



Part II Regulations under the Regulations Act

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AVAILABLE SOON

The final issue of the 2002 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, is now being prepared by the Office of the Registrar of Regulations. For information or subscriptions please call (902) 424-6723 or visit our website at <www.gov.ns.ca/just/regulations/cd>.

N.S. Reg. 113/2002

Made: September 13, 2002

Filed: September 17, 2002

Ferriage Charges Regulations

Order in Council 2002-402 made September 13, 2002
Amendment to Regulations made by the Governor in Council
pursuant to Section 6
of the *Ferries Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Public Works dated August 14, 2002, and pursuant to Section 6 of Chapter 168 of the Revised Statutes of Nova Scotia, 1989, the *Ferries Act*, is pleased to amend the ferriage charges set by the Governor in Council by Order in Council 2002-127 dated March 28, 2002, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and from September 13, 2002.

Schedule "A"

Amendment to the Ferriage Charges made by the Governor in Council pursuant to Section 6 of Chapter 168 of the Revised Statutes of Nova Scotia, 1989, the *Ferries Act*

- 1 The ferriage charges set by the Governor in Council by Order in Council 2002-127 dated March 28, 2002, are amended by adding the following Section immediately after Section 2:
 - 2A (1) A ferry pass valid for 1 calendar year may be issued for 1 passenger vehicle at a cost of \$250.
 - (2) Ferry passes for up to 2 additional passenger vehicles registered in the name of a holder of a ferry pass for a passenger vehicle may be issued for a fee of \$25 per vehicle.
- 2 Sections 3 and 4 of the ferriage charges are amended by adding "ferry" immediately before "pass".

N.S. Reg. 114/2002

Made: September 13, 2002

Filed: September 17, 2002

Dairy Livestock Insurance Plan;
Crop Insurance Plan for Potatoes; and
Crop and Livestock Insurance Forms Regulations

Order in Council 2002-407 made September 13, 2002

Regulations and amendment to regulations made by the Governor in Council pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated July 16, 2002, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased, effective April 1, 2000, to

- (a) approve the repeal by the Nova Scotia Crop and Livestock Insurance Commission of the *Nova Scotia Crop and Livestock Insurance Plan for Dairy Livestock Diseases* approved by [the] Governor in Council by Order in Council 95-62 dated January 24, 1995;
- (b) approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a new insurance plan for dairy livestock in the form set forth in Schedule “A” attached to and forming part of the report and recommendation;
- (c) approve the repeal by the Nova Scotia Crop and Livestock Insurance Commission of the *Nova Scotia Crop and Livestock Insurance Plan for Potatoes* approved by [the] Governor in Council by Order in Council 95-21 dated January 3, 1995;
- (d) approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a new crop insurance plan for potatoes in the form set forth in Schedule “B” attached to and forming part of the report and recommendation; and
- (e) approve the making by the Nova Scotia Crop and Livestock Insurance Commission of amendments to the *Crop and Livestock Insurance Forms Regulations* approved by the Governor in Council by Order in Council 1999-440 dated September 14, 1999, in the manner set forth in Schedule “C” attached to and forming part of the report and recommendation.

Schedule “A”

Regulations Respecting an Insurance Plan for Dairy Livestock made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

Citation

1 These regulations may be cited as the *Dairy Livestock Insurance Plan*.

Purpose

2 The purpose of this plan is to provide for

- (a) insurance against a loss of livestock resulting from one or more of the perils designated in subsection 4(1); and
- (b) a benefit for loss of income when, as a result of one or more of the perils designated in subsection 4(2), gross monthly income from the sale of milk falls below 50% of the average gross monthly income calculated in accordance with subsection 14(2).

Interpretation

3 In this plan,

- (a) “dairy building” means any building owned by an insured person that is used to house livestock insured under this plan;
- (b) “designated perils” means the perils designated pursuant to Section 4 for the purpose of this plan;
- (c) “insurable livestock” means any animal designated for insurance purposes pursuant to Section 10;
- (d) “insurance year” means the 12-month period commencing on the date that a contract of insurance is issued by the Commission;
- (e) “livestock” means dairy animals owned by Nova Scotia farmers and housed in the Province;
- (f) “loss of income benefit” means a benefit paid to an insured person in accordance with Sections 14 to 17;
- (g) “Veterinary Pathology Laboratory” means the Veterinary Pathology Laboratory of the Nova Scotia Department of Agriculture and Fisheries in Truro, Nova Scotia.

Designation of perils

4 (1) The following are designated perils for the purpose of insurance against a loss of livestock from disease:

- (a) reportable diseases that are designated pursuant to the *Health of Animals Act* (Canada);
- (b) pasteurilla pneumonia (shipping fever); and
- (c) infectious bovine rhinotracheitis (respiratory form).

(2) The following are designated perils for the purpose of the loss of income benefit:

- (a) the diseases specified in subsection (1);
- (b) fire; and
- (c) collapse of a dairy building as a result of ice or snow.

Application

5 (1) An application for a contract of insurance shall be

- (a) on a Contract of Dairy Livestock Insurance Application and Renewal Form in Form H of the *Crop and Livestock Insurance Forms Regulations*; and

(b) accompanied by the total premium.

