

Royal Gazette

Part II Regulations under the Regulations Act

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Contents

Act	Reg. No.	Page
Agriculture and Rural Credit Act		
Nova Scotia Farm Loan Board Regulations—replacement	205/2018	573
Apprenticeship and Trades Qualifications Act		
Heavy Duty Equipment Technician Trade Regulations—replacement	218/2018	608
Landscape Horticulturalist Trade Regulations—replacement	219/2018	611
Dairy Industry Act		
Milk Classes and Categories Regulations—amendment	215/2018	604
Milk Pricing Regulations—amendment	214/2018	602
Environment Act		
Activities Designation Regulations—amendment	222/2018	617
Environmental Assessment Regulations—amendment	221/2018	616
On-site Sewage Disposal Systems Regulations—amendment	213/2018	600
Fisheries and Coastal Resources Act		
Fisheries and Aquaculture Loan Board Regulations—replacement.	207/2018	582
Schedule of Fees for the Nova Scotia Fisheries and Aquaculture Loan Board—replacement	217/2018	606
Labour Standards Code		
Proclamation of amendments to Act, S. 9, S.N.S. 2018, c. 13	209/2018	592
General Regulations Respecting Labour Standards—amendment.	208/2018	590
General Labour Standards Code Regulations—amendment	210/2018	593
Natural Products Act		
Turkey Farmers of Nova Scotia Regulations—amendment	216/2018	605

Petroleum Products Pricing Act

Prescribed Petroleum Products Prices	206/2018	580
Prescribed Petroleum Products Prices	220/2018	614

Research Nova Scotia Corporation Act

Proclamation of Act, S. 36, S.N.S. 2018, c. 6.	211/2018	596
Research Nova Scotia Corporation Funding Regulations	212/2018	597

Summary Proceedings Act

Summary Offence Tickets Regulations—amendment	204/2018	571
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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. 204/2018

Made: November 21, 2018

Filed: November 28, 2018

Summary Offence Tickets Regulations—amendment

Order dated November 21, 2018

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Sections 8A and 8B of the *Summary Proceedings Act***Order****Made under Sections 8A and 8B 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, pursuant to Sections 8A and 8B 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 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 revise the form of a parking-infraction ticket and to allow the form to be varied for a ticket created in an electronic format, in the manner set forth in the attached Schedule “A”.

Dated and made November 21st, 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 Sections 8A and 8B
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

- 1 (1) Subsection 12(1) of 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, is amended by striking out “subsection (2)” and substituting “subsections (2) and (2A)”.
- (2) Section 12 of the regulations is further amended by adding the following subsection immediately after subsection (2):
 - (2A) A parking infraction ticket in Form B that is created in an electronic format may, in place of the itemized list of *Motor Vehicle Act* violations, identify only the alleged parking infraction, but the applicable penalty amount and the other portions of Form B must remain the same.
- 2 Schedule 1 of the regulations is amended by repealing Form B, Parking-Infraction Ticket, and substituting the form attached.

N.S. Reg. 205/2018

Made: November 29, 2018

Filed: November 30, 2018

Nova Scotia Farm Loan Board Regulations—replacement

Order in Council 2018-304 dated November 29, 2018

Repeal of regulations and regulations made by the Nova Scotia Farm Loan Board
and approved by the Governor in Council
pursuant to Section 8 of the *Agriculture and Rural Credit Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated October 11, 2018, and pursuant to Section 8 of Chapter 7 of the Revised Statutes of Nova Scotia, 1989, the *Agriculture and Rural Credit Act*, is pleased, effective on and after November 29, 2018, to

- (a) approve the repeal by the Nova Scotia Farm Loan Board of the *Nova Scotia Farm Loan Board Regulations*, N.S. Reg 248/1992, approved by the Governor in Council by Order in Council 92-1162 dated December 1, 1992; and
- (b) approve the making by the Nova Scotia Farm Loan Board of new regulations respecting the Nova Scotia Farm Loan Board in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

I, Andrew Vermeulen, Vice-chair of the Nova Scotia Farm Loan Board, certify that the Nova Scotia Farm Loan Board, at its meeting on Oct. 4/2018, carried a motion to

- (a) repeal the *Nova Scotia Farm Loan Board Regulations*, N.S. Reg. 248/1992, made by the Board and approved by the Governor in Council by Order in Council 92-1162 dated December 1, 1992; and
- (b) make new regulations respecting the Nova Scotia Farm Loan Board in the form attached.

The repeal and replacement of the *Nova Scotia Farm Loan Board Regulations* is effective on and after the date it is approved by the Governor in Council.

Signed at Kentville, Nova Scotia, on Oct. 11/2018.

sgd: *A. Vermeulen*

Andrew Vermeulen

Vice-chair, Nova Scotia Farm Loan Board

**Regulations Respecting the Nova Scotia Farm Loan Board
made by the Nova Scotia Farm Loan Board under Section 8 of
Chapter 7 of the Revised Statutes of Nova Scotia, 1989,
the *Agriculture and Rural Credit Act***

Citation

1 These regulations may be cited as the *Nova Scotia Farm Loan Board Regulations*.

Definitions

2 In these regulations

“Act” means the *Agriculture and Rural Credit Act*;

“applicant” means an applicant for a loan;

“loan” means a loan made by the Board under the *Agriculture and Rural Credit Act* and these regulations;

“partnership” means a partnership as defined in the *Partnership Act*.

Eligibility for loan

3 To be eligible for a loan,

- (a) an individual must meet all of the following requirements:
 - (i) they must meet the criteria in subclause 2(b)(i) in the definition of “borrower” in the Act with respect to citizenship and age and, in particular, they must be at least 19 years old at the time of their application,
 - (ii) they must have adequate experience, training or education in operating an agri-rural business,
 - (iii) they must be able to adequately protect the assets to be used as security for the loan during the term of the loan, including by obtaining and keeping insurance as required by Section 10;
- (b) a partnership must have a representative who satisfies the requirements for an individual in clause (a);
- (c) a body corporate must meet all of the following requirements:
 - (i) it must meet the criteria for a corporation in subclause 2(b)(ii) in the definition of “borrower” in the Act;
 - (ii) it must be in good standing under the laws of the jurisdiction in which it was incorporated,
 - (iii) it must be registered with the Nova Scotia Registry of Joint Stock Companies,
 - (iv) it must commit to not transfer voting control in whole or in part during the term of the loan without prior written notice to the Board,
 - (v) its officers, directors, employees or agents have adequate experience, training or education in operating an agri-rural business,
 - (vi) it must be able to adequately protect the assets to be used as security for the loan during the term of the loan, including by obtaining and keeping insurance as required by Section 10.

Applying for loan

4 An application must include all of the following:

- (a) the application fee, calculated in accordance with Section 6;
- (b) a statement of the purpose of the loan;
- (c) a business plan in a form acceptable to the Board;
- (d) complete details of the costs relating to the loan, including appropriate quotations from any suppliers or contractors;
- (e) the applicant's written agreement to obtain and keep insurance on the assets to be used as security for the loan on terms satisfactory to the Board, and to assign the insurance to the Board;
- (f) for an application by an individual, a signed statement of assets and liabilities;
- (g) audited financial statements or financial statements satisfactory to the Board;
- (h) for an application by a partnership,
 - (i) the full name of each of the partners, together with a statement of each partner's interest in the partnership,
 - (ii) a signed partnership agreement in a form acceptable to the Board;
- (i) for an application by a body corporate,
 - (i) the names of its officers and directors,
 - (ii) the names of all persons who have subscribed for shares, with a statement showing the amount paid up on all shares authorized or issued,
 - (iii) a certified copy of a special or extraordinary resolution of its shareholders authorizing it to borrow money,
 - (iv) evidence that it is in good standing, issued by the Registrar of Joint Stock Companies or equivalent authority in the jurisdiction in which it was incorporated;
- (j) any additional information the Board requires to assess the application.

Processing applications

5 The Board may establish guidelines for and the manner in which applications are to be processed by staff.

Application fee and legal costs

- 6** (1) Except as provided in subsection (2), the application fee is 0.25% of the amount of the loan being applied for, with a minimum fee of \$400 plus applicable taxes, and a maximum fee of \$2000 plus applicable taxes.
- (2) For loans of \$5 000 000 or more, the application fee is \$3000 plus applicable taxes.

- (3) The Board may include the legal costs to close a transaction as part of the loan amount.
- (4) If an application is processed, but is withdrawn by the applicant before completion, the applicant is liable for all legal costs incurred by the Board in processing the application.
- (5) If an application is not approved, the Board may refund 25% of the application fee to the applicant.

Appraisal

- 7 (1) The Board may at any time require the appraisal of any assets used to secure a loan to determine the sufficiency of the Board's security.
- (2) The borrower is responsible for the cost of any appraisal required by the Board under subsection (1).

Loan limit

- 8 (1) Except as provided in subsection (2), the maximum amount of a loan is 90% of the appraised value of the assets securing the loan.
- (2) The Board may lend additional funds to a borrower based on its assessment of the managerial ability of the borrower and the ability of the agri-business to repay the loan, and its assessment of the value of other security items.

Loans requiring Governor in Council approval

- 9 The Board must not grant a loan that would result in the borrower's total obligation to the Board exceeding \$5 000 000 except with the approval of the Governor in Council.

Insurance

- 10 A borrower must obtain and keep insurance on terms satisfactory to the Board on the assets to be used as security for the loan, and must assign the insurance to the Board.

