

# Royal



# Gazette

## Part II Regulations under the Regulations Act

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**Tanning Beds Act**

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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. 190/2011**

Made: May 24, 2011

Filed: May 26, 2011

Small Business Advocate Regulations

Order in Council 2011-184 dated May 24, 2011  
Regulations made by the Governor in Council  
pursuant to Section 92 of the *Public Utilities Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated April 27, 2011, and pursuant to Section 92 of Chapter 380 of the Revised Statutes of Nova Scotia, 1989, the *Public Utilities Act*, is pleased to make regulations regarding the small business advocate in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 24, 2011.

**Schedule "A"**

**Regulations Respecting the Small Business Advocate  
made by the Governor in Council pursuant to  
Section 92 of Chapter 380 of the Revised Statutes of Nova Scotia, 1989,  
the *Public Utilities Act***

**Citation**

1 These regulations may be cited as the *Small Business Advocate Regulations*.

**Definitions**

2 In these regulations,

"Act" means the *Public Utilities Act*;

"NSPI" means Nova Scotia Power Incorporated.

**Prescribed types of businesses**

3 All of the following businesses operating as businesses in the Province that have made all required filings and registrations with the Registry of Joint Stock Companies and are in good standing with the Registry of Joint Stock Companies are prescribed as types of businesses to be included in the definition of small business in clause 92(1)(b) of the Act:

- (a) a limited company;
- (b) an incorporated company;
- (c) a partnership;
- (d) a sole proprietorship;
- (e) a co-operative.

**Prescribed rate classes and service tariffs**

4 All of the following rate classes and service tariffs approved by the Board for NSPI are prescribed for a business to be included in the definition of small business in clause 92(1)(b) of the Act:

- (a) small commercial rate class, small general tariff, rate code 10;

- (b) commercial rate class, general tariff, rate code 11;
- (c) small industrial rate class, small industrial tariff, rate code 21.

**Prescribed limit of annual consumption of utility services**

5 The prescribed limit of annual consumption of utility services for a business to be included in the definition of small business in clause 92(1)(b) of the Act is 150 000 kWh of electricity.

**Qualifications for small business advocate**

- 6 (1) To qualify for appointment under subsection 92(2) of the Act to act as a small business advocate in a hearing before the Board, a person must not
- (a) be directly or indirectly employed by or have an interest in a public utility that is a party to the hearing; or
  - (b) have an interest in a stock, bond, mortgage, security or contract of a public utility that is a party to the hearing.
- (2) When a person appointed under subsection 92(2) of the Act to act as a small business advocate becomes interested as described in clause (1)(a) or (1)(b),
- (a) if the person became interested voluntarily, the appointment becomes vacant;
  - (b) if the person became interested involuntarily, the person must dispose of the interest within a reasonable time, as determined by the Board.
- (3) If a person fails to dispose of an interest as required by clause (2)(b), the Governor in Council or the Board must declare the appointment vacant.
- (4) A person is not disqualified from being appointed to act as a small business advocate under subsection 92(2) of the Act because they are a customer or ratepayer of a public utility.

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**N.S. Reg. 191/2011**

Made: May 24, 2011

Filed: May 26, 2011

Provincial Parks Regulations

Order in Council 2011-186 dated May 24, 2011  
Amendment to regulations made by the Governor in Council  
pursuant to Section 37 of the *Provincial Parks Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 15, 2011, and pursuant to Section 37 of Chapter 367 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Parks Act*, is pleased to amend the *Provincial Parks Regulations*, N.S. Reg 69/89, made by the Governor in Council by Order in Council 89-579 dated May 16, 1989, to provide for the rental of yurts in Provincial parks, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 24, 2011.

## Schedule "A"

**Amendment to the *Provincial Parks Regulations*  
made by the Governor in Council pursuant to Section 37 of  
Chapter 367 of the Revised Statutes of Nova Scotia, 1989,  
the *Provincial Parks Act***

- 1 Section 2 of the *Provincial Parks Regulations*, N.S. Reg. 69/89, made by the Governor in Council by Order in Council 89-579 dated May 16, 1989, is amended by
- (a) striking out the period at the end of clause (l) and substituting a semicolon; and
  - (b) adding the following clause immediately after clause (l):
    - (m) "yurt" means a semi-permanent structure that consists of a tent-like covering mounted on a frame and is used for overnight camping.
- 2 Section 16 of the regulations is amended by adding the following subsection immediately after subsection (1D):
- (1E)** Despite subsection (1), the fee for a campsite permit to use a campsite that provides a yurt is \$55.00, inclusive of any applicable tax, for up to 4 people, plus an additional \$10.00 per person for each person in excess of 4, inclusive of any applicable tax.

