

Royal



Gazette

Part II Regulations under the Regulations 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. 130/2012

Made: May 25, 2012

Approved: June 12, 2012

Filed: June 20, 2012

Milk Pricing Regulations

Order dated June 12, 2012

Amendment to regulations made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council pursuant to clause 14(1)(c) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia**Amendment to the Milk Pricing Regulations**

I certify that the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(c) [of] Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, and pursuant to clause 15(1)(g) of the *Dairy Industry Act*, at a meeting held on May 25, 2012, voted to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, to amend subsection 9(2) in the manner set out in Schedule "A", effective on and after August 1, 2012.

Signed at Truro, in the County of Colchester, Nova Scotia on June 15, 2012.

Dairy Farmers of Nova Scotia

per: sgd.: *Brian Cameron*

Brian Cameron

General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on June 12, 2012.

Natural Products Marketing Council

Per: sgd.: *E. A. Crouse*

Elizabeth A. Crouse, P.Ag.

General Manager

Schedule "A"

**Amendment to the Milk Pricing Regulations
made by the Dairy Farmers of Nova Scotia under clauses 14(1)(c)
and 15(1)(g) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act***

Subsection 9(2) of the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on November 17, 2009, is amended by striking out "\$0.3421" and substituting "\$0.3684".

N.S. Reg. 131/2012

Made: June 21, 2012

Filed: June 22, 2012

Prescribed Petroleum Products Prices

Order dated June 21, 2012
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-12-25****In the Matter of the *Petroleum Products Pricing Act*****- and -****In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations*****Before:** Roberta J. Clarke, Q.C., Member**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 Board revised the retail margin and transportation allowance effective January 6, 2012, in its Decision 2011 NSUARB 181, issued on November 23, 2011;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended June 20, 2012, are:

Grade 1 Regular gasoline	70.4¢ per litre
Ultra-low-sulfur diesel oil	73.6¢ per litre

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

Gasoline:	
Grade 1	70.4¢ per litre
Grade 2	73.4¢ per litre
Grade 3	76.4¢ per litre
Ultra-low-sulfur diesel oil	73.6¢ per litre

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

Gasoline:	minus 1.9¢ per litre
Ultra-low-sulfur diesel oil:	minus 1.4¢ 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., June 22, 2012.

Dated at Halifax, Nova Scotia, this 21st day of June, 2012.

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 22, 2012**

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	75.0	10.0	15.5	100.5	121.1	123.2	121.1	999.9
Mid-Grade Unleaded	78.0	10.0	15.5	103.5	124.5	126.6	124.5	999.9
Premium Unleaded	81.0	10.0	15.5	106.5	128.0	130.1	128.0	999.9
Ultra-Low-Sulfur Diesel	78.7	4.0	15.4	98.1	118.3	120.4	118.3	999.9
Zone 2								
Regular Unleaded	75.5	10.0	15.5	101.0	121.7	123.7	121.7	999.9
Mid-Grade Unleaded	78.5	10.0	15.5	104.0	125.1	127.2	125.1	999.9
Premium Unleaded	81.5	10.0	15.5	107.0	128.6	130.6	128.6	999.9
Ultra-Low-Sulfur Diesel	79.2	4.0	15.4	98.6	118.9	121.0	118.9	999.9
Zone 3								
Regular Unleaded	75.9	10.0	15.5	101.4	122.1	124.2	122.1	999.9
Mid-Grade Unleaded	78.9	10.0	15.5	104.4	125.6	127.7	125.6	999.9
Premium Unleaded	81.9	10.0	15.5	107.4	129.0	131.1	129.0	999.9
Ultra-Low-Sulfur Diesel	79.6	4.0	15.4	99.0	119.4	121.4	119.4	999.9
Zone 4								
Regular Unleaded	76.0	10.0	15.5	101.5	122.2	124.3	122.2	999.9
Mid-Grade Unleaded	79.0	10.0	15.5	104.5	125.7	127.8	125.7	999.9
Premium Unleaded	82.0	10.0	15.5	107.5	129.1	131.2	129.1	999.9
Ultra-Low-Sulfur Diesel	79.7	4.0	15.4	99.1	119.5	121.6	119.5	999.9
Zone 5								
Regular Unleaded	76.0	10.0	15.5	101.5	122.2	124.3	122.2	999.9
Mid-Grade Unleaded	79.0	10.0	15.5	104.5	125.7	127.8	125.7	999.9
Premium Unleaded	82.0	10.0	15.5	107.5	129.1	131.2	129.1	999.9
Ultra-Low-Sulfur Diesel	79.7	4.0	15.4	99.1	119.5	121.6	119.5	999.9
Zone 6								
Regular Unleaded	76.7	10.0	15.5	102.2	123.1	125.1	123.1	999.9
Mid-Grade Unleaded	79.7	10.0	15.5	105.2	126.5	128.6	126.5	999.9
Premium Unleaded	82.7	10.0	15.5	108.2	130.0	132.0	130.0	999.9
Ultra-Low-Sulfur Diesel	80.4	4.0	15.4	99.8	120.3	122.4	120.3	999.9

N.S. Reg. 132/2012

Made: December 15, 2011

Approved: June 12, 2012

Filed: June 26, 2012

Total Production Quota Regulations

Order dated June 12, 2012

Amendment to regulations made by the Dairy Farmers of Nova Scotia and
approved by the Natural Products Marketing Council
pursuant to clause 14(1)(e) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia**Amendment to the Total Production Quota Regulations**

I certify that the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(e) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(h) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, at a meeting held on December 15, 2011, amended the *Total Production Quota Regulations*, N.S. Reg. 255/2009, approved by the Natural Products Marketing Council on July 21, 2009, in the manner set out in Schedule "A", effective on and after August 1, 2012.

Signed at Truro, in the County of Colchester, Nova Scotia on June 15, 2012.

Dairy Farmers of Nova Scotia

Sgd.: *Brian Cameron*

per:

Brian Cameron

General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on
June 12, 2012.

Natural Products Marketing Council

Sgd.: *E. A. Crouse*

per:

Elizabeth A. Crouse, P.Ag.

