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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. 36/2023

Made: February 14, 2023

Filed: February 15, 2023

Proclamation of amendments to Act, S. 2, S.N.S. 2020, c. 7

Order in Council 2023-46 dated February 14, 2023

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated December 30, 2022, pursuant to Section 2 of Chapter 7 of the Acts of 2020, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, is pleased to order and declare by proclamation that Chapter 7 of the Acts of 2020, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, do come into force on and not before April 1, 2023.

L.S.

Canada
Province of Nova Scotia

Charles the Third, by the Grace of God, of the United Kingdom, Canada, and His Other Realms and Territories, KING, 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 2 of Chapter 7 of the Acts of 2020, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, it is enacted as follows:

2 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 7 of the Acts of 2020, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, do come into force on and not before April 1, 2023;

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 7 of the Acts of 2020, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, do come into force on and not before April 1, 2023, 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, Arthur J. LeBlanc, Chancellor of Our Order of Nova Scotia, one of Our Counsel learned in the law in the Province of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

Given at Our Government House in the Halifax Regional Municipality, this 14th day of February in the year of Our Lord two thousand and twenty-three and in the First year of Our Reign.

By Command:

PROVINCIAL SECRETARY
ATTORNEY GENERAL AND MINISTER OF JUSTICE

N.S. Reg. 37/2023

Made: February 14, 2023

Filed: February 15, 2023

Number of Councillors Order: Town of Port Hawkesbury

Order dated February 14, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order

M10875

Nova Scotia Utility and Review Board

In the matter of the *Municipal Government Act*

- and -

In the matter of an application by the **Town of Port Hawkesbury** to confirm the number of councillors

Before: Jennifer L. Nicholson, CPA, CA, Member

Order

The Town of Port Hawkesbury made an application under s. 369 of the *Municipal Government Act* and the Board issued its written Decision on February 13, 2023;

The Board approves the application and orders that the number of councillors for the Town is confirmed at four (4), to be elected at-large.

Dated at Halifax, Nova Scotia, this 14th day of February, 2023.

sgd. *Bruce A. Kiley*
Clerk of the Board

N.S. Reg. 38/2023

Made: February 14, 2023

Filed: February 15, 2023

Spring Weight Restriction Regulations Effective Date Order

Order dated February 14, 2023

Made by the Executive Director of Maintenance and Operations,

Department of Public Works

pursuant to subsection 20(1) of the *Public Highways Act*

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

- and -

**In the matter of an order made by the Executive Director of Maintenance
and Operations, Department of Public Works,
under subsection 20(1) of the *Public Highways Act***

Order

I, Guy Deveau, Executive Director of Maintenance and Operations, Department of Public Works, as delegated by the Minister of Public Works under subsection 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act* ("the Act"), hereby order that the *Spring Weight Restriction Regulations*, N.S. Reg. 31/2018, made under subsection 20(1) of the Act are effective in the counties listed in Column 1 of the following table during the period set out in Column 2 of the table opposite the names of the counties.

Effective Dates for Spring Weight Restriction Regulations	
Column 1: Counties	Column 2: Weight Restriction Periods
Yarmouth, Shelburne, Queens, Lunenburg, Digby, Annapolis and Kings	11:59 p.m., February 26, 2023 to 11:59 p.m., April 23, 2023
Halifax and Hants	11:59 p.m., February 26, 2023 to 11:59 p.m., April 23, 2023
Colchester, Cumberland and Pictou	11:59 p.m., February 26, 2023 to 11:59 p.m., April 23, 2023
Antigonish, Guysborough, Richmond, Inverness, Victoria and Cape Breton	11:59 p.m., February 26, 2023 to 11:59 p.m., April 23, 2023

Dated and made at Halifax, Nova Scotia, on February 14, 2023.

sgd. *Guy Deveau*

Guy Deveau, P. Eng.