**N.S. Reg. 192/2011**

Made: May 25, 2011

Filed: May 27, 2011

Designation of Debts Order

Order dated May 25, 2011  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to subsection 452A(2) of the *Municipal Government Act*

**In the Matter of Subsection 452A(2) of Chapter 18 of the  
Acts of 1998, the *Municipal Government Act***

and

**In the Matter of the Designation of Debts Owing to Municipalities as Debts  
Due to Her Majesty in the Right of the Province**

**Order**

I, John MacDonell, Minister of Service Nova Scotia and Municipal Relations, pursuant to subsection 452A(2) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, at the request of the municipalities listed in Schedule "A" attached to and forming part of this Order, designate the following debts owing to municipalities to be debts due to Her Majesty in right of the Province of Nova Scotia, effective on and after the date of this Order:

All fines which are unpaid as of March 31, 2011 and which have been ordered by the Nova Scotia Supreme Court or the Nova Scotia Provincial Court to be paid by an offender for contravention of a by-law of any of the municipalities listed in Schedule “A” attached to and forming part of this Order.

Made at Halifax, Nova Scotia, on May 25, 2011.

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

**Schedule “A”  
 List of Municipalities  
 (Designation of Debts for Unpaid Fines)**

Municipality of the County of Antigonish	Town of Antigonish
Municipality of the District of Argyle	Town of Berwick
Municipality of Barrington	Town of Bridgetown
Municipality of the District of Chester	Town of Clark’s Harbour
Municipality of Clare	Town of Digby
Municipality of the County of Colchester	Town of Lockeport
Municipality of the District of Guysborough	Town of Mahone Bay
Halifax Regional Municipality	Town of Middleton
Municipality of the District of East Hants	Town of Mulgrave
Municipality of the District of West Hants	Town of New Glasgow
Municipality of the District of Lunenburg	Town of Oxford
Municipality of the County of Pictou	Town of Shelburne
Region of Queens Municipality	Town of Stewiacke
Municipality of the District of St. Mary’s	Town of Trenton
	Town of Windsor
	Village of Pugwash

**N.S. Reg. 193/2011**

Made: May 26, 2011

Filed: May 27, 2011

Prescribed Petroleum Products Prices

Order dated May 26, 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-11-23****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:** Kulvinder S. Dhillon, P. Eng., 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 May 25, 2011, are:

Grade 1 Regular gasoline	73.0¢ per litre
Ultra-low-sulfur diesel oil	76.3¢ per litre

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

Gasoline:	
Grade 1	73.0¢ per litre
Grade 2	76.0¢ per litre
Grade 3	79.0¢ per litre
Ultra-low-sulfur diesel oil	76.3¢ per litre

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

Gasoline:	minus 0.4¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.4¢ 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., May 27, 2011.

