

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 37, No. 5

March 8, 2013

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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. 35/2013

Made: February 15, 2013

Filed: February 15, 2013

Proclamation, S. 3, S.N.S. 2012, c. 19

Order in Council 2013-43 dated February 15, 2013
Proclamation made by the Governor in Council
pursuant to Section 3 of
An Act to Amend Chapter 92 of the Revised Statutes, 1989,
the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated January 30, 2013, and pursuant to Section 3 of Chapter 19 of the Acts of 2012, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Chapter 19 of the Acts of 2012, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts*, except subsection 25N(4) of the *Consumer Protection Act*, as enacted by Section 1 of Chapter 19, do come into force on and not before May 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: **J. J. Grant**

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 3 of Chapter 19 of the Acts of 2012, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts*, it is enacted as follows:

- 3** 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 19 of the Acts of 2012, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts*, except subsection 25N(4) of the *Consumer Protection Act*, as enacted by Section 1 of Chapter 19, do come into force on and not before May 1, 2013;

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 19 of the Acts of 2012, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts*, except subsection 25N(4) of the *Consumer Protection Act*, as enacted by Section 1 of Chapter 19, do come into force on and not before May 1, 2013, 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 His Honour Brigadier-General, the Honourable J. J. Grant (Retired), Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 15th day of February in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

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

N.S. Reg. 36/2013

Made: February 15, 2013

Filed: February 15, 2013

Cellular Telephone Contracts Regulations

Order in Council 2013-44 dated February 15, 2013
Regulations made by the Governor in Council
pursuant to Section 25AO of the *Consumer Protection Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations, dated January 30, 2013, and pursuant to Section 25AO of Chapter 92 of the Revised Statutes of Nova Scotia, 1989, the *Consumer Protection Act*, is pleased to make regulations respecting cellular telephone contracts in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 1, 2013.

Schedule “A”

**Regulations Respecting Cellular Telephone Contracts
made pursuant to Section 25AO of Chapter 92
of the Revised Statutes of Nova Scotia, 1989,
the *Consumer Protection Act***

Interpretation

Citation

1 These regulations may be cited as the *Cellular Telephone Contracts Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Consumer Protection Act*.

(2) In the Act and these regulations,

“contract not made in person” means a contract made at a time when the customer is not in the presence of any of the following:

- (i) the supplier,
- (ii) an employee or agent of the supplier,
- (iii) any person who is authorized by the supplier to act on behalf of the supplier, or who appears to be so authorized.

Electronic Documents

Format of electronic documents

3 A supplier must ensure that any document or information given or made available to a customer under Sections 25K to 25AO of the Act or these regulations is, if given or made available electronically, in a format that allows a typical customer to readily do all of the following:

- (a) open, read and save the document or information; and
- (b) print a copy of the document or information.

Contracts Not Made in Person

Information that supplier must give to prospective customer

4 Before a contract not made in person is entered into, a supplier must, at no additional cost to the prospective customer,

- (a) give or make available to the prospective customer
 - (i) the information required to be set out in the contract under clauses 25P(1)(a) to (r) of the Act, and
 - (ii) in the case of a contract made over the Internet, copies of all documents that comprise the contract; and
- (b) give the prospective customer a reasonable opportunity to review the information provided under clause (a) and to ask and receive answers to any questions the customer may have, before requesting that the customer enter into the contract.

Copy of contract to be given to customer after contract is made

5 In the case of a contract not made in person, a supplier must give or make available to a customer, at no additional cost to the customer, copies of all documents that comprise the contract within 15 days after a contract not made in person is entered into.

When no cancellation fee can be charged

6 (1) In the case of a contract not made in person in which a cellular telephone was provided by the supplier to the customer for free or by sale at a reduced cost, Sections 25AC and 25AD of the Act do not apply, and a supplier must not charge any cancellation fee, if all of the following conditions are met:

- (a) the supplier fails to satisfy the requirements of Sections 4 or 5;
 - (b) the customer cancels the contract within 30 days after entering into the contract; and
 - (c) the customer returns the cellular telephone to the supplier in substantially the same condition in which it was received by the customer.
- (2) In the case of a contract not made in person in which a cellular telephone was not provided by the supplier to the customer for free or by sale at a reduced cost, Sections 25AC and 25AD of the Act do not apply, and a supplier must not charge any cancellation fee, if all of the following conditions are met:
- (a) the supplier fails to satisfy the requirements of Sections 4 or 5; and
 - (b) the customer cancels the contract within 30 days after entering into the contract.
- (3) A supplier must accept the return of a cellular telephone in circumstances described in clause (1)(c) if the cellular telephone is in substantially the same condition in which it was received by the customer.