Executive Director, Maintenance and Operations

Department of Public Works

N.S. Reg. 39/2023

Made: February 16, 2023

Filed: February 17, 2023

Number of Councillors Order: Town of Trenton

Order dated February 16, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act*

Order**M10857****Nova Scotia Utility and Review Board****In the matter of the *Municipal Government Act*****- and -****In the matter of an application** by the **Town of Trenton** to confirm the number of councillors**Before:** Jennifer L. Nicholson, CPA, CA, Member
Bruce H. Fisher, MPA, CPA, CMA, Member**Order**

The Town of Trenton made an application under s. 369 of the *Municipal Government Act* and the Board issued its written Decision on February 16, 2023;

The Board approves the application and orders that the number of councillors for the Town is confirmed at four (4), to be elected at-large.

Dated at Halifax, Nova Scotia, this 16th day of February, 2023.

sgd. *Bruce A. Kiley*
Chief Clerk of the Board

N.S. Reg. 40/2023

Made: February 16, 2023

Filed: February 17, 2023

Prescribed Petroleum Products Prices

Order dated February 16, 2023
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 41/2023

Made: February 21, 2023

Filed: February 21, 2023

Non-resident Deed Transfer Tax Regulations

Order in Council 2023-48 dated February 21, 2023

Regulations made by the Governor in Council

pursuant to Section 27 of the Schedule to the *Non-resident Deed Transfer and Property Taxes Act*

The Governor in Council on the report and recommendation of the Minister of Finance and Treasury Board dated January 11, 2023, and pursuant to Section 27 of the Schedule to Chapter 4 of the Acts of 2022, the *Non-resident Deed Transfer and Property Taxes Act*, is pleased to make regulations respecting a non-resident deed transfer tax, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after April 1, 2022.

Schedule “A”

**Regulations Respecting Non-resident Deed Transfer Tax
made by the Governor in Council under Section 27
of the Schedule to Chapter 4 of the Acts of 2022,
the *Non-resident Deed Transfer and Property Taxes Act***

Citation

1 These regulations may be cited as the *Non-resident Deed Transfer Tax Regulations*.

Definitions

2 In these regulations,

“Act” means the *Non-resident Deed Transfer and Property Taxes Act*;

“parcel” means a parcel as defined in the *Land Registration Act*.

Prescribed property tax rate

3 The prescribed property tax rate for all residential property that is taxable property is \$0.00 per \$100 of assessed value.

Deed transfer tax exemptions

4 The deed transfer tax does not apply if a deed or instrument transfers residential property in any of the following ways:

- (a) to His Majesty the King in right of Canada or an agency of or corporation owned by His Majesty the King in right of Canada;
- (b) from an individual to a trust of which the individual is the sole beneficiary if the trust is considered an alter ego trust as defined in subsection 248(1) of the *Income Tax Act* (Canada) or a trust having similar requirements if the individual is a non-resident of Canada;
- (c) from an individual to a trust if the individual and their spouse or common-law partner are the only beneficiaries and the trust is considered a joint spousal or common-law partner trust as defined in subsection 248(1) of the *Income Tax Act* (Canada), or a trust having similar requirements if the individual is a non-resident of Canada;

- (d) to or from a trust if there is no change in beneficial ownership of the residential property;
- (e) from an executor to a spousal trust;
- (f) to a child, grandchild, parent or sibling of the grantor if the deed is registered after the death of the grantor;
- (g) to a mortgage insurer from a foreclosing mortgagee.

Application for refund of deed transfer tax

- 5** (1) A person may apply to the Administrator for a refund of the deed transfer tax in either of the following circumstances:
- (a) extraordinary circumstances are present; or
 - (b) the tax or a portion of the tax was paid in error.
- (2) An individual who paid the deed transfer tax in respect of a residential property and who becomes a resident of the Province within 6 months of the date they acquired the property may apply to the Administrator for a refund of the deed transfer tax.
- (3) An individual who applies for a refund of the deed transfer tax under subsection (2) must provide proof of Nova Scotia residence to the Administrator.
- (4) An application for a refund under subsection (1) or (2) must be made within 1 year of the date the person acquired the residential property.
- (5) If the Administrator is satisfied that subsection (1) or (2) applies, the Administrator must refund the tax or a portion of the tax.