General Manager

Schedule "A"

**Amendment to the *Total Production Quota Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to
clause 14(1)(e) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

- 1 (1) Section 2 of the *Total Production Quota Regulations*, N.S. Reg. 255/2009, approved by the Natural Products Marketing Council on July 21, 2009, is amended by striking out the clause letter before each definition.

- (2) Section 2 of the regulations is further amended by
- (a) striking out “a policy of the Board established under Section 5” in the definition of “assisted new producer” and substituting “the Board policy”;
 - (b) adding the following definition where it belongs in alphabetical order:

“Board policy” means a policy of the Board established under Section 5;
 - (c) striking out “never previously held a licence to produce milk under the Act” in subclause (iv) of the definition of “new producer” and substituting “not held a licence to produce milk under the Act in the previous 24 months”.
- 2 Subsection 16(4) of the regulations is amended by adding “assisted” immediately before “new producers” in clauses (b) and (c).
- 3 Subsection 19(1) of the regulations is amended by striking out “including a new producer” and substituting “including an assisted new producer but excluding a new producer who is not assisted”.
- 4 (1) Subsection 20(1) of the regulations is amended by striking out “must submit an offer to buy TPQ or an offer to sell TPQ in a form approved by the Board, and each offer must include all of the following information” and substituting “must submit either 1 offer to buy TPQ or 1 offer to sell TPQ, and the offer must be in a form approved by the Board and include all of the following information”.
- (2) Subsection 20(2) of the regulations is repealed and the following subsection substituted:
- (2) Each offer to buy TPQ must be accompanied by a non-refundable service fee of \$15.00 plus any applicable taxes.
 - (3) The table in subsection 20(3) of the regulations is amended by adding “(plus any applicable taxes)” immediately after “Fee” in the right-hand column heading.
 - (4) Subsection 20(4) of the regulations is amended by striking out “19th” and substituting “14th”.
 - (5) Subsection 20(5) of the regulations is amended by striking out “in the same pay period”.
 - (6) Subsection 20(8) of the regulations is amended by striking out “new producers or to a producer who was a new producer in the 6 months before the date the offer to buy TPQ is submitted” and substituting “an assisted new producer for the period of time prescribed in the Board policy”.
- 5 Subsection 21 of the regulations is amended by striking out “the amount set out in Schedule A for the month of the TPQ exchange” and substituting “\$25 000 per kilogram of TPQ”.
- 6 Section 22 of the regulations is repealed.
- 7 (1) Subsection 24(1) and the heading immediately before Section 24 are repealed and the following heading and subsection substituted:

TPQ exchange transactions

- 24 (1)** In this Section, “banking day” means a day between Monday and Friday, inclusive, and on which at least half of the banks in the Province are open for business.

- (2) Section 24 of the regulations is further amended by adding the following subsection immediately after subsection (1):
- (1A)** On or before the 3rd-last banking day of the month of a TPQ exchange, each producer with a successful buy offer in that TPQ exchange must pay the Board in full for the quantity of TPQ that the producer bought.
- (3) Section 24 of the regulations is further amended by adding the following subsections immediately after subsection (2):
- (3)** If a producer does not pay as required by subsection (1A), or if a cheque that the producer submits to the Board is dishonoured by the producer's bank,
- (a) the TPQ bought by the producer returns to the Board and may be sold on a later TPQ exchange; and
- (b) except as provided in subsection (6), all of the following apply to the producer:
- (i) the producer is liable for all costs incurred by the Board resulting from the non-payment or dishonoured cheque, and the costs must be paid before any of the producer's future offers to buy or sell TPQ on the exchange are accepted,
- (ii) the producer is not eligible to buy TPQ on the exchange for a period of 12 months following full reimbursement of the costs referred to in subsection (i),
- (iii) for a period of 5 years from the date the producer becomes eligible to buy TPQ on the exchange again under subclause (ii), the producer must pay for TPQ only with a bank draft, direct deposit or wire transfer.
- (4)** No later than 30 days after the date a producer's payment is due under subsection (1A), the producer may submit a request in writing to the board of directors of the Board requesting that subclauses (3)(b)(ii) and (iii) not apply to the producer.
- (5)** On receipt of a request from a producer under subsection (4), the board of directors of the Board must give the producer a reasonable opportunity to make submissions either in writing or in person to the board of directors of the Board.
- (6)** If, after giving the producer a reasonable opportunity to make submissions, the board of directors of the Board is satisfied that the non-payment or dishonoured cheque was the result of circumstances beyond the control of the producer, and not the result of any fault or negligence by the producer, subclauses (3)(b)(ii) and (iii) do not apply to the producer.
- 8 (1) Subsection 26(7) of the regulations is repealed and the following subsection substituted:
- (7)** If, at the market clearing price, the cumulative volume of the successful offers to buy is greater than the cumulative volume of the successful offers to sell, the TPQ must be distributed to buyers according to the following order of priority:
- (a) first, if there is a successful buy offer from an assisted new producer who is in their quota acquisition period as described in the Board policy and, immediately before the TPQ exchange, held less TPQ than the buyer prorate exemption amount prescribed in

the Board policy, the TPQ must be allocated to the assisted new producer until 1 of the following conditions is satisfied:

- (i) all of the TPQ is allocated to the assisted new producer,
 - (ii) the assisted new producer's buy offer is filled,
 - (iii) the TPQ held by the assisted new producer immediately before the TPQ exchange plus the amount of TPQ bought by the producer is equal to the buyer prorate exemption amount prescribed in the Board policy;
- (b) second, a portion of any remaining TPQ must, subject to subsection (8), be allocated to each producer with an unsatisfied successful buy offer through iteration of TPQ in increments of 0.01 kg, as follows:
- (i) in each allocation round, each producer whose buy offer remains unsatisfied must be allocated 0.01 kg of TPQ,
 - (ii) allocation rounds must continue until the total allocation at the end of a completed round is at least 50% of the TPQ that was not allocated under clause (a), and then the remaining unallocated TPQ must be allocated by proration in accordance with clause (c),
 - (iii) if there is insufficient unallocated TPQ to allow for at least 1 complete allocation round, an allocation round must not occur and the remaining unallocated TPQ must be allocated by proration in accordance with clause (c);
- (c) third, any remaining TPQ must, subject to subsection (8), be prorated to the extent necessary to balance the exchange, so that each producer who has an unsatisfied successful buy offer buys the volume of TPQ calculated as follows:

$$\text{Volume bought} = \text{volume of unsatisfied successful buy offer} \times \frac{\text{(remaining cumulative volume of successful offers to sell)}}{\text{(remaining cumulative volume of successful offers to buy)}}$$

(2) Subsection 26(8) of the regulations is repealed and the following subsection substituted:

- (8)** If an assisted new producer acquires TPQ under clause (7)(a), and part of their successful buy offer remains unsatisfied, the assisted new producer must not be allocated any TPQ under clause (7)(b) or (c) on that exchange.