Supplier cannot accept returned cellular telephone and charge cancellation fee

7 For greater certainty, a supplier must not do both of the following:

- (a) accept the return of a cellular telephone in circumstances described in clause 6(1)(c); and
- (b) charge a cancellation fee.

Cancellation Fees

Cancellation fee—fixed term contract with cellular telephone provided

8 For greater certainty, the maximum amount of the cancellation fee that a supplier may charge under subsection 25AC(2) of the Act is to be determined by the following formula:

$$\text{Amount} = S - (S \times E/T)$$

in which,

S is the amount stated in the contract under clause 25P(1)(o) of the Act;

E is the length of time that has elapsed since the contract began, expressed in months;

T is the length of the contract's term, expressed in months.

Cancellation fee—indeterminate contract with cellular telephone provided

9 (1) The maximum amount of the cancellation fee that a supplier may charge under subsection 25AD(2) of the Act is to be determined by the following formula:

$$\text{Amount} = S - (S \times E/48)$$

in which

S is the amount stated in the contract under clause 25P(1)(o) of the Act;

E is the length of time that has elapsed since the contract began, expressed in months.

- (2) If the calculation of the amount in subsection (1) results in a negative value, the amount is deemed to be zero.

Partial month deemed to be entire month

10 For the purpose of calculating the amount of a cancellation fee under the Act or these regulations, in determining the length of time that has elapsed since the contract began, a month that has partially elapsed at the time of cancellation is deemed to be a month completely elapsed.

Records

Records must be complete and accurate

- 11 (1)** A supplier must make and maintain complete and accurate records of each contract into which it enters, including the following:
- (a) a complete copy of the contract entered into by the customer, including copies of all documents that comprise the contract;
 - (b) proof that the customer agreed to enter into the contract, whether by the customer's signature or otherwise.
- (2) Despite clause (1)(a), if a contract includes a document setting out standard terms or conditions that apply to the contract, the supplier is not required to retain a separate copy of that document for the particular contract, if
- (a) the document is dated or numbered in a manner that allows the customer and the supplier to readily identify the version of the document that was included in the particular contract; and
 - (b) the supplier retains a master copy of the document, dated or numbered as described in clause (a), for the period described in Section 12.
- (3) For greater certainty, subsection (2) does not apply to a document containing anything unique or specific to the particular contract, including, without limitation,
- (a) signatures, initials or any other handwritten markings; or
 - (b) annotations or other markings indicating an amendment of a standard term or condition, or of any other term or condition of the contract.

Length of time records must be kept

12 A supplier must retain a record referred to in Section 11 for at least 3 years after the date that the contract expires or is terminated or cancelled.

Contract Requirements

Description of optional services

13 For the purpose of clause 25P(†)(1)(i) of the Act, the description of optional services must include all of the following:

- (a) for each optional service that the customer agrees to subscribe to at the time the contract is entered into

- (i) a description of the optional service,
 - (ii) an explanation of how the cost of the optional service will be calculated, and
 - (iii) a description of any restrictions on the optional service that will result in an increase in cost to the customer for the use of the optional service;
- (b) the manner in which the customer can obtain further details on the optional services subscribed to and the costs and restrictions of those services;
 - (c) the manner in which the customer can obtain details on any optional services in addition to the ones subscribed to and the costs and restrictions of those services.

Description of warranty

14 For the purpose of clause 25P(1)(p) of the Act, the description of any manufacturer's warranty or other warranty must include a description of the manner in which the customer can obtain details of all of the following:

- (a) what is covered under the manufacturer's warranty or other warranty;
- (b) the duration of the manufacturer's warranty or other warranty;
- (c) how the customer can make a claim under the manufacturer's warranty or other warranty.

