

Royal



Gazette

Part II

Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 35, No. 15

July 29, 2011

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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. 229/2011

Made: July 5, 2011

Filed: July 6, 2011

Proclamation, S. 31, S.N.S. 2009, c. 10

Order in Council 2011-251 dated July 5, 2011
Proclamation made by the Governor in Council
pursuant to Section 31 of

An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 4, 2011, and pursuant to Section 31 of Chapter 10 of the Acts of 2009, *An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act*, is pleased to order and declare by proclamation that Chapter 10 of the Acts of 2009, *An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act*, do come into force on and not before September 1, 2011.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

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 31 of Chapter 10 of the Acts of 2009, *An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act*, it is enacted as follows:

- 31** 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 10 of the Acts of 2009, *An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act*, do come into force on and not before September 1, 2011;

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 10 of the Acts of 2009, *An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act*, do come into force on and not before September 1, 2011, 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 Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 5th day of July in the year of Our Lord two thousand and eleven and in the sixtieth year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 230/2011

Made: July 5, 2011

Filed: July 6, 2011

Condominium Regulations

Order in Council 2011-252 dated July 5, 2011
Amendment to regulations made by the Governor in Council
pursuant to Section 46 of the *Condominium Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 11, 2011, upon notice of a fee increase having been presented to the House of Assembly/Clerk of the Assembly in accordance with Section 4 of Chapter 8 of the Acts of 2007, the *Fees Act*, and pursuant to Section 46 of Chapter 85 of the Revised Statutes of Nova Scotia, 1989, the *Condominium Act*, is pleased to amend the regulations respecting condominiums, N.S. Reg. 60/71, made [by the Governor in Council] by Order in Council 71-1173 dated November 23, 1971, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 1, 2011.

Schedule “A”

**Amendment to the Regulations Respecting Condominiums
made under Section 46 of Chapter 85 of the Revised Statutes of Nova Scotia, [1989,]
the *Condominium Act***

- 1 Subsection 1(2) of the regulations respecting condominiums, N.S. Reg. 60/71, made by [the] Governor in Council by Order in Council 71-1173 dated November 23, 1971, is amended by
- (a) striking out “barrister” wherever it appears in clause (a) and substituting “lawyer”;
 - (b) striking out “Barristers and Solicitors Act” in clause (a) and substituting “*Legal Profession Act*”;
 - (c) relettering clause (a) as clause (da);
 - (d) adding the following clauses immediately before clause (b):
 - (a) “condominium appeals officer” means a person appointed under subsection 82C(1) to hear an appeal of a decision of a condominium dispute officer under Section 33 of the Act and Sections 82C and 82D;

- (aa) “condominium dispute officer” means a person appointed in subsection 82A(1) to hear disputes between a condominium corporation and a unit owner under Section 33 of the Act and Sections 82A and 82B;
- (e) striking out “Planning Act” in clause (f) and substituting “*Municipal Government Act*”; and
- (f) striking out “Registrar of Deeds” in clause (f) and substituting “land registration”.
- 2 Section 2 of the regulations is repealed.
- 3 The regulations are further amended by adding the following Section immediately before Part A:

Prescribed forms

- 2 The forms listed in the following table and as attached to these regulations in Schedule “C” are prescribed to be used for the purposes stated:

Form No.	Purpose of Form
1	lawyer’s certificate to accompany report on title
2	surveyor’s certificate to accompany report on title
3	notice to Registrar of initial Board of Directors under clause 14(b)(1) of the Act
4	surveyor’s certificate for use on all plans
5	surveyor’s certificate under clause 21(1)(d) for use where units are defined by reference to buildings
6	certificate of owners under clause 21(1)(g)
7	notice of expropriation under subsections 39(1) to (3) of the Act
8	dedication by the Board of additional land to common elements under Section 46
9	appointment of agent of condominium corporation
10	notice of termination following substantial damage under Section 36 of the Act
11	notice of termination under Section 41 of the Act
12	partial discharge of judgment under subsection 20(2) of the Act
13	notice of condominium corporation lien under subsection 31(6) of the Act
14	discharge of condominium corporation lien under subsection 31(10) of the Act
15	certificate of condominium corporation about corporation by-laws under Section 67
15A	certificate of declarant about corporation by-laws under Section 67
16	certificate of condominium corporation about owners’ consent to the consolidation of units under clause 72A(b)
17	Registrar’s certificate that the application to consolidate units was accepted for registration under subsection 14(5) of the Act
18	certificate of condominium corporation confirming owners’ consent to amalgamation of corporations under clause 54A(b)
19	Registrar’s notice requiring documentation from corporation under subsection 45A(2) of the Act

20	architect's certificate under clause 12(1)(e) of the Act
21	engineer's certificate under clause 12(1)(e) of the Act
22	certificate of condominium corporation about owners' consent to an amendment of the description required by subsection 12(3) of the Act
23	notice of intent to have dispute arbitrated under subsection 33A(2) of the Act
24	declarant's notice under subsection 76(7) of decision not to proceed with proposed phases
25	notice to owner and tenant of tenant's breach of condominium declaration, by-laws or common element rules under Section 44C(1) of the Act
26	application to condominium dispute officer to hear a dispute between a condominium corporation and a unit owner
27	notice of an appeal of a decision of a condominium dispute officer
28	notice of proposed rule change to be given by board of directors under subsection 24(1B) of the Act

- 4 The title to Part A is amended by adding "Documents filed with" immediately before "Report on Title".
- 5 (1) Subsection 3(2) of the regulations is repealed and subsection (1) redesignated as Section 3.
- (2) Section 3 is further amended by striking out "An abstract of title shall be prepared by a barrister in accordance with conveyancing practice and shall" and substituting "The Registrar may require any of the following documentation to accompany a report on title submitted on registration of a declaration:".
- (3) Clause 3(b) is repealed.
- (4) Clause 3(a) is relettered as clause (b), and amended by
- (a) striking out "include"; and
- (b) striking out "a surveyor" and substituting "the surveyor who prepared the plan of survey referred to in clause (a)".
- (4)* Section 3 is further amended by adding the following clause immediately before clause (b):
- (a) a plan of survey prepared in accordance with Section 4;
- (5) Clause 3(c) is amended by
- (a) striking out "be accompanied by"; and
- (b) adding ", confirming that there are no outstanding taxes owing for the property" immediately after "municipality".
- (6) Clause 3(d) is amended by
- (a) striking out "be accompanied by"; and
- (b) striking out "such barrister" and substituting "a lawyer".

- 6 Subsection 4(2) of the regulations is amended by striking out “description of the property included in the abstract prepared by the barrister pursuant to Section 2” and substituting “metes and bounds description of the property accompanying the report on title”.
- 7 Section 4A of the regulations is amended by striking out “an abstract of title for the phase prepared in accordance with Section 3 and a plan of survey prepared in accordance with Section 4” and substituting “a current report on title for the phase and the documentation required by the Registrar in accordance with Section 3”.
- 8 Section 5 of the regulations is amended by striking out “an abstract of title and a barrister’s certificate relating thereto, prepared in accordance with Section 6” and substituting “a current report on title for each unit and a certificate from a lawyer certifying that the lawyer believes all encumbrances affecting the units and the common interest appurtenant thereto are listed in the certificate”.
- 9 The regulations are further amended by repealing Section 6.
- 10 Section 8 of the regulations is amended by striking out “these regulations” and substituting “this Part of the regulations”.
- 11 Section 12 of the regulations is amended by
 - (a) repealing subsection (1) and substituting the following subsection:
 - (1) If a plan satisfies the requirements of the Act and the regulations, the Registrar must endorse acceptance for registration of the plan on the plan.
 - (b) striking out “examine a survey on the ground” in subsection (2) and substituting “conduct a site visit to examine a survey”; and
 - (c) striking out “subsection 2” in subsection (3) and substituting “the Act and the regulations” .
- 12 Section 13 of the regulations is amended by striking out “approval” and substituting “registration”.
- 13 Section 14 of the regulations is amended by
 - (a) striking out “approve” in subsection (1) and substituting “accept”; and
 - (b) striking out “approved by him” in subsection (2) and substituting “accepted for registration”.
- 14 Section 19 of the regulations is amended by adding “and shall run in a clockwise direction” immediately after “poles of the earth”.
- 15 Section 21 of the regulations is amended by
 - (a) striking out the remainder of clause [(1)](f) immediately after “the following notation:” and substituting ““Declaration registered at the applicable land registration office as Document number _____”; and”; and
 - (b) adding the following subsection immediately after subsection (3):
 - (4) All signatures on the plan must be original signatures.

- 16 Section 24 of the regulations is amended by adding “and run in a clockwise direction” immediately after “cardinal points”.
- 17 Clause 30(2)(c) of the regulations is amended by adding “, Year _____, Document number _____” immediately after “page _____”.
- 18 Subsection 38(3) of the regulations is amended by striking out “the duplicate plan to be retained at the Registry of Deeds” and substituting “one of the duplicate plans”.
- 19 The regulations are further amended by repealing Section 40 and substituting the following Section:
- 40** (1) Plans of levels above Level 1 must be numbered consecutively beginning with the number “2” and plans of levels below Level 1 must be lettered alphabetically beginning with the letter “A”.
- (2) Plans of levels other than Level 1 must be designated by the word “Level” and the appropriate number or letter and must conform to the following criteria:
- (b)(a) they may be compiled from information obtained from the structural plans and the plan of Level 1;
- (c)(b) they must include all of the following:
- (i) a section or perspective drawing, sufficiently accurate to portray the vertical relationship of all levels,
- (ii) a drawing that shows the exterior elevations of all 4 principal views of the building at a scale not less than 1/16"=1 foot, showing exterior wall finishes and patterns of windows and doors, down to normal architectural trim.
- 20 Section 41 of the regulations is repealed.
- 21 The regulations are further amended by repealing Section 42 and substituting the following Section:
- 42** A condominium document required under the Act or the regulations may not be recorded or registered by a registrar of deeds under the *Registry Act* or the *Land Registration Act* unless the Registrar of Condominiums has endorsed [it] as accepted for registration.
- 22 Section 43 of the regulations is repealed.
- 23 The regulations are further amended by repealing Section 44 and substituting the following Section:
- 44** On receiving a condominium document from the Registrar of Condominiums that is endorsed in accordance with Section 42, a registrar of deeds must register or record the document in accordance with the *Registry Act* or the *Land Registration Act*, as applicable, and issue a receipt showing the day, hour and minute it was registered or recorded.
- 24 Section 45 of the regulations is repealed.
- 25 Section 46 of the regulations is amended by striking out “in the Condominium Corporations Register” and substituting “in accordance with the *Registry Act* or the *Land Registration Act*, as applicable,”.
- 26 Sections 47 and 48 of the regulations are repealed.

27 The regulations are further amended by repealing Section 49 and substituting the following Section:

49 The fees set out in Schedule “B” are the only fees payable to a registrar of deeds in respect of services they perform under the Act and these regulations.

28 Section 53 of the regulations is amended by

- (a) adding “the only fees” immediately before “payable to the Registrar”; and
- (b) striking out “and no other fees are exigible therefor”.

29 (1) Clause 54(1)(b) of the regulations is amended by

- (a) striking out “and person”; and
- (b) adding “or the *Land Registration Act*, as applicable” immediately after “Registry Act”.

(2) Clause 54(1)(c) is amended by striking out “approval under the Planning Act in accordance with these regulations” and substituting “a statutory declaration from a municipal development officer in accordance with Section 61”.

(3) Clause 54(1)(d) is amended by striking out “approved” and substituting “reviewed”.

(4) Section 54 of the regulations is further amended by adding the following subsection immediately after subsection (1):

(1A) The description of a standard unit for each class of units required to be in a declaration by subsection 11(2A) of the Act must include specifications of the components in a basic, non-upgraded unit, in enough detail to determine the responsibility for insuring and repairing the components, which components may include, but are not limited to, any of the following:

- (a) cupboards;
- (b) countertops;
- (c) flooring;
- (d) wall coverings;
- (e) electrical and plumbing fixtures;
- (f) appliances;
- (g) heating and ventilation systems.

(5) Subsection 54(2) of the regulations is amended by

- (a) striking out “54”;
- (b) adding “all of the following:” immediately after “shall include”;
- (c) striking out “and” and [at] the end of clause (e);

- (d) striking out the period at the end of clause (f) and substituting a semicolon; and
 - (e) adding the following clause immediately after clause (f):
 - (g) if applicable, a statement that the unit owner is responsible for installing their own services and utilities.
 - (6) Subsection 54(3) of the regulations is amended by
 - (a) striking out “file with” and substituting “provide to”; and
 - (b) adding “that are to be installed by the developer” immediately before “are completed”.
- 30 Section 54A of the regulations is amended by
- (a) adding “all of the following:” immediately after “accompanied by”;
 - (b) adding the following clause immediately after clause (b):
 - (ba) proof, in a form satisfactory to the Registrar, of the owners’ vote approving the amalgamation by the percentage of owners required by clause 29B(1)(b) of the Act;
 - (c) repealing clause (c) and substituting the following clause:
 - (c) a supplementary report on title for the units and the lands of each amalgamating corporation in accordance with Section 5;
 - (d) striking out “and” at the end of clause (e);
 - (e) striking out the period at the end of clause (f) and substituting a semicolon; and
 - (f) adding the following clauses immediately after clause (f):
 - (g) a copy of the reserve-fund study for the amalgamated corporation;
 - (h) a copy of the proposed by-laws of the amalgamated corporation;
 - (i) current survey plans for the amalgamated corporation prepared in accordance with the regulations;
 - (j) current architectural plans for the amalgamated corporation prepared in accordance with the regulations.
- 31 (1) Section 55 of the regulations is amended by striking out “the conveyance for registration” and substituting “the amendment to the declaration and description for registration”.
- (2) Clause 55(a) of the regulations is amended by striking out “owners who own at least 80% of the common elements” and substituting “the Board”.
- (3) Clause 55(b) of the regulations is repealed and the following clause substituted:
- (b) it is accompanied by the proof of its execution by the Board that is required by the *Registry Act* or the *Land Registration Act*, as applicable.