Security

- 11 (1) The Board may take any security or guarantee that it considers appropriate for any loan and enforce the security or guarantee in accordance with its terms and conditions, or release the security or guarantee on terms and conditions specified by the Board.
- (2) The Board may make any payments necessary to protect the security of a loan, and the borrower is liable for any amounts paid by the Board under this subsection.
- (3) In enforcing security held under this Section, the Board may do any of the following:
- (a) advance money to a receiver;
 - (b) guarantee the accounts of a receiver;
 - (c) pay or guarantee a payroll of a borrower in default under the security;
 - (d) expend money in attracting a person to revive, take over or re-establish a borrower's business.
- (4) It is a term and condition of each loan that the Board may add to the amount of the loan the amount of any fees and expenses incurred by the Board to register any security the Board requires for the loan.

Security document

12 Each security document securing a loan must contain all of the following covenants:

- (a) that the borrower will repay the loan in accordance with the following, all to be specified in the security document:
 - (i) the amortization period and interest rate,
 - (ii) the payment schedule, specifying whether the loan payments are to be made weekly, bi-weekly, semi-monthly, monthly, bi-monthly, quarterly, semi-annually or yearly,
 - (iii) the dates and times when and place where loan payments are to be made;
- (b) that the borrower will not remove any gravel, fill or forest products from the secured property without the prior written permission of the Board;
- (c) that the borrower will keep all secured property, both real and personal, including improvements to the property, in good condition and state of maintenance and repair;
- (d) that the borrower will maintain all relevant standards and requirements for the secured property, including any relevant registrations, inspections and licences;
- (e) that, if required by the Board, the borrower will provide the Board with detailed financial statements covering the borrower's operations and any additional information about their operations that the Board specifies, including copies of personal or corporate tax returns.

Combining or transferring loan

- 13** (1) If a borrower obtains additional funds from the Board at an interest rate different from that charged on existing indebtedness to the Board, the total indebtedness to the Board may be combined into 1 principal balance with 1 repayment schedule at the composite interest rate.
- (2) If a borrower that is a partnership or body corporate is dissolved and 1 or more of its partners or shareholders will continue as the borrower, the Board may transfer the balance of the existing loan at the interest rate and on the same terms and conditions that applied to the existing loan.
- (3) If a borrower that is an individual or partnership forms a body corporate to include the assets held by the Board as security for the loan, the Board may transfer the balance of the existing loan to the body corporate at the interest rate and on the same terms and conditions that applied to the existing loan.
- (4) The Board may require a party to a loan transfer under subsection (2) or (3) to provide any information or submit any documentation that the Board considers necessary to complete the transfer.

Interest rate, terms and amortization

- 14** (1) Subject to any deferral or adjustment under subsection (4), the interest rate, amortization period and term of a loan must be established in accordance with 1 of the following options:
- (a) a fixed interest rate for an amortization period to a maximum of 30 years with the loan of the same term;
 - (b) a fixed interest rate for a specified term of years with an amortization period to a maximum of 30 years;

- (c) a variable interest rate for a specified term of years with an amortization period to a maximum of 30 years.
- (2) A loan may be
 - (a) open for prepayment at any time during the term of the loan; or
 - (b) a closed-prepayment loan in accordance with Sections 15 and 16.
- (3) The Board may reduce the amortization period of a loan if, in the opinion of the Board, conditions warrant the reduction.
- (4) The Board may defer or adjust payment of principal, interest and other accruals for any length of time the Board considers necessary
 - (a) to permit the borrower to establish a business; or
 - (b) to permit the borrower's business to recover, if the business is suffering economic hardship as a result of reduced income.
- (5) A deferral under subsection (4) must be capitalized.

Prepayment under closed-prepayment loan

- 15** (1) A borrower under a closed-prepayment loan who is not in default under the loan may, at any time during the term of the loan, prepay the whole or any part of the loan on payment to the Board of a prepayment fee in an amount equal to the greater of
- (a) 3 months' interest on the loan balance at the established interest rate; and
 - (b) interest calculated using the interest rate differential for the period remaining in the term of the existing loan or 5 years, whichever is shorter.
- (2) In clause (1)(b), "interest rate differential" means the difference between an existing loan's actual interest rate and the interest rate that would be applicable to a new loan with a term, calculated in number of months, equivalent to the period remaining in the term of the existing loan.

Annual prepayment options under closed-prepayment loan

- 16** (1) A borrower under a closed-prepayment loan may, if not in default under the loan, exercise 1 of the following prepayment options once in each calendar year:
- (a) to increase the amount of each payment of principal and interest by an amount no greater than 10% of the current amount of a payment of principal and interest;
 - (b) to pay down the principal of the loan, without payment of interest, in an amount that is no greater than 10% of the original amount of the loan, unless the Board accepts a higher amount in accordance with subsection (2).
- (2) The Board may accept, without the payment of interest, a payment that exceeds the 10% limit specified in clause (1)(b), but only if the Board is satisfied that 1 of the following special and unforeseen circumstances exists:

- (a) proceeds from property insurance on secured assets have been recovered;
- (b) proceeds have been recovered from a subsidy or grant that has been assigned to the Board;
- (c) proceeds from life insurance on the death of an insured borrower have been recovered;
- (d) the Board refinances the existing loan with a loan of similar terms and outstanding principal but that bears a higher interest rate.

Determining interest rate

- 17 (1)** The minimum interest rate for a loan is the Government of Nova Scotia's all-in cost of borrowing on similar terms plus 0.50% for the relevant term, including any prepayment options permitted by Section 16.
- (2)** Subject to the minimum interest rate in subsection (1), the Board must fix interest rates based on the cost of borrowing for the Government of Nova Scotia provided quarterly by the Department of Finance and Treasury Board, and adjusted to include any markup that the Board considers appropriate.
- (3)** The Board may adjust the interest rate on an individual loan for any of the following factors:
- (a) business risk factors, including debt servicing capacity, security and the management ability of the borrower;
 - (b) development policy factors of the Department of Agriculture and the Board.

Prescribed fees

- 18 (1)** Subject to subsections (2) and (3), the fees payable to the Board by borrowers are as set out in the following table:

Fees Payable to Board	
Type of Fee	Fee Amount
Mortgage release fee	\$50.00
Reamortization fee	0.125% of loan balance (minimum fee \$250.00)
Mortgage assumption fee	\$310.00
Loan guarantee fee	Amount determined necessary by Board management to compensate for risk being undertaken (minimum 1.5% per year on outstanding balance)
Fee for preparing deed, mortgage, agreement of sale, chattel mortgage, lease or any related document	\$124.00
Fee for preparing detailed financial statements, searching legal records and providing statistical data	\$62.00

File review fee	\$100.00
Insufficient funds fee	\$35.00

- (2) The Board may charge to a loan account any fees charged by an external agency for registration or release of registration of the Board's security interest.
- (3) The Board may exempt a borrower from the file review fee if the borrower meets the reporting requirements set out in the loan agreement.

N.S. Reg. 206/2018

Made: November 29, 2018

Filed: December 3, 2018

Prescribed Petroleum Products Prices

Order dated November 29, 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**M08985**

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 November 21, 2018, are:

Grade 1 Regular gasoline	50.34¢ per litre
Ultra-low-sulfur diesel oil	65.51¢ per litre

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

Gasoline:	
Grade 1	50.34¢ per litre
Grade 2	53.34¢ per litre
Grade 3	56.34¢ per litre
Ultra-low-sulfur diesel oil	65.51¢ 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 2.6¢ per litre
Ultra-low-sulfur diesel oil:	minus 2.7¢ per litre

And whereas a winter blending adjustment of plus 3.01¢ 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., November 30, 2018.

Dated at Halifax, Nova Scotia, this 29th day of November, 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 November 30, 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	54.99	10.0	15.5	80.49	98.4	100.6	98.4	999.9
Mid-Grade Unleaded	57.99	10.0	15.5	83.49	101.9	104.1	101.9	999.9
Premium Unleaded	60.99	10.0	15.5	86.49	105.3	107.5	105.3	999.9
Ultra-Low-Sulfur Diesel	73.07	4.0	15.4	92.47	112.2	114.4	112.2	999.9
Zone 2								
Regular Unleaded	55.49	10.0	15.5	80.99	99.0	101.2	99.0	999.9
Mid-Grade Unleaded	58.49	10.0	15.5	83.99	102.5	104.6	102.5	999.9
Premium Unleaded	61.49	10.0	15.5	86.99	105.9	108.1	105.9	999.9
Ultra-Low-Sulfur Diesel	73.57	4.0	15.4	92.97	112.8	115.0	112.8	999.9
Zone 3								
Regular Unleaded	55.89	10.0	15.5	81.39	99.5	101.6	99.5	999.9
Mid-Grade Unleaded	58.89	10.0	15.5	84.39	102.9	105.1	102.9	999.9
Premium Unleaded	61.89	10.0	15.5	87.39	106.4	108.5	106.4	999.9
Ultra-Low-Sulfur Diesel	73.97	4.0	15.4	93.37	113.2	115.4	113.2	999.9

Zone 4									
Regular Unleaded	55.99	10.0	15.5	81.49	99.6	101.8	99.6	999.9	
Mid-Grade Unleaded	58.99	10.0	15.5	84.49	103.0	105.2	103.0	999.9	
Premium Unleaded	61.99	10.0	15.5	87.49	106.5	108.7	106.5	999.9	
Ultra-Low-Sulfur Diesel	74.07	4.0	15.4	93.47	113.4	115.5	113.4	999.9	
Zone 5									
Regular Unleaded	55.99	10.0	15.5	81.49	99.6	101.8	99.6	999.9	
Mid-Grade Unleaded	58.99	10.0	15.5	84.49	103.0	105.2	103.0	999.9	
Premium Unleaded	61.99	10.0	15.5	87.49	106.5	108.7	106.5	999.9	
Ultra-Low-Sulfur Diesel	74.07	4.0	15.4	93.47	113.4	115.5	113.4	999.9	
Zone 6									
Regular Unleaded	56.69	10.0	15.5	82.19	100.4	102.6	100.4	999.9	
Mid-Grade Unleaded	59.69	10.0	15.5	85.19	103.8	106.0	103.8	999.9	
Premium Unleaded	62.69	10.0	15.5	88.19	107.3	109.5	107.3	999.9	
Ultra-Low-Sulfur Diesel	74.77	4.0	15.4	94.17	114.2	116.3	114.2	999.9	