N.S. Reg. 37/2013

Made: February 14, 2013

Filed: February 18, 2013

Prescribed Petroleum Products Prices

Order dated February 14, 2013
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-13-07

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: Murray E. Doehler, C.A., 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 Board revised the wholesale margin effective January 4, 2013, in its decision 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended February 13, 2013, are:

Grade 1 Regular gasoline	80.6¢ per litre
Ultra-low-sulfur diesel oil	87.2¢ per litre

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

Gasoline:	
Grade 1	80.6¢ per litre
Grade 2	83.6¢ per litre
Grade 3	86.6¢ per litre
Ultra-low-sulfur diesel oil	87.2¢ per litre

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

Gasoline:	plus 1.6¢ per litre
Ultra-low-sulfur diesel oil:	plus 1.1¢ per litre

And whereas a winter blending adjustment of plus 4.5¢ per litre is required for ultra-low-sulfur diesel oil;

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., February 15, 2013.

Dated at Halifax, Nova Scotia, this 14th day of February, 2013.

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 February 15, 2013**

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	89.3	10.0	15.5	114.8	137.5	139.6	137.5	999.9
Mid-Grade Unleaded	92.3	10.0	15.5	117.8	141.0	143.1	141.0	999.9
Premium Unleaded	95.3	10.0	15.5	120.8	144.4	146.5	144.4	999.9
Ultra-Low-Sulfur Diesel	100.0	4.0	15.4	119.4	142.8	144.9	142.8	999.9

Zone 2								
Regular Unleaded	89.8	10.0	15.5	115.3	138.1	140.2	138.1	999.9
Mid-Grade Unleaded	92.8	10.0	15.5	118.3	141.6	143.6	141.6	999.9
Premium Unleaded	95.8	10.0	15.5	121.3	145.0	147.1	145.0	999.9
Ultra-Low-Sulfur Diesel	100.5	4.0	15.4	119.9	143.4	145.5	143.4	999.9
Zone 3								
Regular Unleaded	90.2	10.0	15.5	115.7	138.6	140.6	138.6	999.9
Mid-Grade Unleaded	93.2	10.0	15.5	118.7	142.0	144.1	142.0	999.9
Premium Unleaded	96.2	10.0	15.5	121.7	145.5	147.5	145.5	999.9
Ultra-Low-Sulfur Diesel	100.9	4.0	15.4	120.3	143.9	145.9	143.9	999.9
Zone 4								
Regular Unleaded	90.3	10.0	15.5	115.8	138.7	140.8	138.7	999.9
Mid-Grade Unleaded	93.3	10.0	15.5	118.8	142.1	144.2	142.1	999.9
Premium Unleaded	96.3	10.0	15.5	121.8	145.6	147.7	145.6	999.9
Ultra-Low-Sulfur Diesel	101.0	4.0	15.4	120.4	144.0	146.0	144.0	999.9
Zone 5								
Regular Unleaded	90.3	10.0	15.5	115.8	138.7	140.8	138.7	999.9
Mid-Grade Unleaded	93.3	10.0	15.5	118.8	142.1	144.2	142.1	999.9
Premium Unleaded	96.3	10.0	15.5	121.8	145.6	147.7	145.6	999.9
Ultra-Low-Sulfur Diesel	101.0	4.0	15.4	120.4	144.0	146.0	144.0	999.9
Zone 6								
Regular Unleaded	91.0	10.0	15.5	116.5	139.5	141.6	139.5	999.9
Mid-Grade Unleaded	94.0	10.0	15.5	119.5	142.9	145.0	142.9	999.9
Premium Unleaded	97.0	10.0	15.5	122.5	146.4	148.5	146.4	999.9
Ultra-Low-Sulfur Diesel	101.7	4.0	15.4	121.1	144.8	146.9	144.8	999.9

N.S. Reg. 38/2013

Made: February 19, 2013

Filed: February 19, 2013

Proclamation, S. 27, S.N.S. 2012, c. 24

Order in Council 2013-46 dated February 19, 2013

Proclamation made by the Governor in Council

pursuant to Section 27 of

An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act

The Governor in Council on the report and recommendation of the Minister of Justice dated December 5, 2012, and pursuant to Section 27 of Chapter 24 of the Acts of 2012, *An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act*, is pleased to order and declare by proclamation that Chapter 24 of the Acts of 2012, *An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act*, do come into force on and not before February 19, 2013.