- (2) A completed application is not binding upon either party until a contract of insurance is issued in respect of the application.
- (3) The Commission may require an applicant to comply with any regulations made pursuant to the *Animal Health and Protection Act* and the *Health of Animals Act* (Canada) before issuing a contract of insurance.

Contract of insurance

6 For the purpose of this plan, the contract of insurance for loss of livestock from disease and for loss of income shall comprise

- (a) a contract of insurance;
 (b) a completed application filed pursuant to subsection 5(1); and
 (c) a copy of this plan,

and if a document referred to in clause (a), (b) or (c) is subsequently amended while the contract of insurance is still in force, a copy of the amendment shall be delivered to the insured person.

Duration of contract

7 A contract of insurance shall be in force during the insurance year to which it applies.

Limitation of contract

8 A claim for indemnity shall be limited to the extent of the assets held by the Commission and identified as the Livestock Insurance Fund Balance.

Premium

- 9 (1) The premium charged by the Commission shall apply to 12 months of coverage for loss of livestock from disease and for loss of income.
- (2) The base premium rate for dairy cattle shall be 0.25% of the established price selected pursuant to Section 11.
- (3) The base premium rate shall be adjusted by giving a discount when indemnity is less than total premium paid, and adjustments will be calculated using the following formula:

$$(LR-1) \times (n \div (3+n))$$

where "LR" equals total indemnity divided by total premiums and "n" equals the number of years insured in the plan.

- (4) Despite subsection (3) the maximum discount shall be 70%.
- (5) Despite subsections (2), (3) and (4), the minimum premium payable by an insured person in any insurance year shall be \$25.00.

Coverage of loss of livestock from disease

- 10 (1) All of the dairy cows and heifers one year of age and older that are owned by an insured person shall be offered for insurance coverage.
- (2) Heifers 6 to 11 months of age may be insured if an insured person requests coverage for them.

- (3) Calves may be insured if an insured person requests coverage for them.
- (4) Where an insured person increases the number of animals that they own during the period that a contract of insurance is in force, the insured person shall purchase coverage for the animals not already insured.

Established prices

11 (1) The established price options for dairy cows and heifers insured pursuant to subsections 10(1) and 10(2) are

- (a) \$400.00;
 (b) \$600.00;
 (c) \$800.00;
 (d) \$1000.00;
 (e) \$1200.00;
 (f) \$1400.00;
 (g) \$1600.00;
 (h) \$1800.00; and
 (i) \$2000.00.

(2) The established price options for calves insured pursuant to subsection 10(3) are

- (a) \$200.00;
 (b) \$400.00;
 (c) \$600.00; and
 (d) \$800.00.

(3) An insured person shall select one of the herd price options listed in subsection (1), and, if applicable, one of the herd price options listed in subsection (2) as the established prices for the purpose of calculating premium and the indemnity per animal.

Notice of loss of livestock from disease

12 (1) An insured person shall submit a notice of claim for loss of livestock from disease to the Commission within 48 hours of the death of an animal.

(2) A notice pursuant to subsection (1) shall be accompanied by a written statement from a veterinarian confirming the cause of death of the animal.

(3) Upon the death of an animal for which an insured person is submitting a claim, the insured person shall

- (a) if the attending veterinarian performs a necropsy on the animal, ensure that the necessary tissue specimens and blood samples are forwarded to the Veterinary Pathology Laboratory; or
- (b) if a necropsy is not performed on the animal, deliver the animal's carcass to the Veterinary Pathology Laboratory,

to assist in determining the cause of the death of the animal.

- (4) Despite subsection (3), in the event of an outbreak of pasteurilla pneumonia (shipping fever) or respiratory infectious bovine rhinotracheitis,
- (a) the first 3 animals to die shall be necropsied, or the carcasses delivered to the Veterinary Pathology Laboratory; and
 - (b) if more than 3 animals die, the insured person shall contact the Commission to determine whether additional post-mortems are required.
- (5) Animals that do not recover from a designated peril shall not be disposed of or euthanized until the attending veterinarian has received permission from the Commission.

Evaluation of claim for loss of livestock from disease

- 13 (1) The maximum indemnity for which the Commission is liable for loss of livestock from disease under a contract of insurance shall be the insured value of that livestock less payments received
- (a) pursuant to the *Health of Animals Act* (Canada);
 - (b) for salvage;
 - (c) from any other agency.
- (2) The Commission is not responsible for transportation costs for salvage or for costs to support a claim.
- (3) Compensation payable shall be the lesser of the established price selected pursuant to Section 11 or market value at the time of the loss.
- (4) The Commission is not responsible for the payment of a claim for animals that are sick as a result of pasteurilla pneumonia (shipping fever) or infectious bovine rhinotracheitis (respiratory form) and that have remained in the herd 60 or more days after diagnosis by a veterinarian.

Extent of coverage under loss of income benefit

- 14 (1) For the purpose of the loss of income benefit, an applicant's maximum insurable income shall be 50% of the applicant's average gross monthly income calculated pursuant to subsection (2).
- (2) The average gross monthly income shall be
- (a) stated on the application for insurance and shall be based on the applicant's monthly receipts from the sale of milk over the 12-month period prior to a loss;
 - (b) pro-rated to reflect any reduction in the applicant's quota holding at the time a claim is made compared to the quota holding at the time of the application.
- (3) The maximum period of payments shall be 4 months when the insured person continues in business.