(3) Subsection 26(9) of the regulations is repealed.

(4) Subsection 26(13) of the regulations is repealed.

9 Section 33 of the regulations and its heading are repealed and the following heading and Section substituted:

Dalhousie University exemption

33 Subsections 14(6), (7) and (8), respecting the limit of cumulative under-production and the carrying forward of under-production, do not apply to Dalhousie University.

10 Schedule A of [to] the regulations is repealed.

N.S. Reg. 133/2012

Made: June 26, 2012

Filed: June 27, 2012

Bee Industry Regulations

Order in Council 2012-213 dated June 26, 2012
Amendment to regulations made by the Governor in Council
pursuant to subsection 17(1) of the *Bee Industry Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated May 31, 2012, and pursuant to subsection 17(1) of Chapter 3 of the Acts of 2005, the *Bee Industry Act*, is pleased to amend the *Bee Industry Regulations*, N.S. Reg. 319/2007, made by the Governor in Council by Order in Council 2007-357 dated June 22, 2007, to change the requirements for bee importation in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 26, 2012.

Schedule “A”

**Amendment to the *Bee Industry Regulations*
made by the Governor in Council under
subsection 17(1) of Chapter 3 of the Acts of 2005,
the *Bee Industry Act***

- 1 Subsection 6(2) of the *Bee Industry Regulations*, N.S. Reg. 319/2007, made by the Governor in Council by Order in Council 2007-357 dated June 22, 2007, is amended by striking out “are free from reportable diseases and pests” in subclause (b)(ii) and clause (c) and substituting “meet the specifications set out in the *Bee Health Importation Protocol* published by the Department of Agriculture”.
- 2 The regulations are further amended by striking out the table in Section 10 and substituting the following table:

Common Name	Scientific Name or Abbreviation
Varroa mite	<i>Varroa destructor</i>
Varroa mite resistant fluvalinate	rVMf
Varroa mite resistant coumaphous	rVMc
Asian mite	<i>Tropilaelaps clareae</i>
Honey bee tracheal mite	<i>Acarapis woodi</i>
Small hive beetle	<i>Aethina tumida</i>
Africanized bees of the African races and hybrids of European and African races	<i>Apis mellifera scutellata</i>
Cape honey bee	<i>Apis mellifera capensis</i>
Asian honey bee	<i>Apis cerana</i>
Asian Nosema	<i>Nosema ceranae</i>
Asian giant hornet	<i>Vespa mandarinia</i>

- 3 The regulations are further amended by striking out the table in Section 11 and substituting the following table:

Common Name	Scientific Name or Abbreviation
Diseases:	
American foulbrood	<i>Paenibacillus larvae</i>
American foulbrood resistant oxytet	rAFB
Pests:	
Varroa mite resistant fluvalinate	rVMf
Varroa mite resistant coumaphous	rVMc
Asian mite	<i>Tropilaelaps clareae</i>
Honey bee tracheal mite	<i>Acarapis woodi</i>
Small hive beetle	<i>Aethina tumida</i>
Africanized bees of the African races and hybrids of European and African races	<i>Apis mellifera scutellata</i>
Cape honey bee	<i>Apis mellifera capensis</i>
Asian honey bee	<i>Apis cerana</i>
Asian Nosema	<i>Nosema ceranae</i>
Asian giant hornet	<i>Vespa mandarinia</i>

N.S. Reg. 134/2012

Made: June 26, 2012

Filed: June 27, 2012

NewPage Port Hawkesbury Pension Plans Regulations

Order in Council 2012-214 dated June 26, 2012

Regulations made by the Governor in Council

pursuant to Section 14 of the *NewPage Port Hawkesbury Pension Plans Act*

The Governor in Council on the report and recommendation of the Minister of Labour and Advanced Education dated June 12, 2012, and pursuant to Section 14 of Chapter 12 of the Acts of 2012, the *NewPage Port Hawkesbury Pension Plans Act*, is pleased to make regulations respecting the NewPage Port Hawkesbury pension plans, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 26, 2012.

Schedule "A"**Regulations Respecting the NewPage Port Hawkesbury Pension Plans
made by the Governor in Council under Section 14 of
Chapter 12 of the Acts of 2012,
the *NewPage Port Hawkesbury Pension Plans Act*****Citation**

1 These regulations may be cited as the *NewPage Port Hawkesbury Pension Plans Regulations*.

Definitions

2 (1) Except as otherwise provided in these regulations, words and expressions used in these regulations have the same meaning as in the *Pension Benefits Act* and the *Pension Benefits Regulations*.

(2) In these regulations,

“Act” means the *NewPage Port Hawkesbury Pension Plans Act*;

“election” means the election under Section 7 of the Act to participate in the pension plans during the extended wind-up period that extends until the wind-up date or to participate in the wind-up of the pension plans without extension of the wind-up period;

“payout ratio” means the amount of pension payable under Section 3, as modified in accordance with Section 15, divided by the amount of pension that would be payable if the pension plan were fully funded;

“pension plan” means the pension plan, as defined in the Act, in relation to which a member, former member or other person is a participant or is otherwise entitled to benefits.

Reduction in pension amount

3 (1) July 1, 2012, is the prescribed date for the purpose of

(a) a reduction under subsection 5(1) of the Act in the amount of the pension that is being paid to a retired member;

(b) a reduction under subsection 5(2) of the Act in the amount of a pension that is paid to a member or former member who retires on or after the date the Act comes into force.