- 32 Subsection 56(2) of the regulations is amended by striking out “or (4)”.
- 33 (1) Subsection 57(2) of the regulations is amended by
- (a) adding “or the *Land Registration Act*, as applicable” after “*Registry Act*” in clause (b);
 - (b) striking out the period at the end of clause (b) and substituting “; and”; and
 - (c) adding the following clause immediately after clause (b):
 - (c) it is accompanied by affidavits of matrimonial status for each owner and the necessary spousal consents and releases required under the *Matrimonial Property Act*.
- (2) Section 57 of the regulations is further amended by repealing subsection (3).
- 35* The title to Part F of the regulations is amended by striking out “Planning Act” and substituting “*Municipal Government Act* and the *Halifax Regional Municipality Charter*”.
- 36* The regulations are further amended by repealing Section 61 and substituting the following Section:
- 61** The Registrar of Condominiums shall not accept a declaration or description, or any amendment to a declaration or description, for registration unless the applicant provides the Registrar with a statutory declaration from the development officer for the municipality where the proposed development is located, confirming all of the following:
- (a) that the proposed development being submitted for registration, and as shown on a survey plan attached to the statutory declaration, satisfies the land use requirements of the municipality or the land use by-laws or the development agreement, as applicable;
 - (b) that an occupancy permit has been issued for each residential unit in the proposed development;
 - (c) that the development officer is aware that the proposed development is to be registered under the *Condominium Act*;
 - (d) that the municipality has no objection to the registration taking place if the municipality’s easements and interests in the property are maintained.
- 37* The regulations are further amended by repealing Sections 62 and 62A.
- 38* Section 62B of the regulations is repealed and the following Section substituted:
- 62B** For greater certainty, unless otherwise provided in the Act or these regulations, the *Municipal Government Act* and the *Halifax Regional Municipality Charter*, as applicable, and their regulations and by-laws apply with respect to
- (a) the proposed development; and
 - (b) the property of the condominium corporation, upon acceptance of the description and declaration for registration.
- 39* Section 64 of the regulations is amended by striking out “Registry of Deeds at _____ in book _____ at page _____” and substituting “land registration office, at _____ as Document Number _____”.

- 40* Section 67 of the regulations is amended by adding “or Form 15A, as applicable” immediately after “Form 15”.
- 41* The regulations are further amended by adding the following Sections immediately after Section 67:
- 67A** (†) Notice of a proposed rule required to be given to each of the condominium corporation’s members by subsection 24(1B) of the Act must be in Form 28 and must be served
- (a) by regular mail to the address for the member on the records of the condominium corporation; and
 - (b) by leaving a copy of the notice at the member’s unit within 5 days of the date that notice is sent by regular mail under clause (a).
- 67B** Delivery of a notice of a proposed rule under Section 67A is deemed to have taken place 5 days after the notice was sent by regular mail.
- 42* (1) Section 70 of the regulations is amended by striking out “In addition to the classification of properties set out in Section 8, properties are further classified as follows” and substituting “The Registrar may accept for registration any of the following classes of property:”.
- (2) Section 70 of the regulations is further amended by
- (a) striking out “provided the property is located in an area where a Municipal Land Use By-Law is in effect” in clause (b);
 - (b) adding “ - property” immediately after “bare-land property” in clause (d);
 - (c) striking out “purchase” in clause (d) and substituting “acceptance for registration”; and
 - (d) striking out “or” in clause (f) and substituting “and”.
- 43* The regulations are further amended by repealing Section 71.
- 44* Section 72 of the regulations is amended by striking out “three months” and substituting “90 days”.
- 45* Clause 72A(b) of the regulations is amended by adding “as required by subsection 14(3) of the Act” immediately after “the consolidation”.
- 46* Clause 72B(c) is amended by
- (a) adding “if the annual financial statement is required to be audited,” immediately before “a statement by the auditor”;
 - (b) repealing subclauses (i) and (ii) and adding the following text from subclause (i) to the end of the clause: “the current amount in the reserve fund for the reporting period, and what percentage this is of the amount required by the reserve-fund study pursuant to Part K.”.
- 47* The title to Part H of the regulations is amended by striking out “Corporation Management” and substituting “Occupancy Fees”.
- 48* The regulations are further amended by repealing Section 73 and substituting the following Section:

- 73** (1) In this Section, “net purchase price” means the purchase price before HST has been added to the price.
- (2) An occupancy fee charged to a purchaser under subsection 44(5) of the Act to occupy a proposed unit
- (a) must not exceed 0.75% of the net purchase price of the unit, per month;
 - (b) must be disclosed as required by subsection 44(5) of the Act as both a percentage of the net purchase price and in dollars and cents in the purchase and sale agreement for the unit; and
 - (c) except as provided in subsection (3), must not be charged for longer than 6 months after the original closing date disclosed in the purchase and sale agreement for the unit.
- (3) Occupancy fees for a proposed unit may be charged after the 6 months referred to in clause (2)(c) for the following additional periods and under the following conditions:
- (a) for a further 6 months, if registration of the condominium unit has not yet taken place and the occupancy fee charged is not more than 50% of the amount disclosed as the occupancy fee in the purchase and sale agreement for the unit;
 - (b) for a further definite period of time immediately after the additional 6 months referred to in clause (a), if registration of the condominium corporation has not yet taken place and the occupancy fee charged is not more than 25% of the amount disclosed as the occupancy fee in the purchase and sale agreement for the unit.

49* Section 74 of the regulations is repealed.

- 50* (1) Subsection 75(1) of the regulations is amended by adding “all of” immediately before “the following provisions”.
- (2) Clause 75(1)(a) of the regulations is amended by
- (a) adding “, upon execution of the agreement of purchase and sale,” immediately before “the vendor shall”;
 - (b) striking out “the buildings, if any” in subclause (i) and substituting “any buildings”; and
 - (c) striking out “the buildings and level number, if any” in subclause (ii) and substituting “any buildings and any applicable level number”.
- (3) Clause 75(1)(b) of the regulations is amended by
- (a) adding “, upon execution of the agreement of purchase and sale,” immediately before “the vendor shall”; and
 - (b) striking out “and” at the end of the clause.
- (4) Clause 75(1)(c) of the regulations is amended by
- (a) striking out “five” and substituting “ten”;

- (b) striking out “to determine whether there is anything contained in them which materially affects the purchaser’s enjoyment of the property, and if within that time the purchaser makes any objection in writing to the vendor that the vendor is unable or unwilling to remove and the purchaser will not waive” and substituting “and, if within that time the purchaser cancels the agreement by giving written notice to the vendor”;
 - (c) striking out the period at the end of the clause and substituting a semicolon.
- (5) Subsection 75(1) is further amended by adding the following clauses immediately after clause (c):
- (d) that the declarant has a duty to complete the common elements and provide for holdbacks if the common elements are not completed at the time of closing on a unit;
 - (e) the details of any amenities not yet completed and the date they will be completed by;
 - (f) the details of the amount of occupancy fees which can be charged and when they are payable; and
 - (g) disclosure of any services that are not contained within the boundaries of the property or are not owned by the condominium corporation, and any agreements respecting the terms and conditions associated with those services.
- (6) Subsection 75(2) of the regulations is amended by
- (a) striking out “, (b) and (c)” and substituting “to (g)”;
 - (b) repealing clause (a).
- (7) Section 75 of the regulations is further amended by adding the following subsection immediately after subsection (2):
- (3)** In addition to the requirements in subsections (1) and (2), each agreement of purchase and sale of a unit from a declarant in a building that has been converted into units in a condominium corporation, shall include all of the following:
- (a) a copy of the reserve-fund study required by Section 31 of the Act;
 - (b) a requirement for the vendor to provide the purchaser with a copy of any updated certification under Section 78B and proof that any required payments have been made into the reserve-fund, before the unit is purchased.

51* The regulations are further amended by adding the following Section immediately before Section 76:

75A (1) A phased-development condominium must meet all of the following requirements:

- (a) all land in phase one must be contiguous;
- (b) each phase subsequent to phase one must contain at least one unit;
- (c) each piece of land in a phase that is not contiguous with other land in the same phase must contain at least 1 of the following:
 - (i) a unit,

- (ii) a service integral to the operation of the condominium corporation,
- (iii) an amenity pre-disclosed in the declaration for the condominium corporation;
- (d) each piece of land in a phase subsequent to phase one must be contiguous to the land in a previously registered phase;
- (e) a service that is integral to a phase being registered must
 - (i) be located within the property of and owned by the condominium corporation, unless
 - (A) it is provided by the municipality or a publicly regulated utility, or
 - (B) it is secured by appropriate easements and contractual arrangements, and
 - (ii) be installed before registration of the applicable phase, unless the installation of the service is the responsibility of the unit owner.
- (2) The contractual arrangements for services referred to in paragraph (1)(e)(i)(B) must contain provisions permitting termination of the contract if pricing exceeds benchmark prices for alternate sources of energy.

52* (1) Subsection 76(1) of the regulations is amended by

- (a) striking out “approximate” in clause (b);
 - (b) striking out “attributable to the units” in clause (d) and substituting “attributable to each of the units”;
 - (c) amending clause (h) by
 - (i) striking out “or approved survey or”,
 - (ii) striking out “the buildings, if any,” and substituting “any buildings, and” in subclause (i),
 - (iii) repealing subclause (ii); and
 - (d) striking out “the location, size, number and general style of the units or land” in clause (j) and substituting “the general location, size, number and style of the units and land”.
- (2) Subsection 76(2) of the regulations is amended by striking out “where the amendment is significantly different” and substituting “if the Registrar determines that the amendment is significantly different”.
- (3) Subsection 76(2C) of the regulations is amended by
- (a) striking out “If the amendment to create the” and substituting “If the Registrar determines that an amendment to create a”; and
 - (b) striking out “, description and the by-laws” and substituting “and description” in clause (a).

- (4) Subsection 76(2D) of the regulations is amended by adding “, and all other requirements for registration are satisfied” immediately after “the same”.
- (5) Subsection 76(5) of the regulations is amended by
 - (a) striking out “The amendment to the declaration and description required to create a phase” and substituting “A declaration and description required to create a phase in a proposed development or an amendment to a declaration and description to create a subsequent phase in an existing condominium corporation”;
 - (b) adding “all of the following are done:” immediately after “unless”;
 - (c) striking out “the amendment to” in clause (a);
 - (d) striking out “and” at the end of clause (a);
 - (e) striking out “, as determined by the municipality in which the land of the corporation is situated” in clause (b);
 - (f) striking out the period at the end of clause (b) and substituting a semicolon; and
 - (g) adding the following clause immediately after clause (b):
 - (c) the covenant binding the balance of the property reserved for future phases that is required under clause 12AA(1)(a) of the Act has been registered and proof of registration of the covenant has been provided to the Registrar.
- (6) The regulations are further amended by adding the following subsection immediately after subsection 76(5):

(5A) An amendment to a declaration and description required to create a subsequent phase in an existing condominium corporation shall not be registered unless all of the following requirements are met:

 - (a) more than 90 days have passed since the later of the following dates:
 - (i) the date of registration of the declaration and description that created the corporation,
 - (ii) the date of registration of the latest amendments to the declaration and description creating a phase;
 - (b) the amendment is registered no later than 10 years after the date of registration of the initial declaration and description that created the corporation, if the registration took place after the coming into force of this clause;
 - (c) the amendment complies with all other requirements in the Act and these regulations.
- (7) Subsection 76(6) of the regulations is amended by repealing clauses (a) and (b) [and] adding the following text from clause (a) immediately after “phase”: “all documents relating to the phase shall be given to the corporation.”.

- (8) The regulations are further amended by adding the following subsection immediately after subsection 76(6):
- (7) If a declarant for a phased-development condominium decides not to proceed with any subsequent phases, the declarant must provide notice in the prescribed form to all of the following:
- (a) the Registrar;
 - (b) the corporation;
 - (c) all of the owners in the registered phases.

- 60* (1) Subsection 77(2) of the regulations is amended by striking out “phased development” and substituting “phased-development condominium”.
- (2) Section 77 of the regulations is further amended by
- (a) striking out “The following classes of persons are qualified to prepare reserve-fund studies:” in subsection (4);
 - (b) repealing clause (4)(a);
 - (c) redesignating clause (b) as subsection (4); and
 - (d) adding “The only persons qualified to prepare reserve-fund studies are” immediately before “professional engineers”.
- (3) Subsection 77(5) of the regulations is amended by adding “and the declarant” immediately after “independent of the corporation”.

62* Section 78 of the regulations is amended by

- (a) striking out “A reserve-fund study shall consist of” and substituting “Subject to Section 78A, a reserve-fund study shall consist of all of the following:”;
- (b) adding “, covering a period of at least 20 years,” immediately after “reserve-fund study” in clause (a);
- (c) striking out the period at the end of clause (c) and substituting a semicolon; and
- (d) adding the following clause immediately after clause (c):
 - (d) for a reserve-fund study required under subsection 31(1DA) of the Act, a separate document attached to the cover that discloses any components that are anticipated to require repair or replacement within the first 10 years of the condominium corporation’s operation together with the anticipated cost of the repair or replacement for each component, in accordance with information contained in the reserve-fund status certificate.

63* The regulations are further amended by adding the following Sections immediately after Section 78:

- 78A** The reserve-fund study required under subsection 31(1DA) of the Act if fewer than 10 units are being created shall consist of the following:

- (a) a physical analysis in accordance with subsections 79(2), (3), (4) and (5);
- (b) a spreadsheet covering a minimum period of 10 years listing all of the following:
 - (i) each of the components of the common elements
 - (ii) the anticipated life spans of the components of the common elements,
 - (iii) the cost to repair or replace each of the components of the common elements
 - (iv) the estimated dates by which the components will require either repair or replacement,
 - (v) a total amount specified for each year that there are expenditures anticipated for the components of the common elements; and
- (c) a certification by the person preparing the study that they have conducted an analysis in accordance with clause (a) and that the information provided in the study is accurate.

78B (1) A reserve-fund study required under subsection 31(1DA) of the Act shall include, before registration of the declaration, an updated certification by the person who prepared the reserve-fund study that

- (a) outlines any deficiencies in the renovations contemplated in the reserve-fund study;
 - (b) provides a monetary value for completion of any deficiencies outlined under clause (a); and
 - (c) confirms that the information in the reserve-fund study is still accurate.
- (2)** The declarant must pay the value of any deficiencies outlined in the updated certification under subsection (1) into the reserve fund before the registration of the declaration.
- (3)** Payments paid into a reserve fund under subsection (2) must be held in trust until the management of the corporation is under the control of an elected board of directors.

64* Subsection 79(1) of the regulations is amended by

- (a) striking out “, maintenance and affordability” and substituting “and maintenance” in clause (a); and
- (b) adding “that does not project a negative balance for the fund at any time, and that is” immediately after “a funding plan” in clause (b).