Refund after appeal

- 6** If the Minister changes an assessment or determination regarding the applicability of the deed transfer tax as a result of an appeal made under the Act, the Administrator must refund the tax or a portion of the tax in accordance with the Minister's decision.

Issue of refund by Administrator

- 7** If a refund of tax is required under these regulations, the Administrator must issue the refund
- (a) to the grantee or grantees in accordance with their ownership interest in the property; or
 - (b) if the grantees have consented to a designated grantee to represent all grantees in a transaction, to the designated grantee.

Information required when exemption claimed or refund requested

- 8** A grantee who requests a refund of the deed transfer tax under Section 5 or 6 or claims an exemption from the deed transfer tax under clause 5(1)(g) of the Act must provide their social insurance number to the Administrator if required by the Administrator for the purpose of verifying their residence status.

Prorating tax

- 9** (1) If the deed transfer tax applies to a residential property transfer under Section 4 of the Act, and only a portion of a parcel is being transferred, the tax is 5% of the greater of the following:
- (a) the sale price; and

- (b) the assessed value attributable to the portion of the parcel being transferred as determined under subsection (2).
- (2) If only a portion of a residential property is being transferred, the assessed value attributable to the portion is determined as follows:
- (a) by prorating the assessed value of the parcel on the basis of the percentage of the total area of the parcel transferred; or
- (b) if the amount determined under clause (a) does not reasonably reflect the assessed value attributable to the portion of the parcel being transferred, the amount determined by the following formula:

$$AV_{\text{portion}} = AV_{\text{total}} \times \frac{FMV_{\text{portion}}}{FMV_{\text{total}}}$$

in which

AV_{portion} = the assessed value attributable to the portion of the parcel being transferred

AV_{total} = the assessed value of the entire parcel

FMV_{portion} = the appraised fair market value of the portion of the parcel being transferred

FMV_{total} = the appraised fair market value of the entire parcel

- (3) If the tax was calculated and remitted under clause (2)(a) or (b) and the Administrator is of the opinion that the alternate clause is a more reasonable reflection of the assessed value of the portion of the parcel being transferred, the Administrator may select the alternate method to determine the tax and issue an assessment for the difference, if any.
- (4) The appraised fair market value referred to in clause (2)(b) must be determined by a real estate appraiser registered under the *Real Estate Appraisers Act*.
- (5) The cost of an appraisal must be paid by the grantee.

Interest

- 10 (1) For the purposes of the Act, the prescribed interest rate is 1% per month on the unpaid amount of tax until it is paid.
- (2) Interest charges must be calculated at the rate provided under subsection (1) starting on the date the residential property that attracted the tax was transferred.
- (3) The Administrator may at any time waive or cancel all or part of any interest payable under the Act.

Administrative penalties

- 11 (1) For the purposes of the Act, the penalty that may be assessed by the Administrator is as follows:
- (a) 100% of the tax, if the grantee knowingly, or under circumstances amounting to gross negligence, made or participated in, assented to or acquiesced in the making of, a false statement or an omission in an affidavit, declaration, notice or other record filed or provided

under the Act or these regulations;

- (b) 20% of the tax in all other cases.
- (2) The Administrator may reduce, waive or cancel any penalty that has been charged or may be charged under the Act or these regulations.

Requirement to provide records

- 12 (1) When required by the Administrator, a person must provide to the Administrator all records that the Administrator considers necessary to determine compliance with the Act or these regulations.
- (2) The Administrator may, by giving written notice to the person, specify the form, manner and time in which the records referred to in subsection (1) must be provided, and may require that the records be provided in English or an English translation of the records verified in a manner satisfactory to the Administrator.

Use of information by Administrator

- 13 The Administrator may use the information collected under the Act and these regulations for the purpose of analyzing and reviewing the tax from a policy perspective.