Notice of loss of income

- 15 (1) An insured person shall submit a notice of claim for loss of income to the Commission within 10 days after receipt of the first monthly payment of income from the dairy that is less than 50% of their average gross monthly income calculated pursuant to subsection 14(2).
- (2) The notice referred to in subsection (1) shall include the amount of the actual monthly income received for the month in respect of which the notice is being filed.

Evaluation of claim for loss of income benefit

- 16 (1) The Commission shall determine the reduction in income each month by subtracting the actual monthly payment received from the sale of milk and the value of any compensation from the lease or rental of quota or other such contractual arrangements that provide for the sale of milk for the month, from the maximum insurable income described in subsection 14(1).
- (2) The maximum amount payable by the Commission, in accordance with subsection 14(1), is 50% of the average gross monthly income as calculated pursuant to subsection 14(2).

Claim payable under loss of income benefit

- 17 (1) The amount of the claim and the period of time in which it is payable shall be determined during the year in which the insurance is in effect.
- (2) Where an insured person suffers a loss of income for a period in excess of 4 months, the insured person may select the period in which payment may be made.

Arbitration

- 18 Where the Commission and an insured person have failed to resolve any dispute arising out of the adjustment of loss under a contract of insurance, and the requirements of the regulations made under the *Crop and Livestock Insurance Act* respecting the filing of proof of loss forms have been complied with, and either party wishes the dispute determined by arbitration, it shall be the responsibility of that party to notify the other party in writing within 90 days after the end of the insurance year in which the loss occurred, that the dispute be determined in accordance with the requirements of the *Arbitration Proceedings Regulations*.

Schedule "B"

Regulations Respecting a Crop Insurance Plan for Potatoes made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

Citation

- 1 These regulations may be cited as the *Crop Insurance Plan for Potatoes*.

Purpose

- 2 The purpose of this plan is to provide for insurance against a reduction in yield of potatoes resulting from one or more of the perils designated in Section 4.

Interpretation

3 In this plan,

- (a) “average insurable yield” means the potential production per acre of potatoes as determined by the Commission from an insured person’s yield records over the preceding 10 years, and where the required number of production records are not available, the Commission shall use industry averages indexed to the insured person’s records for the missing years and yields shall be buffered to + or - 30% of the industry average, subject to a methodology approved by the Commission;
- (b) “contract of insurance” means a contract in Form 1 of the regulations respecting general (field crop) insurance;
- (c) “designated perils” means the perils designated in Section 4 for the purpose of this plan;
- (d) “final seeding report” means a signed declaration of all planted acreage of potatoes submitted to the Commission by an insured person pursuant to Section 15;
- (e) “potatoes” means potatoes produced in Nova Scotia for table stock, seed, or processing under a contract between a grower and a processor;
- (f) “total guaranteed production” means the guaranteed production determined pursuant to Section 10.

Designation of perils

4 The following are designated as perils for potatoes:

- (a) drought;
- (b) wind;
- (c) excessive moisture;
- (d) frost;
- (e) hail;
- (f) insects;
- (g) plant disease; and
- (h) wildlife.

Designation of crop year

5 The crop year for potatoes is the period from April 20 in any year to December 20 of the same year.

Application

6 An application for a contract of insurance shall be

- (a) on a Contract of Insurance Application Form in Form A of the *Crop and Livestock Insurance Forms Regulations*;
- (b) accompanied by a premium deposit of at least \$50; and
- (c) filed with the Commission before the start of the first crop year to be insured.

Contract of insurance

7 For the purpose of this plan, the entire contract of insurance shall comprise

- (a) a contract of insurance;
- (b) a completed application filed pursuant to clause 6(a); and
- (c) a copy of this plan,

and if a document referred to in clause (a), (b) or (c) is subsequently amended while the contract of insurance is still in force, a copy of the amendment shall be delivered to the insured person.

Duration of contract

- 8** (1) A contract of insurance shall be in force for the crop year for which it is made and shall continue in force for each crop year after that until it is cancelled by an insured person or the Commission in the manner prescribed by subsection (2) or (3).
- (2) A contract of insurance may be cancelled by an insured person or the Commission by notice in writing to the other party by March 15 effective for the start of the next crop year.
- (3) A contract of insurance may be cancelled by the Commission by notice in writing to an insured person if the insured person is in arrears in the payment of the premium under the contract.

Coverage

- 9** (1) All acreage of potatoes owned or operated by an insured person and to be harvested shall be offered for insurance coverage.
- (2) Despite subsection (1), the Commission may insure all or part of the acreage offered for insurance coverage.

Total guarantee production offer

- 10** (1) The total guaranteed production shall be 60%, 70% or 80% of the average insurable yield for the total acreage of each insured potato crop to be harvested.
- (2) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the average insurable yield for the total acreage of each insured potato crop to be harvested.

Established prices

11 (1) The price options for each insurable potato crop shall be as set out in the following table:

Crop	Option #1	Option #2	Option #3
Processing potatoes	\$6.00/cwt	\$7.00/cwt	\$8.00/cwt
Seed potatoes	Contract price		
Table potatoes	\$4.00/cwt	\$5.00/cwt	\$6.00/cwt

- (2) Despite subsection (1) the Commission shall not offer a price option that is greater than the base price established by contract for the sale of a crop.
- (3) An insured person shall select one of the price options determined pursuant to subsections (1) and (2) as the established price for the purpose of calculating premium and indemnity.