65* (1) The heading to Section 80 is amended by striking out “update of the” and substituting “updates of”

(2) Section 80 of the regulations is further amended by

- (a) striking out “update” and substituting “updates”;
- (b) striking out “the following” and substituting “any changes in the following, but are required to include only the master reserve-fund spreadsheet and the funding scenarios and cashflow tables that are affected by the changes”.

66* Section 81 of the regulations is amended by

- (a) adding “all of the following” immediately after “shall provide”;
- (b) striking out “and” at the end of clause (c);
- (c) striking out the period at the end of clause (d) and substituting a semicolon; and
- (~~e~~)[(d)] adding the following clause immediately after clause (d):
 - (e) a certification by the person preparing the study that they have prepared the reserve-fund study in accordance with clause 78A(c) and that the information provided in the study is accurate.

67* The title to Part L of the regulations is amended by striking out “Arbitration Process” and substituting “Dispute Resolution Processes”.

68* (1) The regulations are further amended by adding the heading “Mediation and arbitration under Section 33A of the Act” immediately before Section 82.

(2) Section 82 of the regulations is further amended by

- (a) striking out “33” in subsection (1) and substituting “33A”;
- (b) striking out “33” in subsection (2) and substituting “33A”; and
- (c) striking out “Atlantic Provinces Arbitration and Mediation Institute (APAMI)” in clause (2)(a) and substituting “ADR Atlantic Institute”.

70* The regulations are further amended by adding the following Sections immediately after Section 82:

Applying for hearing under Section 33 of the Act

82A (1) The following persons are appointed to act as condominium dispute officers:

- (a) persons appointed as residential tenancies officers under Section 19 of the *Residential Tenancies Act*; and
 - (b) the Registrar of Condominiums.
- (2) A unit owner or a condominium corporation may make application for a hearing before a condominium dispute officer by submitting a completed application in Form 26 together with the prescribed application fee.
- (3) An applicant for a hearing under subsection (2) must serve the respondent with a copy of the application and any supporting documentation, in accordance with Section 82F, within 10 days from the date they submitted the application or within the time allowed for substituted service under Section 82F, and must return a copy of the sworn affidavit of service to the condominium dispute officer no later than 10 days after the date of service.
- (4) If the deadlines in subsection (3) are not met and the condominium dispute officer has not allowed for further time for attempting service in accordance with subsection (6), then the application is deemed to be withdrawn.

- (5) The respondent must provide their response, in writing, and any supporting documentation to the condominium dispute officer and to the applicant within 10 days of being served with the application, unless the condominium dispute officer allows for further time for response in accordance with subsection (6).
- (6) A condominium dispute officer may permit further time for attempting service or for providing a response to an application if the condominium dispute officer is satisfied that there has been no undue delay.

Hearings conducted under Section 33 of the Act

- 82B** (1) A condominium dispute officer may conduct a hearing of a dispute in writing or orally, including by telephone.
- (2) A condominium dispute officer must consider the evidence and submissions of the parties and provide a written order and reasons within a reasonable time frame.
 - (3) A condominium dispute officer may do any or all of the following in an order under subsection (2):
 - (a) direct a condominium corporation to perform any duty imposed on it by Section 18 of the Act, subsection 24(3) of the Act, Section 24A of the Act or subsection 26(9) of the Act, and set the date by which the duty must be performed;
 - (b) set reasonable fees that may be charged by a condominium corporation for providing a copy of a record;
 - (c) direct a condominium corporation to pay a unit owner an amount not exceeding \$500 for its non-compliance with any duty imposed on it by Section 18 of the Act, subsection 24(3) of the Act, Section 24A of the Act or subsection 26(9) of the Act;
 - (d) direct a unit owner to comply with a by-law made under clause 23(1)(b) or (c) of the Act or a rule made under subsection 24(3) of the Act;
 - (e) direct a unit owner [to] pay a condominium corporation an amount not exceeding \$500 for non-compliance with a by-law made under clause 23(1)(b) or (c) of the Act or a rule made under subsection 24(3) of the Act;
 - ~~(g)~~(f) direct that the prescribed application fee be apportioned between the applicant and the respondent, as the condominium dispute officer considers fair and just in the circumstances.
 - (4) An order of a condominium dispute officer may not be registered with the Court for the purposes of enforcement under subsection 33(2) of the Act if an appeal has been filed with the Registrar under Section 82D.

Condominium appeals officers

- 82C** (1) The Governor in Council may appoint persons to be known as condominium appeals officers to hear appeals of orders made by condominium dispute officers.
- (2) A condominium appeals officer must
 - (a) be a member in good standing of the ADR Atlantic Institute;

- (b) have demonstrated satisfactory arbitration and condominium experience; and
 - (c) attend related training provided by the Registrar.
- (3) A condominium appeals officer may charge a maximum fee of \$1000 per day or \$500 per half-day for hearing an appeal, plus a maximum fee of \$150 per hour for writing the decision.

Appealing a condominium dispute officer's order

- 82D (1)** An order of a condominium dispute officer may be appealed only on the basis of an error of law or jurisdiction and may not be conducted as a trial de novo.
- (2) An appellant may appeal by filing a completed notice of appeal in Form 27 with the Registrar together with the prescribed fee no later than 20 days after the date the original order is issued.
- (3) On receiving a notice of appeal in Form 27 in accordance with subsection (2), the Registrar must assign a condominium appeals officer to hear the appeal.
- (4) Unless the condominium appeals officer decides to apportion the fees payable for the appeal, the appellant must pay the fees charged by the condominium appeals officer for hearing the appeal and writing the decision.
- (5) An appellant must serve the respondent with a copy of the notice of appeal and any supporting documentation, in accordance with Section 82F, within 10 days from the date they submitted the notice of appeal to the Registrar or within the time allowed for substituted service under Section 82F, and must return a copy of the sworn affidavit of service to the condominium appeals officer no later than 10 days after the date of service.
- (6) If the deadlines in subsection (5) are not met and the condominium appeals officer has not allowed for further time for attempting service in accordance with subsection (8), then the appeal is deemed to be withdrawn.
- (7) The respondent must provide their response, in writing, and any supporting documentation to the condominium appeals officer and to the applicant within 10 days of being served with the notice of appeal, unless the condominium appeals officer allows for further time for response in accordance with subsection (8).
- (8) A condominium appeals officer may permit further time for attempting service or for providing a response to an appeal if the condominium appeals officer is satisfied that there has been no undue delay.

Appeals conducted under Section 33 of the Act

- 82E (1)** A condominium appeals officer may hold a hearing of an appeal in writing or orally, including by telephone.
- (2) A condominium appeals officer must consider the submissions of the parties and provide a written order and reasons no later than 30 days after the date the appeal hearing concludes.
- (3) A condominium appeals officer may do any of the following in an order under subsection (2):
- (a) confirm the decision of the condominium dispute officer, if no error of law or jurisdiction is found;

- (b) vary the decision of the condominium dispute officer, based on an error of law or jurisdiction, and make any order that the condominium dispute officer could have made;
 - (c) rescind the decision of the condominium dispute officer based on a finding that the condominium dispute officer lacked jurisdiction;
 - (d) apportion the fees charged for the appeal between the appellant and the respondent, as the condominium appeals officer considers fair and just in the circumstances.
- (4) An order of a condominium appeals officer, which confirms or varies the order of a condominium dispute officer, may be registered immediately upon issue under subsection 33(2) of the Act.

Service requirements for disputes and appeals under Section 33 of the Act

- 82F** (1) Except as provided in subsection (3), an application under Section 82A and a notice of appeal under Section 82D must be served on the respondents in the matter by personal service or by registered mail.
- (2) Proof of service may be as provided in Form 26 or Form 27, as applicable.
- (3) A person authorized to hear a dispute or an appeal under this Part may authorize substituted service if they are satisfied that reasonable efforts have been made to serve a respondent in accordance with subsection (1) and the efforts have been unsuccessful.
- (4) Substituted service under subsection (3) may be by any of the following methods:
- (a) providing a copy to the respondent by fax, e-mail or regular mail;
 - (b) leaving the documents at 1 of the following locations:
 - (i) at the respondent's residence,
 - (ii) if the respondent is a condominium corporation, at the residence of the president of the corporation's board of directors.

Landlord and tenant complaint resolution process under Sections 44C and 44D of the Act

- 82G** (1) A notice issued to an owner and a tenant under subsection 44C(1) of the Act must be in Form 25.
- (2) Service of a notice issued under subsection 44C(1) of the Act must be by the following methods:
- (a) for service on the tenant, by personally serving the tenant or leaving a copy of the notice at the tenant's unit;
 - (b) for service on the owner, by personally serving the owner or mailing the notice by regular mail to the owner's address in the records of the condominium corporation.
- (3) Service of a notice in accordance with subsection (2) is deemed to occur when the notice is
- (a) personally served;
 - (b) left at the unit; or

(c) sent by regular mail.

(4) For the purpose of subsection 44C(2) of the Act, the time period for remedying a breach is 15 days after both the owner and tenant have been served calculated from the latest date that the notice was served in accordance with subsections (2) and (3).

(5) A condominium corporation making an application under subsection 44D(1) of the Act is deemed to be the landlord, and the owner and tenant are both deemed to be the tenant and are entitled to receive notice and be parties to the proceedings.

71* (1) Section 1 of Schedule “B” of the regulations is redesignated as subsection 1(1) and amended by

(a) striking out “of” immediately after “per unit” in subclause (b)(ii) and substituting “in”;

(b) adding “subject to clause (gb),” immediately before “for acceptance” in clause (g);

(c) adding the following clauses immediately after clause (g):

(ga) subject to clause (gb), for acceptance for registration of amendments to the declaration, including examination of ballots - \$228.67;

(gb) for acceptance for registration of amendments to the declaration or the by-laws when the Registrar determines that a comprehensive review of the document is necessary, the applicable fees in clause (c) or (e) plus the applicable fees under clause (g) or (ga);

(d) repealing subclause (j)(i);

(e) striking out the period at the end of clause (j) and substituting a semicolon; and

(f) adding the following clauses immediately after clause (j):

(k) for the amalgamation of corporations, an additional fee of \$114.33 to examine the ballots;

(l) for acceptance for deregistration of a condominium corporation - 228.67;

(m) for filing an application for a hearing before a condominium dispute officer - \$114.33;

(n) for filing a notice of appeal with the Registrar to have a condominium appeals officer hear an appeal - \$57.16.

(2) Section 1 of Scheduled “B” to the regulations is further amended by adding the following subsection immediately after subsection (1):

(2) In this Section, “advertised sale price” means the sales price inclusive of HST.

(3) Schedule “B” to the regulations is further amended by

(a) striking out “to the Registrar of Deeds” in the heading to Section 2 and substituting “at a land registration office”;

(b) striking out “prescribed by the *Costs and Fees Act* are payable to the Registrar of Deeds” and substituting “are payable at a land registration office”; and

(c) redesignating subsection 2(1) as Section 2.

73* The regulations are further amended by repealing all the forms to the regulations and substituting Schedule "C" attached.

[*Note: Numbering of amending instructions is as in original.]

Schedule "C"
Forms

Form 1: Lawyer's Certificate to accompany Report on Title
(under Section 3 of the *Condominium Regulations*)

(Lawyer's Letterhead)

To the Registrar of Condominiums:

I have examined the attached report on title for the lands known as PID _____ ("the lands"), which was issued by the land registration office at _____ on today's date, and I am of opinion that (*name of declarant*) is the holder of the registered interest in the lands, subject to the encumbrances shown in the report on title.

After consultation with (*name of declarant*), I am not aware of the existence of any other claim to any interest in the lands.

OR

After consultation with (*name of declarant*), I am aware of the following claims to an interest in the lands:

(give particulars of claims)

Dated at _____, _____, 20____.

(signature of lawyer)

(printed name of lawyer)

Form 2: Surveyor's Certificate to accompany Report on Title
(under Section 4 of the *Condominium Regulations*)

I certify that

The description of the lands included in the report on title for the lands known as PID _____ issued by the land registration office at _____ on _____, accurately reflects the results of the survey conducted by me on _____, which is shown on the attached plan of survey prepared by me in accordance with the *Condominium Act* and regulations.

Dated at _____, _____, 20__.

(signature of surveyor)

(printed name of surveyor)
Nova Scotia Land Surveyor

Form 3: Notice to Registrar of Initial Board of Directors
(under clause 14(b)(1) of the *Condominium Act*)

To the Registrar of Condominiums:

I/We, (*name of declarant*), confirm that the following persons have been appointed to be the initial board of directors for the _____ County Condominium Corporation No. _____.

(*name and address of each director*)

Dated at _____, _____, 20__.

(signature of declarant or authorized officer)

(printed name and office)

Form 4: Surveyor's Certificate for Use on All Plans
(under clause 21(1)(c) of the *Condominium Regulations*)

I certify that

- this plan accurately shows the manner in which the land located in the plan has been surveyed by me
- this plan and survey are correct and have been made in accordance with the *Condominium Act* and the regulations made under the Act
- the survey was completed on _____, 20__.

Dated at _____, _____, 20__.

(signature of surveyor)

(printed name of surveyor)
Nova Scotia Land Surveyor

Form 5: Surveyor's Certificate for Use When Unit is Defined by Reference to Building
(under clause 21(1)(d) of the *Condominium Regulations*)

I certify that the building(s) shown on this plan is/are in existence and that the units designated on this plan substantially represent the units within the structure(s).

Dated at _____, _____, 20__.

(signature of surveyor)

(printed name of surveyor)
Nova Scotia Land Surveyor

Form 6: Certificate of Owners

(under clause 21(1)(g) of the *Condominium Regulations*)

I/We certify that the property included in this plan has been laid out into units and common elements in accordance with my/our instructions.

Dated at _____, _____, 20____.

(signature of owner)

(printed name of owner)

Form 7: Notice of Expropriation

(under subsections 39(1) to (3) of the *Condominium Act*)

To the Registrar of Condominiums:

_____ County Condominium Corporation No. _____ provides notice that the following parts of the condominium have been expropriated in accordance with the attached expropriation order, issued by _____ on _____ (date)

(check one):

- all of the property of the condominium corporation
- part of the common elements
- one or more units, but less than the whole property

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on _____, 20____.