(2) For the purposes of subsections 5(1) and (2) of the Act, the pension must be reduced to the amount that is proportional to the funded ratio of the pension plans, determined and adjusted

(a) using the data from the actuarial valuation report for the pension plan prepared as at December 31, 2010;

(b) by extrapolating the pension plan liabilities to April 30, 2012, as determined by the administrator;

(c) using the actuarial valuation assumptions as at April 30, 2012, as determined by the administrator; and

(d) using the market value of the assets of the pension plan as if the plan were being wound up as at April 30, 2012, as determined by the administrator.

- (3) Pensions payable to persons otherwise entitled to benefits under a pension plan, including survivors and beneficiaries, must be reduced in accordance with this Section.

Manner of providing information to persons for purpose of election

- 4 (1) For the purpose of subsection 8(1) of the Act, the information required to be provided by the administrator under subsections 8(2) and (3) of the Act must be
- (a) in writing;
 - (b) delivered to the Superintendent by hand or courier; and
 - (c) delivered to each person referred to in clauses 8(1)(b) through (f) of the Act by regular mail.
- (2) The information provided by the administrator under subsections 8(2) and (3) of the Act is deemed to have been received by each person referred to in clauses 8(1)(b) to (f) of the Act on the date that is 5 days after the date the information is mailed.

Date for providing information about election

- 5 For the purpose of subsection 8(1) of the Act, August 2, 2012, is prescribed as the date within 60 days of which the administrator must provide the information required by subsections 8(2) and (3) of the Act.

Information to be provided to persons for purpose of election

- 6 For the purpose of clause 8(3)(d) of the Act, the administrator must provide a statement in writing to each person entitled to make an election indicating that if the person fails to make an election in accordance with subsections 7(1) and (2) of the Act, the person is deemed to have elected to participate in the pension plans during an extended wind-up period that extends until the wind-up date.

Material to be provided to persons for purpose of election

- 7 For the purpose of making an election, the administrator must provide each member, former member or other person entitled to benefits under a pension plan with
- (a) a form for purposes of making the election; and
 - (b) a stamped envelope addressed to the administrator for the purpose of returning the election to the administrator by regular mail.

Manner of making election

- 8 (1) An election must be in writing and must contain all of the following:
- (a) the name of the person making the election;
 - (b) the name of the pension plan of which the person is a member or a former member, or under which the person is otherwise entitled to benefits;
 - (c) a statement that indicates that
 - (i) by signifying “yes” on the election form the member, former member or other person entitled to benefits elects to participate in the pension plans during an extended wind-up period that extends until the wind-up date, and
 - (ii) by signifying “no” on the election form the member, former member or other person entitled to benefits elects to participate in the wind-up of the pension plans without extension of the wind-up period;

- (d) the election of the person in relation to the pension plans;
 - (e) the date the election is made;
 - (f) a statement that the person making the election understands the nature and legal consequences of the election, and is aware of the right to seek independent legal and financial advice about the election;
 - (g) the signature of the person making the election, unless the election is delivered by e-mail.
- (2) An election must be delivered to the administrator by hand, courier, regular mail, facsimile or e-mail.
- (3) An election delivered to the administrator in accordance with subsection (2) is deemed to have been received by the administrator
- (a) on the date the election is actually received by the administrator, if delivered by hand or courier;
 - (b) on the date the election is sent, if delivered by facsimile or e-mail; or
 - (c) on the date the election is mailed, if delivered by regular mail.

Prescribed percentages for purposes of election

- 9 (1) For the purpose of clause 7(5)(a) of the Act, the prescribed percentage of the members, former members and other persons entitled to benefits under the pension plans is 20.
- (2) For the purpose of clause 7(5)(b) of the Act, the prescribed percentage of the total value of the aggregate of the assets in the pension plans that is held by the members, former members and other persons entitled to benefits under the plans who have elected or are deemed to have elected to participate in the pension plans during the extended wind-up period is 30.

Providing election results

- 10 (1) For the purpose of subsection 7(7) of the Act, the 35-day period following the election date is prescribed as the period during which the administrator must provide the results of the election to the Superintendent and to each person referred to in clauses 8(1)(b) to (f) of the Act.
- (2) The results of the election must be in writing and must contain all of the following:
- (a) for each person who made an election,
 - (i) the person's name, and
 - (ii) the name of the pension plan of which the person is a member or former member, or under which the person is otherwise entitled to benefits;
 - (b) the election date;
 - (c) the percentages prescribed in Section 9 for the purposes of clauses 7(5)(a) and (b) of the Act;
 - (d) the percentage of members, former members and other persons entitled to benefits under the pension plans who elected or are deemed to have elected to participate in the pension plans during the extended wind-up period;

- (e) the percentage of members, former members and other persons entitled to benefits under the pension plans who elected to participate in the pension plans without extension of the wind-up period;
 - (f) the percentage of the total value of the aggregate of the assets in the pension plans that is held by the members, former members and other persons entitled to benefits under a pension plan who elected or are deemed to have elected to participate in the plans during the extended wind-up period;
 - (g) the wind-up date;
 - (h) a statement as to whether the wind-up period is extended to the wind-up date, in accordance with subsection 7(5) of the Act.
- (3) The results of the election must be
- (a) delivered to the Superintendent by hand or courier; and
 - (b) delivered to each person referred to in clauses 8(1)(b) to (f) of the Act by regular mail.
- (4) The results of the election are deemed to have been received
- (a) by the Superintendent on the date the results are actually received by the Superintendent; and
 - (b) by the persons referred to in clauses 8(1)(b) to (f) of the Act on the date that is 5 days after the results are mailed to them by regular mail.

Authorized payments during extended wind-up period

11 For the purpose of clause 9(1)(f) of the Act, the reasonable fees and expenses of an agent of the administrator are a prescribed payment.

Contents of annual valuation report

12 For the purpose of clause 11(2)(b) of the Act, an annual valuation report to the Superintendent during the extended wind-up period must contain, in addition to the information specified in clause 11(2)(a) of the Act, the information required to be provided in an actuarial valuation report prepared in accordance with the *Pension Benefits Regulations*.