Maximum indemnity

- 12 The maximum indemnity for which the Commission is liable under a contract of insurance shall be the amount obtained by multiplying the total guaranteed production by the established price selected pursuant to subsection 11(3).

Premium

- 13 (1) The base premium rate for each \$100.00 of coverage shall be as set out in the following table:

Coverage Level	Premium Rate
60%	\$1.00
70%	\$3.00
80%	\$5.10
85%	\$6.40

- (2) The base premium rate shall be adjusted by giving a discount when indemnity is less than total premiums paid or adding a surcharge when indemnity exceeds total premiums, and adjustments shall be calculated using the following formula:

$$(LR-1) \times (n \div (20+n))$$

where "LR" equals total indemnity divided by total premiums and "n" equals the number of years insured in the plan.

- (3) Despite subsection (2), the maximum discount shall be 50% and the maximum surcharge shall be 100%.
- (4) Despite subsections (1), (2) and (3), the minimum annual premium payable by an insured person in each crop year is \$50.
- (5) The premium determined pursuant to subsections (1), (2) and (3) includes premium payments made by the Government of Canada under the *Farm Income Protection Act* (Canada) and the Province under the Act.
- 14 (1) An insured person shall pay the premium less any premium deposit to the Commission not later than August 1 for the current crop year.
- (2) Interest of 1.5% per month or a minimum of \$5.00 per month will be charged by the Commission on an overdue account.

Final seeding report

- 15 (1) An insured person shall file a final seeding report with the Commission within 10 days after the final planting date on a Seeding Report in Form G of the *Crop and Livestock Insurance Forms Regulations*.
- (2) The final seeding report filed with the Commission shall not be amended by an insured person without the consent in writing of the Commission.
- (3) The Commission may revise the final seeding report in any or all respects and adjust the premium accordingly, and in this case shall notify an insured person in writing respecting the revision and adjustment.
- (4) An insured person shall be deemed to have agreed with the revision and adjustment by the Commission under subsection (3), unless within 10 days from mailing or delivery of the notification by the Commission, the insured person notifies the Commission in writing that the insured person rejects the revision and adjustment.
- (5) When the Commission has received notice from an insured person under subsection (4), it may notify the insured person in writing that the contract of insurance does not apply for the crop year in which the final seeding report was filed and, when notification is given, shall refund any premium deposit paid in respect of that crop year.
- (6) A final seeding report revised under subsection (3) shall, failing notice under subsection (4), constitute the final seeding report for the crop year.
- (7) Where an insured person fails to file a final seeding report in any crop year, the Commission may
- prepare the final seeding report; or
 - deem the insured acreage to be nil.
- (8) Where the Commission prepares a final seeding report under subsection (7),
- the Commission shall mail or deliver a copy of the report to the insured person; and
 - the insured person shall pay the premium for the crop year in respect of which the report was prepared.

Incorrect acreage in final seeding report

- 16 (1) The Commission may measure the insured acreage by any method that it considers appropriate.
- (2) Despite Section 10, where the actual measured acreage of potatoes in a crop year is less than the insured acreage, the total guaranteed production and the amount of insurance shall be reduced accordingly and no refund of premium shall be made.

- (3) Despite Section 10, where the actual acreage of potatoes in a crop year exceeds the insured acreage, the measured area yield will be pro-rated to the insured acres in calculating indemnity payable.

Final planting date

- 17 The final date for planting is June 8, or any other date determined by the Commission.

Circumstances where contract of insurance does not apply

- 18 The contract of insurance does not apply to, and no indemnity is payable in respect of, a potato crop that
- is planted in acreage that was not adequately prepared for cropping purposes;
 - is planted after the final planting date determined pursuant to Section 17;
 - in the opinion of the Commission is not insurable.

Harvesting

- 19 (1) All acreage of potatoes planted by an insured person in a crop year shall be harvested unless the Commission consents in writing to a written request by the insured person to
- use any part of the planted acreage for any other purpose; or
 - abandon or destroy any part of the insured crop.
- (2) Any insured acreage used for a purpose other than the purpose that was reported by an insured person in the final seeding report without the consent of the Commission in writing, shall be adjusted at a level not to exceed the guaranteed production in effect.
- (3) Potatoes harvested prior to August 1 shall be deemed to have a yield no less than the guaranteed production per acre.
- (4) Potatoes harvested during August shall have actual yields adjusted to a mature yield equivalent using a method approved by the Commission.

Notice of crop loss or damage

- 20 Subject to the contract of insurance, an insured person is required to notify the Commission in writing within 5 days of any loss or damage to the insured crop.

Final date for insurance protection

- 21 (1) The final date for harvest is October 24 or any other date determined by the Commission, and the Commission may establish a potential yield for any insured acreage not harvested by that date.
- (2) The final date for insurance protection is December 20.
- (3) Coverage during the period between the final date for harvest determined pursuant to subsection (1) and the final date for insurance protection prescribed in subsection (2) shall be limited to storage losses resulting from one or more of the field-related perils designated in Section 4.