N.S. Reg. 207/2018

Made: December 4, 2018

Filed: December 4, 2018

Fisheries and Aquaculture Loan Board Regulations—replacement

Order in Council 2018-308 dated December 4, 2018

Repeal of regulations and regulations made by the Governor in Council pursuant to Section 42 of the *Fisheries and Coastal Resources Act*

The Governor in Council on the report and recommendation of the Minister of Fisheries and Aquaculture dated October 11, 2018, and pursuant to Section 42 of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, is pleased, effective on and after December 11, 2018, to

- (a) repeal the regulations respecting fisheries and aquaculture loans, N.S. Reg 191/1980, made by the Governor in Council by Order in Council 80-1707, dated December 16, 1980; and
- (b) make new regulations respecting the Fisheries and Aquaculture Loan Board in the form set forth in Schedule “A” attached to and forming part of the report and recommendation

Schedule “A”

**Regulations Respecting the Nova Scotia Fisheries and Aquaculture Loan Board
made by the Governor in Council under Section 42 of
Chapter 25 of the Acts of 1996, *Fisheries and Coastal Resources Act***

Citation

1 These regulations may be cited as the *Fisheries and Aquaculture Loan Board Regulations*.

Definitions

2 In these regulations,

“Act” means the *Fisheries and Coastal Resources Act*;

“applicant” means an applicant for a loan;

“boat” means a watercraft, of any type, that is fully equipped and ready to be used in the fishing industry;

“borrower” means an individual, partnership or body corporate that has been granted a loan;

“engine” means an engine used to propel or provide auxiliary power to a boat, and includes

- (i) an inboard engine, a clutch, reduction gears, a shaft, a propeller, controls and any other accessory that properly forms part of the mechanism for propelling the boat, and
- (ii) an outboard engine;

“equipment”,

- (i) in relation to a boat used in the commercial fishery, includes any of the following:
 - (A) mechanical, electrical or hydraulic devices used for fishery operations,
 - (B) safety devices such as life rafts,
 - (C) any gear the Board considers to be essential to the intended activity of the boat,
- (ii) in relation to an aquacultural operation, includes any hardware or materials pertaining to the aquacultural operation, including buildings, rafts, buoys, floats, pumps, anchors, nets and cages;

“fee”, in relation to a fee payable to the Board, means the applicable fee established by the Minister under clause 6(j) of the Act;

“hull” means a boat exclusive of engine and equipment;

“loan” means a loan made by the Board under the Act and these regulations;

“partnership” means a partnership as defined in the *Partnership Act*.

Purpose of loans

3 (1) A loan may be for any purpose relating to the fishing industry in the Province, including any of the following:

- (a) purchasing or building a hull or boat;
- (b) purchasing and installing an engine or equipment in a boat;
- (c) purchasing a licence or quota;
- (d) converting, modifying or upgrading an existing boat;
- (e) refinancing or combining loans of a borrower;

- (f) developing or enhancing aquaculture facilities;
 - (g) providing working capital for a business in the fishing industry;
 - (h) purchasing seed stock, seed or spat for use in aquaculture;
 - (i) any other purpose that is in accord with the object and purpose of the Board set out in Section 28 of the Act.
- (2) The Board must not make a loan guarantee for the purpose of replacing existing financing.
- (3) The Board may set policies and priorities for loans and loan guarantees.

Eligibility for loans

4 To be eligible for a loan,

- (a) an individual must meet all of the following requirements:
 - (i) they must be a Canadian citizen or be able to satisfy the Board of their intention to become a Canadian citizen,
 - (ii) they must be at least 19 years old at the time of their application,
 - (iii) they must have adequate experience, training or education in the fishing industry,
 - (iv) they must be able to adequately protect the assets to be used as security for the loan during the term of the loan, including by obtaining and keeping insurance as required by Section 14;
- (b) a partnership must have a representative who satisfies the requirements for an individual in clause (a);
- (c) a body corporate must meet all of the following requirements:
 - (i) it must be in good standing under the laws of the jurisdiction in which it was incorporated,
 - (ii) it must be registered with the Nova Scotia Registry of Joint Stock Companies,
 - (iii) it must commit to not transfer voting control in whole or in part during the term of the loan without prior written notice to the Board,
 - (iv) its officers, directors, employees or agents must have adequate experience, training or education in the fishing industry,
 - (v) it must be able to adequately protect the assets to be used as security for the loan during the term of the loan, including by obtaining and keeping insurance as required by Section 14.

Applying for loan

5 An applicant must submit all of the following to the Board:

- (a) the application fee;
- (b) a statement of the purpose of the loan;
- (c) a business plan in a form acceptable to the Board;
- (d) complete details of the costs relating to the loan, including appropriate quotations from any suppliers or contractors;
- (e) the applicant's written agreement to obtain and keep insurance on the assets to be used as security for the loan on terms satisfactory to the Board, and to assign the insurance to the Board;
- (f) for an application by an individual, a signed statement of assets and liabilities;
- (g) audited financial statements or financial statements satisfactory to the Board;
- (h) for an application by a partnership,
 - (i) the full name of each of the partners, together with a statement of each partner's interest in the partnership, and
 - (ii) a signed partnership agreement in a form acceptable to the Board;
- (i) for an application by a body corporate,
 - (i) the names of its officers and directors,
 - (ii) the names of all persons who have subscribed for shares, with a statement showing the amount paid up on all shares authorized or issued,
 - (iii) a certified copy of a special or extraordinary resolution of its shareholders authorizing it to borrow money, and
 - (iv) evidence that it is in good standing issued by the Registrar of Joint Stock Companies or equivalent authority in the jurisdiction in which it was incorporated;
- (j) any additional information that the Board requires to assess the application.

Requirements for loan for licence or quota purchase

6 In addition to the requirements for all applications set out in Section 5, an applicant for a loan for the purchase of a licence or quota must provide the Board with the following:

- (a) for a loan to purchase a licence, evidence that the applicant meets all requirements prescribed by a federal or a provincial body for holding the proposed licence;
- (b) for a loan to purchase a licence or quota issued under the *Fisheries Act* (Canada), a completed form "Notice to Department of Fisheries and Oceans of a Financial Arrangement with an Eligible Lender" published by the federal Department of Fisheries and Oceans Canada; and
- (c) for a loan to purchase a licence issued under the Act, confirmation that the assignment of the licence has been approved by the Administrator under Section 58 of the Act.

Processing applications

7 The Board may establish guidelines for and the manner in which loan applications are to be processed by staff.

Cost of legal services included in loan

8 The Board may include, as part of a loan amount, an amount to cover the estimated cost of legal services reasonably required by the borrower to complete a transaction for which the loan was approved.

Deposits for loans

- 9 (1) The Board may require an applicant to pay a minimum deposit, as determined by the Board, on the total loan amount approved by the Board.
- (2) A deposit is payable to the Board by an applicant immediately on notification by the Board that, subject to receipt of the deposit, the loan is approved.
- (3) A deposit must be credited to the borrower's account and must be used as part or all of the first progress payment of the loan.

Approved builders

- 10 (1) In this Section, "builder" means a person engaged in constructing, converting, modifying or upgrading boats.
- (2) Any work to be carried out with loan assistance must be carried out by a builder approved in accordance with any terms and conditions determined by the Board.
- (3) The Board must establish and maintain a list of approved builders, indicating the current status of the builder approval including any limitations or restrictions on the approval.
- (4) Before the start of any work to be carried out with loan assistance, plans and specifications for the work must be approved by Board technical staff or qualified agents of the Board.

Appraisal

- 11 (1) The Board may at any time require the appraisal of any assets used to secure a loan to determine the sufficiency of the Board's security.
- (2) The borrower is responsible for the cost of any appraisal required by the Board under subsection (1).

Loan limit

- 12 (1) Except as provided in subsection (2), the maximum amount of a loan is 90% of the appraised value of the assets securing the loan.
- (2) The Board may lend additional funds to a borrower based on the Board's assessment of the managerial ability of the borrower, the ability of the fishery or aquacultural operation to repay the loan and the value of other security items.

Loans requiring Governor in Council approval

13 For the purpose of Section 38 of the Act, which requires Governor in Council approval for a loan or guarantee of loan in excess of the prescribed amount, any amount that would result in the borrower's total obligation to the Board exceeding \$5 000 000 is prescribed as the maximum amount of a loan or guarantee of loan that may be granted without the approval of the Governor in Council.

Insurance

14 A borrower must obtain and keep insurance on terms satisfactory to the Board on the assets to be used as security for the loan, and must assign the insurance to the Board.

Security

- 15** (1) The Board may take any security or guarantee that it considers appropriate for any loan and enforce the security or guarantee in accordance with its terms and conditions, or release the security or guarantee on terms and conditions specified by the Board.
- (2) The Board may make any payments necessary to protect the security of a loan, and the borrower is liable for any amounts paid by the Board under this subsection.
- (3) In enforcing security held under this Section, the Board may do any of the following:
- (a) advance money to a receiver;
 - (b) guarantee the accounts of a receiver;
 - (c) pay or guarantee a payroll of a borrower in default under the security;
 - (d) expend money in attracting a person to revive, take over or re-establish a borrower's business.
- (4) It is a term and condition of each loan that the Board may add to the amount of the loan the amount of any fees and expenses incurred by the Board to register any security the Board requires for the loan.