Contents of a summary statement

13 For the purpose of clause 11(1)(d) of the Act, the administrator must include all of the following information in an annual summary statement to each member, former member and other person entitled to benefits under the pension plans:

- (a) the information specified in clause 11(1)(e) and subsection 11(2) of the Act;
- (b) the information specified in subsection 42(1) of the *Pension Benefits Regulations*, except clauses (j), (l) and (n), and subclauses (p)(i) and (s)(i), determined in relation to the member, former member or other person entitled to benefits;
- (c) for a retired member or any other person in receipt of a pension payable from the pension plan, the pension, calculated as at the valuation date of the report,
 - (i) that is paid in accordance with the current payout ratio of the pension plan, including any adjustment for which notice has been given but which has not yet taken effect, and

- (ii) that would be paid if the pension plan were fully funded;
- (d) for a member, former member or any other person who is entitled to benefits but who is not yet in receipt of payments, the deferred pension or other benefit, calculated as at the valuation date of the report, to which the person
 - (i) is entitled in accordance with the current payout ratio of the pension plan, including any adjustment for which notice has been given but which has not yet taken effect, and
 - (ii) would be entitled if the pension plan were fully funded.

Notice of decrease in pension during extended wind-up period

- 14 (1)** For the purposes of clause 12(1)(c) of the Act and these regulations, the administrator must provide each affected retired member and other person who is in receipt of benefits under a pension plan with 90 days' notice of a decrease in the pension payout ratio.
- (2)** A notice of a decrease must be in writing and must contain all of the following:
- (a) the name of the retired member or other person in receipt of benefits;
 - (b) the name of the pension plan;
 - (c) the amount of the pension that is being paid as of the date of the notice;
 - (d) the amount by which the pension will decrease;
 - (e) the payout ratio of the pension plan as at the date of the most recent annual valuation report filed under Section 11 of the Act;
 - (f) the basis for the decrease in the payout ratio, with reference to the projected funded ratio of the pension plan at the wind-up date;
 - (g) the date that the decrease in the pension will be effective.
- (3)** A notice of a decrease must be delivered by regular mail.
- (4)** The administrator must provide the Superintendent with a notice of a decrease at the same time and in the same manner as it is provided to the retired members and other persons entitled to benefits, except that the notice must be delivered to the Superintendent by hand or courier instead of by regular mail.
- (5)** A notice of a decrease is deemed to have been received by a retired member or other person entitled to benefits on the date that is 5 days after the date the notice is mailed.

Basis for adjustment in pension payable

- 15 (1)** For the purpose of clause 12(1)(c) of the Act, the administrator may decrease any pension that is being paid to a retired member or other person entitled to benefits under a pension plan if the funded ratio of the pension plan has decreased since the most recent annual valuation report filed under Section 11 of the Act.
- (2)** For the purpose of subsection 12(2) of the Act, the administrator may increase any pension that is being paid to a retired member or other person entitled to benefits under a pension plan if the projected funded ratio of the pension plan at the wind-up date is higher than the current payout ratio.

N.S. Reg. 135/2012

Made: June 11 and June 21, 2012

Filed: June 28, 2012

Teachers' Pension Plan Regulations

Order dated June 11 and June 21, 2012
Amendment to regulations made by the Minister of Finance
and the Nova Scotia Teachers' Union
pursuant to Sections 14 and 20 of the *Teachers' Pension Act*

**Memorandum of Agreement
Between
Her Majesty the Queen in the Right of the Province of Nova Scotia
Represented by the Minister of Finance
and
The Nova Scotia Teachers' Union
A Body Corporate Established Pursuant to the Teaching Profession Act,
Being Chapter 462 Revised Statutes 1989**

Whereas Sections 14 and 20 of Chapter 26 of the Acts of 1998, the *Teachers' Pension Act* provides that the Minister of Finance ("Minister") and the Nova Scotia Teachers' Union ("Union") may make regulations setting out the terms of the Teachers' Pension Plan ("Pension Plan");

And whereas the *Teacher's Pension Plan Regulations* ("Regulations") were made as of March 31, 1999, as Nova Scotia Regulation 88/99;

And whereas the By-laws of the Union, as amended by Resolution 2000-15, authorize the Executive of the Union to exercise on behalf of the Union the powers of the Union under the *Teachers' Pension Act*;

And whereas by resolution of the Executive of the Union dated February 24, 2012, the Executive approved the amendments to the Regulations (Sections 13, 16, 17 and 19) as set out in Schedule "A" attached hereto and authorized the President of the Union to sign the amendments to the Regulations on behalf of the Executive;

The Minister and the Union hereby make the amendments to the Regulations in the form and manner attached hereto as Schedule "A", effective on and after April 1, 2011.

Signed and sealed in the presence

Sgd.: <i>Joan Collier</i>	)	Sgd.: <i>Maureen MacDonald</i>
Witness	)	Honourable Maureen MacDonald
	)	Minister of Finance
)	
	)	June 11, 2012
	)	Date
)	
Sgd.: <i>Jean Ling</i>	)	Sgd.: <i>Alexis Allen</i>
Witness	)	Alexis Allen
	)	President, Nova Scotia Teachers' Union
)	
	)	June 21, 2012
	)	Date

Schedule "A"

**Amendment to the *Teachers' Pension Plan Regulations* ~~*Pension Plan Regulations*~~
(Sections 13, 16, 17 and 19)
made pursuant to Sections 14 and 20
of the Acts of 1998, c. 26,
the *Teachers' Pension Act***