Harvest yield report

- 22 An insured person shall file a harvest yield report within 15 days of the completion of harvest on a Harvest Yield Report Form in Form B of the *Crop and Livestock Insurance Forms Regulations*.

Evaluation of loss

- 23 For the purpose of determining the reduction in yield of an insured crop in a crop year and any indemnity payable, the value of each crop shall progress through stages 1 to 3, as prescribed in Sections 24, 25 and 26, and the final adjustment of loss pursuant to Section 27.

Stage 1

- 24 (1) Stage 1 comprises the period from April 20 to June 30 in the crop year.
- Where loss or damage occurs to 5%, or a minimum of 3 acres, of an insured crop during Stage 1 from one or more designated perils, the Commission, upon application in writing by the insured person, may consent in writing to a request to replant the damaged area, subject to any consent given pursuant to subsection (5), or to a request to abandon or destroy the insured crop on the damaged area.
 - Where the Commission approves the abandonment of an insured crop on a damaged area pursuant to subsection (2) and the area is removed from production, the insurance for the year shall be deemed to be cancelled on the portion of the insured crop that is on the damaged area and an adjustment of the total guaranteed production for the area shall be made, less any potential production applied to the area multiplied by 50% of the established price.
 - Whether or not an insured person has made an application pursuant to subsection (2), where loss or damage occurs during Stage 1, the Commission may notify the insured person in writing that it intends to terminate insurance coverage on the portion of the insured crop that is on the damaged area and calculate the amount of loss pursuant to subsection (3) for the damaged area.
 - The Commission may consent in writing to a written request to replant any damaged area prior to the final planting date and, when consent is given, shall compensate the insured person by 30% of the established price multiplied by the guaranteed production per acre for that damaged area.
 - When a damaged area is replanted upon consent given pursuant to subsection (5), the contract of insurance shall continue to apply to the replanted area, and the loss from the damage shall not be used in the calculation of the average insurable yield in subsequent insurance years.

Stage 2

- 25 (1) Stage 2 comprises the period from July 1 to the final harvest date in the crop year, in respect of any portion of the insured crop that is not harvested.
- Where loss or damage occurs during Stage 2, the Commission, upon application in writing by an insured person, may consent in writing to the use of the damaged area for another purpose and the Commission shall determine the number of damaged acres and the potential production.

(3) When

- (a) consent is given to use a damaged area for another purpose pursuant to subsection (2) and the damaged area is used for that purpose; or
- (b) the harvesting of any portion of the insured crop is not completed on the final harvest date determined by subsection 21(1) and the harvesting was prevented by a designated peril,

then the amount of loss that is taken into account in the final adjustment of loss shall be calculated by multiplying the difference between the guaranteed production for the damaged or unharvested acres and the potential production determined under subsection (2) for the damaged acreage by 80% of the established price.

- (4) When the damaged area is not used for another purpose or the crop is not abandoned or destroyed despite the Commission's consent, the amount of loss calculated under subsection (3) shall not be taken into account in the final adjustment of loss.

Stage 3

- 26** (1) Stage 3 applies to the insured area with respect to which harvesting has been completed.
- (2) When the actual production of the harvested area is less than the guaranteed production for the area, the amount of loss
- (a) shall be taken into account in the final adjustment of loss for the total insured area; and
 - (b) shall be calculated by multiplying the difference between the guaranteed production and the actual production by the established price.

Final adjustment of loss

- 27** (1) The indemnity payable respecting the total insured area in the final adjustment of loss shall be the sum of the amounts of loss calculated for each of Stage 1, Stage 2 and Stage 3.
- (2) When the actual production exceeds the guaranteed production of the area, the indemnity payable pursuant to subsection (1) shall be reduced by the amount obtained by multiplying the excess by the established price.

Notice of claim

- 28** (1) Despite subsection 12(1) of the Terms and Conditions of Form 1 of the regulations respecting general (field crops) insurance, which specifies a 60-day filing period, a claim for an indemnity payable due to a reduction of yield shall be made to the Commission within 15 days on a Proof of Loss Form in Form C of the *Crop and Livestock Insurance Forms Regulations*.
- (2) Before a payment for an indemnity claimed pursuant to subsection (1) is made, a Claim Release Form in Form D of the *Crop and Livestock Insurance Forms Regulations* must be received by the Commission.

Arbitration

- 29** Where the Commission and an insured person have failed to resolve any dispute arising out of the adjustment of loss under a contract of insurance, and the requirements of the regulations made under the Act respecting the filing of a Proof of Loss Form in Form C of the *Crop and Livestock Insurance Forms Regulations* have been complied with, and either party wishes the dispute determined by arbitration, it shall be the responsibility of that party to notify the other party in writing within 90 days after the end of the crop year that the dispute be determined in accordance with the requirements of the *Arbitration Proceedings Regulations*.

Schedule "C"

Amendments to the *Crop and Livestock Insurance Forms Regulations* made pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

- 1 Section 2 of the *Crop and Livestock Insurance Forms Regulations* made by the Governor in Council by Order in Council 1999-440 dated September 14, 1999, is amended by adding "Form H - Contract of Dairy Livestock Insurance Application and Renewal Form" immediately after "Form G - Seeding Report".
- 2 The regulations are further amended by
 - (a) repealing Form "A" and substituting, in the form attached, a new Form "A" - Contract of Crop Insurance Application Form; and
 - (b) adding Form H - Contract of Dairy Livestock Insurance Application and Renewal Form, in the form attached, immediately following Form G.