**Dated** at Halifax, Nova Scotia, this 26th day of May, 2011.

Sgd: *Elaine Wagner*  
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 May 27, 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
<b>Zone 1</b>								
Regular Unleaded	78.9	10.0	15.5	104.4	124.7	126.4	124.7	999.9
Mid-Grade Unleaded	81.9	10.0	15.5	107.4	128.1	129.8	128.1	999.9
Premium Unleaded	84.9	10.0	15.5	110.4	131.6	133.3	131.6	999.9
Ultra-Low-Sulfur Diesel	82.2	4.0	15.4	101.6	121.4	123.2	121.4	999.9
<b>Zone 2</b>								
Regular Unleaded	79.3	10.0	15.5	104.8	125.1	126.8	125.1	999.9
Mid-Grade Unleaded	82.3	10.0	15.5	107.8	128.6	130.3	128.6	999.9
Premium Unleaded	85.3	10.0	15.5	110.8	132.0	133.7	132.0	999.9
Ultra-Low-Sulfur Diesel	82.6	4.0	15.4	102.0	121.9	123.6	121.9	999.9
<b>Zone 3</b>								
Regular Unleaded	79.8	10.0	15.5	105.3	125.7	127.4	125.7	999.9
Mid-Grade Unleaded	82.8	10.0	15.5	108.3	129.1	130.9	129.1	999.9
Premium Unleaded	85.8	10.0	15.5	111.3	132.6	134.3	132.6	999.9
Ultra-Low-Sulfur Diesel	83.1	4.0	15.4	102.5	122.5	124.2	122.5	999.9
<b>Zone 4</b>								
Regular Unleaded	79.8	10.0	15.5	105.3	125.7	127.4	125.7	999.9
Mid-Grade Unleaded	82.8	10.0	15.5	108.3	129.1	130.9	129.1	999.9
Premium Unleaded	85.8	10.0	15.5	111.3	132.6	134.3	132.6	999.9
Ultra-Low-Sulfur Diesel	83.1	4.0	15.4	102.5	122.5	124.2	122.5	999.9
<b>Zone 5</b>								
Regular Unleaded	79.8	10.0	15.5	105.3	125.7	127.4	125.7	999.9
Mid-Grade Unleaded	82.8	10.0	15.5	108.3	129.1	130.9	129.1	999.9
Premium Unleaded	85.8	10.0	15.5	111.3	132.6	134.3	132.6	999.9
Ultra-Low-Sulfur Diesel	83.1	4.0	15.4	102.5	122.5	124.2	122.5	999.9
<b>Zone 6</b>								
Regular Unleaded	80.6	10.0	15.5	106.1	126.6	128.3	126.6	999.9
Mid-Grade Unleaded	83.6	10.0	15.5	109.1	130.1	131.8	130.1	999.9
Premium Unleaded	86.6	10.0	15.5	112.1	133.5	135.2	133.5	999.9
Ultra-Low-Sulfur Diesel	83.9	4.0	15.4	103.3	123.4	125.1	123.4	999.9



**N.S. Reg. 194/2011**

Made: May 31, 2011

Filed: June 1, 2011

Proclamation, S. 11, S.N.S. 2010, c. 44

Order in Council 2011-190 dated May 31, 2011  
Proclamation made by the Governor in Council  
pursuant to Section 11 of the  
*Tanning Beds Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated May 12, 2011, and pursuant to Section 11 of Chapter 44 of the Acts of 2010, the *Tanning Beds Act*, is pleased to order and declare by proclamation that Chapter 44 of the Acts of 2010, the *Tanning Beds Act*, do come into force on and not before May 31, 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 11 of Chapter 44 of the Acts of 2010, the *Tanning Beds Act*, it is enacted as follows:

- 11** This Act comes into force on and not before such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 44 of the Acts of 2010, the *Tanning Beds Act*, do come into force on and not before May 31, 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 44 of the Acts of 2010, the *Tanning Beds Act*, do come into force on and not before May 31, 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 31st day of May in the year of Our Lord two thousand and eleven and in the sixtieth year of Our Reign.

BY COMMAND:

**sgd: Graham Steele**

[Acting] Provincial Secretary

[Acting] Minister of Justice and Attorney General

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**N.S. Reg. 195/2011**

Made: May 31, 2011

Filed: June 1, 2011

Tanning Facilities Regulations

Order in Council 2011-191 dated May 31, 2011  
Regulations made by the Governor in Council  
pursuant to Section 10 of the *Tanning Beds Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated May 12, 2011, and pursuant to Section 10 of Chapter 44 of the Acts of 2010, the *Tanning Beds Act*, is pleased to make new regulations respecting the regulation of tanning facilities in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 31, 2011.

**Regulations Respecting Tanning Facilities  
made by the Governor in Council pursuant to  
Section 10 of Chapter 44 of the Acts of 2010,  
the *Tanning Beds Act***

**Citation**

1 These regulations may be cited as the *Tanning Facilities Regulations*.

**Definitions**

2 (1) In these regulations,

“Act” means the *Tanning Beds Act*;

“UV” means ultraviolet.

(2) In clause 7(c) of the Act, in relation to an enforcement officer’s power to enter a tanning facility’s premises,

“at all reasonable times” means during the business hours of the owner of the tanning facility;

“tanning facility’s premises” does not include any part of the premises that is used exclusively as a dwelling.