N.S. Reg. 42/2023

Made: February 21, 2023

Filed: February 21, 2023

Proclamation of amendments to Act, S. 16, S.N.S. 2022, c. 18

Order in Council 2023-49 dated February 21, 2023

Proclamation made by the Governor in Council

pursuant to Section 16 of

An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act

The Governor in Council on the report and recommendation of the Minister responsible for the *Liquor Control Act* dated January 24, 2023, pursuant to Section 16 of Chapter 18 of the Acts of 2022, *An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act*, is pleased to order and declare by proclamation that Chapter 18 of the Acts of 2022, *An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act*, do come into force on and not before March 1, 2023.

L.S.

Canada
Province of Nova Scotia

Charles the Third, by the Grace of God, of the United Kingdom, Canada, and His Other Realms and Territories, KING, 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 16 of Chapter 18 of the Acts of 2022, *An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act*, it is enacted as follows:

16 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 18 of the Acts of 2022, *An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act*, do come into force on and not before March 1, 2023;

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 18 of the Acts of 2022, *An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act*, do come into force on and not before March 1, 2023, 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, Arthur J. LeBlanc, Chancellor of Our Order of Nova Scotia, one of Our Counsel learned in the law in the Province of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

Given at Our Government House in the Halifax Regional Municipality, this 21st day of February in the year of Our Lord two thousand and twenty-three and in the First year of Our Reign.

By Command:

**PROVINCIAL SECRETARY
ATTORNEY GENERAL AND MINISTER OF JUSTICE**

N.S. Reg. 43/2023

Made: February 21, 2023

Filed: February 21, 2023

Liquor Licensing Regulations—amendment

Order in Council 2023-50 dated February 21, 2023
Amendment to regulations made by the Governor in Council
pursuant to Section 50 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Internal Services dated November 28, 2022, and pursuant to Section 50 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, to enable the take away and delivery of mixed drinks and third-party delivery of alcohol with food from licensed premises with a food establishment permit and to make certain other amendments, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 1, 2023.

Schedule "A"

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

- 1 (1) Clause 2(h) of the *Liquor Licensing Regulations*, N.S. Reg. 365/2007, made by the Governor in Council by Order in Council 2007-445 dated August 17, 2007, is repealed and the following clause substituted:
 - (h) "permanent license" means any license other than the following:
 - (i) a special occasion license,
 - (ii) a delivery person license;
- (2) Clause 2(k) of the regulations is amended by striking out the period and substituting a semicolon.
- (3) The regulations are amended by adding the following clause immediately after clause 2(k):
 - (l) "third-party delivery company" means any person, including any corporation, partnership, sole proprietorship or other entity, who participates in any activity for which a delivery person license is required, including by employing, coordinating or otherwise facilitating persons undertaking activities for which a delivery person license is required.
- 2 The table in subsection 5(1) of the regulations is amended by repealing the row beginning with "tavern license".
- 3 The table in subsection 6(1) of the regulations is amended by repealing the row beginning with "tavern license".
- 4 (1) The heading to Section 25 of the regulations is amended by striking out "must" and substituting "may".
 - (2) Section 25 of the regulations is further amended by
 - (a) striking out "each" and substituting "a"; and
 - (b) striking out "must" and substituting "may".
- 5 (1) The heading to Section 41 of the regulations is amended by striking out "from Corporation or agency store" and substituting "by special occasion licensee".
 - (2) Section 41 of the regulations is further amended by striking out "or an agency store" and substituting ", an agency store or manufacturer permitted by the Corporation".
- 6 The regulations are further amended by adding the following centred heading and Sections immediately after Section 43:

Delivery Person Licenses

Class of delivery person license

- 43A (1)** A delivery person license is prescribed as a class of license under clause 48(1)(j) of the Act.
- (2) A delivery person license authorizes the license holder to deliver liquor for consumption with food that is sold for delivery from licensed premises in accordance with Sections 58C and 58D.
- (3) Except as provided in subsection (4), a person must not deliver liquor under Sections 58C and 58D except under the authority of a delivery person license.
- (4) An employee of a licensed premises who is delivering liquor in accordance with Sections 58C and 58D is not required to hold a delivery person license.

Eligibility for delivery person license

43B An applicant for a delivery person license must meet all of the following criteria:

- (a) be an individual;
- (b) be at least 19 years old;
- (c) have completed a responsible beverage alcohol service program that is approved by the Executive Director.