**FORM A
Contract of Crop Insurance Application Form**

NOVA SCOTIA CROP AND LIVESTOCK INSURANCE COMMISSION
MacRae Library Building, NSAC, P.O. Box 1092 Truro NS B2N 5G9

APPLICATION FORM

CLIENT IDENTIFICATION

Name		
Farm name	Farm location	
Address	Postal code	<input type="checkbox"/> Home
Civic address	<input type="checkbox"/> Cellular	

Type of operation	<input type="checkbox"/> Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation	<input type="checkbox"/> Barn
SIN/Tax ID#	<input type="checkbox"/> Fax	
E-mail address		
Contact person	Telephone	

INSURANCE PLANS

Plan	Coverage Level*	Price Option*
<input type="checkbox"/> Blueberry <input type="checkbox"/> Lowbush <input type="checkbox"/> Highbush		
<input type="checkbox"/> Corn		
<input type="checkbox"/> Forage Production		
<input type="checkbox"/> Pea & Bean (processing)		
<input type="checkbox"/> Potato		
<input type="checkbox"/> Raspberry		
<input type="checkbox"/> Soybean		
<input type="checkbox"/> Spring Grain		
<input type="checkbox"/> Strawberry		
<input type="checkbox"/> Tree Fruit <input type="checkbox"/> Apple <input type="checkbox"/> Pear		
<input type="checkbox"/> Vegetable		
<input type="checkbox"/> Winter Grain		
<input type="checkbox"/> Other		

*Refer to Plan brochure for coverage levels and price options.

Do you currently hold a Crop Insurance Contract?
 Yes No
 Have you ever held a Crop Insurance Contract?
 Yes No
 Previous crop yield available?
 Yes No

PREMIUM DEPOSIT

Premium Deposit* of \$ _____ accompanies this application. *Refer to plan brochure for amount.

DECLARATION AND SIGNATURE

I, the undersigned, certify that the information provided is accurate. I have read and agree to the conditions outlined on the reverse of this application form.

Signature of applicant	Date
Commission representative	

OFFICE USE

Effective date	Contract no.
----------------	--------------

INSURANCE PLAN DEADLINES

PLAN	Final Date for Application	Final Date for Cancellation
Vegetables	March 14	March 14
Spring Grain	May 1	March 15
Corn	May 1	March 15
Potato	May 1	March 15
Pea & Bean (processing)	May 1	March 15
Soybean	May 1	March 15
Winter Grain	October 15	September 15
Forage Establishment	October 15	May 31
Forage Production	October 31	October 31
Raspberry	October 31	October 31
Blueberry	November 15	December 15
Strawberry	November 15	September 15
Tree Fruit	November 30	November 30
Tree Endorsement	December 1	November 14

CONDITIONS	
1.	I understand that the crop to be insured is to be planted on land that I own, lease or operate.
2.	I shall offer for insurance, all of the area planted in each crop year to an insured crop(s) on the farm or farms that I own or operate in Nova Scotia.
3.	I am obligated to pay premium on the entire insured area, as calculated by the N.S. Crop & Livestock Insurance Commission using the premium rate schedule for the current year.
4.	I must notify the N.S. Crop & Livestock Insurance Commission of any claims for loss as follows: <ul style="list-style-type: none"> (a) Re-seeding - area must be inspected by a Commission representative prior to being worked down and/or re-seeded. (b) Pre-harvest yield loss claims - area must be inspected by a Commission Representative before being pastured, cut for purposes other than threshing, worked down or otherwise destroyed. Should I do so without the required inspection, insurance will no longer apply on the portion of the crop destroyed and the premium shall be deemed earned. (c) Post-harvest yield loss claims - must be submitted within 5 to 15 days of completion of harvest (refer to specific plan). (d) Proof of Loss Form (Form C) must be submitted when filing for a claim.
5.	I must file a Harvest Yield Report Form (Form B) when harvest is complete whether filing a claim or not.
6.	If my application is accepted by the N.S. Crop & Livestock Insurance Commission, the Contract of Insurance shall be in effect from the date the Commission accepts the application, and from year to year thereafter unless terminated by either the Commission or myself, by giving the other party notice in writing of termination on or before the date specified in the plan for each crop.

FORM H
Contract of Dairy Livestock Insurance Application and Renewal Form

NOVA SCOTIA CROP AND LIVESTOCK INSURANCE COMMISSION
 MacRae Library Building, NSAC, P.O. Box 1092 Truro NS B2N 5G9
 Telephone: Truro 1-902-893-6370 Kentville 1-902-679-6015 Toll Free: 1-800-565-6371
 Fax: 1-902-895-4622 E-mail: nslcic@gov.ns.ca

DAIRY LIVESTOCK INSURANCE PLAN
APPLICATION AND RENEWAL

Name: _____ Contract: _____
 Address: _____ Telephone: _____
 _____ Expiry date: _____
 _____ Date: _____