**Warning signs**

- 3** (†) Warning signs required by Section 6 of the Act must meet the following specifications and be displayed in accordance with the following:
- (a) a point of sale warning sign in the form and of the size specified in Schedule A must be displayed in accordance with all of the following, so that customers can easily view the warning sign before purchasing UV tanning services:
    - (i) it must be within 1 m of each cash register where UV tanning services may be sold,
    - (ii) it must be readily legible and unobstructed;
  - (b) a health warning sign in the form and of the size specified in Schedule B must be displayed in accordance with all of the following, so that customers can easily view the warning sign before using UV tanning equipment:
    - (i) it must be displayed conspicuously within 1 m of each piece of UV tanning equipment,
    - (ii) it must be readily legible and unobstructed;
  - (c) a door decal in the form and of the size specified in Schedule C must be placed in accordance with all of the following so that it is visible to a person approaching the tanning facility:
    - (i) it must be placed immediately above or in close proximity to each entrance door handle or, if the entrance door does not have a handle, in the middle of the door,
    - (ii) if the door is not visible when the tanning facility is open, it must be placed within 1 m of each entrance, unobstructed and clearly visible to those entering the tanning facility,
    - (iv)\* it must be readily legible and unobstructed.

**[\*subclause numbering as in original]**

**Enforcement officer must produce evidence of designation on request**

- 4** In exercising any of their powers under Section 7 of the Act or under these regulations, an enforcement officer must produce, on request, evidence of their designation as an enforcement officer.

**Enforcement officer investigation powers**

- 5** (†) In addition to the powers specified in Section 7 of the Act, in conducting an investigation to determine compliance with the Act and these regulations, an enforcement officer may do any of the following:
- (a) question a person on matters relevant to the investigation;
  - (b) examine any record or other thing that is relevant to the investigation;
  - (c) remove any record or other thing relevant to the investigation for evidence.

**Enforcement officer may order removal of sign**

- 6** An enforcement officer may order an owner to remove any sign found to be in violation of the Act or these regulations.

**Advertising or promotion**

7 Nothing in these regulations prohibits an owner from displaying any sign or material promoting or advertising the sale of or otherwise respecting the use of tanning equipment as long as the owner complies with the signage requirements in these regulations.

**Proof of age**

8 (1) A person who is required by an owner or an employee of an owner to provide proof of age under Section 5 of the Act must present 1 of the following:

(a) for a resident of the Province,

- (i) a valid driver's licence issued by the Province that displays a photographic image of the person to whom the licence is issued,
- (ii) a valid identification card issued by the Province that displays a photographic image and the birthdate of the person to whom the identification card is issued,
- (iii) a valid Canadian passport,
- (iv) a Canadian citizenship card displaying a photographic image of the person to whom the card is issued,
- (v) a Canadian Forces identification card;

(b) for an out-of-Province resident:

- (i) a valid driver's licence issued by the place of residence of the resident that displays a photographic image of the person to whom the licence is issued,
- (ii) a valid passport,
- (iii) a Canadian citizenship card displaying a photographic image of the person to whom the card is issued,
- (iv) a Canadian Forces identification card.

(2) An owner must refuse to sell access to tanning equipment to a person if it appears that the person's proof of identification has been altered.

Schedule A: Point of Sale Warning Sign

(Size: 25 cm wide and 49 cm long)

# WARNING

**Exposure to UV light in tanning beds can cause skin cancer, serious injury and premature aging.**

Fair-skinned people and others who burn easily are at higher risk.

Certain medical conditions, medications, cosmetics, and lotions **increase sensitivity** to UV tanning equipment and can lead to serious burns and injury.

**IT IS ILLEGAL FOR PERSONS UNDER 19 TO ACCESS UV TANNING EQUIPMENT IN THIS FACILITY.**

**Schedule B: Health Warning Sign**

(Size: 46 cm wide and 18 cm long)

# WARNING

**Exposure to the UV light in this tanning bed can cause skin cancer and premature aging.**

Repeated exposure increases your risk of developing skin cancer.

Some medical conditions, medications, cosmetics and lotions increase the risk of burns and serious injury.

**Schedule C: Door Decal**

(Size: 23 cm wide and 18 cm long)

# NOTICE

The Nova Scotia *Tanning Beds Act* prohibits persons under 19 years of age from using UV tanning equipment in this facility. Proof of age will be required before using UV tanning equipment.