Security document

- 16** The security documents securing a loan must together contain all of the following covenants:
- (a) that the borrower will repay the loan in accordance with the following, all to be specified in the security document:
 - (i) the amortization period and interest rate,
 - (ii) the payment schedule, specifying whether the loan payments are to be made weekly, bi-weekly, semi-monthly, monthly, bi-monthly, quarterly, semi-annually or yearly,
 - (iii) the dates and times when and place where loan payments are to be made;
 - (b) that the borrower will keep all secured property, both real and personal, including improvements to the property, in good condition and state of repair;
 - (c) that the borrower will comply with all relevant standards and requirements for the secured property, including any relevant registrations, inspections and licences;
 - (d) for an aquacultural operation, that the borrower will not remove any chattels from the aquaculture site without the prior written permission of the Board;
 - (e) that, if required by the Board, the borrower will provide the Board with detailed financial statements covering the borrower's operations and any additional information about their operations that the Board specifies, including copies of personal or corporate tax returns.

Combining or transferring loan

- 17 (1)** If a borrower obtains additional funds from the Board at an interest rate different from that charged on existing indebtedness to the Board, the total indebtedness to the Board may be combined into 1 principal balance with 1 repayment schedule at the composite interest rate.
- (2)** If a borrower that is a partnership or body corporate is dissolved and 1 or more of its partners or shareholders will continue as the borrower, the Board may transfer the balance of the existing loan at the interest rate and on the same terms and conditions that applied to the existing loan.
- (3)** If a borrower that is an individual or partnership forms a body corporate to include the assets held by the Board as security for the loan, the Board may transfer the balance of the existing loan to the body corporate at the interest rate and on the same terms and conditions that applied to the existing loan.
- (4)** The Board may require a party to a loan transfer under subsection (2) or (3) to provide any information or submit any documentation that the Board considers necessary to complete the transfer.

Interest rate, terms and amortization

- 18 (1)** Subject to any deferral or adjustment under subsection (4), the interest rate, amortization period and term of a loan must be established in accordance with 1 of the following options:
- (a)** a fixed interest rate for an amortization period to a maximum of 30 years with the loan of the same term;
- (b)** a fixed interest rate for a specified term of years with an amortization period to a maximum of 30 years;
- (c)** a variable interest rate for a specified term of years with an amortization period to a maximum of 30 years.
- (2)** A loan may be
- (a)** open for prepayment at any time during the term of the loan; or
- (b)** a closed-prepayment loan in accordance with Sections 19 and 20.
- (3)** The Board may reduce the amortization period of a loan if, in the opinion of the Board, conditions warrant the reduction.
- (4)** The Board may defer or adjust payment of principal, interest and other accruals for any length of time the Board considers necessary
- (a)** to permit the borrower to establish a business; or
- (b)** to permit the borrower's business to recover, if the business is suffering economic hardship as a result of reduced income.
- (5)** A deferral under subsection (4) must be capitalized.

- (6) At the request of a borrower under an open-prepayment loan dated on or before the date these regulations come into force, the Board may replace the existing loan with a new closed-prepayment loan on the same terms and conditions as the existing loan, except that any prepayment under the new loan is subject to the prepayment fee referred to in Section 19 and to the prepayment options referred to in Section 20.

Prepayment under closed-prepayment loan

- 19 A borrower under a closed-prepayment loan who is not in default under the loan may, at any time during the term of the loan, prepay the whole or any part of the loan on payment to the Board of the prepayment fee, except that no prepayment fee is payable for a prepayment made on the 5th anniversary of the date of the loan or on any subsequent 5th anniversary of that date.

Annual prepayment options under closed-prepayment loan

- 20 (1) A borrower under a closed-prepayment loan may, if not in default under the loan, exercise 1 of the following prepayment options once in each calendar year:
- (a) to increase the amount of each payment of principal and interest by an amount no greater than 10% of the current amount of a payment of principal and interest;
 - (b) to pay down the principal of the loan, without payment of interest, in an amount that is no greater than 10% of the original amount of the loan, unless the Board accepts a higher amount in accordance with subsection (2).
- (2) The Board may accept, without the payment of interest, a payment that exceeds the 10% limit specified in clause (1)(b), but only if the Board is satisfied that 1 of the following special and unforeseen circumstances exists:
- (a) proceeds from property insurance on secured assets have been recovered;
 - (b) proceeds have been recovered from a subsidy or grant that has been assigned to the Board;
 - (c) proceeds from life insurance on the death of an insured borrower have been recovered;
 - (d) the Board refinances the existing loan with a loan of similar terms and outstanding principal but that bears a higher interest rate.

Determining interest rate

- 21 (1) The minimum interest rate for a loan is the Government of Nova Scotia's all-in cost of borrowing on similar terms plus 0.50% for the relevant term, including any prepayment options permitted by Section 20.
- (2) Subject to the minimum interest rate in subsection (1), the Board must fix interest rates based on the cost of borrowing for the Government of Nova Scotia provided quarterly by the Department of Finance and Treasury Board and adjusted to include any markup that the Board considers appropriate.
- (3) The Board may adjust the interest rate on an individual loan for any of the following factors:
- (a) business risk factors, including debt servicing capacity, security and the management ability of the borrower;
 - (b) development policy factors of the Department of Fisheries and Aquaculture and the Board.

N.S. Reg. 208/2018

Made: December 4, 2018

Filed: December 4, 2018

General Regulations Respecting Labour Standards—amendment

Order in Council 2018-313 dated December 4, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 7 of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated November 19, 2018, and pursuant to Section 7 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased to amend the general regulations respecting labour standards, N.S. Reg. 298/1990, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, to reduce the eligibility period for pregnancy and parental leaves, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after January 1, 2019.

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***

- 1 The general regulations respecting labour standards, N.S. Reg. 298/1990, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, are amended by
- (a) renumbering Section 1 as Section 1A; and
 - (b) adding the following Section immediately before Section 1A:

Citation

1 These regulations may be cited as the *General Labour Standards Code Regulations*.

- 2 (1) The regulations are further amended by adding the heading “**Interpretation**” immediately before Section 1A.
- (2) Subsection 1A(1) of the regulations is amended by
- (a) striking out the clause letter before each definition; and
 - (b) striking out the period at the end of the definition of “information technology professional” and substituting a semicolon.
- 3 Subsection 7B(1) of the regulations is amended by striking out the clause letter before each definition.
- 4 Subsection 7C(1) of the regulations is amended by
- (a) striking out the clause letter before each definition; and
 - (b) repealing the definition of “spouse”.

- 5 Subsection 7C(2) of the regulations is amended by adding “of the Code” immediately after “60E” in the text before clause (a).
- 6 Subsection 7C(3) of the regulations is amended by adding “of the Code” immediately after “60SG” in the text before clause (a).
- 7 The regulations are further amended by adding the following Sections immediately after Section 7C:

Period of employment for pregnancy leave under subsection 59(1) of Code

- 7D (1)** The minimum period for which a pregnant employee must have been employed by her employer for purposes of establishing entitlement to a pregnancy leave under subsection 59(1) of the Code is prescribed as any part of 1 day, instead of the period of 1 year set out in that subsection.
- (2)** An employee who wishes to begin a pregnancy leave immediately on becoming employed with the employer need not report to work under the contract of employment in order to begin the pregnancy leave, and the contract of employment must not require that the employee do so.

Period of employment for pregnancy leave under subsection 59A(1) of Code

- 7E (1)** The minimum period for which a pregnant employee must have been employed by her employer for purposes of a requirement to take a pregnancy leave under subsection 59A(1) of the Code is prescribed as any part of 1 day, instead of the period of 1 year set out in that subsection.
- (2)** An employer may require a pregnant employee to begin a pregnancy leave immediately on becoming employed with the employer, and in that case the employer must not require the employee to report to work under the contract of employment in order to begin the pregnancy leave.

Period of employment for parental leave under subsection 59B(1) of Code

- 7F (1)** The minimum period for which an employee must have been employed by their employer for purposes of establishing entitlement to a parental leave under subsection 59B(1) of the Code is prescribed as any part of 1 day, instead of the period of 1 year set out in that subsection.
- (2)** An employee who wishes to begin a parental leave immediately on becoming employed with the employer need not report to work under the contract of employment in order to begin the parental leave, and the contract of employment must not require that the employee do so.

N.S. Reg. 209/2018

Made: December 4, 2018

Filed: December 4, 2018

Proclamation of amendments to Act, S. 9, S.N.S. 2018, c. 13

Order in Council 2018-314 dated December 4, 2018

Proclamation made by the Governor in Council

pursuant to Section 9 of

*An Act to Amend Chapter 246 of the Revised Statutes, 1989,
the Labour Standards Code, Respecting Leaves of Absence*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated November 15, 2018, and pursuant to Section 9 of Chapter 13 of the Acts of 2018, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Leaves of Absence*, is pleased to order and declare by proclamation that Chapter 13 of the Acts of 2018, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Leaves of Absence*, do come into force on and not before January 1, 2019.

PROVINCE OF NOVA SCOTIA

sgd: **Arthur J. LeBlanc**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 9 of Chapter 13 of the Acts of 2018, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, Respecting Leaves of Absence*, it is enacted as follows:

- 9** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 13 of the Acts of 2018, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code[,] Respecting Leaves of Absence*, do come into force on and not before January 1, 2019;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 13 of the Acts of 2018, *An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code[,] Respecting Leaves of Absence*, do come into force on and not before January 1, 2019, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the Great Seal of
Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 4th day of December in the year of
Our Lord two thousand and eighteen and in the sixty-
seventh year of Our Reign.