**Amendments to the Regulations regarding the
Nova Scotia Teachers' Pension Plan and Disability Pensions**

- 1 Subsection 13(1) of the *Teachers' Pension Plan Regulations* made pursuant to Sections 14 and 20 of the *Teachers' Pension Act* is repealed and the following substituted:
 - 13 (1) Despite any other provision of the Plan, no service or disability pension shall be payable in an amount that exceeds the maximum permitted for that pension by the *Income Tax Act* (Canada).
- 2 Subsection 16(1) of the *Teachers' Pension Plan Regulations* is repealed and the following substituted:
 - 16 (1) The partial disability pension paid pursuant to Section 14 shall be calculated pursuant to the service pension calculation set out in Section 12, reduced by 0.25% for each month by which the date of the partial disability pension is effective precedes the earliest date on which
 - (a) the member would attain 60 years of age;
 - (b) the member would attain 30 years of pensionable service; or
 - (c) the aggregate of the member's age plus years of pensionable service, expressed in years and fractions of a year, would equal 80, all calculated as if the member had continued in employment and been credited with pensionable service on a full-time basis.
- 3 The *Teachers' Pension Plan Regulations* are amended by adding immediately following subsection 16(1) thereof the following subsection:
 - 16 (1A) Notwithstanding subsection 16(1), the partial disability pension paid pursuant to Section 14 shall not exceed the amount calculated pursuant to the service pension calculation set out in Section 12, determined as if the bridge benefit under clause 12(1)(b) continued for the lifetime of the member, less the greater of
 - (a) 17% of the amount so calculated; and
 - (b) 0.25% for each month from the date the partial disability pension is effective to the earliest date at which the member would otherwise be eligible for an unreduced pension pursuant to subsection 9(1).
- 4 Subsection 16(2) of the *Teachers' Pension Plan Regulations* is repealed and the following substituted:
 - 16 (2) Subject to subsection 16(3), a total disability pension shall be calculated as the greater of the following:

- (a) the unreduced service pension that would be payable to the member under clause 12(1)(a) based on pensionable earnings and pensionable service to the date of commencement of the total disability pension,
and
 - (b) the lesser of the following:
 - (i) the Y.M.P.E. in the year of disability retirement; and
 - (ii) the unreduced service pension that would be payable to the member under clause 12(1)(a) at age 65 assuming the member continued in employment to age 65 at the same rate of pensionable earnings.
- 5 Subsections 16(3), (4), and (5) of the *Teachers' Pension Plan Regulations* are repealed and the following substituted:
- 16 (3)** Notwithstanding the foregoing, the total disability pension paid pursuant to subsections 15(1) and (2) shall not exceed 2% of the average of the member's best 5 years of annualized pensionable earnings multiplied by the member's number of years of pensionable service.
- 16 (4)** If the total disability pension calculated under subsection 16(2) is less than the cap under subsection 16(3), a bridge benefit equal to the difference shall be payable from commencement of the total disability pension until attainment of age 65.
- 16 (5)** For greater certainty:
- (a) a member receiving a total disability pension calculated under subsection 16(2) or 16(3) is not eligible to receive the bridge benefit described in clause 12(1)(b);
 - (b) subject to subsections 19(4), (5) and (6), for purposes of determining benefits payable under Part VII on the death of a member in receipt of a total disability pension calculated under subsection 16(2) or 16(3), references to service pension in Part VII shall be deemed to include references to the total disability pension calculated under subsection 16(2) or 16(3);
 - (c) the benefits of a member in receipt of a partial disability pension calculated under subsection 16(1) shall be based on the integrated formula described in subsection 12(1), adjusted to reflect the reduction under subsection 16(1), and no portion of the disability benefit attributable to the bridge benefit described in clause 12(1)(b) shall be payable following the member's attainment of age 65.
- 6 Subsection 17(4) of the *Teachers' Pension Plan Regulations* is repealed and the following substituted:
- 17 (4)** (a) The Plan administrator in his/her sole discretion may require any information, in addition to the reports specified in subsection (3), to substantiate an application for disability pension.
- 17 (4)** (b) Members shall provide to the Plan administrator such medical reports and participate in such independent medical assessments as may be required in the absolute discretion of the administrator at least bi-annually, or more frequently as the Plan administrator may request. Such reports must be duly completed by a medical doctor licensed to practice in Canada, and must be provided up to the date the member attains age 65 as a condition for the continuation of a disability pension. The medical report shall be in the form and

contain the information necessary, as determined by the Administrator. The report must provide a confirmation of whether the member is able to perform the regular duties of his employment, and shall include information to assist in the accommodation of the member in the workplace, as relevant.

- ~~17~~ ~~(4)~~ (c) If a person fails to provide all the necessary information required by the Plan administrator under clause 3(a) or 4(b) on a timely basis and in the form and manner specified by the Plan administrator, payment of a disability pension may be delayed, suspended, or denied.

7 The *Teachers' Pension Plan Regulations* are amended by adding immediately after subsection 17(6) thereof the following subsection:

- ~~17~~ (7) (a) Notwithstanding Section 14, a partial disability pension shall not be granted to any member who, at the date of application for a partial disability pension, is entitled to an unreduced service pension under Section 7 or subsection 9(1).

- ~~17~~ ~~(7)~~ (b) Notwithstanding subsection 15(1), a total disability pension shall not be granted to any member who, at the date of application for a total disability pension, is entitled to an unreduced service pension under Section 7 or subsection 9(1).

8 Subsections 19(4), (5), and (6) of the *Teachers' Pension Plan Regulations* are repealed and the following substituted:

- ~~19~~ (4) Where a pensioner in receipt of a total disability pension calculated under subsection 16(2) or 16(3) dies before reaching age 65, the amount of a survivor pension payable to a spouse, child or dependent shall be based on the amount of the service pension that would have been in payment at the time of the deceased pensioner's death if it had been calculated under subsection 12(1) at the date of retirement rather than under subsection 16(2) or 16(3), and on the date the deceased pensioner would have reached age 65, the amount of the survivor pension shall be adjusted to reflect the cessation of the portion of the bridge benefit that would have been provided under clause 12(1)(b) from the deceased pensioner's earned pension in respect of service on and after January 1, 1992.

- ~~19~~ (5) Where a pensioner in receipt of a total disability pension calculated under subsection 16(2) or 16(3) dies on or after reaching age 65, the amount of a survivor pension payable to a spouse, child or dependent shall be based on the amount of the service pension that would have been in payment at the date of the death of the pensioner if it had been calculated under subsection 12(1) at the date of retirement rather than under subsection 16(2) or 16(3).

- ~~19~~ (6) Notwithstanding the foregoing, survivor pensions in pay as of April 1, 2011, where the disabled member would have been over 65 years of age as at that date, shall not be recalculated or adjusted except to the extent necessary to ensure compliance with the *Income Tax Act* (Canada), as described in subsection 18(1). For greater certainty, no survivor pension in pay as of April 1, 2011 to an individual beneficiary may exceed 66.667% of the total disability pension that would be payable to the applicable pensioner, if living, as would be calculated under subsection 16(2) or 16(3), and subsection 16(4), as applicable.