PROVINCE OF NOVA SCOTIA

sgd: J. J. Grant

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 27 of Chapter 24 of the Acts of 2012, *An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act*, it is enacted as follows:

- 27 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 24 of the Acts of 2012, *An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act*, do come into force on and not before February 19, 2013;

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 24 of the Acts of 2012, *An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act*, do come into force on and not before February 19, 2013, 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 His Honour
Brigadier-General, the Honourable J. J. Grant
(Retired), Lieutenant Governor of the Province of
Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 19th day of February in the
year of Our Lord two thousand and thirteen and
in the sixty-second year of Our Reign.

BY COMMAND:

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

N.S. Reg. 39/2013

Made: February 19, 2013

Filed: February 19, 2013

Proclamation, S. 5, S.N.S. 2012, c. 25

Order in Council 2013-47 dated February 19, 2013
Proclamation made by the Governor in Council
pursuant to Section 5 of
An Act to Amend Chapter 160 of the Revised Statutes, 1989,
the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests

The Governor in Council on the report and recommendation of the Minister of Justice dated December 5, 2012, and pursuant to Section 5 of Chapter 25 of the Acts of 2012, *An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests*, is pleased to order and declare by proclamation that Chapter 25 of the Acts of 2012, *An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests*, do come into force on and not before February 19, 2013.

PROVINCE OF NOVA SCOTIA

sgd: **J. J. Grant**

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 5 of Chapter 25 of the Acts of 2012, *An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests*, it is enacted as follows:

- 5** 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 25 of the Acts of 2012, *An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests*, do come into force on and not before February 19, 2013;

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 25 of the Acts of 2012, *An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests*, do come into force on and not before February 19, 2013, 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 His Honour
Brigadier-General, the Honourable J. J. Grant
(Retired), Lieutenant Governor of the Province of
Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 19th day of February in the
year of Our Lord two thousand and thirteen and
in the sixty-second year of Our Reign.

BY COMMAND:

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

N.S. Reg. 40/2013

Made: February 19, 2013

Filed: February 19, 2013

Interjurisdictional Support Orders Regulations

Order in Council 2013-48 dated February 19, 2013
Amendment to regulations made by the Governor in Council
pursuant to Sections 54 and 55 of the *Interjurisdictional Support Orders Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated January 17, 2013, and pursuant to Sections 54 and 55 of Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act*, is pleased to amend the *Interjurisdictional Support Orders Regulations*, N.S. Reg. 73/2003, made by the Governor in Council by Order in Council 2003-133 dated March 28, 2003, to reflect amendments to the Act, clarify the interjurisdictional support order process under the Act and declare Guam to be a reciprocating jurisdiction under the Act, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after February 19, 2013.

Schedule “A”

**Amendment to the *Interjurisdictional Support Orders Regulations*
made by the Governor in Council under Sections 54 and 55 of
Chapter 9 of the Acts of 2002, the *Interjurisdictional Support Orders Act***

- 1 The *Interjurisdictional Support Orders Regulations*, N.S. Reg. 73/2003, made by the Governor in Council by Order in Council 2003-133 dated March 28, 2003, are amended by adding “nearest to the address to which the order is sent to the claimant or applicant under clause (a)” immediately after “court” in clause 7(b).
- 2 The regulations are further amended by striking out “ordinarily” in the heading immediately before Section 8 and substituting “habitually”.
- 3 The regulations are further amended by striking out “ordinarily” in the heading immediately before Section 9 and substituting “habitually”.
- 4 (1) Subsection 11(1) of the regulations is amended by striking out “regular or”.