**N.S. Reg. 196/2011**

Made: May 31, 2011

Filed: June 1, 2011

## Distribution of Civil Forfeiture Funds Regulations

Order in Council 2011-192 dated May 31, 2011  
Regulations made by the Governor in Council  
pursuant to Section 6 of the *Assets Management and Disposition Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated May 3, 2011, and pursuant to Section 6 of Chapter 26 of the Acts of 2007, the *Assets Management and Disposition Act*, is pleased to make new regulations respecting the distribution of civil forfeiture funds, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 31, 2011.

**Schedule "A"**

**Regulations Respecting the Distribution of Civil Forfeiture Funds  
made by the Governor in Council pursuant to Section 6 of  
Chapter 26 of the Acts of 2007, the *Assets Management and Disposition Act***

**Citation**

1 These regulations may be cited as the *Distribution of Civil Forfeiture Funds Regulations*.

**Definitions for Act and regulations**

2 (1) In these regulations,

"Act" means the *Assets Management and Disposition Act*;

"Forfeiture Account" means the account established in Section 3 of the Act;

"Manager" means the Manager of Assets appointed under subsection 2(1) of the Act.

(2) In the Act and these regulations, "eligible victim" has the same meaning as "victim" as defined in the *Victims' Rights and Services Act*.

**Priority of payments out of Forfeiture Account**

3 (1) When making payments out of the Forfeiture Account under subsection 5(1) of the Act, the Manager must first make payments under clause 5(1)(a) of the Act to cover all expenses and costs incurred in administering the *Civil Forfeiture Act* and the Act, including all of the following:

(a) any legal costs related to forfeiture proceedings, including legal costs for proceedings for the forfeiture of property or an interest in property incurred

(i) on behalf of the Manager,

(ii) in relation to the proceedings, or

(iii) in relation to distributing compensation resulting from the forfeiture;

(b) management and administrative costs relating to holding, administering, maintaining or managing a property or an interest in property before its sale or disposition;

- (c) costs related to selling or disposing of forfeited property or interests in property;
  - (d) staffing and related costs for staff employed to assist the Manager in carrying out the Manager's duties under the Act and the *Civil Forfeiture Act*.
- (2) After the Manager has made payments in accordance with subsection (1), payments out of the Forfeiture Account may be made to the following:
- (a) to the Director of Victim Services under clause 5(1)(b) of the Act for the compensation of eligible victims, who may use the funds for any of the following:
    - (i) compensating persons under Sections 11A to 11R of the *Victims' Rights and Services Act*;
    - (ii) any program that benefits eligible victims that is operated or approved by the Director of Victim Services;
  - (b) to the Director of the Crime Prevention Unit of the Public Safety and Security Division of the Department of Justice under clause 5(1)(c) of the Act for targeted crime prevention initiatives offered by the Department of Justice.

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**N.S. Reg. 197/2011**

Made: May 31, 2011

Filed: June 1, 2011

Civil Forfeiture Regulations

Order in Council 2011-193 dated May 31, 2011  
Regulations made by the Governor in Council  
pursuant to Section 29 of the *Civil Forfeiture Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated May 3, 2011, and pursuant to Section 29 of Chapter 27 of the Acts of 2007, the *Civil Forfeiture Act*, is pleased to make new regulations respecting civil forfeitures to prescribe the forms of notice required for real property and personal property that may be affected by the commencement of proceedings under the Act, in the form set out in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 31, 2011.

**Schedule "A"**

**Regulations Respecting Civil Forfeiture  
made by the Governor in Council pursuant to Section 29 of  
Chapter 27 of the Acts of 2007, the *Civil Forfeiture Act***

**Citation**

1 These regulations may be cited as the *Civil Forfeiture Regulations*.

**Definitions for Act and regulations**

2 (1) In these regulations,



“Act” means the *Civil Forfeiture Act*;

“Manager of Civil Forfeiture” means the Manager.

- (2) In the Act and these regulations, “application” means an action or an application under the *Civil Procedure Rules*.