Application for delivery person license

43C An applicant may apply for a delivery person license by submitting all of the following to the Executive Director:

- (a) a completed application form and any documentation requested in the application form;
- (b) the applicable application fee set out in Section 43D;
- (c) the applicable license fee set out in Section 43D;
- (d) a report on the results of a criminal record search on the applicant.

Fees for delivery person license

- 43D (1)** The application fee for a delivery person license is \$0.
- (2) The license fee for a delivery person license is \$0.

Term of delivery person license

43E A delivery person license expires 3 years from the date that it is issued or renewed.

Renewing delivery person license

- 43F (1)** A delivery person licensee may apply to renew their delivery person license by submitting all of the following to the Executive Director:
- (a) a completed renewal application form;
- (b) the applicable license fee set out in Section 43D.

- (2) An application for renewing a delivery person license must be submitted at least 4 weeks before the delivery person license expires, but the Executive Director may extend the deadline for renewal.
- (3) On receiving an application to renew a delivery person license, the Executive Director must do one of the following:
 - (a) renew the license;
 - (b) renew the license and impose, rescind or amend the conditions of the license;
 - (c) refuse to renew the license;
 - (d) cancel the license;
 - (e) refer the matter to the Review Board in accordance with subsection 47(3) of the Act.

Records kept by delivery person licensees

43G (1) A delivery person licensee must keep a record of all of the following:

- (a) any liquor that could not be delivered;
 - (b) the reason that the liquor referred to in clause (a) could not be delivered.
- (2) A delivery person licensee must retain the records listed in subsection (1) for at least 3 years after the date of the attempted delivery.

Carrying delivery person license

43H A delivery person licensee must carry a copy of their delivery person license while delivering liquor under Sections 58C and 58D.

Information required from third-party delivery companies

- 43I (1)** The Executive Director may require a third-party delivery company to provide information about any person undertaking an activity for which a delivery person license is required, and a third-party delivery company must provide the information to the Executive Director when required.
- (2) Without limiting the generality of subsection (1), the information required by the Executive Director under subsection (1) may include any of the following:
- (a) names;
 - (b) addresses;
 - (c) telephone numbers;
 - (d) dates of birth;
 - (e) employment histories.

Application of Sections 81A to 83 to delivery person licenses and delivery person licensees

43J (1) Except as provided in subsection (2), Sections 81A to 83 apply to delivery person licenses and delivery person licensees with the following changes:

- (a) “permanent licensee” must be read as “delivery person licensee”;
- (b) “permanent license” must be read as “delivery person license”;
- (c) “providing liquor to patrons in an irresponsible manner, is unable to ensure the care and control of the licensed premises” in subsection 81B(1) must be read as “delivering liquor in an irresponsible manner”; and
- (d) “grant, renew and transfer licenses to sell” in clause 82A(6)(a) must be read as “grant and renew licenses to deliver”.

(2) Subsection 83(2) does not apply to delivery person licenses or delivery person licensees.

7 (1) The heading to Section 45 of the regulations is amended by striking out “tavern,”.

(2) The regulations are further amended by repealing clause 45(1)(a).

8 (1) The heading to Section 46 of the regulations is amended by striking out “tavern,”.

(2) Subsection 46(1) of the regulations is amended by striking out “tavern license,”.

9 Subsection 50A(2) of the regulations is repealed and the following subsection substituted:

(2) For the purposes of subsection (1), a serving of liquor is prescribed, by volume and type, as follows:

(a) 355 ml (12 U.S. fl oz) of beer, cider or ready-to-drink beverage;

(b) 30 ml (1 U.S. fl oz) of spirits;

(c) 150 ml (5 U.S. fl oz) of wine;

(d) 90 ml (3 U.S. fl oz) of fortified wine.