- (2) Section 11 of the regulations is further amended by adding the following subsections immediately after subsection (1):
- (1A) If service of a notice cannot be effected in accordance with subsection (1), the notice may be given to the party by ordinary mail or another mode of delivery to the address that the clerk of the court determines, based on information in the court file, to be the party's address or the address where the notice will come to the attention of the party.
- (1B) For the purpose of subsection 20(2) of the Act, notice sent or delivered in accordance with subsection (1A) is deemed to have been received by the party, whether or not the notice is returned to the clerk of the court as undeliverable to the party,
- (a) if sent or delivered within Canada, 10 days after it was sent or delivered; and
- (b) if sent or delivered outside Canada, 21 days after it was sent or delivered.
- 5 Subsection 13(2) of the regulations is amended by striking out "Section 22" and substituting "Sections 22 and 46".
- 6 Schedule A: Reciprocating Jurisdictions to the regulations is amended by striking out "United States of America, including the District of Columbia, Puerto Rico, and the United States Virgin Islands" and substituting: "United States of America, including the 50 states, the District of Columbia, Guam, Puerto Rico, and the United States Virgin Islands".

N.S. Reg. 41/2013

Made: February 19, 2013

Filed: February 19, 2013

Proclamation, S. 29, S.N.S. 2012, c. 45

Order in Council 2013-50 dated February 19, 2013
Proclamation made by the Governor in Council
pursuant to Section 29 of the
Inter-city Bus Service Act

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated January 24, 2013, and pursuant to Section 29 of Chapter 45 of the Acts of 2012, the *Inter-city Bus Service Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that clause 9(1)(d) and subsection 9(2) of Chapter 45 of the Acts of 2012, the *Inter-city Bus Service Act*, do come into force on and not before February 19, 2013.

PROVINCE OF NOVA SCOTIA

sgd: **J. J. Grant**

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 29 of Chapter 45 of the Acts of 2012, the *Inter-city Bus Service Act*, it is enacted as follows:

- 29** 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 clause 9(1)(d) and subsection 9(2) of Chapter 45 of the Acts of 2012, the *Inter-city Bus Service Act*, do come into force on and not before February 19, 2013;

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 clause 9(1)(d) and subsection 9(2) of Chapter 45 of the Acts of 2012, the *Inter-city Bus Service Act*, do come into force on and not before February 19, 2013, 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 His Honour Brigadier-General, the Honourable J. J. Grant (Retired), Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 19th day of February in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

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

N.S. Reg. 42/2013

Made: February 21, 2013

Filed: February 22, 2013

Prescribed Petroleum Products Prices

Order dated February 21, 2013
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-13-08****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 Board revised the wholesale margin effective January 4, 2013, in its decision 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended ~~January~~ [February] 20, 2013, are:

Grade 1 Regular gasoline	83.3¢ per litre
Ultra-low-sulfur diesel oil	87.4¢ per litre

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

Gasoline:	
Grade 1	83.3¢ per litre
Grade 2	86.3¢ per litre
Grade 3	89.3¢ per litre
Ultra-low-sulfur diesel oil	87.4¢ 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:	plus 1.2¢ per litre
Ultra-low-sulfur diesel oil:	plus 1.1¢ per litre

And whereas a winter blending adjustment of plus 3.1¢ per litre is required for ultra-low-sulfur diesel oil;

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., February 22, 2013.

Dated at Halifax, Nova Scotia, this 21st day of February, 2013.