### **Forms of notices to be filed in registry of deeds for real property**

- 3 (1) For the purpose of subsection 24(1) of the Act, the prescribed form for filing a notice in the registry of deeds that a proceeding commenced may affect real property is Form 1.
- (2) For the purpose of subsection 24(3) of the Act, the prescribed form for
- (a) filing an amendment or extension of a notice filed in the registry of deeds under subsection 24(1) of the Act is Form 2;
- (b) cancelling a notice filed in the registry of deeds under in subsection 24(1) of the Act is Form 3.

### **Forms of notices for registration in the personal property registry for personal property**

- 4 (1) For the purpose of subsection 24(2) of the Act, the prescribed manner for registering a notice in the personal property registry that a proceeding commenced may affect personal property is the same as the manner in which a financing statement under the *Personal Property Security Act* is registered.
- (2) When registering a notice in accordance with subsection (1), the Manager must
- (a) indicate that the secured party is an enterprise and enter the title “Manager of Assets, Civil Forfeiture Program” as the name of the secured party; and
- (b) enter the following notice under the heading “Additional Information”:

Take notice that a court proceeding has been commenced under the *Civil Forfeiture Act* and that the legal ownership of the personal property, or the whole or a portion of an interest in the personal property, described in this registration may be affected by the proceedings. If a forfeiture order is granted in the court proceedings, it may result in a forfeiture of any interest in the property effective the date of this registration. Further information about this matter, or a copy of the documents by which this claim is made, may be obtained from the office of the Manager of Civil Forfeiture. The date of the commencement of the proceedings is \_\_\_\_\_, Court file number \_\_\_\_\_.

- (3) For the purpose of subsection 24(3) of the Act, the prescribed manner for cancelling a notice registered in the personal property register under subsection 24(2) of the Act is the same as the manner in which a discharge of registration is made under Section 69 of the *Personal Property Security Act General Regulations* made under the *Personal Property Security Act*.

### **Persons to be notified and method of service (proceedings affecting real property)**

- 5 (1) Except as provided in subsection (2), for proceedings under Section 5 of the Act that may affect real property, the Manager is required to notify all persons who hold a registered or recorded interest in the property, whether or not the registered or recorded interest is the subject of the application for forfeiture.
- (2) The Manager is not required to notify a person under subsection (1) who holds only an interest in a right-of-way or easement affecting the property.

- (3) For property registered under the *Land Registration Act*, notice to persons under subsection (1) must be served by delivering a copy of the Form 1 filed in the registry of deeds to the most recent address shown in the parcel register for the property, by
- (a) registered mail; or
  - (b) personal service.
- (4) For property not registered under the *Land Registration Act*, notice to persons under subsection (1) must be served by delivering a copy of the Form 1 filed in the registry of deeds in the manner directed by the court.

**Persons to be notified and method of service (proceedings affecting personal property)**

- 6 (1) For proceedings under Section 5 of the Act that may affect personal property, the Manager is required to notify all persons who have an interest or notice registered in the personal property registry.
- (2) Notice to persons under subsection (1) must be served by delivering a completed Form 4 to the address shown in the personal property registry for the person by
- (a) registered mail; or
  - (b) personal service.

**Form 1: Notice of Proceedings Affecting Real Property  
under the *Civil Forfeiture Act*  
(subsection 24(1) of the *Civil Forfeiture Act*)**

**Take notice:**

Take notice that

- (1) a court proceeding has been commenced under the *Civil Forfeiture Act*, and
- (2) the legal ownership of the real property or the whole or a portion of an interest in the real property described below may be affected by the proceedings.

**Forfeiture:**

If a forfeiture order is granted in the court proceedings, it may result in a forfeiture of any interest in the property, effective the date this notice is filed in the registry of deeds.

**Description of property:**

[ ] The property **is** registered under the *Land Registration Act*:

Civic address: \_\_\_\_\_

PID No. \_\_\_\_\_

OR

[ ] The property **is not** registered under the *Land Registration Act*:

Civic address: \_\_\_\_\_

Owner’s name on the consolidated index: \_\_\_\_\_

Legal Description attached as Schedule “A” \_\_\_\_\_

**Further information**

Further information about this matter, or a copy of the document(s) by which the claim is made, may be obtained from the office of the Manager of Civil Forfeiture at:

*(contact info for Manager of Civil Forfeiture)*

\_\_\_\_\_  
Signature of Manager of Civil Forfeiture  
Civil Forfeiture Program  
Public Safety & Security Division  
Nova Scotia Department of Justice

\_\_\_\_\_  
Date

**Form 2: Amendment of Extension of Notice of Proceedings Affecting Real Property  
under the *Civil Forfeiture Act*  
(subsection 24(3) of the *Civil Forfeiture Act*)**

**Take notice:**

Take notice that the notice of proceedings affecting real property filed in the registry of deeds on \_\_\_\_\_, 20\_\_\_\_, as document number \_\_\_\_\_, that may affect the real property described below is:

[ ] amended as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OR

[ ] extended until \_\_\_\_\_, 20\_\_\_\_.