Signed, sealed and delivered)
in the presence of)

_____) _____ County Condominium Corporation No. _____

) By _____
) By _____

(affidavit of execution)

Form 8: Dedication by the Board of Additional Land to Common Elements
(under Section 46 of the *Condominium Regulations*)

The Board of the _____ Condominium Corporation No. _____ dedicates the land described in a deed from _____ to the _____ Condominium Corporation No. _____ dated _____, as an addition to the common elements of the Condominium administered by the Corporation.

The declaration and description of the dedicated land are registered in the land registration office at _____ as Documents _____.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on _____, 20__.

Signed, sealed and delivered)
in the presence of)
_____) _____ County Condominium Corporation No. _____
) By _____
) By _____
(affidavit of execution)

Form 9: Appointment of Agent for Condominium Corporation
(under subsection 6(4) of the *Condominium Act*)

_____ Condominium Corporation No. _____ appoints _____ of _____ in the County of _____, Province of Nova Scotia, as its recognized agent resident within Nova Scotia.

Service of any writ, summons, process, notice or other document on this recognized agent is deemed to be sufficient service upon the Corporation.

The recognized agent’s contact information is as follows:

civic address: _____
mailing address: _____
e-mail address: _____
phone number: _____

This appointment remains in force until the Corporation files a notice in writing with the Registrar of Joint Stock Companies at Halifax that the appointment is revoked.

Dated at _____, _____, 20__.

_____ Condominium Corporation No. _____
By _____
(to be signed by the declarant if first appointment or by an officer of the Corporation for any other appointment)

**Form 10: Notice of Termination of Condominium Corporation
Following Substantial Damage**
(under Section 36 of the *Condominium Act*)

_____ County Condominium Corporation No. _____ gives notice under Section 36 of the *Condominium Act*, terminating government of the property by the *Condominium Act*.

This notice is given in respect of the property included in the Condominium administered by the Corporation, the declaration and description of which are registered in the land registration office at _____ as Documents _____.

Once this notice of termination is accepted for registration by the Registrar of Condominiums, Section 42 of the *Condominium Act* applies.

Confirmation of damage and vote not to repair

The Corporation confirms that:

- on _____ (*date*), the board of directors of the Corporation determined that substantial damage to 25% (*or the greater percentage specified in the declaration*) of the value of the building occurred on _____ (*date*)
- by a vote held on _____ (*date*), the owners who at that time owned 80% of the common elements did not vote to repair the damage.

Confirmation of whether registered under *Land Registration Act*

The Corporation confirms that (*check one*):

- all of the units in the condominium corporation have been registered under the *Land Registration Act*
OR
 none of the units in the condominium corporation are currently registered under the *Land Registration Act*

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on _____, 20____.

Signed, sealed and delivered)
 in the presence of)
 _____) _____ County Condominium Corporation No. _____
) By _____
) By _____

 (*affidavit of execution*)

Form 11: Notice of Termination under Section 41 of the Act
Condominium Act

We, _____ County Condominium Corporation No. _____ and the undersigned, who are

- all the members of the Corporation, and
- all the persons having registered claims against the property created after the acceptance for registration of the declaration and description,

give notice under subsection 41(2) of the *Condominium Act*, terminating government of the property by the Act.

This notice is given in respect of the property included in the Condominium administered by the Corporation, the declaration and description of which are registered in the land registration office at _____ as Documents _____.

Once this notice of termination is accepted for registration by the Registrar of Condominiums, Section 42 of the *Condominium Act* applies.

Confirmation of vote

The Corporation confirms that by a vote on _____ (*date*), the owners who at that time owned 100% of the common elements of the Corporation authorized the termination of the government by the *Condominium Act* of the property included in the Condominium administered by the Corporation.

Confirmation of consent

The Corporation confirms that all of the following have signed the notice indicating their consent:

- all spouses of members whose consent to the disposition is required under Section 8 of the *Matrimonial Property Act*, as indicated in the attached matrimonial status affidavits for each member
- all persons having registered claims against the property that were created after the acceptance for registration of the declaration and description

A supplementary report on title is attached, as required by subsection 41(2) of the *Condominium Act*.

Confirmation of whether registered under *Land Registration Act*

The Corporation further confirms that:

- all of the units in the condominium corporation have been registered under the *Land Registration Act*
- OR
- none of the units in the condominium corporation are currently registered under the *Land Registration Act*

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation at _____, _____, 20____.

Signed, sealed and delivered)
 in the presence of) _____
 _____) _____ County Condominium Corporation No. _____
 (witness)) By _____
) By _____

Owners

(witness)

*(signature of individual)**(printed name of individual (as registered))*

Re: Unit no. ____ Level no. ____

- matrimonial status affidavit attached indicating no spouse is required to consent

OR

- matrimonial status affidavit attached indicating name of spouse whose consent is required

*(signature of member's spouse)**(printed name of spouse)*

(corporate seal)

*(signatures of officers of corporate owner)**(printed name of corporate owner)*

Re: Unit no. ____ Level no. ____

- matrimonial status affidavit attached indicating no spouse is required to consent

OR

- matrimonial status affidavit attached indicating name of spouse whose consent is required

(witness)

*(signature of member's spouse)**(printed name of spouse)***Registered Claimants**

(witness)

*(signature of individual)**(printed name of individual (as registered))*

Re: Unit no. ____ Level no. ____

(or 'Re: All units and common elements')

(corporate seal)

*(signatures of officers of corporate claimant)**(printed name of corporate owner)*

Re: Unit no. ____ Level no. ____

(or Re: All units and common elements)

Form 12: Partial Discharge of Judgment
(under Section 20 of the *Condominium Act*)
- (Title of Action) -

Re: _____ County Condominium Corporation No. _____
_____ (name of owner(s))
Unit no. ____ Level no. ____

The plaintiff obtained a judgment in this action against _____ County
Condominium Corporation No. _____.

The plaintiff has received payment of \$_____, which is the proportionate part of the judgment that
_____ (name of owner(s)) is/are responsible for under the *Condominium Act* and the
declaration of _____ County Condominium Corporation No. _____.

The plaintiff therefore discharges and releases _____ (name of owner(s)) absolutely
from the judgment, in accordance with subsection 20(2) of the *Condominium Act*.

Dated at _____, _____, 20__.

(signature of plaintiff)

(printed name of plaintiff)

(affidavit of execution)

Form 13: Notice of Condominium Corporation Lien
(under subsections 31(6) and (7B) of the *Condominium Act*)

_____ County Condominium Corporation No. _____ gives notice under subsection
31(7B) of the *Condominium Act*, that the Corporation has a lien against Unit no. ____ Level no. ____ of the
Condominium administered by it and the common interests appurtenant to the unit, owned by _____
_____ (full names of owners, as appear on the conveyance to them).

The lien is for the amount of \$_____, which is the amount the owner(s) are in default in his/her/their
obligation to contribute towards the common expenses.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on
_____, 20__.

Signed, sealed and delivered)
in the presence of)
_____) _____ County Condominium Corporation No. _____
) By _____
) By _____
(affidavit of execution)

Form 14: Discharge of Condominium Corporation Lien
(under subsection 31(10) of the *Condominium Act*)

_____ County Condominium Corporation No. _____ discharges Unit no. ____ Level no. ____
of the Condominium administered by it from the lien registered at the land registration office at _____
as Document number _____.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on
_____, 20__.

Signed, sealed and delivered)
in the presence of)
_____) _____ County Condominium Corporation No. _____
) By _____
) By _____
(affidavit of execution)

Form 15: Certificate of Corporation about Corporation By-laws
(under Section 67 of the *Condominium Regulations*)

To the Registrar of Condominiums:

_____ County Condominium Corporation No. _____ certifies that:

- 1) the attached by-law(s) was/were made by the members of the Corporation at a meeting held on _____, 20__ for that purpose
- 2) members of the Corporation who own at least 60% of the common elements voted in favour of the attached by-law(s)
- 3) the attached by-law(s) was/were made in accordance with the Act, the declaration and the by-laws of the Corporation.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on
_____, 20__.

_____ County Condominium Corporation No. _____
By _____
By _____

Form 15A: Declarant's Certificate about Corporation By-laws
(under Section 67 of the *Condominium Regulations*)

To the Registrar of Condominiums

_____, as the declarant of _____ County Condominium Corporation No. _____, requests that the attached by-laws be accepted for registration as the by-laws of the Corporation.

The Declarant certifies that the by-laws were made in accordance with the *Condominium Act* and the Corporation's declaration.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on _____, 20__.

Declarant
By _____
(signature)

(printed name)

Form 16: Certificate about Owners' Consent to Consolidation of Units
(under Section 72A of the *Condominium Regulations*)

To the Registrar of Condominiums:

_____ County Condominium Corporation No. _____ certifies that

- 1) the consolidation of unit numbers _____ was voted on by the members of the Corporation at a meeting held on _____ (*date*) for that purpose
- 2) members owning at least 66 2/3% of the common elements voted in favour of the consolidation
- 3) the agreement for consolidation of the units was completed in accordance with the *Condominium Act* and regulations

Attached is a diagram of the consolidated units duly completed by an architect.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on _____, 20__.

(*seal of corporation*) _____ County Condominium Corporation No. _____
By _____
By _____

Form 17: Certificate of Consolidation
(under subsection 14(5) of the *Condominium Act*)

This is to certify that the application to consolidate unit numbers _____ in _____ County Condominium Corporation No. _____ was accepted for registration effective on and after _____ (date).

Date: _____

Registrar/Deputy Registrar of Condominiums

Form 18: Consent to Amalgamate Condominium Corporations
(under clause 54A(b) of the *Condominium Regulations*)

To the Registrar of Condominiums:

_____ County Condominium Corporation No. _____ certifies that

- 1) at a meeting held on _____ (date) for this purpose, members of the _____ County Condominium Corporation No. _____ voted on whether to amalgamate:
 _____ County Condominium Corporation No. _____
 and
 _____ County Condominium Corporation No. _____
- 2) members owning at least 80% of the units of _____ County Condominium Corporation No. _____ voted in favour of approving the declaration and description of the amalgamated corporation.

Witness the seal of the Corporation duly affixed by the authorized officers of the Corporation on _____, 20__.

_____ County Condominium Corporation No. _____
(seal of corporation) By _____
By _____

Form 19: Registrar’s Notice For Documentation
(under subsection 45A(2) of the *Condominium Act*)

By this notice, the Registrar of Condominiums requires _____ County Condominium Corporation No. _____ to provide the document(s) checked off below within 10 days of the date of this notice:

- an annual financial statements for the period ending _____, in accordance with Section 24A of the *Condominium Act*
- a reserve-fund study, in accordance with Section 31 of the *Condominium Act*

If the document(s) is/are not provided as required, the Registrar of Condominiums will levy a penalty payable by the Corporation in an amount of \$1000.00 to \$10 000.00, in accordance with the fees set out in Part M of the *Condominium Regulations*.

Date: _____

Registrar/Deputy Registrar of Condominiums

Form 20: Certificate of Architect
(under clause 12(1)(e) of the *Condominium Act*)

To the Registrar of Condominiums:

I certify that the building(s) as shown on the architectural plans for _____ County Condominium Corporation No. _____ have been constructed substantially in accordance with the architectural plans.

Date: _____

_____ (signature of architect)

_____ (printed name of architect)

Form 21: Certificate of Engineer
(under clause 12(1)(e) of the *Condominium Act*)

To the Registrar of Condominiums:

I certify that the building(s) as shown on the structural plans for _____ County Condominium Corporation No. _____ have been constructed substantially in accordance with the structural plans.

Date: _____

_____ (signature of engineer)

_____ (printed name of engineer)

Form 22: Consent to Amend Description
(under subsection 12(3) of the *Condominium Act*)

To the Registrar of Condominiums:

_____ County Condominium Corporation No. _____ certifies that

- 1) the attached amendment to the description was voted on by the members of the Corporation at a meeting held on _____ (date), for that purpose
- 2) members of the Corporation who own at least 80% of the common elements voted in favour of the attached amendment.

Witness the Seal of the Corporation duly affixed by the authorized officers of the Corporation, on _____, 20__.

(seal of corporation)

_____ County Condominium Corporation No. _____

By _____

By _____

Form 23: Notice of Intention to Submit Dispute to Arbitration
(under subsection 33A(2) of the *Condominium Act*)

To the Registrar of Condominiums:

The applicant requests that an arbitrator be appointed to conduct an arbitration proceeding between the following with respect to an issue pertaining to _____ County Condominium Corporation No. _____:

Applicant:

name: _____
address: _____
_____ phone number: _____

Representative (*if any*)

name: _____
address: _____
_____ phone number: _____

Respondent:

name: _____
address: _____
_____ phone number: _____

Representative (*if any*)

name: _____
address: _____
_____ phone number: _____

A brief description of the issue is as follows:

Date: _____

(signature of applicant)

(printed name of applicant)

cc: (*respondent and any representative of the respondent*)

Form 24: Notice of Decision Not to Proceed with Subsequent Phases
(under subsection 76(7) of the *Condominium Regulations*)

To: The Registrar of Condominiums

And to: The unit owners and Board of Directors of _____ County Condominium Corporation No. ____

This is notice under subsection 76(7) of the *Condominium Regulations*, that I/we, _____
(*name of declarant(s)*) have decided not to proceed with proposed phases _____ (*particulars*)
of _____ County Condominium Corporation No. _____.

Dated at _____, _____, 20__.

(signature of declarant
or authorized officer of declarant)

**Form 25: Notice of Breach of Condominium Corporation’s Declaration,
By-laws, or Common-Element Rules**
(Section 44C of the *Condominium Act*)

To: _____, owner of Unit _____ in _____ County Condominium Corporation No. ____

And to: _____, tenant of _____ (*owner*), in Unit _____ in
_____ County Condominium Corporation No. _____

The Board of Directors of _____ County Condominium Corporation No. _____ has determined
that _____, the tenant of Unit _____ is in breach of the Condominium Corporation’s

- declaration
- by-laws
- common-element rules

In particular, (*set out particulars of breach*)

You have **15 days** to resolve this matter to the satisfaction of the Board of Directors. If you do not do so, the Board may apply to the Director of Residential Tenancies for an order evicting _____ (*name of tenant*) from Unit _____, in accordance with Section 13 of the *Residential Tenancies Act* and Section 44 D of the *Condominium Act*.

You are directed to contact the undersigned, who is the Board’s representative in this matter.

Name
Position
Contact Information

Affidavit of Service

I, _____ (name), of _____ (civic address), make oath/affirm that I served _____ (name of person served) on _____ (date) with a true copy of the attached notice by _____ (details of service – may be served on tenant by personal service or by leaving at unit; may be served on owner by personal service or by regular mail).