BY COMMAND:

sgd: Honourable Mark Furey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 210/2018

Made: December 4, 2018

Filed: December 4, 2018

General Labour Standards Code Regulations—amendment

Order in Council 2018-315 dated December 4, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 7 of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated November 19, 2018, and pursuant to Section 7 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased to amend the *General Labour Standards Code Regulations*, N.S. Reg. 298/1990, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, respecting a leave of absence, including paid leave, for victims of domestic violence, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after January 1, 2019.

Schedule “A”

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

- 1 Section 1A of the *General Labour Standards Code Regulations*, N.S. Reg. 298/1990, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, is amended by adding the following subsection immediately after subsection (5):
 - (6) In the Code and these regulations, “law enforcement agency” means a municipal police department or the Royal Canadian Mounted Police.
- 2 The regulations are further amended by adding the following Sections immediately after Section 7F:

Information in support of entitlement to leave for victims of domestic violence

7G (1) In subsection 60Z(1) of the Code and this Section,

“qualified person” for the purposes of providing psychological or other counselling to an employee or the child of an employee who experiences domestic violence is a person who is qualified to provide psychological or other counselling and meets 1 or more of the following criteria:

- (i) they are a community elder, spiritual counsellor or counsellor who is providing culturally specific services to the employee or their child,
- (ii) they are designated as 1 or more of the following:
 - (A) a counselling therapist as defined in the *Counselling Therapists Act*,
 - (B) a registered psychologist as defined in the *Psychologists Act*,
 - (C) a social worker as defined in the *Social Workers Act*,
 - (D) a member of any other regulated profession in relation to which counselling is part of the defined scope of practice of the regulated profession;

“victim services organization” means a court- or community-based organization that provides support services for victims of domestic violence by individuals who are responsible to an elected board of directors or a licensing body or regulated profession.

- (2) For the purposes of subsection 60ZB(1) of the Code, an employer may require an employee who takes a leave of absence for a purpose set out in subsection 60Z(1) of the Code to do both of the following:
 - (a) identify the purpose of the leave, in accordance with clause 60ZB(1)(a) of the Code;
 - (b) provide the information required by subsection (3), in accordance with clause 60ZB(1)(b) of the Code.
- (3) The following is prescribed as the information in support of an employee’s entitlement to a leave of absence under subsection 60Z(1) of the Code:
 - (a) for leave to seek medical attention under clause 60Z(1)(a) of the Code, a statement from a legally qualified medical practitioner stating all of the following:
 - (i) that the employee is obtaining or seeking to obtain medical attention from the legally qualified medical practitioner for the employee or the employee’s child in relation to domestic violence experienced by the employee or the employee’s child,
 - (ii) the anticipated length of the leave and the anticipated start and end date of the leave, if known;
 - (b) for leave to obtain services from a victim services organization under clause 60Z(1)(b) of the Code, a statement in writing from an official on behalf of the victim services organization, transition house, Department of Justice or law enforcement agency that provides victim services that includes all of the following:

- (i) that the employee is obtaining or intends to obtain services from the victim services organization, transition house, Department of Justice or law enforcement agency for the employee or the employee's child in relation to domestic violence experienced by the employee or the employee's child,
 - (ii) the anticipated length of the leave and the anticipated start and end date of the leave, if known;
- (c) for leave to obtain counselling under clause 60Z(1)(c) of the Code, a statement in writing from the qualified person who is providing or intends to provide psychological or other counselling that includes all of the following:
- (i) that the employee is obtaining or intends to obtain counselling from that person for the employee or the employee's child in relation to domestic violence experienced by the employee or the employee's child,
 - (ii) the anticipated length of the leave and the anticipated start and end date of the leave, if known;
- (d) for leave to relocate under clause 60Z(1)(d) of the Code, a statement in writing from the employee that includes all of the following:
- (i) that the employees is taking or intends to take a leave of absence under subsection 60Z(1) of the Code for the purpose of relocating temporarily or permanently as a result of domestic violence experienced by the employee or the employee's child,
 - (ii) the anticipated length of the leave and the anticipated start and end date of the leave, if known;
- (e) for leave to seek legal or law enforcement assistance under clause 60Z(1)(e) of the Code, a statement in writing from the lawyer or law firm from whom the employee is seeking legal assistance, or an official employed with a law enforcement agency from whom the employee is seeking law enforcement assistance, that includes all of the following:
- (i) that the employee is taking or intends to take a leave of absence for the purpose of seeking legal or law enforcement assistance for the employee or the employee's child, in relation to domestic violence experienced by the employee or the employee's child,
 - (ii) the anticipated length of the leave and the anticipated start and end date of the leave, if known.
- (4) The information prescribed in subsection (3) must be provided to the employer as soon as is reasonably practicable after the employer's request for information in support of an employee's entitlement to leave.
- (5) The information prescribed in subsection (3) must be provided in a form established by the Director.

Paid domestic violence leave

- 7H (1)** An employer must pay an employee for up to 3 days of a leave of absence taken under subsection 60Z(1) of the Code in each calendar year.
- (2)** An employer may count any part of a day of leave taken under subsection 60Z(1) of the Code as 1 full day of paid leave for the purpose of subsection (1).
- (3)** An employer must not pay an employee for a paid day of leave at a wage that is lower than the employee's regular wage for all hours the employee would have worked on the day of the leave had the leave of absence not been taken.
- (4)** Subject to the 3-day limit for paid leave under subsection (1),
- (a)** an employee who takes a leave of absence under subsection 60Z(1) of the Code and intends that 1 or more days during the leave of absence are to be counted as full days of paid leave must notify the employer in writing of the day or days to be counted as paid leave; and
- (b)** if the employer does not receive notice from the employee under clause (a), and the employer and the employee have not agreed otherwise, the employer must count any part of a day that is taken as a leave of absence under subsection 60Z(1) of the Code as a full day of paid leave, as each day occurs.

N.S. Reg. 211/2018

Made: December 4, 2018

Filed: December 4, 2018

Proclamation of Act, S. 36, S.N.S. 2018, c. 6

Order in Council 2018-316 dated December 4, 2018

Proclamation made by the Governor in Council
pursuant to Section 36 of the
Research Nova Scotia Corporation Act

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated September 10, 2018, and pursuant to Section 36 of Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act*, is pleased to order and declare by proclamation that Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act*, do come into force on and not before December 4, 2018.

PROVINCE OF NOVA SCOTIA

sgd: Arthur J. LeBlanc

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 36 of Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act*, it is enacted as follows:

- 36** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act*, do come into force on and not before December 4, 2018;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act*, do come into force on and not before December 4, 2018, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the Great Seal of
Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 4th day of December in the year of
Our Lord two thousand and eighteen and in the sixty-
seventh year of Our Reign.

BY COMMAND:

sgd: Honourable Mark Furey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 212/2018

Made: December 4, 2018

Filed: December 4, 2018

Research Nova Scotia Corporation Funding Regulations

Order in Council 2018-317 dated December 4, 2018
Regulations made by the Governor in Council
pursuant to Section 34 of the *Research Nova Scotia Corporation Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated September 28, 2018, and pursuant to Section 34 Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act*, is pleased to make regulations respecting Research Nova Scotia Corporation and the Research Opportunities Fund, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 4, 2018.

Schedule "A"

**Regulations Respecting Research Nova Scotia Corporation Funding
made by the Governor in Council under Section 34 of
Chapter 6 of the Acts of 2018, the *Research Nova Scotia Corporation Act***

Citation

1 These regulations may be cited as the *Research Nova Scotia Corporation Funding Regulations*.

Definition

2 In these regulations,

“Act” means the *Research Nova Scotia Corporation Act*;

“reporting period” means the 6-month period from April 1 to September 30 or from October 1 to March 31 in each fiscal year, as the context requires.

Prescribed areas of research

- 3 (1) For the purposes of the objects of the Board in Section 7 of the Act, any research that produces opportunities and outcomes to advance either of the following key priorities is prescribed as research that the Board is to support, organize and co-ordinate funding for:
- (a) supporting the Inclusive Economic Growth pillar of the Province’s strategic plan, including research activities that support any of the following:
 - (i) strategic sector growth,
 - (ii) export growth,
 - (iii) employment creation and attachment,
 - (iv) population growth,
 - (v) economic participation and benefit;
 - (b) supporting a healthy population and a strong health-care system in Nova Scotia, including research activities that support any of the following:
 - (i) health innovation,
 - (ii) mental health,
 - (iii) continuing care,
 - (iv) accessible health services,
 - (v) well-being of citizens.
- (2) In addition to the activities referred to in subsection (1), in carrying out its objects the Board must develop and implement a strategy for

- (a) increasing research capacity in Nova Scotia; and
- (b) developing a strategic approach to support the Nova Scotia research community and align funded research activity with Provincial priorities.

Semi-annual report to Minister

4 (1) In this Section,

“semi-annual report” means a report to be submitted by the Corporation to the Minister every 6 months as required by Section 8 of the Act.