10 The table in subsection 53(1) of the regulations is amended by

(a) striking out “11:00 a.m.” wherever it appears in the second column of the row beginning with “cabaret license - class A” and substituting “10:00 a.m.”;

(b) striking out “11:00 a.m.” wherever it appears in the second column of the row beginning with “cabaret license (bar) - class B” and substituting “10:00 a.m.”; and

(c) repealing the row beginning with “tavern license”.

11 (1) Clause 58C(2)(b) of the regulations is repealed and the following clause substituted:

(b) the beer, wine, ready-to-drink beverage or cider sold for delivery is sold by an employee of the licensed premises and is delivered from the licensed premises by

(i) an employee of the licensed premises that it is sold from, or

(ii) a holder of a delivery person license;

(2) Clause 58C(2)(g) of the regulations is amended by

- (a) striking out “takeaway” and substituting “take away”; and
 - (b) striking out “deliver” and substituting “delivery”.
- (3) Subsection 58C(3) of the regulations is amended by adding “or a holder of a delivery person license” immediately after “employee”.
- (4) Clause 58C(3)(a) of the regulations is amended by striking out “for take away or on delivery”.
- (5) Section 58C of the regulations is further amended by adding the following subsection immediately after subsection (3):
- (3A)** Before permitting beer, wine, ready-to-drink beverage or cider to be provided to a person for delivery under subclause 58C(2)(b)(ii), an employee of the licensed premises must be satisfied that the person holds a delivery person license.
- 12 (1) The heading to Section 58D of the regulations is amended by striking out “during state of emergency”.
- (2) Subsection 58D(1) of the regulations is amended by striking out “during a state of emergency declared by the Minister of Municipal Affairs under the *Emergency Management Act*,”.
- (3) Clause 58D(4)(b) of the regulations is repealed and the following clause substituted:
- (b) the mixed drink sold for delivery must be sold by an employee of the licensed premises and must be delivered from the licensed premises by
 - (i) an employee of the licensed premises that it is sold from, or
 - (ii) a holder of a delivery person license;
- (4) Subsection 58D(5) of the regulations is amended by adding “or a holder of a delivery person license” immediately after “employee”.
- (5) Section 58D of the regulations is further amended by adding the following subsection immediately after subsection (5):
- (5A)** Before permitting a mixed drink to be provided to a person for delivery under subclause 58D(4)(b)(ii), an employee of the licensed premises must be satisfied that the person holds a delivery person license.
- (6) Subsection 58D(6) of the regulations is amended by striking out “a year” and substituting “3 years”.
- 13 (1) Clause 78(1)(c) of the regulations is amended by striking out “selling or storing” and substituting “selling, storing or delivering”.
- (2) Clause 78(1)(c) of the regulations is further amended by striking out the period and substituting a semicolon.
- (3) Subsection 78(1) of the regulations is further amended by adding the following clause immediately after clause (c):
- (d) a vehicle that is being used in the delivery of liquor under Sections 58C and 58D.

- (4) Subsection 78(3) of the regulations is amended by striking out “or” and substituting “, to any other licensee or”.
-

N.S. Reg. 44/2023

Made: February 15, 2023

Filed: February 22, 2023

Maximum Amount of Capital Investment Tax Credits for Approved Projects
Regulations—amendment

Order dated February 15, 2023

Amendment to regulations made by the Minister of Finance and Treasury Board
pursuant to subsection 49A(14A) of the *Income Tax Act*

**In the matter of subsection 49A(14A) of Chapter 217
of the Revised Statutes of Nova Scotia, 1989,
the *Income Tax Act***

-and-

**In the matter of an amendment to the *Maximum Amount of Capital
Investment Tax Credits for Approved Projects Regulations*
made by the Minister of Finance and Treasury Board**

Order

I, Allan MacMaster, Minister of Finance and Treasury Board for the Province of Nova Scotia, pursuant to subsection 49A(14A) of Chapter 217 of the Revised Statutes of Nova Scotia, 1989, the *Income Tax Act*, hereby amend the *Maximum Amount of Capital Investment Tax Credits for Approved Projects Regulations*, N.S. Reg. 149/2016, made by the Minister of Finance and Treasury Board by order dated July 27, 2016, in the manner set forth in the attached Schedule “A”, effective on and after October 1, 2022.