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 February 22, 2013**

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	91.7	10.0	15.5	117.2	140.3	142.4	140.3	999.9
Mid-Grade Unleaded	94.7	10.0	15.5	120.2	143.8	145.8	143.8	999.9
Premium Unleaded	97.7	10.0	15.5	123.2	147.2	149.3	147.2	999.9
Ultra-Low-Sulfur Diesel	98.8	4.0	15.4	118.2	141.4	143.5	141.4	999.9
Zone 2								
Regular Unleaded	92.2	10.0	15.5	117.7	140.9	142.9	140.9	999.9
Mid-Grade Unleaded	95.2	10.0	15.5	120.7	144.3	146.4	144.3	999.9
Premium Unleaded	98.2	10.0	15.5	123.7	147.8	149.8	147.8	999.9
Ultra-Low-Sulfur Diesel	99.3	4.0	15.4	118.7	142.0	144.1	142.0	999.9
Zone 3								
Regular Unleaded	92.6	10.0	15.5	118.1	141.3	143.4	141.3	999.9
Mid-Grade Unleaded	95.6	10.0	15.5	121.1	144.8	146.9	144.8	999.9
Premium Unleaded	98.6	10.0	15.5	124.1	148.2	150.3	148.2	999.9
Ultra-Low-Sulfur Diesel	99.7	4.0	15.4	119.1	142.5	144.6	142.5	999.9
Zone 4								
Regular Unleaded	92.7	10.0	15.5	118.2	141.4	143.5	141.4	999.9
Mid-Grade Unleaded	95.7	10.0	15.5	121.2	144.9	147.0	144.9	999.9
Premium Unleaded	98.7	10.0	15.5	124.2	148.4	150.4	148.4	999.9
Ultra-Low-Sulfur Diesel	99.8	4.0	15.4	119.2	142.6	144.7	142.6	999.9
Zone 5								
Regular Unleaded	92.7	10.0	15.5	118.2	141.4	143.5	141.4	999.9
Mid-Grade Unleaded	95.7	10.0	15.5	121.2	144.9	147.0	144.9	999.9
Premium Unleaded	98.7	10.0	15.5	124.2	148.4	150.4	148.4	999.9
Ultra-Low-Sulfur Diesel	99.8	4.0	15.4	119.2	142.6	144.7	142.6	999.9
Zone 6								
Regular Unleaded	93.4	10.0	15.5	118.9	142.3	144.3	142.3	999.9
Mid-Grade Unleaded	96.4	10.0	15.5	121.9	145.7	147.8	145.7	999.9
Premium Unleaded	99.4	10.0	15.5	124.9	149.2	151.2	149.2	999.9
Ultra-Low-Sulfur Diesel	100.5	4.0	15.4	119.9	143.4	145.5	143.4	999.9

N.S. Reg. 43/2013

Made: December 19, 2012

Filed: February 27, 2013

House of Assembly Management Commission Regulations

Order dated December 19, 2012

Regulations made by the House of Assembly Management Commission
pursuant to subsection 8(3) of the *House of Assembly Management Commission Act***House of Assembly Management Commission****Certificate**

I, Annette M. Boucher, Q.C., Assistant Clerk of the of the House of Assembly, acting as secretary of the House of Assembly Management Commission (“the Commission”) pursuant to subsection 8(3) of Chapter 5 of the Acts of 2010, the *House of Assembly Management Commission Act* (“the Act”), certify as follows:

- (a) that the *House of Assembly Management Commission Regulations*, tabled in the House of Assembly on May 7, 2010, were approved at a meeting of the Commission held on June 9, 2010, as regulations of the Commission pursuant to Section 27 of the Act;
- (b) that the Commission amended the regulations in accordance with the Act on July 7, 2010, September 28, 2010, October 19, 2010, January 11, 2011, April 27, 2011, and December 19, 2012;
- (c) that the attached document is a true copy of the *House of Assembly Management Commission Regulations*, including all amendments made by the Commission up to and including amendments made December 19, 2012.

Signed and dated at Halifax, Halifax Regional Municipality, on February 26, 2013.

Sgd.: *Annette M. Boucher*
Annette M. Boucher, Q.C.
Assistant Clerk, House of Assembly

House of Assembly Management Commission Regulations

Approved June 9, 2010
amended July 7, 2010; September 28, 2010; October 19, 2010; January 11, 2011;
April 27, 2011; December 19, 2012

Citation

1 These regulations may be cited as the *House of Assembly Management Commission Regulations*.

Purpose

2 The purpose of these regulations is

- (a) to provide resources to members to assist them in fulfilling their public duties and responsibilities as members, for the benefit of the residents of the Province;
- (b) to promote accountability in, and transparency with respect to, the expenditure of public funds; and

- (c) to facilitate public understanding of the use of public funds in fulfillment of members' obligations.