9 The *Teachers' Pension Plan Regulations* are further amended by adding immediately after subsection 19(6) thereof the following subsection:

- ~~19~~ (7) Subsections 19(4), (5), and (6) apply *mutatis mutandis* to survivor pensions payable as a result of the death of a pensioner in receipt of a partial disability pension, except that the amount

otherwise calculated under subsection 12(1) shall be reduced as set out in subsection 16(1) or (1A), as applicable.

N.S. Reg. 136/2012

Made: June 11 and June 21, 2012

Filed: June 28, 2012

Teachers' Pension Plan Regulations

Order dated June 11 and June 21, 2012
Amendment to regulations made by the Minister of Finance
and the Nova Scotia Teachers' Union
pursuant to Sections 14 and 20 of the *Teachers' Pension Act*

Memorandum of Agreement
Between
Her Majesty the Queen in the Right of the Province of Nova Scotia
Represented by the Minister of Finance
and
The Nova Scotia Teachers' Union
A Body Corporate Established Pursuant to the *Teaching Profession Act*,
Being Chapter 462 Revised Statutes 1989

Whereas Sections 14 and 20 of Chapter 26 of the Acts of 1998, the *Teachers' Pension Act* provides that the Minister of Finance ("Minister") and the Nova Scotia Teachers' Union ("Union") may make regulations setting out the terms of the Teachers' Pension Plan ("Pension Plan");

And whereas the *Teacher's Pension Plan Regulations* ("Regulations") were made as of March 31, 1999, as Nova Scotia Regulation 88/99;

And whereas the By-laws of the Union, as amended by Resolution 2000-15, authorize the Executive of the Union to exercise on behalf of the Union the powers of the Union under the *Teachers' Pension Act*;

And whereas by resolution of the Executive of the Union dated February 24, 2012, the Executive approved the amendments to the Regulations (Sections 11 and 25) as set out in Schedule "A" attached hereto and authorized the President of the Union to sign the amendments to the Regulations on behalf of the Executive;

The Minister and the Union hereby make the amendments to the Regulations in the form and manner attached hereto as Schedule "A", effective on and after June 4, 2012.

Signed and sealed in the presence of:

Sgd.: <i>Joan Collier</i>	)	Sgd.: <i>Maureen MacDonald</i>
Witness	)	Honourable Maureen MacDonald
	)	Minister of Finance
)	
	)	June 11, 2012
	)	Date
)	

Sgd.: <i>Jean Ling</i>	)	Sgd.: <i>Alexis Allen</i>
Witness	)	Alexis Allen
	)	President, Nova Scotia Teachers' Union
)	
	)	June 21, 2012
	)	Date

Schedule "A"

Amendment to the *Teachers' Pension Plan Regulations*
(Sections 11 and 25)
made pursuant to Sections 14 and 20
of the Acts of 1998, c. 26,
the *Teachers' Pension Act*

(1) Amend subsection 11(4) to read:

- H** (4) For greater certainty, no pensioner who becomes employed while in receipt of a service pension under the Plan shall receive credit for pensionable service
- (a) for the first 70 days of employment in a school year; or
 - (b) for any period in respect of the period of employment if the pensioner has already earned the maximum pensionable service under the Plan or has attained the age at which a service pension must begin to be paid as specified in regulations prescribed under the *Income Tax Act* (Canada).

(2) Add new subsection 11(5) as follows:

- H** (5) Notwithstanding subsection (2), a service pension in pay to a retired member who has attained the age at which a service pension must begin to be paid as specified in regulations prescribed under the *Income Tax Act* (Canada) cannot be stopped for any reason other than the death of the member.

(3) Amend subsection 25(1) to read:

- 25** (1) A pension shall be effective on
- (a) the first day of the month following the month during which the member ceases to be employed;
 - (b) the first day of the month following the month during which the member attains all the qualifications for the pension; or
 - (c) the date the pension otherwise becomes payable under the Plan,
- whichever date is the latest, provided that the pension is put into pay no later than the age at which a service pension must begin to be paid as specified in regulations prescribed under the *Income Tax Act* (Canada).

(4) Amend clause 25(4)(a) to read:

- 25 (4) A pension payment shall
- (a) commence only on application being made to the Plan administrator or on attainment of the age at which a service pension must begin to be paid as specified in regulations prescribed under the *Income Tax Act* (Canada);

N.S. Reg. 137/2012

Made: June 28, 2012

Filed: June 29, 2012

Prescribed Petroleum Products Prices

Order dated June 28, 2012
 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-12-26

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 Board revised the retail margin and transportation allowance effective January 6, 2012, in its Decision 2011 NSUARB 181, issued on November 23, 2011;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended June 27, 2012, are:

Grade 1 Regular gasoline	67.9¢ per litre
Ultra-low-sulfur diesel oil	72.4¢ per litre

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

Gasoline:	
Grade 1	67.9¢ per litre
Grade 2	70.9¢ per litre
Grade 3	73.9¢ per litre
Ultra-low-sulfur diesel oil	72.4¢ per litre

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

Gasoline: minus 2.0¢ per litre
 Ultra-low-sulfur diesel oil: minus 1.0¢ 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 29, 2012.

Dated at Halifax, Nova Scotia, this 28th day of June, 2012.