- (2) A semi-annual report must be submitted to the Minister no later than
 - (a) May 31 in each year, for the reporting period ending March 31 in that year; and
 - (b) November 30 in each year, for the reporting period ending September 30 in that year.
- (3) The first semi-annual report must be submitted no later than November 30, 2019, for the reporting period ending September 30, 2019.
- (4) A semi-annual report must be in a form acceptable to the Minister and must include all of the following:
 - (a) a current list of the Board of Directors;
 - (b) a description of the impacts of the Corporation’s ongoing research projects in Nova Scotia;
 - (c) details of each funding application approved by the Corporation during the reporting period, including all of the following information on each research project:
 - (i) the name of the lead applicant,
 - (ii) the name of the lead institution or organization,
 - (iii) the name of the project,
 - (iv) the amount of funding approved,
 - (v) the research sector,
 - (vi) the estimated number of jobs in Nova Scotia that will be supported by the funding awarded to the project,
 - (vii) the estimated number of training opportunities for students and others in Nova Scotia that will be supported by the funding awarded to the project,
 - (viii) information about any funding that the project received from other sources, including all of the following:
 - (A) the name of each source,

- (B) the amount received from each source and whether it was in the form of cash or an in-kind contribution,
 - (C) details of any in-kind contribution.
- (5) The financial forecast provided as part of a semi-annual report must include all of the following:
- (a) the current balance in the Fund and the amount anticipated to be paid from the Fund over the next 6 months;
 - (b) the amount spent on operations during [the] reporting period and the amount anticipated to be spent on operations over the next 6 months.
- (6) In addition to the requirements listed in subsection (5), the semi-annual report for the reporting period ending September 30 of each fiscal year must include all of the following:
- (a) a proposed budget for the next fiscal year;
 - (b) an updated 3-year operating plan;
 - (c) an updated 5-year capital plan, if one has been produced by the Corporation.

Annual report to Minister

5 On or before June 1 of each year, the Corporation must submit a report to the Minister that includes all of the following with respect to the immediately preceding fiscal year:

- (a) the auditor's report required by Section 24 of the Act;
- (b) a narrative of the Corporation's activities during the fiscal year;
- (c) an evaluation of the Corporation's activities based on performance measures established by the Board, and confirmation of compliance with standards adopted by the Board.

N.S. Reg. 213/2018

Made: December 4, 2018

Filed: December 4, 2018

On-site Sewage Disposal Systems Regulations—amendment

Order in Council 2018-327 dated December 4, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 110 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated October 18, 2018, and pursuant to Section 110 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to amend the *On-site Sewage Disposal Systems Regulations*, N.S. Reg. 317/2015, made by the Governor in Council by Order in Council 2015-292 dated September 8, 2015, to clarify the intent of the regulations regarding installation and maintenance responsibilities, in the manner set forth in Schedule "A", effective on and after December 4, 2018.

Schedule "A"

**Amendment to the *On-site Sewage Disposal Systems Regulations*
made by the Governor in Council under Section 110
of Chapter 1 of the Acts of 1994-95
the *Environment Act***

- 1 (1) Subsection 4(1) of the *On-site Sewage Disposal Systems Regulations*, N.S. Reg. 317/2015, made by the Governor in Council by Order in Council 2015-292 dated September 8, 2015, is repealed and the following subsection substituted:
 - (1) At least 24 hours before excavating is to begin for the installation of a system, a qualified person or professional engineer must alert the Department in writing by submitting a form acceptable to the Department that specifies the time and date that excavating is to begin.
 - (2) Section 4 of the regulations is further amended by adding the following subsection immediately after subsection (1):
 - (1A) An installer must not begin installing a system without the permission of the qualified person or professional engineer who selected or designed the system.
 - (3) Subsection 4(2) of the regulations is repealed and the following subsection substituted:
 - (2) An installer must install a system in accordance with all of the following:
 - (a) the requirements specified in the notification receipt or approval issued for the installation;
 - (b) the details specified in the form submitted as required by subsection (1) for the installation;
 - (c) these regulations;
 - (d) the Standard.
- 2 Subsection 8(2) of the regulations is amended by
 - (a) striking out "A person who is installing a system" and substituting "An owner of a lot who is having a system installed"; and
 - (b) striking out "must complete the work" and substituting "must ensure the system is installed".

N.S. Reg. 214/2018

Made: November 27, 2018

Approved: December 3, 2018

Filed: December 6, 2018

Milk Pricing Regulations—amendment

Order dated December 3, 2018
Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clauses 9(b) and 14(1)(c) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia**Amendment to the *Milk Pricing Regulations*
made under the *Dairy Industry Act***

I certify that on November 27, 2018, the Dairy Farmers of Nova Scotia, pursuant to clauses 9(b) and 14(1)(c) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, carried a motion to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, in the manner set forth in the attached Schedule “A”, effective on and after January 1, 2019.

Signed at Truro, in the County of Colchester, Nova Scotia on December 4, 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 December 3, 2018.

Natural Products Marketing Council

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

Schedule “A”

**Amendment to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clauses 9(b) and 14(1)(c) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

- 1 Subsection 3(1) of the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, is repealed and the following subsection substituted:

- 3 (1) Except where otherwise specified in the National Ingredients Strategy Implementation Policy, milk processors in the Province must pay, on an F.O.B. plant basis, the prices of milk components set out in the following table for each class of milk specified:

Component Prices for Classes of Milk				
Class of Milk	Butterfat (\$ per kg)	Protein (\$ per kg)	Other Solids (\$ per kg)	Solids-Non-Fat (\$ per hl)
1(a)1	8.0726			76.78
1(a)2	8.0726	8.4074	8.4074	
1(b)	8.0726			62.55
1(c)	Per current P5 policy for the 1c/4c Pricing Program for innovative products, the price discounts for milk cream and manufactured dairy products are respectively 25% for the first 12 months, 15% for the second 12-month period and 10% for the third 12-month period. The discounts will be deducted off the appropriate P5 target class component prices for approved products.			
2(a)	9.0101	6.1566	6.1566	
2(b)	9.0101	6.1566	6.1566	
3(a)	9.0101	14.0948	0.8770	
3(b)	9.0101	13.7273	0.8770	
3(c)(1)	9.0101	14.0948	0.8770	
3(c)(2)	9.0101	15.2450	0.8770	
4(a)	9.0101	5.6001	5.6001	
4(b)	9.0101	5.7087	5.7087	
4(c)	Per current P5 policy for the 1c/4c Pricing Program for innovative products, the price discounts for milk cream and manufactured dairy products are respectively 25% for the first 12 months, 15% for the second 12-month period and 10% for the third 12-month period. The discounts will be deducted off the appropriate P5 target class component prices for approved products.			
4(d)	9.0101	5.6001	5.6001	

- 2 Clause 9(1)(b) of the regulations is amended by striking out “\$0.3947 per kilogram of butterfat” and substituting “\$1.50 per hectolitre of milk”.

N.S. Reg. 215/2018

Made: December 3, 2018

Filed: December 6, 2018

Milk Classes and Categories Regulations—amendment

Order dated December 3, 2018

Amendment to regulations made by the Natural Products Marketing Council
pursuant to clauses 8(d) and 9(r) of the *Dairy Industry Act***Natural Products Marketing Council**

I certify that on December 3, 2018, the Natural Products Marketing Council, pursuant to clauses 8(d) and 9(r) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Milk Classes and Categories Regulations*, N.S. Reg. 3/2006, made by the Natural Products Marketing Council on January 10, 2006, in the manner set out in Schedule “A”, effective on and after January 1, 2019.

Signed at Truro, in the County of Colchester, Nova Scotia on December 4, 2018.

Natural Products Marketing Council

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

Schedule “A”

**Amendment to the *Milk Classes and Categories Regulations*
made by the Natural Products Marketing Council
pursuant to clauses 8(d) and 9(r) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

1 The table in subsection 4(1) of the *Milk Classes and Categories Regulations*, N.S. Reg. 3/2006, made by the Natural Products Marketing Council on January 10, 2006, is amended by

(a) striking out the row beginning “Class 1(a)” and substituting the following row:

Class 1(a)1	All milk and beverages, except those defined in Class 1(a)2, made of partly skimmed or skimmed milk, whether treated or not for lactose intolerance, flavored or not, with or without vitamins or minerals added, and concentrated milk to be reconstituted as fluid milk, for retail sale or the food services sector.
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(b) adding the following row immediately under the row beginning “Class 1(a)1”

Class 1(a)2	<p>Eggnog, fortified* Class 1(a)1 products, and all types of dairy beverages constituted of mixtures of fresh milk and fruit and vegetable juices and other products, with a dairy content exceeding 50 percent by weight and a dairy protein content of less than 75 percent of the dairy protein contained in an equal volume of milk with the same butterfat content.</p> <p>*dairy protein content exceeding that of an equal volume of fresh milk product with the same butterfat content</p>
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2 Section 6 of the regulations is repealed and the following Section substituted:

6 The following are designated as fluid milk products:

- (a) products made from Class 1(a)1 milk;
- (b) products made from Class 1(a)2 milk;
- (c) products made from Class 1(b) milk;
- (d) products made from Class 1(b)(ii) milk;
- (e) products made from Class 1(c) milk;
- (f) products made from Class 1(d) milk.

N.S. Reg. 216/2018

Made: December 3, 2018

Filed: December 6, 2018

Turkey Farmers of Nova Scotia Regulations—amendment

Order dated December 3, 2018

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

Natural Products Marketing Council

I certify that the Natural Products Marketing Council, pursuant to Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, at its meeting on December 3, 2018, carried a motion to amend the *Turkey Farmers of Nova Scotia Regulations*, N.S. Reg. 266/92, made by the Natural Products Marketing Council on December 8, 1992, in the manner set forth in the attached Schedule “A”, effective on and after January 1, 2019.

Signed at Truro, in the County of Colchester, Nova Scotia on December 4, 2018.