Sworn to/Affirmed at _____) _____ (signature)
 _____) _____ (printed name)
 on _____ (date), before _____)
 _____)
 Commissioner of the Supreme Court of Nova Scotia)

Form 26:
Application to Condominium Dispute Officer to Hear Dispute
Between Condominium Corporation and Unit Owner
 (under Section 33 of the *Condominium Act* and Section 82A of the *Condominium Regulations*)

File No. _____

Important dates for applicant:	
Date of application: <i>(date application is submitted)</i>	
Deadline for delivering application and supporting documents to respondent: <i>(10 days after date of application)</i>	
Deadline for returning affidavit of service to condominium dispute officer:	10 days after application delivered to respondent
Hearing date: <i>(if necessary)</i>	

Applicant and respondent contact information:	
<input type="checkbox"/> Applicant <input type="checkbox"/> Respondent	_____ County Condominium Corporation No. _____ contact person: address: phone number: e-mail address:
<input type="checkbox"/> Applicant <input type="checkbox"/> Respondent	Name: _____, owner of Unit No. _____ _____ in _____ County Condominium Corporation No. _____ address: phone number: e-mail address:

Hearing location:

(to be filled in by Service Nova Scotia and Municipal Relations)

To the respondent:

Take notice that the applicant has applied to have a condominium dispute officer hear a dispute between you and the applicant. The details about the dispute are set out in this application and in the attached information. If you want to respond to the application, you must send the condominium dispute officer a written response and deliver it to the hearing location no later than 10 days after the date you received this application, and give a copy of your response to the applicant. If you do not respond, an order can be made without your input.

Information on the powers of the condominium dispute officer are set out in this application. For further information on the process, please contact Service Nova Scotia and Municipal Relations at:

(contact information for Department)

Application details:

The Applicant asks the condominium dispute officer to hear a dispute regarding *(check applicable box)*

- a breach of the by-laws about use of the common elements and/or units
- the condominium corporation failing to provide records of the corporation as required
- enforcement of the condominium corporation's rules about use of common elements

In particular, *(Set out details of dispute. Use a separate piece of paper if necessary.)*

Supporting documentation *(list below and attach copies)*

Powers of the condominium dispute officer:

A condominium dispute officer can hear certain disputes between a condominium corporation and a unit owner.

A condominium dispute officer may decide the dispute based on the written submissions of the parties without holding an oral hearing.

A condominium dispute officer has the power to make an order, and may do any of the following in the order:

- direct a condominium corporation to perform any of its duties under the *Condominium Act*, including maintaining and providing copies of corporate and financial records and enforcing condominium rules
- direct a condominium corporation to pay a fine for non-compliance
- set the fees that can be charged by a corporation for providing records
- direct a unit owner to comply with a by-law or rule and pay a fine for non-compliance
- split the application fee between the applicant and respondent

A condominium dispute officer's order can be made into an order of the Supreme Court of Nova Scotia and enforced as an order of the court.

(See Section 33 of the Condominium Act and Sections 82A and 82B of the Condominium Regulations)

Affidavit of Service:

I, _____ (name), of _____ (civic address), make oath/affirm that I served _____ (name of person served) on _____ (date) with a true copy of the attached application and the supporting documentation by _____ (details of personal service or registered mail).

Sworn to/Affirmed at _____) _____ (signature)
 _____) _____ (printed name)
 on _____ (date), before _____)
 _____)
 Commissioner of the Supreme Court of Nova Scotia)

Form 27:
Notice of Appeal of Decision of Condominium Dispute Officer
 (under Section 33 of the *Condominium Act* and Section 82D of the *Condominium Regulations*)

File No. _____

Important dates for applicant:	
Decision of condominium dispute officer (date and file number):	
Date appeal filed: (date notice of appeal is submitted)	
Deadline for delivering notice of appeal and supporting documents to respondent: (10 days after date appeal filed)	
Deadline for returning affidavit of service to condominium appeals officer:	10 days after notice of appeal delivered to respondent
Hearing date: (if necessary)	

Appellant and respondent contact information:	
<input type="checkbox"/> Appellant <input type="checkbox"/> Respondent	_____ County Condominium Corporation No. _____ contact person: address: phone number: e-mail address:
<input type="checkbox"/> Appellant <input type="checkbox"/> Respondent	Name: _____, owner of Unit No. _____ in _____ County Condominium Corporation No. _____ address: phone number: e-mail address:

Hearing location:

(to be filled in by Service Nova Scotia and Municipal Relations)

To the respondent:

Take notice that the appellant is appealing the attached decision of the condominium dispute officer. The applicant's reasons for appealing are set out in this notice and in the attached information. If you want to respond to the appeal, you must send the condominium appeals officer a written response and deliver it to the hearing location no later than 10 days after the date you receive this notice, and give a copy of your response to the appellant. If you do not respond, an order can be made without your input.

Information on the powers of the condominium appeals officer are listed on this notice. For further information on the process, please contact Service Nova Scotia and Municipal Relations at:

(contact information for Department)

Reasons for the appeal:

The appellant says that the decision of the condominium dispute officer must be varied or rescinded because the condominium dispute officer made an error of (check any applicable box)

- jurisdiction
 law

In particular, (Set out details of reasons for appeal. Use a separate piece of paper if necessary.)

Supporting documentation (list below and attach copies)

(You must include copies of documentation filed in the application, including application and attachments, response, and decision of condominium dispute officer)

Powers of the condominium appeals officer

A condominium appeals officer can hear appeals of condominium dispute officers' decisions on disputes between a condominium corporation and a unit owner.

A condominium appeals officer may decide an appeal based on the written submissions of the parties without holding an oral hearing. A condominium appeals officer cannot hear the entire dispute again and can only hear appeals of decisions on the basis of an error of law or jurisdiction.

A condominium appeals officer has the power to make an order, and may do any of the following in the order:

- confirm the condominium dispute officer's decision, if no error of law or jurisdiction is found
- vary the condominium dispute officer's decision, based on an error of law or jurisdiction, and make any order that the condominium dispute officer could have made

- rescind the condominium dispute officer’s decision, if an error of jurisdiction is found
- split the fees charged for the appeal between the appellant and respondent (maximum fees are \$1000/day for the hearing and \$150/hour for writing the decision)

A condominium appeals officer’s order can be made an order of the Supreme Court of Nova Scotia and enforced as an order of the court.

(See Section 33 of the *Condominium Act* and Sections 82D and 82E of the *Condominium Regulations*)

Affidavit of Service:

I, _____ (name), of _____ (civic address), make oath/affirm that I served _____ (name of person served) on _____ (date) with a true copy of the attached Notice of Appeal and the supporting documentation by _____ (details of personal service or registered mail).

Sworn to/Affirmed at _____) _____ (signature)
 _____) _____ (printed name)
 on _____ (date), before _____)
 _____)
 Commissioner of the Supreme Court of Nova Scotia)
 Scotia)

**Form 28:
 Notice of Proposed Condominium Rule Change by Board of Directors**
 (under subsection 24(1B) of the *Condominium Act*)

To: _____, owner of Unit _____ in _____ County Condominium Corporation No. _____

The Board of Directors of _____ County Condominium Corporation No. _____ gives you notice that it is proposing to change the rules of the Condominium Corporation, by (choose all applicable boxes):

- creating a new rule
- amending an existing rule
- repealing an existing rule

In particular, (set out rule change)

Take notice that if you do not agree with the proposed rule change, you have until (fill in date – 15 days from date that the notice is sent by regular mail) to return the attached notice of objection to the Board by delivering it to the Board’s representative at the address set out on this form.

Under the provisions of the *Condominium Act*, the rule change takes effect immediately if the Board does not receive any notice of objection by the deadline stated above, and remains in effect until it is ratified by a majority of members present at the next general meeting of the condominium corporation members.

If you have any questions about the proposed rule change, contact the following, who is the Board’s representative in this matter:

(signature)

(name)
(position)
(contact information)

Notice of objection

I, _____, owner of Unit _____ give notice that I object to the proposed rule change.

(signature of owner)

N.S. Reg. 231/2011

Made: July 5, 2011

Filed: July 6, 2011

Proclamation, S. 2, S.N.S. 2010, c. 21

Order in Council 2011-254 dated July 5, 2011
Proclamation made by the Governor in Council
pursuant to Section 2 of
An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 31, 2011, and pursuant to Section 2 of Chapter 21 of the Acts of 2010, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, is pleased to order and declare by proclamation that Chapter 21 of the Acts of 2010, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before July 5, 2011.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 2 of Chapter 21 of the Acts of 2010, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle 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 21 of the Acts of 2010, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before July 5, 2011;

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 21 of the Acts of 2010, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before July 5, 2011, 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 Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 5th day of July in the year of Our Lord two thousand and eleven and in the sixtieth year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 232/2011

Made: May 31, 2011

Approved: July 5, 2011

Filed: July 6, 2011

Weights and Dimensions of Vehicles Regulations

Order in Council 2011-255 dated July 5, 2011

Amendment to regulations made by the Minister of Transportation and Infrastructure Renewal and approved by the Governor in Council pursuant to subsection 191(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 31, 2011, and pursuant to subsection 191(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve amendments made by the Minister of Transportation and Infrastructure Renewal to the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, to change certain weight and dimension limits of vehicles and the highways on which such vehicles may operate, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 5, 2011.

Schedule "A"**In the Matter of Subsection 191(1) of Chapter 193 of the Revised Statutes
of Nova Scotia, 1989, the *Motor Vehicle Act*****- and -****In the Matter of an Amendment to the
*Weights and Dimensions of Vehicles Regulations*****Order**

I, Bill Estabrooks, Minister of Transportation and Infrastructure Renewal for the Province of Nova Scotia, pursuant to subsection 191(1) of Chapter 193 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, to change the weight and dimension limits of certain vehicles and classes of highways on which such vehicles can operate, in the manner set out in the attached, effective on and after its approval by the Governor in Council.

Dated and made at Halifax Regional Municipality, Nova Scotia, on May 31, 2011.

Sgd.: *Bill Estabrooks*

Bill Estabrooks

Minister of Transportation and Infrastructure Renewal

**Amendment to the *Weights and Dimensions of Vehicles Regulations* made by
the Minister of Transportation and Infrastructure Renewal
under subsection 191(1) of Chapter 293
of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

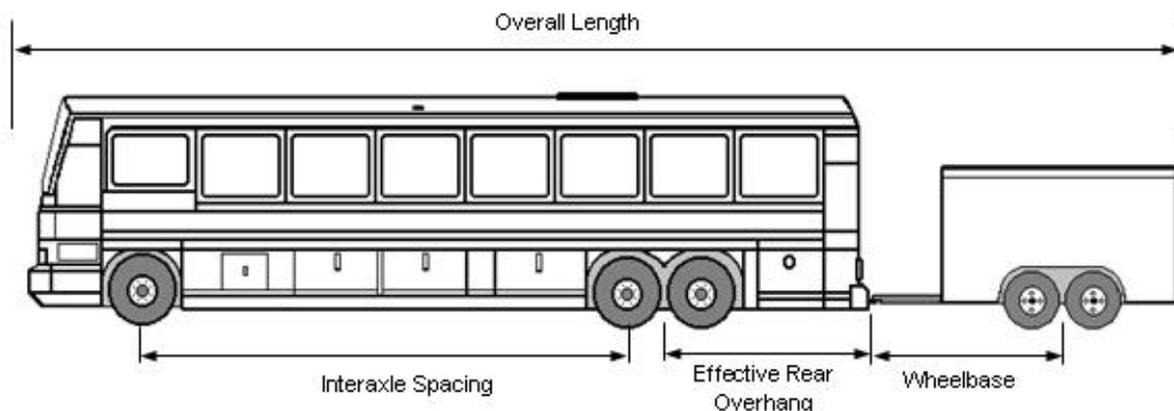
- 1 Paragraph 5(1)(c)(iii)(D) of the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, is amended by adding "to the *Road List Regulations* made under the Act" immediately after "Schedule C".
- 2 (1) Section 7 of the regulations is amended by repealing subsection (2A) and substituting the following subsection:
 - (2A) Subsection (2) does not apply to a pony trailer, model year 2002 and earlier, if the weight of the axle group of the pony trailer does not exceed the maximum weight limits set out in Schedule A-2.
- (2) Subsection 7(2B) of the regulations is amended by repealing clause (a) and substituting the following clause:
 - (a) the weight of the axle group of the semi-trailer does not exceed the maximum weight limits set out in Schedule A-3; or
- 3 (1) Clause 9(1)(a) of the regulations is amended by adding "to the *Road List Regulations* made under the Act" immediately after "Schedule C".