INSURABLE DISEASE PROTECTION & LOSS OF INCOME								
Class of Animal	# Animals		Established Price/animal		Cost/Animal		Total	
	Previous	Renewal	Previous	Renewal	Previous	Renewal	Previous	Renewal
Cows-Heifers (bred)								
Heifers (open) 12-24 mths.								
Heifers (6-12 mths.)								
					Premium**			
Insured's Income* (Monthly Average)		Kg of Quota				Less Discount		
Previous	Renewal	Previous	Renewal			Net Premium Due Minimum \$25.00		
						Less Credit		
*Average monthly gross income from sale of milk for the previous 12 months. **Premium for Basic Loss of Income Endorsement is included in premiums for animals (4 months of earnings).					Amount Due			

I, the undersigned, hereby propose to insure the above animals, subject to the terms and conditions of the Dairy Livestock Insurance Plan, and I agree that at this date the animals listed on the Application are in good health and the list includes all animals over 12 months of age. I acknowledge that this insurance Coverage shall commence at the date the Contract of Insurance is issued by the Commission.

Signature of applicant: _____ Date: _____

Form T300-01

Form H - Dairy Livestock Insurance Application and Renewal Form is not in the form published in the original Royal Gazette Part II dated October 20, 2002.

N.S. Reg. 115/2002
Made: September 13, 2002
Filed: September 17, 2002
Proclamation, S. 20, S.N.S. 2001, c. 34
- except S. 2(1)(f)(iv) and S. 5(6)

Order in Council 2002-414 made September 13, 2002
Proclamation made by the Governor in Council
pursuant to Section 20
of the *Lobbyists' Registration Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated September 5, 2002, pursuant to Section 20 of Chapter 34 of the Acts of 2001, the *Lobbyists' Registration Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Chapter 34 of the Acts of 2001, the *Lobbyists' Registration Act*, except subclause (iv) of clause (f) of subsection (1) of Section 2 and subsection (6) of Section 5, come into force on and not before October 1, 2002.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

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 20 of Chapter 34 of the Acts of 2001, the *Lobbyists' Registration Act*, it is enacted as follows:

20 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 34 of the Acts of 2001, the *Lobbyists' Registration Act*, except subclause (iv) of clause (f) of subsection (1) of Section 2 and subsection (6) of Section 5, come into force on October 1, 2002;

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 34 of the Acts of 2001, the *Lobbyists' Registration Act*, except subclause (iv) of clause (f) of subsection (1) of Section 2 and subsection (6) of Section 5, come into force on October 1, 2002, 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 Her Honour the Honourable Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 13th day of September, in the year of Our Lord two thousand and two and in the 51st year of Our Reign.

BY COMMAND:

Sgd: *Gordon D. Balse*
Acting Provincial Secretary
Acting Minister of Justice and Attorney General

N.S. Reg. 116/2002
 Made: September 13, 2002
 Filed: September 17, 2002
 Lobbyists' Registration Regulations

Order in Council 2002-415 made September 13, 2002
 Regulations made by the Governor in Council
 pursuant to Section 19
 of the *Lobbyists' Registration Act*

The Governor in Council on the report and recommendation of the Minister of Justice and the Minister of Service Nova Scotia and Municipal Relations dated September 5, 2002, and pursuant to Section 19 of Chapter 34 of the Acts of 2001, the *Lobbyists' Registration Act*, is pleased to make regulations respecting lobbyists' registration in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 1, 2002.

Schedule "A"

Regulations Respecting Lobbyists' Registration made by the Governor in Council pursuant to Section 19 of Chapter 34 of the Acts of 2001, the *Lobbyists' Registration Act*

Citation

1 These regulations may be cited as the *Lobbyists' Registration Regulations*.

Interpretation

2 In these regulations, "Act" means the *Lobbyists' Registration Act*.

Fees

3 The following fees for filing returns shall be paid to the Registrar:

- (a) by a consultant lobbyist,
 - (i) for each return filed under clause 5(2)(a) of the Act by paper \$100
 - (ii) for each return filed under clause 5(2)(a) of the Act on-line over the Internet \$50
 - (iii) for each return filed under clause 5(2)(b) of the Act by paper or on-line over the Internet \$25
- (b) by an in-house lobbyist, as defined in clause 6(1)(b) of the Act (employed by a person or partnership other than an organization),
 - (i) for each return filed under clause 6(2)(a) of the Act by paper \$100

- (ii) for each return filed under clause 6(2)(a) of the Act on-line over the Internet \$50
- (iii) for each return filed under clause 6(2)(b) of the Act by paper or on-line over the Internet \$25
- (c) by the senior officer of an organization that employs an in-house lobbyist, as defined in clause 7(1)(b) of the Act,
 - (i) for each return filed under clause 7(2)(a) of the Act by paper \$50
 - (ii) for each return filed under clause 7(2)(a) of the Act on-line over the Internet \$0
 - (iii) for each return filed under clause 7(2)(b) of the Act by paper \$25
 - (iv) for each return filed under clause 7(2)(b) of the Act on-line over the Internet \$0

Waiver or reduction of fee

4 (1) A person who is required to file a return as a lobbyist pursuant to the Act or these regulations may apply to the Registrar and the Registrar may waive or reduce the fee for filing a return upon being satisfied that the applicant is unable to pay the fee.

(a) There is no right of appeal from a decision of the Registrar under subsection (1).