Natural Products Marketing Council

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

Schedule "A"

**Amendment to the *Turkey Farmers of Nova Scotia Regulations*
made by the Natural Products Marketing Council
under Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act***

Subsection 11(3) of the *Turkey Farmers of Nova Scotia Regulations*, N.S. Reg. 266/92, made by the Natural Products Marketing Council on December 8, 1992, is amended by striking out "four and four-tenths cents" and substituting "\$0.0565" in clause (a).

N.S. Reg. 217/2018

Made: December 6, 2018

Filed: December 6, 2018

Schedule of Fees for the Nova Scotia Fisheries and Aquaculture Loan Board—replacement

Order dated December 6, 2018

Repeal of regulations and regulations made by the Minister of Fisheries and Aquaculture pursuant to clause 6(j) of the *Fisheries and Coastal Resources Act*

**In the matter of clause 6(j) of Chapter 25 of the Acts of 1996,
the *Fisheries and Coastal Resources Act***

-and-

**In the matter of a Schedule of Fees for the
Nova Scotia Fisheries and Aquaculture Loan Board
established by the Minister of Fisheries and Aquaculture pursuant to
clause 6(j) of the *Fisheries and Coastal Resources Act***

Order

I, Keith Colwell, Minister of Fisheries and Aquaculture for the Province of Nova Scotia, upon notice of a fee increase having been presented to the Clerk of the Assembly in accordance with Section 4 of Chapter 8 of the Acts of 2007, the *Fees Act*, and pursuant to clause 6(j) of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, hereby

- (a) repeal the schedule of fees for the Nova Scotia Fisheries and Aquaculture Loan Board, N.S. Reg. 178/2015, established by order of the Minister of Fisheries and Aquaculture dated March 20, 2015; and
- (b) establish a new schedule of fees for the Nova Scotia Fisheries and Aquaculture Loan Board in the form set forth in the attached Schedule "A".

This order is effective on and after December 11, 2018.

Made at Halifax, in the Halifax Regional Municipality, Province of Nova Scotia, on December 6th, 2018.

sgd: *Keith Colwell*
Honourable Keith Colwell
Minister of Fisheries and Aquaculture

Schedule "A"

**Schedule of Fees for the
Nova Scotia Fisheries and Aquaculture Loan Board
established by the Minister of Fisheries and Aquaculture under
clause 6(j) of the *Fisheries and Coastal Resources Act***

The following fees, not including any applicable tax, may be charged by the Nova Scotia Fisheries and Aquaculture Loan Board:

Type of Fee	Fee Amount
Loan application fee (other than vessel construction) for the net loan amount of:	
up to \$5 000 000	0.25% of the loan amount, subject to a minimum fee of \$400, and a maximum fee of \$2000
including and above \$5 000 000	\$3000
Loan application fee for vessel construction loans for the net loan amount of:	
up to and including \$10 000	\$311.00
over \$10 000 up to and including \$100 000	\$498.35
over \$100 000 up to and including \$300 000	\$1495.15
over \$300 000 up to and including \$500 000	\$3737.00
over \$500 000	\$6229.00
Mortgage release fee	\$50.00
Reamortization fee	0.125% of loan balance or \$250, whichever is less
Mortgage assumption fee	\$310.00
Loan guarantee fee	1.5% on the outstanding balance, paid annually
File review fee	\$100
Fee for preparation of deeds, mortgages, agreements of sale, chattel mortgages, leases or other related documents	\$124.00
Fee for preparation of detailed financial statements, search of legal records and provision of statistical data	\$62.00

Fee for prepayment (in whole or part) of loan	Amount equal to the greater of (a) 3 months' interest on the loan balance at the established interest rate; and (b) interest calculated using the interest rate differential (which means the difference between an existing loan's actual interest rate and the interest rate that would be applicable to a new loan with a term, calculated in number of months, equivalent to the period remaining in the term of the existing loan), for the period remaining in the term of the existing loan or 5 years, whichever is shorter.
Non-sufficient funds fee	\$35.00

N.S. Reg. 218/2018

Made: December 5, 2018

Filed: December 7, 2018

Heavy Duty Equipment Technician Trade Regulations—replacement

Order dated December 5, 2018

Repeal of regulations and regulations made by the Apprenticeship Board pursuant to Section 17A of the *Apprenticeship and Trades Qualifications Act*

Apprenticeship Board

**Heavy Duty Equipment Technician Trade Regulations
under Section 17A of the *Apprenticeship and Trades Qualifications Act***

I, Carol MacCulloch, Chair of the Apprenticeship Board for the Province of Nova Scotia, certify that at a meeting on December 5, 2018, the Apprenticeship Board, pursuant to Section 17A of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, carried a motion, effective on and after December 5, 2018, to

- (a) repeal the *Heavy Duty Equipment Technician Trade Regulations*, N.S. Reg. 211/2016, made by the Apprenticeship Board on October 5, 2016; and
- (b) make new regulations respecting the heavy duty equipment technician trade in the form attached as Schedule "A".

Dated and signed December 5, 2018, at Halifax Regional Municipality, ~~Province of~~ Province of Nova Scotia.

sgd: Carol MacCulloch

Carol MacCulloch

Chair, Apprenticeship Board

Schedule "A"**Regulations Respecting the Heavy Duty Equipment Technician Trade
made by the Apprenticeship Board under
Section 17A of Chapter 1 of the Acts of 2003,
the *Apprenticeship and Trades Qualifications Act*****Citation**

1 These trade regulations may be cited as the *Heavy Duty Equipment Technician Trade Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Apprenticeship and Trades Qualifications Act*;

“General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;

“heavy duty equipment technician trade” means the occupation of a heavy duty equipment technician, consisting of repairing and maintaining heavy construction and off-highway vehicles, whether wheeled or tracked.

(2) A term defined in the General Regulations has the same meaning when used in these regulations.

Term of apprenticeship for heavy duty equipment technician trade

3 (1) The term of apprenticeship for the heavy duty equipment technician trade consists of all of the following:

(a) 7200 documented hours of the combination of practical experience and the portion of technical training spent learning the skills of the designated trade as described in clause 26(1A)(a) of the General Regulations and as approved by the Director;

(b) related technical training as described in clause 26(1A)(b) of the General Regulations and as approved by the Director;

(c) a certification examination.

(2) Any probationary period included in a term of apprenticeship for the heavy duty equipment technician trade as permitted by subsection 12(2) of the General Regulations must be no longer than 3 months.

Ratio of journeypersons to apprentices for heavy duty equipment technician trade

4 The minimum ratio of journeypersons to apprentices required by clause 27(2)(a) of the General Regulations to be maintained by an employer in the heavy duty equipment technician trade, unless varied in accordance with Section 24 of the General Regulations, is 1 journeyperson to every 2 apprentices.

Wage schedule for apprentices in heavy duty equipment technician trade

5 (1) Subject to subsection (2) and to subsection 25(3) of the General Regulations, the minimum wage for each hour worked by a heavy duty equipment technician apprentice in each level in their term of apprenticeship is a percentage of the wage for a heavy duty equipment technician journeyperson in the same place of employment, as set out in the following table:

Wages for Heavy Duty Equipment Technician Apprentice		
Level of Apprenticeship	Hours in Level of Apprenticeship	Minimum Wage (% of journeyperson's wage)
1	0–1800	55%
2	1801–3600	65%
3	3601–5400	75%
4	5401–7200	90%

- (2) An employer must not employ a heavy duty equipment technician apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate in heavy duty equipment technician trade through trade qualification

- 6 The period of employment in the designated trade that is required by paragraph 30(1)(a)(ii)(B) of the General Regulations for a person who does not hold a certificate of apprenticeship and is applying for a certificate of qualification in the heavy duty equipment technician trade is 10800 hours.

Compliance with identity card requirements of General Regulations

- 7 For the purposes of Section 34 of the General Regulations, which requires an apprentice or journeyperson to keep their identity card in their possession when practising the designated trade and produce it on request, a person is practising the heavy duty equipment technician trade while the person is doing any of the following:
- (a) for an apprentice,
 - (i) acquiring practical experience in the trade, or
 - (ii) learning the skills of the trade during the technical training portion of apprenticeship training;
 - (b) for a journeyperson, performing the duties of the trade as defined in these regulations or their duties as set out in the General Regulations.

Transition

- 8 A person who, immediately before the coming into force of these regulations, was an apprentice in an apprenticeship program under the *Heavy Duty Equipment Technician Trade Regulations*, N.S. Reg. 211/2016, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 219/2018

Made: December 5, 2018

Filed: December 7, 2018

Landscape Horticulturalist Trade Regulations—replacement

Order dated December 5, 2018

Repeal of regulations and regulations made by the Apprenticeship Board pursuant to Section 17A of the *Apprenticeship and Trades Qualifications Act***Apprenticeship Board****Landscape Horticulturalist Trade Regulations
under Section 17A of the *Apprenticeship and Trades Qualifications Act***

I, Carol MacCulloch, Chair of the Apprenticeship Board for the Province of Nova Scotia, certify that at a meeting on December 5, 2018, the Apprenticeship Board, pursuant to Section 17A of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, carried a motion, effective on and after December 5, 2018, to

- (a) repeal the *Landscape Horticulturalist Trade Regulations*, N.S. Reg. 219/2016, made by the Apprenticeship Board on October 5, 2016; and
- (b) make new regulations respecting the landscape horticulturalist trade in the form attached as Schedule “A”.