- (2) Clause 9(1)(b) of the regulations is amended by adding “to the *Road List Regulations* made under the Act” immediately after “Schedule D”.
- (3) Clause 9(1)(ba) of the regulations is amended by adding “to the *Road List Regulations* made under the Act” immediately after “Schedule B”.
- 4 Section 2 of Category 1: Tractor Semi-trailer of Part 2 of Schedule A to the regulations is amended by striking out “Schedule A-4” in footnote 18 and substituting “Schedule A-3”.
- 5 Section 2 of Category 3: B Train Double of Part 2 of Schedule A to the regulations is amended by
 - (a) striking out superscript “7” immediately after “Not Allowed” in the right-hand column of the table in the row beginning “Intermediate Weight Roads” and substituting superscript “2”;
 - (b) renumbering footnote 7 as footnote 2; and
 - (c) adding “to the *Road List Regulations* made under the Act” immediately after “Schedule B” in footnote 2.
- 6 Section 1 of Category 6: Truck–Pony Trailer Combination of Part 2 of Schedule A to the regulations is amended by
 - (a) striking out “2.5 m²” in the right-hand column of the table in the row beginning “Tridem axle spread” and substituting “3.7 m”; and
 - (b) repealing footnote 2.
- 7 Section 2 of Category 6: Truck–Pony Trailer Combination of Part 2 of Schedule A to the regulations is amended by
 - (a) striking out “2.5 m³” in the left-hand column of the table in the row beginning “Axle spread 2.4 m - 2.5 m³” and substituting “3.7 m”;
 - (b) striking out superscript “4” immediately after “Maximum 21 000 kg” in the right-hand column of the table in the row beginning “Axle spread 2.4 m - 3.7 m” and substituting superscript “2”;
 - (c) striking out “41 500 kg” in the right-hand column of the table in the row beginning “Five axles” under the subheading “Intermediate Weight Roads” and substituting “44 000 kg”;
 - (d) striking out “41 500 kg” in the right-hand column of the table in the row beginning “Six axles” under the subheading “Intermediate Weight Roads” and substituting “47 000 kg”;
 - (e) repealing footnote 2 and substituting the following footnote:
 - 2** The maximum axle weights of 2-axle and 3-axle pony trailers that are model year 2002 and earlier with a wheelbase less than 6.25 m are as set out in Schedule A-2.
 - (f) repealing footnote 3; and
 - (g) repealing footnote 4.
- 8 Section 1 of Category 7: Tandem Steering Axle Truck–Pony Trailer Combination of Part 2 of Schedule A to the regulations is amended by

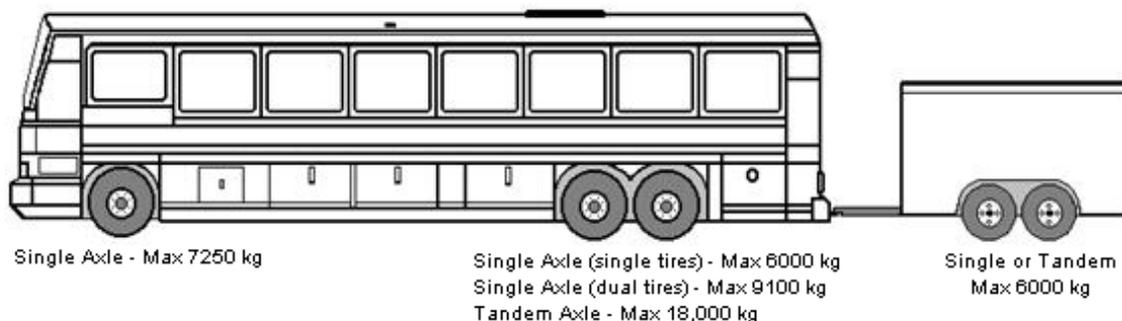
- (a) striking out “2.5 m²” in the right-hand column of the table in the row beginning “Tridem axle spread” and substituting “3.7 m”; and
- (b) repealing footnote 2.
- 9 Section 2 of Category 7: Tandem Steering Axle Truck–Pony Trailer Combination of Part 2 of Schedule A to the regulations is amended by
- (a) striking out “2.5 m²” in the left-hand column of the table in the row beginning “Tridem Axle: spread 2.4 m to 2.5 m²” and substituting “3.7 m”;
- (b) striking out superscript “3” immediately after “Maximum 21 000 kg” in the right-hand column of the table in the row beginning “Tridem Axle: spread 2.4 m to 3.7 m” and substituting superscript “1”;
- (c) striking out “41 500 kg” in the right-hand column of the table in the row beginning “Five axles” under the subheading “Intermediate Weight Roads” and substituting “43 100 kg”;
- (d) striking out “41 500 kg” in the right-hand column of the table in the row beginning “Six axles” under the subheading “Intermediate Weight Roads” and substituting “47 500 kg”;
- (e) striking out “41 500 kg” in the right-hand column of the table in the row beginning “Seven axles” under the subheading “Intermediate Weight Roads” and substituting “47 500 kg”;
- (f) repealing footnote 1 and substituting the following footnote:
- 1** The maximum axle weights of 2-axle and 3-axle pony trailers that are model 2002 and earlier with a wheelbase less than 6.25 m are as set out in Schedule A-2.
- (g) repealing footnote 2; and
- (h) repealing footnote 3.
- 10 Part 2 of Schedule “A” to the regulations is amended by adding the following after Category 10:

Category 10A: Intercity Bus and Recreational Vehicles with Pony Trailer

Section 1 - Dimension Limits



DIMENSION	LIMIT
Overall Length	Maximum 20.0 m
Overall Width	Maximum 2.6 m
Overall Height	Maximum 4.15 m
Intercity Bus	
Length	Maximum 14.0 m
Wheelbase	Not Controlled
Tandem axle spread	Minimum 1.2 m/Maximum 1.85 m
Effective rear overhang	Maximum 4.0 m
Axle Requirements	
Overall length 12.5 m or less	Not Controlled
Overall length greater than 12.5 m	Minimum 3 axles
Trailer	
Wheelbase	Minimum 3.84 m

Category 10A: Intercity Bus and Recreational Vehicles with Pony Trailer
Section 2 - Weight Limits


WEIGHT	LIMIT
Axle Weight Limits:	
Steering axle	Maximum 7250 kg ¹
Single axle (dual tires)	Maximum 9100 kg ²
Single axle (single tires)	Maximum 6000 kg ²
Tandem axle (dual tires on both axles)	Maximum 18 000 kg ²
Trailer axle(s) (single or tandem axle, 2 or 4 tires on each axle)	Maximum 6000 kg
Gross Vehicle Weight Limits	
Maximum Weight Roads	
Two axle bus (4 tires) + pony trailer	Maximum 19 250 kg
Two axle bus (6 tires) + pony trailer	Maximum 22 350 kg
Three axle bus (8 tires) + pony trailer	Maximum 26 900 kg
Three axle bus (10 tires) + pony trailer	Maximum 31 250 kg

Intermediate Weight Roads	
Two axle bus (4 tires) + pony trailer	Maximum 19 250 kg
Two axle bus (6 tires) + pony trailer	Maximum 22 350 kg
Three axle bus (8 tires) + pony trailer	Maximum 26 900 kg
Three axle bus (10 tires) + pony trailer	Maximum 31 250 kg
All Other Highways	
Two axle bus (4 tires) + pony trailer	Maximum 19 250 kg
Two axle bus (6 tires) + pony trailer	Maximum 22 350 kg
Three axle bus (8 tires) + pony trailer	Maximum 26 900 kg
Three axle bus (10 tires) + pony trailer	Maximum 31 250 kg

- 1 The maximum steering axle weight can be as high as 9100 kg if the load-carrying capacity of the axle, tires, and all other components is not exceeded, and the tire loading does not exceed 10 kg/mm of width; however, the maximum gross vehicle weight limit will be based on a steering axle weight of 7250 kg.
 - 2 When there is more than one axle at the rear of the bus, the load carried by the group must be distributed between axles in a ratio corresponding to the number of tires on each axle.
- 11 The regulations are further amended by repealing Schedules A-2 and A-3 and substituting the following Schedules:

Schedule A-2
Pony Trailer Axle Weight Limits for Pony Trailers Model Year 2002 and Earlier

Wheelbase	Maximum Axle Weight	
	2-axle	3-axle
6.25 m and greater	18 000 kg	21 000 kg
5.75 m - 6.24 m	17 000 kg	20 000 kg
5.25 m - 5.74 m	16 000 kg	19 000 kg
4.75 m - 5.24 m	15 000 kg	17 750 kg
4.25 m - 4.74 m	14 000 kg	16 500 kg
3.75 m - 4.24 m	13 000 kg	15 000 kg
3.25 m - 3.74 m	12 000 kg	13 500 kg

Schedule A-3
Semi-trailer Axle Weight Limits for Semi-trailers Model Year 2002 and Earlier

Maximum Weight Roads					
Wheelbase	Single	Tandem	Tridem and Triaxle		
			Axle spread: 2.4 m to <3.0 m	Axle spread: 3.0 m to <3.6 m	Axle spread: 3.6 m to <3.7 m ¹
6.25 m and greater	9100 kg	18 000 kg	21 000 kg	24 000 kg	26 000 kg
5.75 m - 6.24 m	8100 kg	17 000 kg	20 000 kg	23 000 kg	25 000 kg
5.25 m - 5.74 m	7100 kg	16 000 kg	19 000 kg	22 000 kg	24 000 kg
4.75 m - 5.24 m	6100 kg	15 000 kg	18 000 kg	21 000 kg	23 000 kg
4.25 m - 4.74 m	5100 kg	14 000 kg	17 000 kg	20 000 kg	22 000 kg
3.75 m - 4.24 m	4100 kg	13 000 kg	16 000 kg	19 000 kg	21 000 kg

Intermediate Weight Roads and B-Train Routes					
Wheelbase	Single	Tandem	Tridem and Triaxle		
			Axle spread: 2.4 m to <3.0 m	Axle spread: 3.0 m to <3.6 m	Axle spread: 3.6 m to <3.7 m ¹
6.25 m and greater	9100 kg	18 000 kg	21 000 kg	24 000 kg	24 000 kg
5.75 m - 6.24 m	8100 kg	17 000 kg	20 000 kg	23 000 kg	24 000 kg
5.25 m - 5.74 m	7100 kg	16 000 kg	19 000 kg	22 000 kg	24 000 kg
4.75 m - 5.24 m	6100 kg	15 000 kg	18 000 kg	21 000 kg	23 000 kg
4.25 m - 4.74 m	5100 kg	14 000 kg	17 000 kg	20 000 kg	22 000 kg
3.75 m - 4.24 m	4100 kg	13 000 kg	16 000 kg	19 000 kg	21 000 kg
All Other Highways					
Wheelbase	Single	Tandem	Tridem and Triaxle		
			Axle spread: 2.4 m to <3.0 m	Axle spread: 3.0 m to <3.6 m	Axle spread: 3.6 m to <3.7 m ¹
6.25 m and greater	9100 kg	18 000 kg	18 000 kg	18 000 kg	18 000 kg
5.75 m - 6.24 m	8100 kg	17 000 kg	18 000 kg	18 000 kg	18 000 kg
5.25 m - 5.74 m	7100 kg	16 000 kg	18 000 kg	18 000 kg	18 000 kg
4.75 m - 5.24 m	6100 kg	15 000 kg	18 000 kg	18 000 kg	18 000 kg
4.25 m - 4.74 m	5100 kg	14 000 kg	17 000 kg	18 000 kg	18 000 kg
3.75 m - 4.24 m	4100 kg	13 000 kg	16 000 kg	18 000 kg	18 000 kg

¹ Also applies to tridems with axle spreads greater than 3.7 m, and to triaxles with axle spreads up to 4.9 m.

12 The regulations are further amended by repealing all of the following Schedules:

- (a) Schedule A-4;
- (b) Schedule B;
- (c) Schedule C;
- (d) Schedule D.

N.S. Reg. 233/2011

Made: July 5, 2011

Filed: July 6, 2011

Vehicle Warning Lights Regulations

Order in Council 2011-257 dated July 5, 2011
Amendment to regulations made by the Governor in Council
pursuant to Section 180 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated June 14, 2011, and pursuant to Section 180 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the *Vehicle Warning Lights Regulations*, N.S. Reg. 20/2007, made by the Governor in Council by Order in Council 2007-29 dated January 12, 2007, to allow vehicles driven by appointees of certain federal government departments and agencies in the course of their duties to display red and blue flashing or revolving lights while the vehicles are being operated on Provincial highways, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 5, 2011.

Schedule "A"

**Amendment to the *Vehicle Warning Lights Regulations*
made by the Governor in Council under Section 180 of Chapter 293
of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

Sections 7 and 7A of the *Vehicle Warning Lights Regulations*, N.S. Reg. 20/2007, made by the Governor in Council by Order in Council 2007-29 dated January 12, 2007, are repealed and the following headings and Sections substituted:

Lights displayed by certain peace officers

7 In addition to the vehicles permitted to display red, blue and flashing lights under Section 179 of the Act, the following vehicles may display a red light visible from any direction, a blue light visible from any direction, flashing lights or revolving lights:

- (a) a vehicle driven by an inspector appointed under Section 34 of the *Motor Carrier Act* while performing their duties as an inspector;
- (b) a vehicle driven by a special constable appointed under Section 88 of the *Police Act* while performing their duties as a special constable employed by the Halifax-Dartmouth Bridge Commission and while on Halifax-Dartmouth Bridge Commission property;
- (c) a vehicle driven by a fishery officer or fishery guardian appointed under subsection 5(1) of the *Fisheries Act* (Canada), while performing their duties as a fishery officer or fishery guardian;
- (d) a vehicle driven by an officer appointed under subsection 12(1) of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (Canada), while performing their duties as an officer;
- (e) a vehicle driven by a game officer appointed under subsection 6(1) of the *Migratory Birds Convention Act* (Canada), while performing their duties as a game officer;
- (f) a vehicle driven by an enforcement officer appointed under subsection 85(1) of the *Species at Risk Act* (Canada), while performing their duties as an enforcement officer;
- (g) a vehicle driven by a wildlife officer appointed under Section 11 of the *Canada Wildlife Act* (Canada), while performing their duties as a wildlife officer.

Lights displayed by vehicle of a peace officer of Corrections Service of Canada

7A In addition to the vehicles permitted to display red, blue and flashing lights under Section 179 of the Act and these regulations, a vehicle driven by a peace officer appointed under Section 10 of the *Corrections and Conditional Release Act* (Canada), while performing their duties as a peace officer, may display the following lights:

- (a) a red light visible from any direction;
- (b) flashing or revolving red lights.

N.S. Reg. 234/2011

Made: July 5, 2011

Filed: July 6, 2011

Public Sector Body Designation Regulations

Order in Council 2011-262 dated July 5, 2011
Regulations made by the Governor in Council
pursuant to Section 9 of the *Public Sector Compensation Disclosure Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated May 31, 2011, and pursuant to Section 9 of Chapter 43 of the Acts of 2010, the *Public Sector Compensation Disclosure Act*, is pleased to make new regulations designating universities as public sector bodies in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after July 5, 2011.

Schedule “A”

**Regulations Respecting the Designation of Persons, Organizations or Bodies
as Public Sector Bodies
made by the Governor in Council pursuant to Section 9
of Chapter 43 of the Acts of 2010,
the *Public Sector Compensation Disclosure Act***

Citation

1 These regulations may be cited as the *Public Sector Body Designation Regulations*.

Definition

2 In these regulations, “Act” means the *Public Sector Compensation Disclosure Act*.

Universities under the *Universities Assistance Act*

3 Any institution or organization designated as a university for any purpose under the *Universities Assistance Act* is designated as a public sector body under the Act.

N.S. Reg. 235/2011

Made: July 7, 2011

Filed: July 12, 2011

Prescribed Petroleum Products Prices

Order dated July 7, 2011

made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-11-29****In the Matter of the *Petroleum Products Pricing Act*****- and -**

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Peter W. Gurnham, Q.C., Chair**Order**

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended July 6, 2011, are:

Grade 1 Regular gasoline	73.1¢ per litre
Ultra-low-sulfur diesel oil	77.1¢ per litre

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

Gasoline:	
Grade 1	73.1¢ per litre
Grade 2	76.1¢ per litre
Grade 3	79.1¢ per litre
Ultra-low-sulfur diesel oil	77.1¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 0.5¢ per litre
Ultra-low-sulfur diesel oil:	nil

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 8, 2011.