Dated and made February 15, 2023, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Allan MacMaster*

Honourable Allan MacMaster

Minister of Finance and Treasury Board

Schedule “A”

**Amendment to the *Maximum Amount of Capital Investment
Tax Credits for Approved Projects Regulations*
made by the Minister of Finance and Treasury Board
under subsection 49A(14A) of Chapter 217
of the Revised Statutes of Nova Scotia, 1989,
the *Income Tax Act***

Section 2 of the *Maximum Amount of Capital Investment Tax Credits for Approved Projects Regulations*, N.S. Reg. 149/2016, made by the Minister of Finance and Treasury Board by order dated July 27, 2016, is amended by striking out “\$30 million” and substituting “\$100 million”.

N.S. Reg. 45/2023

Made: February 22, 2023

Filed: February 22, 2023

Spring Weight Restriction Regulations Effective Date Order

Order dated February 22, 2023

Made by the Executive Director of Maintenance and Operations,

Department of Public Works

pursuant to subsection 20(1) of the *Public Highways Act*

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

- and -

**In the matter of an order made by the Executive Director of Maintenance
and Operations, Department of Public Works,
under subsection 20(1) of the *Public Highways Act***

Order

I, Guy Deveau, Executive Director of Maintenance and Operations, Department of Public Works, as delegated by the Minister of Public Works under subsection 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act* ("the Act"), hereby order that the *Spring Weight Restriction Regulations*, N.S. Reg. 31/2018, made under subsection 20(1) of the Act are effective in the counties listed in Column 1 of the following table during the period set out in Column 2 of the table opposite the names of the counties.

Effective Dates for Spring Weight Restriction Regulations	
Column 1: Counties	Column 2: Weight Restriction Periods
Yarmouth, Shelburne, Queens, Lunenburg, Digby, Annapolis and Kings	11:59 p.m., March 5, 2023 to 11:59 p.m., April 23, 2023
Halifax and Hants	11:59 p.m., March 5, 2023 to 11:59 p.m., April 23, 2023
Colchester, Cumberland and Pictou	11:59 p.m., March 5, 2023 to 11:59 p.m., April 23, 2023
Antigonish, Guysborough, Richmond, Inverness, Victoria and Cape Breton	11:59 p.m., March 5, 2023 to 11:59 p.m., April 23, 2023

Dated and made at Halifax, Nova Scotia, on February 22, 2023.

sgd. *Guy Deveau*

Guy Deveau, P. Eng.

Executive Director, Maintenance and Operations

Department of Public Works

N.S. Reg. 46/2023

Made: February 23, 2023

Filed: February 24, 2023

Prescribed Petroleum Products Prices

Order dated February 23, 2023
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 47/2023

Made: February 24, 2023

Filed: February 28, 2023

Summary Offence Tickets Regulations—amendment

Order dated February 24, 2023
Amendment to regulations made by the Attorney General and Minister of Justice
pursuant to Section 8 of the *Summary Proceedings Act*

Order

**Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Brad Johns, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of proclamation of Chapter 18 of the Acts of 2022, *An Act to Amend Chapter 260 of the Revised Statutes, 1989, the Liquor Control Act*, hereby

- (a) amend Schedule 20 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the *Liquor Control Act* as summary offence ticket offences, in the manner set forth in the attached Schedule "A"; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule "A", is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made February 24, 2023, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. Brad Johns
Honourable Brad Johns
Attorney General and Minister of Justice

Schedule "A"

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

The *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, are amended by repealing Schedule 20 and substituting the following Schedule:

Schedule 20 Liquor Control Act

Offence	Section	Out of Court Settlement
1 Illegally keeping liquor for sale	78(1)	NIL
2 Illegally possessing liquor	78(2)	\$467.50
3 Illegally consuming liquor (person 19 years of age or older)	78(3)	\$467.50
4 Illegally consuming liquor (person under 19 years of age)	78(3A)	\$295.00
5 Contravening <i>Liquor Licensing Regulations</i> (s. 41) by special occasion licensee selling or giving away (specify) liquor not purchased from Nova Scotia Liquor Corporation, agency store or permitted manufacturer (specify)	78A(1)(a)	\$1617.50
6 Contravening <i>Liquor Licensing Regulations</i> (s. 43G(1)) by delivery person licensee failing to keep required records	78A(1)(a)	\$2997.50
7 Contravening <i>Liquor Licensing Regulations</i> (s. 43H) by delivery person licensee failing to carry copy of delivery person license while delivering liquor	78A(1)(a)	\$1272.50
8 Contravening <i>Liquor Licensing Regulations</i> (s. 58) by licensee permitting liquor to be taken from licensed premises when not authorized	78A(1)(a)	\$5872.50
9 Contravening <i>Liquor Licensing Regulations</i> (s. 61(1)(a)) by licensee selling or providing (specify) liquor in licensed premises to person apparently under the influence of liquor or drugs (specify)	78A(1)(a)	\$5872.50
10 Contravening <i>Liquor Licensing Regulations</i> (s. 61(1)(b)) by licensee selling or providing (specify) liquor in licensed premises to person where reasonable to believe more liquor will result in person's intoxication	78A(1)(a)	\$5872.50
11 Contravening <i>Liquor Licensing Regulations</i> (s. 61(2)) by licensee permitting intoxicated person in licensed premises	78A(1)(a)	\$5872.50
12 Contravening <i>Liquor Licensing Regulations</i> (s. 75(1)) by licensee failing to keep required records	78A(1)(a)	\$3572.50

13	Contravening <i>Liquor Licensing Regulations</i> (s. 75(1)) by licensee failing to keep records available in licensed premises	78A(1)(a)	\$3572.50
14	Contravening <i>Liquor Licensing Regulations</i> (s. 75(2)) by licensee failing to retain records for 3 years	78A(1)(a)	\$3572.50
15	Contravening <i>Liquor Licensing Regulations</i> (s. 79) by licensee obstructing inspector while inspector performing inspector's duties or exercising inspector's powers (specify)	78A(1)(a)	\$5872.50
16	Contravening <i>Liquor Licensing Regulations</i> (s. 80(a)) by licensee failing to assist inspector in carrying out inspection	78A(1)(a)	\$3572.50
17	Contravening <i>Liquor Licensing Regulations</i> (s. 80(b)) by licensee failing to provide inspector with records, documents, books of account or receipts (specify)	78A(1)(a)	\$3572.50
18	Failing to comply with requirement or limitation (specify) imposed by Executive Director	78A(1)(b)	\$3572.50
19	Failing to comply with term, condition or restriction (specify) of person's license	78A(1)(c)	\$3572.50
20	Knowingly furnishing false information in application, statement, report, information or other document (specify)	78A(1)(d)	\$3572.50
21	Being intoxicated in public place	87(1)	\$134.00
22	Illegally selling, supplying, delivering or giving liquor to or procuring liquor for (specify) person under 19 years of age	89(1)	NIL
23	Knowingly selling, delivering or supplying (specify) liquor illegally to person under 19 years of age	89(2)	NIL
24	Person under 19 years of age illegally procuring liquor	89(2A)	\$295.00
25	Person under 19 years of age in licensed premises where prohibited	89(3)	\$295.00
26	Licensee permitting person under 19 years of age in licensed premises where prohibited	89(4)	NIL
27	Owner, tenant or occupant (specify) permitting drunkenness on premises	95(a)	NIL
28	Owner, tenant or occupant (specify) permitting consumption of liquor on premises by person under influence of liquor	95(b)	NIL
29	Giving liquor to person under influence of liquor	95(c)	NIL
30	Unlawfully selling, carrying, conveying, delivering or supplying (specify) liquor to person 19 years of age or older	99	\$3572.50
31	Purchasing, acquiring or receiving (specify) liquor from unauthorized person	101	\$697.50
32	Attempting to purchase, acquire or receive (specify) liquor from unauthorized person	101	\$697.50
33	Presenting false proof of age to purchase liquor	102	\$295.00