Dated and signed December 5, 2018, at Halifax Regional Municipality, ~~Province of~~ Province of Nova Scotia.

sgd: *Carol MacCulloch*

Carol MacCulloch

Chair, Apprenticeship Board

Schedule “A”**Regulations Respecting the Landscape Horticulturalist Trade
made by the Apprenticeship Board under
Section 17A of Chapter 1 of the Acts of 2003,
the *Apprenticeship and Trades Qualifications Act*****Citation**

1 These trade regulations may be cited as the *Landscape Horticulturalist Trade Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Apprenticeship and Trades Qualifications Act*;

“General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;

“hardscape” means the inanimate elements of a landscape, including precast concrete products, natural stone, wood, metals and other natural or fabricated materials used in landscape structures, furnishings and features;

“landscape” means the lay of the land, including plants and other physical features such as lawn or meadow areas, waterways, pavement, utilities and structures;

“landscape horticulturalist” means the occupation of a landscape horticulturist, consisting of laying out, preparing and maintaining a sustainable landscape, and including

- (i) installing and maintaining hardscape and softscape,
- (ii) pre-installation activities, such as planning and organizing the installation and preparing the site;

“softscape” means the animate elements of a landscape, including soil, soil amendments, mulch, seed, turf and plant material used in the landscape.

- (2) A term defined in the General Regulations has the same meaning when used in these regulations.

Term of apprenticeship for landscape horticulturalist trade

3 (1) The term of apprenticeship for the landscape horticulturalist trade consists of

- (a) 6000 documented hours of the combination of practical experience and the portion of technical training spent learning the skills of the designated trade as described in clause 26(1A)(a) of the General Regulations and as approved by the Director;
- (b) related technical training as described in clause 26(1A)(b) of the General Regulations and as approved by the Director; and
- (c) a certification examination.

- (2) Any probationary period included in a term of apprenticeship for the landscape horticulturalist trade as permitted by subsection 12(2) of the General Regulations must be no longer than 3 months.

Ratio of apprentices to journeypersons for landscape horticulturalist trade

4 The minimum ratio of journeypersons to apprentices required by clause 27(2)(a) of the General Regulations to be maintained by an employer in the landscape horticulturalist trade, unless varied in accordance with Section 24 of the General Regulations, is 1 journeyperson to every 2 apprentices.

Hours in level of term of apprenticeship for landscape horticulturalist trade

5 The number of hours specified for the purposes of clause 26(1A)(a) of the General Regulations for a level of apprenticeship in the landscape horticulturist trade is 1500 documented hours.

Wage schedule for apprentices in landscape horticulturist trade

6 (1) Subject to subsection (2) and to subsection 25(3) of the General Regulations, the minimum wage for each hour worked by a landscape horticulturist apprentice in each level of their term of apprenticeship is a percentage of the wage for a landscape horticulturist journeyperson in the same place of employment, as set out in the following table:

Wages for Landscape Horticulturist Apprentice		
Level of Apprenticeship	Hours in Level of Apprenticeship	Minimum Wage (% of journeyperson's wage)
1	0–1500	55%
2	1501–3000	65%
3	3001–4500	75%
4	4501–6000	90%

- (2) An employer must not employ a landscape horticulturist apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate in landscape horticulturist trade through trade qualification

- 7 The period of employment in the designated trade that is required by paragraph 30(1)(a)(ii)(B) of the General Regulations for a person who does not hold a certificate of apprenticeship and is applying for a certificate of qualification in the landscape horticulturalist trade is 9000 hours.

Compliance with identity card requirements of General Regulations

- 8 For the purposes of Section 34 of the General Regulations, which requires an apprentice or journeyperson to keep their identity card in their possession when practising the designated trade and produce it on request, a person is practising the landscape horticulturist trade while the person is doing any of the following:
- (a) for an apprentice,
 - (i) acquiring practical experience in the trade, or
 - (ii) learning the skills of the trade during the technical training portion of apprenticeship training;
 - (b) for a journeyperson, performing the duties of the trade as defined in these regulations or their duties as set out in the General Regulations.

Transition

- 9 A person who, immediately before the coming into force of these regulations, was an apprentice in an apprenticeship program under the *Landscape Horticulturist Trade Regulations*, N.S. Reg. 219/2016, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 220/2018

Made: December 6, 2018

Filed: December 7, 2018

Prescribed Petroleum Products Prices

Order dated December 6, 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**M08991****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 December 5, 2018, are:

Grade 1 Regular gasoline	51.78¢ per litre
Ultra-low-sulfur diesel oil	65.55¢ per litre

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

Gasoline:	
Grade 1	51.78¢ per litre
Grade 2	54.78¢ per litre
Grade 3	57.78¢ per litre
Ultra-low-sulfur diesel oil	65.55¢ 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 1.6¢ per litre
Ultra-low-sulfur diesel oil:	minus 1.6¢ per litre

And whereas a winter blending adjustment of plus 3.45¢ 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., December 7, 2018.

Dated at Halifax, Nova Scotia, this 6th day of December, 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 December 7, 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	57.43	10.0	15.5	82.93	101.2	103.4	101.2	999.9
Mid-Grade Unleaded	60.43	10.0	15.5	85.93	104.7	106.9	104.7	999.9
Premium Unleaded	63.43	10.0	15.5	88.93	108.1	110.3	108.1	999.9
Ultra-Low-Sulfur Diesel	74.65	4.0	15.4	94.05	114.0	116.2	114.0	999.9
Zone 2								
Regular Unleaded	57.93	10.0	15.5	83.43	101.8	104.0	101.8	999.9
Mid-Grade Unleaded	60.93	10.0	15.5	86.43	105.3	107.4	105.3	999.9
Premium Unleaded	63.93	10.0	15.5	89.43	108.7	110.9	108.7	999.9
Ultra-Low-Sulfur Diesel	75.15	4.0	15.4	94.55	114.6	116.8	114.6	999.9
Zone 3								
Regular Unleaded	58.33	10.0	15.5	83.83	102.3	104.5	102.3	999.9
Mid-Grade Unleaded	61.33	10.0	15.5	86.83	105.7	107.9	105.7	999.9
Premium Unleaded	64.33	10.0	15.5	89.83	109.2	111.4	109.2	999.9
Ultra-Low-Sulfur Diesel	75.55	4.0	15.4	94.95	115.1	117.2	115.1	999.9
Zone 4								
Regular Unleaded	58.43	10.0	15.5	83.93	102.4	104.6	102.4	999.9
Mid-Grade Unleaded	61.43	10.0	15.5	86.93	105.8	108.0	105.8	999.9
Premium Unleaded	64.43	10.0	15.5	89.93	109.3	111.5	109.3	999.9
Ultra-Low-Sulfur Diesel	75.65	4.0	15.4	95.05	115.2	117.4	115.2	999.9
Zone 5								
Regular Unleaded	58.43	10.0	15.5	83.93	102.4	104.6	102.4	999.9
Mid-Grade Unleaded	61.43	10.0	15.5	86.93	105.8	108.0	105.8	999.9
Premium Unleaded	64.43	10.0	15.5	89.93	109.3	111.5	109.3	999.9
Ultra-Low-Sulfur Diesel	75.65	4.0	15.4	95.05	115.2	117.4	115.2	999.9
Zone 6								
Regular Unleaded	59.13	10.0	15.5	84.63	103.2	105.4	103.2	999.9
Mid-Grade Unleaded	62.13	10.0	15.5	87.63	106.6	108.8	106.6	999.9
Premium Unleaded	65.13	10.0	15.5	90.63	110.1	112.3	110.1	999.9
Ultra-Low-Sulfur Diesel	76.35	4.0	15.4	95.75	116.0	118.2	116.0	999.9

N.S. Reg. 221/2018 to N.S. Reg. 222/2018

Made: December 10, 2018

Filed: December 11, 2018

Environmental Assessment Regulations–amendment;
 Activities Designation Regulations–amendment

Order in Council 2018-329 dated December 10, 2018
 Amendment to regulations made by the Governor in Council
 pursuant to Sections 49 and 66 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated November 14, 2018, and pursuant to Chapter 1 of the Acts of 1994-95, the *Environment Act* (the “Act”), is pleased, effective on and after December 10, to

- (a) pursuant to Section 49 of the Act, amend the *Environmental Assessment Regulations*, N.S. Reg. 26/1995, made by the Governor in Council by Order in Council 95-220 dated March 21, 1995, to change the threshold for an oil refinery to be considered a Class II undertaking and to amend the definition of “oil refinery” in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) pursuant to Section 66 of the Act, amend the *Activities Designation Regulations*, N.S. Reg. 47/1995, made by the Governor in Council by Order in Council 95-286 dated April 11, 1995, to change the description of an oil refinery that requires an approval in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation.

N.S. Reg. 221/2018

Environmental Assessment Regulations–amendment

Schedule “A”

**Amendment to the *Environmental Assessment Regulations*
 made by the Governor in Council under Section 49
 of Chapter 1 of the Acts of 1994-95,
 the *Environment Act***

- 1 (1) Section 2 of the *Environmental Assessment Regulations*, N.S. Reg. 26/1995, made by the Governor in Council by Order in Council 95-220 dated March 21, 1995, is amended by striking out the clause letter before each definition in subsections (1) and (2).
- (2) Clause 2(1)(g) of the regulations is amended by adding “, wood products” immediately after “synthetic crude oil” in the definition of “oil refinery”.
- 2 Schedule A of the regulations is amended under the heading “Class I Undertakings” by striking out “15,000 L” in item A.8 and substituting “200 000 L”.

N.S. Reg. 222/2018

Activities Designation Regulations–amendment

Schedule “B”

**Amendment to the *Activities Designation Regulations*
made by the Governor in Council under Section 66
of Chapter 1 of the Acts of 1994-95,
the *Environment Act***

The *Activities Designation Regulations*, N.S. Reg. 47/1995, made by the Governor in Council by Order in Council 95-286 dated April 11, 1995, are amended by adding “, wood products” immediately after “synthetic crude oil” in clause 17(2)(a).