Dated at Halifax, Nova Scotia, this 7th day of July, 2011.

Sgd: *Mora Stevens*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 8, 2011**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
(Pump Prices includes 15% HST)								
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	79.9	10.0	15.5	105.4	125.8	127.5	125.8	999.9
Mid-Grade Unleaded	82.9	10.0	15.5	108.4	129.3	131.0	129.3	999.9
Premium Unleaded	85.9	10.0	15.5	111.4	132.7	134.4	132.7	999.9
Ultra-Low-Sulfur Diesel	83.4	4.0	15.4	102.8	122.8	124.5	122.8	999.9
Zone 2								
Regular Unleaded	80.3	10.0	15.5	105.8	126.3	128.0	126.3	999.9
Mid-Grade Unleaded	83.3	10.0	15.5	108.8	129.7	131.4	129.7	999.9
Premium Unleaded	86.3	10.0	15.5	111.8	133.2	134.9	133.2	999.9
Ultra-Low-Sulfur Diesel	83.8	4.0	15.4	103.2	123.3	125.0	123.3	999.9
Zone 3								
Regular Unleaded	80.8	10.0	15.5	106.3	126.8	128.6	126.8	999.9
Mid-Grade Unleaded	83.8	10.0	15.5	109.3	130.3	132.0	130.3	999.9
Premium Unleaded	86.8	10.0	15.5	112.3	133.7	135.5	133.7	999.9
Ultra-Low-Sulfur Diesel	84.3	4.0	15.4	103.7	123.9	125.6	123.9	999.9
Zone 4								
Regular Unleaded	80.8	10.0	15.5	106.3	126.8	128.6	126.8	999.9
Mid-Grade Unleaded	83.8	10.0	15.5	109.3	130.3	132.0	130.3	999.9
Premium Unleaded	86.8	10.0	15.5	112.3	133.7	135.5	133.7	999.9
Ultra-Low-Sulfur Diesel	84.3	4.0	15.4	103.7	123.9	125.6	123.9	999.9
Zone 5								
Regular Unleaded	80.8	10.0	15.5	106.3	126.8	128.6	126.8	999.9
Mid-Grade Unleaded	83.8	10.0	15.5	109.3	130.3	132.0	130.3	999.9
Premium Unleaded	86.8	10.0	15.5	112.3	133.7	135.5	133.7	999.9
Ultra-Low-Sulfur Diesel	84.3	4.0	15.4	103.7	123.9	125.6	123.9	999.9
Zone 6								
Regular Unleaded	81.6	10.0	15.5	107.1	127.8	129.5	127.8	999.9
Mid-Grade Unleaded	84.6	10.0	15.5	110.1	131.2	132.9	131.2	999.9
Premium Unleaded	87.6	10.0	15.5	113.1	134.7	136.4	134.7	999.9
Ultra-Low-Sulfur Diesel	85.1	4.0	15.4	104.5	124.8	126.5	124.8	999.9

N.S. Reg. 236/2011

Made: July 14, 2011

Filed: July 18, 2011

Prescribed Petroleum Products Prices

Order dated July 14, 2011
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-11-30****In the Matter of the *Petroleum Products Pricing Act*****- and -**

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roland A. Deveau, Q.C., Member**Order**

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended July 13, 2011, are:

Grade 1 Regular gasoline	77.1¢ per litre
Ultra-low-sulfur diesel oil	80.9¢ per litre

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

Gasoline:	
Grade 1	77.1¢ per litre
Grade 2	70.1¢ per litre
Grade 3	83.1¢ per litre
Ultra-low-sulfur diesel oil	80.9¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 1.0¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.9¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 15, 2011.

Dated at Halifax, Nova Scotia, this 14th day of July, 2011.

Sgd: *Mora Stevens*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 15, 2011**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	84.4	10.0	15.5	109.9	131.0	132.7	131.0	999.9
Mid-Grade Unleaded	87.4	10.0	15.5	112.9	134.4	136.2	134.4	999.9
Premium Unleaded	90.4	10.0	15.5	115.9	137.9	139.6	137.9	999.9
Ultra-Low-Sulfur Diesel	88.1	4.0	15.4	107.5	128.2	130.0	128.2	999.9
Zone 2								
Regular Unleaded	84.8	10.0	15.5	110.3	131.4	133.2	131.4	999.9
Mid-Grade Unleaded	87.8	10.0	15.5	113.3	134.9	136.6	134.9	999.9
Premium Unleaded	90.8	10.0	15.5	116.3	138.3	140.1	138.3	999.9
Ultra-Low-Sulfur Diesel	88.5	4.0	15.4	107.9	128.7	130.4	128.7	999.9
Zone 3								
Regular Unleaded	85.3	10.0	15.5	110.8	132.0	133.7	132.0	999.9
Mid-Grade Unleaded	88.3	10.0	15.5	113.8	135.5	137.2	135.5	999.9
Premium Unleaded	91.3	10.0	15.5	116.8	138.9	140.6	138.9	999.9
Ultra-Low-Sulfur Diesel	89.0	4.0	15.4	108.4	129.3	131.0	129.3	999.9
Zone 4								
Regular Unleaded	85.3	10.0	15.5	110.8	132.0	133.7	132.0	999.9
Mid-Grade Unleaded	88.3	10.0	15.5	113.8	135.5	137.2	135.5	999.9
Premium Unleaded	91.3	10.0	15.5	116.8	138.9	140.6	138.9	999.9
Ultra-Low-Sulfur Diesel	89.0	4.0	15.4	108.4	129.3	131.0	129.3	999.9
Zone 5								
Regular Unleaded	85.3	10.0	15.5	110.8	132.0	133.7	132.0	999.9
Mid-Grade Unleaded	88.3	10.0	15.5	113.8	135.5	137.2	135.5	999.9
Premium Unleaded	91.3	10.0	15.5	116.8	138.9	140.6	138.9	999.9
Ultra-Low-Sulfur Diesel	89.0	4.0	15.4	108.4	129.3	131.0	129.3	999.9
Zone 6								
Regular Unleaded	86.1	10.0	15.5	111.6	132.9	134.7	132.9	999.9
Mid-Grade Unleaded	89.1	10.0	15.5	114.6	136.4	138.1	136.4	999.9
Premium Unleaded	92.1	10.0	15.5	117.6	139.8	141.6	139.8	999.9
Ultra-Low-Sulfur Diesel	89.8	4.0	15.4	109.2	130.2	131.9	130.2	999.9

N.S. Reg. 237/2011

Made: June 16, 2011

Approved: July 19, 2011

Filed: July 19, 2011

Identification and Proof of Registration Regulations

Order in Council 2011-268 dated July 19, 2011

Amendment to regulations made by the Minister of Service Nova Scotia and Municipal Relations
and approved by the Governor in Council
pursuant to Section 10 and subsection 38(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 16, 2011, and pursuant to Section 10 and subsection 38(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve of amendments to the regulations respecting identification and proof of registration, N.S. Reg. 42/74, made by the Minister of Highways and approved by the Governor in Council by Order in Council 74-788 dated July 23, 1974, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 19, 2011.

Schedule "A"**In the Matter of Section 10 and Subsection 38(1) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*****- and -****In the Matter of an Amendment to Regulations Respecting Identification and
Proof of Registration made by the Minister of Service Nova Scotia
and Municipal Relations under Section 10 and
Subsection 38(1) of the *Motor Vehicle Act*****Order**

I, John MacDonell, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 10 and subsection 38(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the regulations respecting identification and proof of registration, N.S. Reg. 42/74, made by the Minister of Highways and approved the Governor in Council by Order in Council 74-788 dated July 23, 1974, as set forth in the attached.

This order is effective on and after the date it is approved by the Governor in Council.

Dated and made at Halifax, in the Halifax Regional Municipality, Nova Scotia, June 16, 2011.

Sgd.: *John MacDonell*

Honourable John MacDonell

Minister of Service Nova Scotia Municipal Relations

**Amendment to the Regulations Respecting Identification
and Proof of Registration made by the Minister of Service Nova Scotia
and Municipal Relations under Section 10 and Subsection 38(1)
of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

- 1 Section 2 of the regulations respecting identification and proof of registration, N.S. Reg. 42/74, made by the Minister of Highways and approved by the Governor in Council by Order in Council 74-788 dated July 23, 1974, is repealed and the following Sections substituted:
 - 2 A serially numbered sticker issued for a motorcycle or motor-driven cycle shall be affixed to and displayed in the centre at the bottom of the number plate.
 - 2A A serially numbered sticker issued for any vehicle referred to in clause 1(a) or 1(b), other than a motorcycle or motor-driven cycle, shall be affixed to and displayed on the upper left-hand or right-hand embossed corner of the number plate, as directed by the Department.
- 2 Section 4 of the regulations is repealed and the following Section substituted:
 - 4 Despite anything in these regulations, a receipt issued by the Department for payment for a registration year is proof of registration for 10 days from the date the receipt was issued, and a serially numbered sticker is not required to be displayed during that 10-day period.

N.S. Reg. 238/2011

Made: June 22, 2011

Approved: July 19, 2011

Filed: July 19, 2011

Vehicle Inspection Regulations

Order in Council 2011-269 dated July 19, 2011

Amendment to regulations made by the Minister of Service Nova Scotia and Municipal Relations
and approved by the Governor in Council
pursuant to subsection 201(7) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated June 22, 2011, and pursuant to subsection 201(7) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve of amendments to the *Vehicle Inspection Regulations*, N.S. Reg. 214/2006, made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council by Order in Council 2006-505 dated November 28, 2006, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 1, 2011.

Schedule "A"

In the Matter of subsection 201(7) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

- and -

In the Matter of an Amendment to the *Vehicle Inspection Regulations* made by the Minister of Service Nova Scotia and Municipal Relations pursuant to subsection 201(7) of the *Motor Vehicle Act*

Order

I, John MacDonell, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to subsection 201(7) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the *Vehicle Inspection Regulations*, N.S. Reg. 214/2006, made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council by Order in Council 2006-505 dated November 28, 2006, to clarify certain provisions in the manner set forth in the attached.

This Order is effective on and after August 1, 2011, and the date it is approved by the Governor in Council.

Dated and made at Halifax, in the Halifax Regional Municipality, Nova Scotia, June 22, 2011.

Sgd.: *John MacDonell*
Honourable John MacDonell,
Minister of Service Nova Scotia Municipal Relations

**Amendment to the *Vehicle Inspection Regulations*
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to subsection 201(7) of Chapter 293 of the
Revised Statutes of Nova Scotia, [1989,] the *Motor Vehicle Act***

- 1 (1) Clause 2(d) of the *Vehicle Inspection Regulations*, N.S. Reg. 214/2006, made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council by Order in Council 2006-505 dated November 28, 2006, is repealed and the following clause substituted:
- (d) "certificate of qualification" for a tester means
 - (i) a certificate of qualification issued under the *Apprenticeship and Trades Qualification[s] Act*,
 - (ii) an equivalency card recognized by the Registrar; or
 - (iii) an Interprovincial Standards (Red Seal) Program qualification issued by another province.
- (2) Clause 2(j) of the regulations is repealed and the following clause substituted:
- (j) "Official Inspection Station Manual" means the official inspection station manual prepared and distributed by the Registrar in accordance with Section 18A;
- 2 (1) Clause 18(4)(d) of the regulations is repealed.

(2) Subsection 18(9) of the regulations is repealed.

3 The regulations are further amended by adding the following heading and Section immediately after Section 18:

Official Inspection Station Manual

18A (1) The Registrar must prepare and distribute a manual, to be known as the Official Inspection Station Manual, that specifies

- (a) procedures for inspecting vehicles;
- (b) acceptance and rejection criteria for inspections; and
- (c) any additional matters that the Registrar determines are necessary for inspecting vehicles and operating an official inspection station.

(2) A licensee and a tester must comply with the Official Inspection Station Manual.

4 Section 24 of the regulations is amended by adding the following subsection immediately after subsection (6):

(7) Despite subsections (1) and (2),

- (a) an approval sticker issued for a Type 1 vehicle is valid for 1 year from the end of the month of its issue if
 - (i) the vehicle is purchased by a resident of New Brunswick or Prince Edward Island, and
 - (ii) the dealer selling the vehicle does not file a new vehicle information form with the Registrar on behalf of the purchaser;
- (b) an approval sticker issued for a Type 1 used vehicle that is registered in New Brunswick or Prince Edward Island is valid for 1 year from the end of the month of its issue.

5 The table in subsection 25(1) of the regulations is amended by striking out items 5 and 6 and substituting the following:

5	Trailer or semi-trailer not equipped with brakes (4500 kg or less)	\$15.00
6	Trailer or semi-trailer equipped with electric or surge hydraulic brakes (4500 kg or less)	\$20.50 (1 axle) plus \$10.50 for each additional axle

6 Clause 27(a) of the regulations is amended by striking out “Official Testing Station Manual” and substituting “Official Inspection Station Manual”.

7 (1) Section 28 of the regulations is amended by repealing subsection (3) and substituting the following subsection:

(3) Despite subsections (1) and (1A), a person may sell a used vehicle that has not been inspected and certified by a tester or vehicle inspector if the purchaser gives written acknowledgment of the absence of an inspection to the Department in a form acceptable to the Department.

