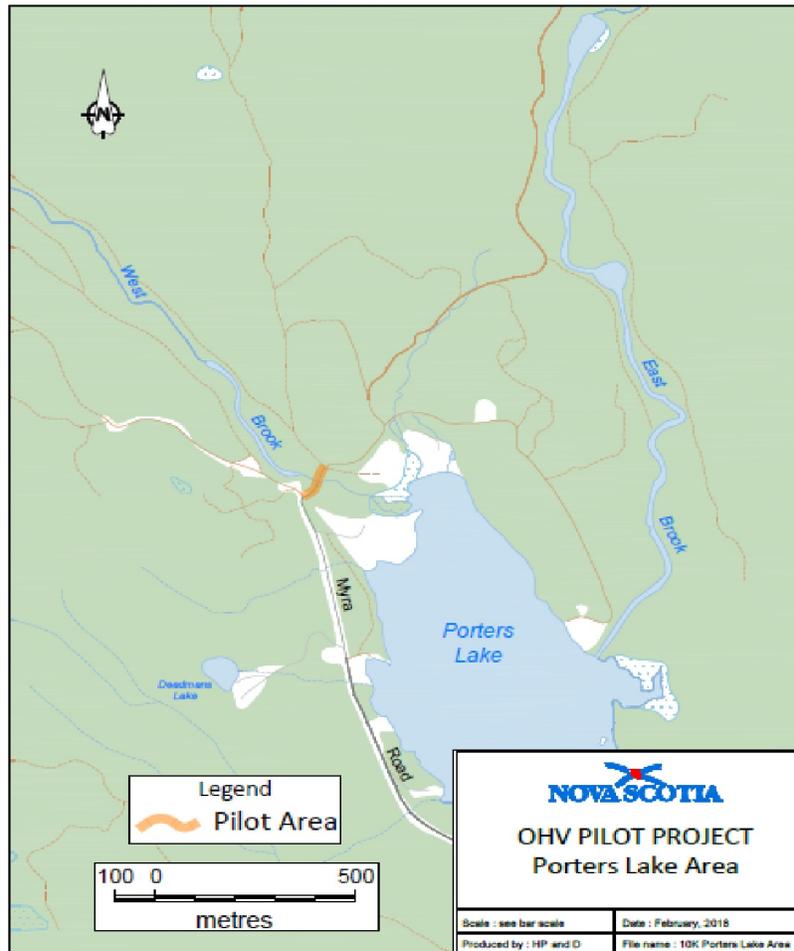


Schedule D

Porters Lake Area

Beginning at a point on Myra Road, Porters Lake, Halifax County, at coordinates East 469553, North 4961722; then north 110 m to the intersection with the existing trail at coordinates East 469608, North 4961806.

(Coordinates are Universal Transverse Mercator (“UTM”) map coordinates taken from Google Earth.)



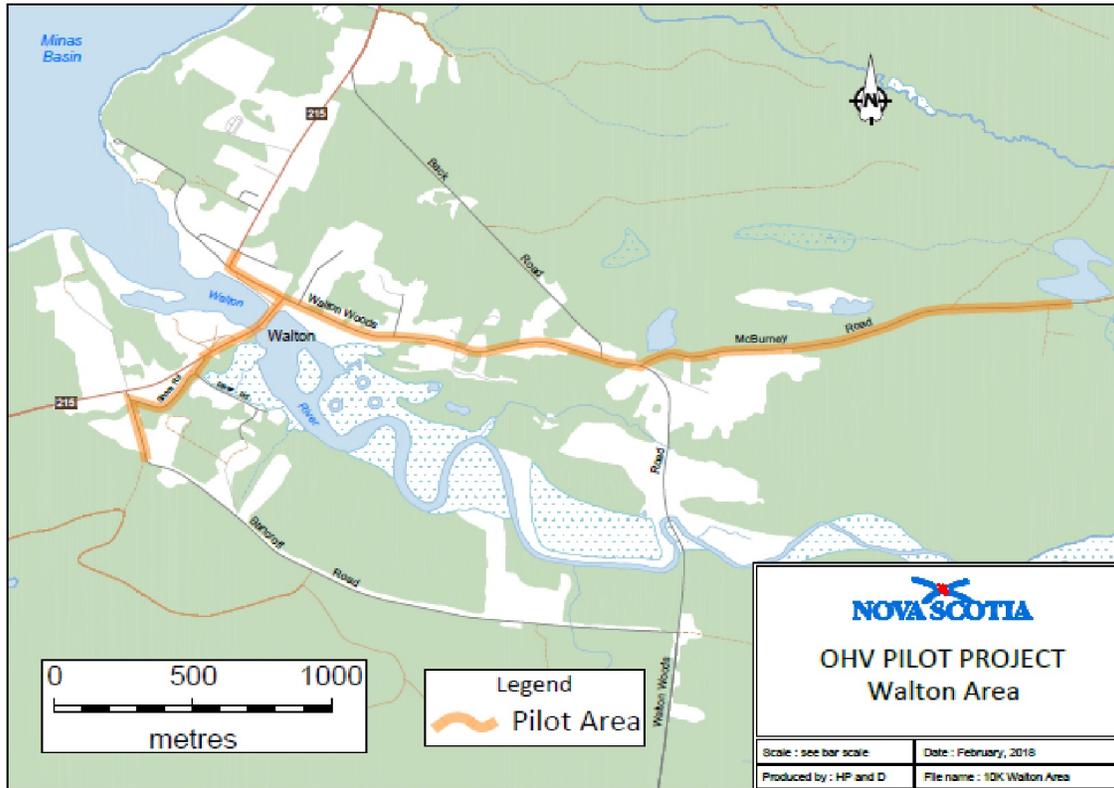
Schedule E

Walton Area

Two portions of public highways designated:

1. Beginning at the intersection of the existing trail with Bancroft Road near Walton, Hants County, at coordinates East 420682, North 5008242; then north along Bancroft Road for 250 m to its intersection with Shore Road; then along Shore Road for 375 m to its intersection with Route 215; then northeast along Route 215 for 365 m to its intersection with Walton Woods Road; then east along Walton Woods Road for 1340 m to its intersection with McBurney Road; then along McBurney Road for 1600 m to coordinates at East 424055, North 5008790.
2. Beginning at the intersection of Route 215 and Walton Woods Road; then northwest along Route 215 for 290 m to its intersection with Odd Fellows Hall Road at coordinates East 421023, North 5009038.

(Coordinates are Universal Transverse Mercator (“UTM”) map coordinates taken from Google Earth.)



Schedule F

Gabarus Area

Beginning at the intersection of a K-class road with Oceanview Road at coordinates East 720627, North 5084878; then south along Oceanview Road for 2822 m to its intersection with Route 327; then south along Route 327 for 2667 m to its intersection with a Crown road at coordinates East 718244, North 5080351.

(Coordinates are Universal Transverse Mercator (“UTM”) map coordinates taken from Google Earth.)