**Description of property:**

[ ] The property **is** registered under the *Land Registration Act*:

Civic address: \_\_\_\_\_

PID No. \_\_\_\_\_

OR

[ ] The property **is not** registered under the *Land Registration Act*:

Civic address: \_\_\_\_\_  
 Owner's name on the consolidated index: \_\_\_\_\_  
 Legal Description attached as Schedule "A" \_\_\_\_\_

\_\_\_\_\_  
 Signature of Manager of Civil Forfeiture  
 Civil Forfeiture Program  
 Public Safety & Security Division  
 Nova Scotia Department of Justice

\_\_\_\_\_  
 Date

**Form 3: Cancellation of Notice of Proceedings Affecting Real Property  
 under the *Civil Forfeiture Act*  
 (subsection 24(3) of the *Civil Forfeiture Act*)**

**Take notice:**

Take notice that the notice of proceedings affecting real property filed in the registry of deeds on \_\_\_\_\_, 20\_\_\_\_, as document number \_\_\_\_\_, that may affect the real property described below is hereby cancelled.

**Description of property:**

[ ] The property **is** registered under the *Land Registration Act*:

Civic address: \_\_\_\_\_  
 PID No. \_\_\_\_\_

OR

[ ] The property **is not** registered under the *Land Registration Act*:

Civic address: \_\_\_\_\_  
 Owner's name on the consolidated index: \_\_\_\_\_  
 Legal Description attached as Schedule "A" \_\_\_\_\_

\_\_\_\_\_  
 Signature of Manager of Civil Forfeiture  
 Civil Forfeiture Program  
 Public Safety & Security Division  
 Nova Scotia Department of Justice

\_\_\_\_\_  
 Date

**Form 4: Notice of Proceedings Affecting Personal Property  
under the *Civil Forfeiture Act*  
(subsection 6(3) of the *Civil Forfeiture Act*)**

**Take notice:**

Take notice that

- (1) a court proceeding has been commenced under the *Civil Forfeiture Act*, and
- (2) the legal ownership of the personal property, or the whole or a portion of an interest in the personal property described below, may be affected by the proceedings.

**Forfeiture:**

If a forfeiture order is granted in the court proceedings, it may result in a forfeiture of any interest in the property, effective the date that notice of the proceedings was registered in the personal property registry under subsection 24(2) of the Act, which was \_\_\_\_\_ (*date*).

**Description of property:**

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(*identifying information from the registration, serial number, etc.*)

**Further information:**

Further information regarding this matter, or a copy of the documents by which the claim is made may be obtained from the office of the Manager of Civil Forfeiture at:

(*contact information for Manager of Civil Forfeiture*)

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Signature of Manager of Civil Forfeiture  
Civil Forfeiture Program  
Public Safety & Security Division  
Nova Scotia Department of Justice

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Date

**N.S. Reg. 198/2011**

Made: May 11, 2011 and May 31, 2011

Filed: June 1, 2011

Summary Offence Tickets Regulations

Order in Council 2011-194 dated May 31, 2011  
Amendment to regulations made by the Minister of Justice and 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 May 11, 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 include an offence under the *Tanning Beds Act* 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 May 31, 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 amendments to the Schedules 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 opposite the description of that offence, and the out-of-court settlement amount includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

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

**Dated and made** May 11, 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***

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, are amended by adding the following Schedule immediately after Schedule 36:

**Schedule 37  
Tanning Beds Act**

Offence	Section	Out of Court Settlement
1. Failing to display prescribed signs	6	\$282.71

**N.S. Reg. 199/2011**

Made: May 31, 2011

Filed: June 1, 2011

Proclamation, S. 13, S.N.S. 2010, c. 59

Order in Council 2011-195 dated May 31, 2011

Proclamation made by the Governor in Council

pursuant to Section 13 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 10, 2011, and pursuant to Section 13 of Chapter 59 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 59 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 June 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 13 of Chapter 59 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:

- 13** 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 59 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 June 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 59 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 June 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 31st day of May in the year of Our Lord two thousand and eleven and in the sixtieth year of Our Reign.