- (2) Subsection 28(5) of the regulations is amended by striking out “a vehicle does not require inspection” and substituting “a vehicle that has a valid inspection sticker does not require inspection”.
 - (3) Clause 28(5)(c) of the regulations is repealed.
 - (4) Subsection 28(7) of the regulations is repealed.
- 8 Subsection 29(3) of the regulations is amended by striking out “Official Testing Station Manual” and substituting “Official Inspection Station Manual”.
- 9 Section 47 of the regulations is amended by adding the following clause immediately after clause (e):
- (ea) subsection 18A(2);

N.S. Reg. 239/2011

Made: July 19, 2011

Filed: July 19, 2011

Plumber Trade Regulations

Order in Council 2011-276 dated July 19, 2011
Regulations made by the Governor in Council
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated June 8, 2011, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after July 19, 2011, to

- (a) repeal the regulations respecting the plumber trade, N.S. Reg. 168/77, made by the Governor in Council by Order in Council 77-1547 dated December 13, 1977; and
- (b) make regulations respecting the plumber trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting the Plumber Trade
made by the Governor in Council pursuant to
Section 29 of Chapter 1 of the Acts of 2003,
the *Apprenticeship and Trades Qualifications Act***

Citation

1 These regulations may be cited as the *Plumber Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Apprenticeship and Trades Qualifications Act*;

- (b) “Code” means the latest issue of the National Plumbing Code of Canada published by the National Research Council of Canada, as amended or revised, or its successor code;
- (c) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;
- (d) “plumber trade” means the occupation of a plumber, consisting of designing, installing, altering and repairing piping systems in accordance with the Code, including all of the following piping systems:
 - (i) drainage systems,
 - (ii) venting systems,
 - (iii) water supply systems,
 - (iv) specialty piping systems,
 - (v) potable water distribution systems,
 - (vi) residential or commercial hot water heating systems that operate under pressure of up to and including 30 psi;
 - (vii) sewage disposal systems.

(2) The definitions contained in the General Regulations apply to these regulations.

Compulsory certified trade

3 The plumber trade is specified as a compulsory certified trade.

Person other than plumber performing work in the trade

4 For the purposes of clause 22(2)(e) of the Act, which allows a person who holds a certificate recognized by the Director to practice a compulsory certified trade, a person who does not hold a certificate of qualification in the plumber trade may perform plumbing work if the person holds a certificate of qualification in another designated trade and the work to be performed comes within the scope of that other designated trade.

Exemption application under General Regulations permitted

5 For the purposes of subsection 38(2) of the General Regulations, a joint application for an exemption from the application of subsections 22(2) and (3) of the Act is permitted for the plumber trade.

Term of apprenticeship for plumber trade

6 The term of apprenticeship for the plumber trade is 8000 hours of combined practical experience and technical training approved by the Director, including a probationary period of up to 3 months, and a certification examination.

Ratio of journeypersons to apprentices

7 An employer in the plumber trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule for apprentices

8 (1) Subject to subsection (2), the minimum wage for each hour worked by a plumber apprentice is a percentage of the wage for a plumber journeyperson in the same place of employment, as set out in the following table:

Wages for Plumber Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journey person's wage)
0-1000	45%
1001-2000	50%
2001-3000	55%
3001-4000	60%
4001-5000	65%
5001-6000	70%
6001-7000	75%
7001-8000	80%

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

Certificate through trade qualification

- 9 For the purpose of paragraph 30(1)(a)(ii)(B) of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the plumber trade.

Renewal of certificate of qualification

- 10 A certificate of qualification is valid for the 5-year period set out in the certificate and may be renewed by the Director on application by the holder either before or after the certificate expires, on payment of the fee set out in the General Regulations.

Transition

- 11 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations for the plumber trade, N.S. Reg. 168/77, made by the Governor in Council by Order in Council 77-1547 dated December 13, 1977, continues as an apprentice under these regulations.

N.S. Reg. 240/2011

Made: July 19, 2011

Filed: July 19, 2011

Steamfitter/Pipefitter Trade Regulations

Order in Council 2011-277 dated July 19, 2011
 Regulations made by the Governor in Council
 pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated June 8, 2011, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after July 19, 2011, to

- (a) repeal the *Steamfitter/Pipefitter Trade Regulations*, N.S. Reg. 62/2009, made by the Governor in Council by Order in Council 2009-129 dated March 17, 2009; and
- (b) make regulations respecting the steamfitter/pipefitter trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting the Steamfitter/Pipefitter Trade
made by the Governor in Council pursuant to
Section 29 of Chapter 1 of the Acts of 2003,
the *Apprenticeship and Trades Qualifications Act***

Citation

1 These regulations may be cited as the *Steamfitter/Pipefitter Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Apprenticeship and Trades Qualifications Act*;
- (b) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;
- (c) “steamfitter/pipefitter trade” means the occupation of a steamfitter/pipefitter, consisting of fabricating, installing, altering, maintaining and repairing any type of residential, commercial or industrial piping system, including all of the following:
 - (i) hot liquid systems,
 - (ii) high- and low-pressure steam systems,
 - (iii) boilers and controls for boilers,
 - (iv) control and indicating devices systems,
 - (v) heating and cooling systems,
 - (vi) heat exchanger systems,
 - (vii) process systems,
 - (viii) power plant systems,
 - (ix) compressed gas systems,
 - (x) vacuum, pneumatic and hydraulic systems,
 - (xi) fire protection systems other than sprinkler systems,
 - (xii) flue gases systems,
 - (xiii) water treatment systems.

(2) The definitions contained in the General Regulations apply to these regulations.

Compulsory certified trade

3 The steamfitter/pipefitter trade is specified as a compulsory certified trade.

Person other than steamfitter/pipefitter performing work in the trade

- 4 (1) For the purposes of clause 22(2)(e) of the Act, which allows a person who holds a certificate recognized by the Director to practice a compulsory certified trade, a person who does not hold a certificate of qualification in the steamfitter/pipefitter trade may perform steamfitter/pipefitter work if the person holds a certificate of qualification in another designated trade and the work to be performed comes within the scope of that other trade.
- (2) An exemption under subsection 22(4) of the Act for a person who performs work in the steamfitter/pipefitter trade without meeting the requirements of subsection 22(2) of the Act may be made only if
- (a) the person is an employee of an industrial or process plant and is trained to perform maintenance functions; and
 - (b) the work being performed involves repairing or modifying a piping system as a component of the regular maintenance of the system.

Exemption application under General Regulations permitted

- 5 For the purposes of subsection 38(2) of the General Regulations, a joint application for an exemption from the application of subsections 22(2) and (3) of the Act is permitted for the steamfitter/pipefitter trade.

Term of apprenticeship

- 6 The term of apprenticeship for the steamfitter/pipefitter trade is 8000 hours of combined practical experience and technical training approved by the Director, including a probationary period of up to 3 months, and a certification examination.

Ratio of journeypersons to apprentices

- 7 An employer in the steamfitter/pipefitter trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule for apprentices

- 8 (1) Subject to subsection (2), the minimum wage for each hour worked by a steamfitter/pipefitter apprentice is a percentage of the wage for a steamfitter/pipefitter journeyperson in the same place of employment, as set out in the following table:

Wages for Steamfitter/Pipefitter Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0–1000	45%
1001–2000	50%
2001–3000	55%
3001–4000	60%
4001–5000	65%
5001–6000	70%
6001–7000	75%

7001–8000	80%
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- (2) An employer must not employ a steamfitter/pipefitter apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 9 For the purpose of paragraph 30(1)(a)(ii)(B) of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the steamfitter/pipefitter trade.

Renewal of certificate of qualification

- 10 A certificate of qualification is valid for the 5-year period set out in the certificate, and may be renewed by the Director on application by the holder either before or after the certificate expires, on payment of the fee set out in the General Regulations.

Transition

- 11 A person who, immediately before the coming into force of these regulations, was an apprentice in an apprenticeship program under the regulations for the steamfitter/pipefitter trade, N.S. Reg. 6/53, made by the Governor in Council by Order in Council dated October 13, 1953, continues as an apprentice under these regulations.

N.S. Reg. 241/2011

Made: July 19, 2011

Filed: July 19, 2011

Oil Heat System Technician Trade Regulations

Order in Council 2011-278 dated July 19, 2011
Regulations made by the Governor in Council
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated June 8, 2011, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after July 19, 2011, to

- (a) repeal the regulations respecting the oil burner installer and maintenance mechanic trade (formerly the oil burner mechanic trade), N.S. Reg. 164/92, made by the Governor in Council by Order in Council 92-767 dated July 28, 1992; and
- (b) make regulations respecting the oil heat system technician trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”**Regulations Respecting the Oil Heat System Technician Trade
made by the Governor in Council pursuant to
Section 29 of Chapter 1 of the Acts of 2003,
the *Apprenticeship and Trades Qualifications Act*****Citation**

1 These regulations may be cited as the *Oil Heat System Technician Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Apprenticeship and Trades Qualifications Act*;
- (b) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;
- (c) “oil heat system technician trade” means the occupation of an oil burner mechanic, consisting of installing, repairing and maintaining oil-burning and oil-combination-burning equipment and appliances that utilize up to and including grade No. 2 oil, waste oil or biofuels for heat production in residential or commercial applications, and work in relation to the following:
 - (i) fuel supply lines,
 - (ii) burners and waste oil burners,
 - (iii) oil-supply burner pumps,
 - (iv) domestic oil-fired hot-water heaters, but not potable water distribution systems,
 - (v) oil-fired hot-water system components and controls in residential applications only,
 - (vi) venting for exhaust gases to a chimney or flue together with draft regulators and controls,
 - (vii) wiring for associated control components and safety devices, and
 - (viii) connection to an adjacent power supply that is fed from a dedicated furnace emergency shut-off switch;
- (d) “residential applications” means single family dwellings or duplexes.

(2) The definitions contained in the General Regulations apply to these regulations.

Compulsory certified trade

3 The oil heat system technician trade is specified as a compulsory certified trade.

Person other than an oil heat system technician performing work in the trade

4 For the purposes of clause 22(2)(e) of the Act, which allows a person who holds a certificate recognized by the Director to practice a compulsory certified trade, a person who does not hold a certificate of qualification in the oil heat system technician trade may perform oil heat system technician work if the

person holds a certificate of qualification in another trade, and the work to be performed comes within the scope of that other trade.

Exemption application under General Regulations permitted

5 For the purposes of subsection 38(2) of the General Regulations, a joint application for an exemption from the application of subsections 22(2) and (3) of the Act is permitted for the oil heat system technician trade.

Term of apprenticeship for oil heat system technician trade

6 The term of apprenticeship for the oil heat system technician trade is 6000 hours of combined practical experience and technical training approved by the Director, including a probationary period of up to 3 months, and a certification examination.

Ratio of journeypersons to apprentices

7 An employer in the oil heat system technician trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule for apprentices

8 (1) Subject to subsection (2), the minimum wage for each hour worked by an apprentice in the oil heat system technician trade is a percentage of the wage for an oil heat system technician journeyperson in the same place of employment, as set out in the following table:

Wages for Oil Heat System Technician Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0–1000	60%
1001–2000	65%
2001–3000	70%
3001–4000	75%
4001–5000	80%
5001–6000	90%

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

Certificate through trade qualification

9 For the purpose of paragraph 30(1)(a)(ii)(B) of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 9000 hours is prescribed as the period of employment required for the oil heat system technician trade.

Transition

10 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations for the oil burner installer and maintenance mechanic trade (formerly the oil burner mechanic trade), N.S. Reg. 164/92, made by the Governor in Council by Order in Council 92-767 dated July 28, 1992, continues as an apprentice under these regulations.

N.S. Reg. 242/2011

Made: July 19, 2011

Filed: July 19, 2011

Summary Offence Tickets Regulations

Order in Council 2011-281 dated July 19, 2011
 Amendment to regulations made by the Governor in Council
 pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated June 9, 2011, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to designate an offence under the *Vehicle Inspection Regulations* as a summary offence ticket offence and set the out-of-court settlement amount for the offence, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 1, 2011.

Order

I, Ross Landry, Minister of Justice and Attorney General of Nova Scotia, hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of an offence set out in the amendments to Schedule 4A to the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, as set forth in Schedule "A", is the amount of the out-of-court settlement set out in clause 5A(1)(b) of the *Summary Offence Tickets Regulations* that corresponds to the offence category set out opposite the description of the offence in Schedule "A", and the out-of-court settlement amount includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

This Order is effective on and after the later of August 1, 2011, and the making by the Governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

Dated and made June 9, 2011, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Ross Landry*
 Honourable Ross Landry
 Minister of Justice and Attorney General of Nova Scotia

Schedule "A"

**Amendment to the *Summary Offence Tickets Regulations*
 made by the Governor in Council pursuant to Section 8 of Chapter 450
 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act***

- 1 Schedule 4A of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by striking out the heading "Motor Vehicle Inspection Regulations (MVIR)" and substituting "Vehicle Inspection Regulations".
- 2 Schedule 4A of the regulations is further amended by adding the following item immediately after item 14 under the heading "Vehicle Inspection Regulations":

14A.	Licensee or tester (specify) failing to comply with Official Inspection Station Manual	18A(2)	G
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N.S. Reg. 243/2011

Made: June 23, 2011

Filed: July 20, 2011

Classes of Vehicles to be Tested at Official Testing Stations Regulations

Order dated June 23, 2011

made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to subsection 201(3) of the *Motor Vehicle Act***In the Matter of subsection 201(3) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*****- and -****In the Matter of an Order Respecting
Classes of Vehicles to be Tested at Official Testing Stations Regulations
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to subsection 201(3) of the *Motor Vehicle Act*****Order**

I, John MacDonell, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to subsection 201(3) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the order respecting the *Classes of Vehicles to be Tested at Official Testing Stations Regulations*, N.S. Reg. 206/2009, made by the Minister of Service Nova Scotia and Municipal Relations dated March 26, 2009, to exempt ~~from inspections~~ certain vehicles from the requirement for inspection under the *Motor Vehicle Act* in the form set forth in the attached Schedule A.

Dated and made at Halifax, in the Halifax Regional Municipality, Nova Scotia, June 23, 2011 and effective on [and] after August 1, 2011.

Sgd.: *John MacDonell*
Honourable John MacDonell
Minister of Service Nova Scotia Municipal Relations

Schedule "A"**Amendment to the Regulations Respecting Classes of Vehicles
to be Inspected at Official Testing Stations
made by the Minister of Service Nova Scotia and Municipal Relations
under subsection 201(3) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

- 1 Subsection 3(1) is amended by adding "or subsection (3)" after "(2)" in subsection (1).
- 2 Section 3 is further amended by adding the following subsection[s] after subsection (2):
 - (3) A new vehicle of a class described in subsection (1) does not require an inspection while:
 - (a) the vehicle is being driven off a vehicle transporter to a vehicle storage facility owned or operated by a dealer; or

- (b) the vehicle is being driven from a vehicle storage facility owned or operated by a dealer to the same dealer's licensed premises for the purpose of an inspection under the *Vehicle Inspection Regulations*.

- (4) Notwithstanding anything in these regulations, a vehicle that is exempt from registration under the Act or any regulations made under the Act is exempt from inspection requirements under the *Vehicle Inspection Regulations*.