Significant part of duties

- 5 (1) For the purpose of the definitions of in-house lobbyist
- (a) in clauses 6(1)(b)(i) and 7(1)(b)(i) of the Act, 20% of time at work of an employee constitutes a significant part of their duties as an employee; and
 - (b) in clauses 6(1)(b)(ii) and 7(1)(b)(ii) of the Act, 20% of time at work of one full-time employee constitutes a significant part of their duties as an employee.
- (2) The percentage of time at work referred to in subsection (1) shall be determined with reference to the employee's work during a 3-month period.

Additional information

6 For the purposes of clauses 5(4)(o) and 6(4)(p) of the Act, the number assigned to an organization, person or partnership by the Registrar of Joint Stocks Companies is prescribed information.

N.S. Reg. 117/2002
Made: September 13, 2002
Filed: September 17, 2002
Freedom of Information and
Protection of Privacy Regulations

Order in Council 2002-427 made September 13, 2002
Amendment to regulations made by the Governor in Council
pursuant to Section 49
of the *Freedom of Information and Protection of Privacy Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated September 3, 2002, and pursuant to Section 49 of Chapter 5 of the Acts of 1993, the *Freedom of Information and Protection of Privacy Act*, is pleased to amend the *Freedom of Information and Protection of Privacy Regulations* made by the Governor in Council by Order in Council 94-537 dated June 28, 1994, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 13, 2002.

Schedule "A"

Amendments to the *Freedom of Information and Protection of Privacy Regulations* made by the Governor in Council pursuant to Section 49 of Chapter 5 of the Acts of 1993, the *Freedom of Information and Protection of Privacy Act*

The *Freedom of Information and Protection of Privacy Regulations* made by the Governor in Council by Order in Council 94-537 dated June 28, 1994, are amended by adding the following heading and Section after Section 23:

Definitions of words and expressions with respect to the definition of "background information"

- 24 (1) For the purpose of subclause 3(1)(a)(i) of the Act, "factual material" means a coherent body of facts, separate and distinct from interpretations of, reactions to or advice and recommendations in respect of facts.
- (2) For the purpose of subclause 3(1)(a)(iv) of the Act, "appraisal" means a report prepared by a qualified appraiser that estimates the value of property or sets a price on an asset or liability.
- (3) For the purpose of subclause 3(1)(a)(v) of the Act, "economic forecast" means a prediction of the performance of a national, provincial or local economy over a specified period of time prepared by an economist.
- (4) For the purpose of subclause 3(1)(a)(vi) of the Act, "environmental-impact statement" means a detailed written statement of an assessment of environmental effects of a proposed project or activity, as required by law.

- (5) For the purpose of subclause 3(1)(a)(vii) of the Act,
- (a) "performance" means an action, task or operation, seen in terms of how successfully it was performed in relation to expected outcomes;
- (b) "efficiency" means the quality of achieving maximum productivity with minimum wasted effort or expense;
- (c) "public body" means a public body as it existed on or before the making of the final report or final audit was begun;
- (d) "programs or policies" means programs or policies as they existed on or before the making of the final report or final audit was begun.
- (6) For the purpose of subclause 3(1)(a)(ix) of the Act, "feasibility study" means a study, the fundamental purpose of which is to advise a public body on the practicability of a specific proposed project, that includes an evaluation of whether the project, or specific proposals for that project, are capable of being accomplished with a reasonable assurance of success and in accordance with established standards including specified financial limits.

N.S. Reg. 118/2002
Made: September 19, 2002
Filed: September 20, 2002
Nova Scotia Potato Marketing Plan

Order in Council 2002-432 made September 19, 2002
Amendment to regulations approved by the Governor in Council
pursuant to Section 11 of the *Natural Products Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated August 22, 2002, and pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, is pleased to approve the making by the Natural Products Marketing Council of amendments to the *Nova Scotia Potato Marketing Plan* approved by the Governor in Council by Order in Council 85-157 dated February 19, 1985, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

The Natural Products Marketing Council, pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, the *Natural Products Act*, and upon receiving evidence of the approval of the Nova Scotia Potato Marketing Board, at a meeting held September 4, 2001 approved amendments to the Nova Scotia Potato Marketing Plan in the manner attached hereto.

Dated and signed at Truro, Nova Scotia, July 24, 2002.

Natural Products Marketing Council

Sgd. *George D. Burris*
George D. Burris
General Manager

Amendments to the *Nova Scotia Potato Marketing Plan* approved by the Governor in Council pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*

- 1 Section 4 of the *Nova Scotia Potato Marketing Plan* approved by the Governor in Council by Order in Council 85-157 dated February 19, 1985, is amended by striking out "nine" and substituting "6".
- 2 Section 8 of the Plan is repealed and the following Section substituted:
 - 8 To fairly represent all producing sectors, members of the Commodity Board shall be elected to represent table potato producers, processing potato producers and, when possible, seed potato producers.

3 Section 10 of the Plan is repealed and the following Section substituted:

- 10 (1) A meeting of the Commodity Board may be called by
 - (a) the Chairperson, giving each member at least 3 days notice by telephone, facsimile, or post; or
 - ~~(b)~~ (b) any 4 members of the Commodity Board, giving each member at least 7 days notice by post.
- (2) Four members present at a meeting of the Commodity Board shall constitute a quorum.