BY COMMAND:

**sgd: Graham Steele**  
[Acting] Provincial Secretary  
[Acting] Minister of Justice and Attorney General

**N.S. Reg. 200/2011**

Made: June 2, 2011

Filed: June 3, 2011

Prescribed Petroleum Products Prices

Order dated June 2, 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-11-24**

**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 June 1, 2011, are:

Grade 1 Regular gasoline	75.4¢ per litre
Ultra-low-sulfur diesel oil	79.0¢ per litre

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

Gasoline:	
Grade 1	75.4¢ per litre
Grade 2	78.4¢ per litre
Grade 3	81.4¢ per litre
Ultra-low-sulfur diesel oil	79.0¢ per litre



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

Gasoline:	nil
Ultra-low-sulfur diesel oil:	plus 0.7¢ 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., June 3, 2011.

**Dated** at Halifax, Nova Scotia, this 2nd day of June, 2011.

Sgd: *Elaine Wagner*  
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 June 3, 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
<b>Zone 1</b>								
Regular Unleaded	81.7	10.0	15.5	107.2	127.9	129.6	127.9	999.9
Mid-Grade Unleaded	84.7	10.0	15.5	110.2	131.3	133.1	131.3	999.9
Premium Unleaded	87.7	10.0	15.5	113.2	134.8	136.5	134.8	999.9
Ultra-Low-Sulfur Diesel	86.0	4.0	15.4	105.4	125.8	127.5	125.8	999.9
<b>Zone 2</b>								
Regular Unleaded	82.1	10.0	15.5	107.6	128.3	130.1	128.3	999.9
Mid-Grade Unleaded	85.1	10.0	15.5	110.6	131.8	133.5	131.8	999.9
Premium Unleaded	88.1	10.0	15.5	113.6	135.2	137.0	135.2	999.9
Ultra-Low-Sulfur Diesel	86.4	4.0	15.4	105.8	126.3	128.0	126.3	999.9
<b>Zone 3</b>								
Regular Unleaded	82.6	10.0	15.5	108.1	128.9	130.6	128.9	999.9
Mid-Grade Unleaded	85.6	10.0	15.5	111.1	132.4	134.1	132.4	999.9
Premium Unleaded	88.6	10.0	15.5	114.1	135.8	137.5	135.8	999.9
Ultra-Low-Sulfur Diesel	86.9	4.0	15.4	106.3	126.8	128.6	126.8	999.9
<b>Zone 4</b>								
Regular Unleaded	82.6	10.0	15.5	108.1	128.9	130.6	128.9	999.9
Mid-Grade Unleaded	85.6	10.0	15.5	111.1	132.4	134.1	132.4	999.9
Premium Unleaded	88.6	10.0	15.5	114.1	135.8	137.5	135.8	999.9
Ultra-Low-Sulfur Diesel	86.9	4.0	15.4	106.3	126.8	128.6	126.8	999.9

<b>Zone 5</b>									
Regular Unleaded	82.6	10.0	15.5	108.1	128.9	130.6	128.9	999.9	
Mid-Grade Unleaded	85.6	10.0	15.5	111.1	132.4	134.1	132.4	999.9	
Premium Unleaded	88.6	10.0	15.5	114.1	135.8	137.5	135.8	999.9	
Ultra-Low-Sulfur Diesel	86.9	4.0	15.4	106.3	126.8	128.6	126.8	999.9	
<b>Zone 6</b>									
Regular Unleaded	83.4	10.0	15.5	108.9	129.8	131.6	129.8	999.9	
Mid-Grade Unleaded	86.4	10.0	15.5	111.9	133.3	135.0	133.3	999.9	
Premium Unleaded	89.4	10.0	15.5	114.9	136.7	138.5	136.7	999.9	
Ultra-Low-Sulfur Diesel	87.7	4.0	15.4	107.1	127.8	129.5	127.8	999.9	