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 29, 2012**

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	72.4	10.0	15.5	97.9	118.1	120.2	118.1	999.9
Mid-Grade Unleaded	75.4	10.0	15.5	100.9	121.6	123.6	121.6	999.9
Premium Unleaded	78.4	10.0	15.5	103.9	125.0	127.1	125.0	999.9
Ultra-Low-Sulfur Diesel	77.9	4.0	15.4	97.3	117.4	119.5	117.4	999.9
Zone 2								
Regular Unleaded	72.9	10.0	15.5	98.4	118.7	120.8	118.7	999.9
Mid-Grade Unleaded	75.9	10.0	15.5	101.4	122.1	124.2	122.1	999.9
Premium Unleaded	78.9	10.0	15.5	104.4	125.6	127.7	125.6	999.9
Ultra-Low-Sulfur Diesel	78.4	4.0	15.4	97.8	118.0	120.1	118.0	999.9
Zone 3								
Regular Unleaded	73.3	10.0	15.5	98.8	119.1	121.2	119.1	999.9
Mid-Grade Unleaded	76.3	10.0	15.5	101.8	122.6	124.7	122.6	999.9
Premium Unleaded	79.3	10.0	15.5	104.8	126.0	128.1	126.0	999.9
Ultra-Low-Sulfur Diesel	78.8	4.0	15.4	98.2	118.5	120.5	118.5	999.9
Zone 4								
Regular Unleaded	73.4	10.0	15.5	98.9	119.3	121.3	119.3	999.9
Mid-Grade Unleaded	76.4	10.0	15.5	101.9	122.7	124.8	122.7	999.9
Premium Unleaded	79.4	10.0	15.5	104.9	126.2	128.2	126.2	999.9
Ultra-Low-Sulfur Diesel	78.9	4.0	15.4	98.3	118.6	120.6	118.6	999.9
Zone 5								
Regular Unleaded	73.4	10.0	15.5	98.9	119.3	121.3	119.3	999.9
Mid-Grade Unleaded	76.4	10.0	15.5	101.9	122.7	124.8	122.7	999.9
Premium Unleaded	79.4	10.0	15.5	104.9	126.2	128.2	126.2	999.9
Ultra-Low-Sulfur Diesel	78.9	4.0	15.4	98.3	118.6	120.6	118.6	999.9

Zone 6								
Regular Unleaded	74.1	10.0	15.5	99.6	120.1	122.1	120.1	999.9
Mid-Grade Unleaded	77.1	10.0	15.5	102.6	123.5	125.6	123.5	999.9
Premium Unleaded	80.1	10.0	15.5	105.6	127.0	129.0	127.0	999.9
Ultra-Low-Sulfur Diesel	79.6	4.0	15.4	99.0	119.4	121.4	119.4	999.9

N.S. Reg. 138/2012 to 139/2012

Made: June 29, 2012

Filed: July 4, 2012

Ambulance Fee Regulations

Order dated June 29, 2012

Amendment to regulations made by the Minister of Health and Wellness
pursuant to Section 17A of the *Health Services and Insurance Act***In the Matter of:** Section 17A of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*

- and -

In the Matter of: Amendment to the *Ambulance Fee Regulations***Order**I, David A. Wilson, Minister of Health and Wellness for the Province of Nova Scotia, pursuant to Section 17A of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, hereby amend the *Ambulance Fee Regulations*, N.S. Reg. 133/2002, made by the Minister of Health by order dated October 24, 2002,

- (a) in the manner set forth in the attached Schedule "A", effective on and after July 1, 2012; and
- (b) in the manner set forth in the attached Schedule "B", effective on and after September 1, 2012.

Dated and made at Halifax, in the Halifax Regional Municipality, Province of Nova Scotia, on 29th June, 2012.Sgd.: *David Wilson*

Honourable David A. Wilson

Minister of Health and Wellness

N.S. Reg. 138/2012

Ambulance Fee Regulations, effective July 1, 2012

Schedule “A”

**Amendment to the *Ambulance Fee Regulations*
made by the Minister of Health and Wellness under Section 17A of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

1 Section 2 of the *Ambulance Fee Regulations*, N.S. Reg. 133/2002, made by the Minister of Health by order dated October 24, 2002, is amended by

- (a) striking out the clause letter before each definition;
- (b) adding the following definition where it belongs in alphabetical order:

“long-term-care facility” means a nursing home, home for the aged or residential care facility licensed by the Minister of Health and Wellness under the *Homes for Special Care Act*;

- (c) adding “or transport of a mobility challenged individual for transportation purposes” immediately after “inter-facility transportation” in the definition of “medically essential transportation”.

2 The regulations are further amended by adding the following row immediately after the row starting with “Resident” in the table in Section 3:

Resident living in a long-term-care facility	\$50.00	\$0
----------------------------------------------	---------	-----

3 Section 6 of the regulations is repealed and the following Section substituted:

- 6** (1) A mobility challenged individual who is a resident shall be billed \$100.00 for ambulance transportation that begins or ends at the individual’s place of residence and is to or from an approved facility, physician’s office, dentist’s office, physiotherapy facility or respite care facility.
- (2) A mobility challenged individual who is a resident shall, while an admitted patient of an approved facility, be billed \$100.00 for ambulance transportation that begins or ends at the approved facility and is to or from a physician’s office, dentist’s office, physiotherapy facility or respite care facility.

N.S. Reg. 139/2012

Ambulance Fee Regulations, effective September 1, 2012

Schedule “B”

**Amendment to the *Ambulance Fee Regulations*
made by the Minister of Health and Wellness under Section 17A of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

1 Subsection 13(2) of the *Ambulance Fee Regulations*, N.S. Reg. 133/2002, made by the Minister of Health by order dated October 24, 2002, is amended by striking out “Senior” and substituting “Executive”.

- 2 (1) Subsection 14(1) of the regulations is repealed and the following subsection substituted:
- (1) A person who disagrees with a fee charged in their bill for ambulance transportation may appeal the bill to the service provider within 30 days after the date the service provider mails the bill to the person.
- (2) Subsection 14(2) of the regulations is amended by striking out “Senior” and substituting “Executive”.

- 3 The regulations are further amended by adding the following heading and Section immediately after Section 14:

Appeal based on financial hardship

- 15** (1) A person may, on the basis of financial hardship, appeal their bill for ambulance transportation to the service provider within 90 days after the date the service provider mails the bill to the person.
- (2) Before appealing a bill on the basis of financial hardship, a person shall submit the bill for payment through any available assistance program or third party insurance.
- (3) On receipt of an appeal under this Section, a service provider may waive or reduce the billed fee.
- (4) If, after appealing to the service provider, there is no resolution of the amount of the billed fee, a person may appeal, in writing, to the ambulance fee appeal committee established by the Executive Director of Emergency Health Services.