Interpretation

- 3** (1) In these regulations, unless otherwise provided,
- (a) "Act" means the *House of Assembly Management Commission Act*;
 - (b) "associated person" means a person who does not deal with the member at arm's length as provided by the *Income Tax Act* (Canada);
 - (c) "Clerk" means the Chief Clerk of the House;
 - (d) "member" means a member of the House;
 - (e) "outside member" means an outside member as defined by the *House of Assembly Act*;
 - (f) "recognized party" means a party that is represented by two or more members and is a recognized party in accordance with the *Elections Act*;
 - (g) "year" means the fiscal year of the Province as defined in the *Finance Act*.
- (2) Other words and expressions have the same meaning as in the *House of Assembly Management Commission Act* and the *House of Assembly Act*.
- (3) For the purpose of subsections 27(3) and 43(1), (3) and (6), a member ceases to be a member at the end of the month in which
- (a) the member dies or resigns; or
 - (b) an election is held for the member's electoral district if the member does not re-offer or is defeated.
- (4) For the purpose of subsection 42(4), a person becomes a member at the beginning of the month in which the election, at which the person was elected, was held. amended January 11, 2011

Expense Claims

Principles

- 4** (1) All claims and invoices submitted by or on behalf of a member or to provide resources to a member and all payments and reimbursements made under these regulations must
- (a) be submitted and made in accordance with the intent and purpose of the Act and these regulations;
 - (b) be documented and supported in accordance with generally accepted accounting principles;
 - (c) not relate to political parties' activities; and
 - (d) not give or relate to a personal benefit to any member or an associated person of a member.

- (2) Subject to directives and approval of the Commission, the Clerk and staff of the House shall develop and maintain proper administrative and financial policies and procedures with respect to documentation to be provided in support of claims and invoices submitted for reimbursement or payment.
- (3) The policies and procedures referred to in subsection (2) must be included in a manual.
- (4) The Commission shall periodically review the adequacy of the policies and procedures being applied by the Clerk and staff of the House and may direct changes that it considers appropriate to those policies and procedures to improve controls and accountability.

Presumptions

- 5
- (1) Where the Commission makes a direction or requires an action, that direction or requirement must be made in writing or evidenced by written minutes of the proceedings or decision of the Commission.
 - (2) Where in these regulations an expense claim is permitted, that claim must be made for the time and amount permitted under these regulations or as directed or limited by the Commission.
 - (3) Where the Clerk or Speaker makes a ruling that approves additional expenditures greater than that authorized under these regulations, the Clerk or Speaker shall report the approval at the next meeting of the Commission and a notation of that approval must be recorded in the minutes of the Commission.

Member responsibility

- 6
- (1) A member making or incurring an expenditure is the person responsible for compliance with requirements for claims, payments and reimbursements of expenses under the Act and these regulations.
 - (2) A member is not relieved of the member's responsibility under subsection (1) because
 - (a) the member has delegated that responsibility to a constituency assistant or another person; or
 - (b) a claim has been accepted for payment by an official of the House or has been paid.
 - (3) A member may be required to certify to the Clerk, the Commission or an auditor of the House that an expense that the member is claiming or has claimed payment or reimbursement for has been actually incurred in compliance with the Act, these regulations and the directives of the Commission.
 - (4) A member is responsible for maintaining appropriate records as prescribed in the operating and procedures manual, operating the member's constituency office and engaging and training support staff in a manner that will facilitate compliance with the Act, the regulations, directives and the manual.
 - (5) A member
 - (a) who is entitled to claim reimbursement under the Act and these regulations for expenses or for daily amounts or mileage in accordance with any policies relating to ministers, ministerial assistants or other officers; and

- (b) engages in activity or travels in circumstances where the activity or travel relates both to constituency business and business governed by those policies,

shall prorate the claim based on the proportion of time spent on constituency business wherever such expenditures are easily identifiable, but in no case shall submit claims from two sources for any individual expenditure.

Restrictions on claims

- 7** (1) A claim for a payment or reimbursement must be made in respect of the year in which the expenditure was made or incurred, and must be submitted and received by the Clerk not more than ninety days after the end of that year. amended December 19, 2012.
- (2) An expenditure is considered to have been made or incurred when the goods and services to which that expenditure relates have been received.
- (3) Subject to subsection (1), a claim for payment or reimbursement may not be made more than six months after the date on which the expenditure was made.

Member personal liability

- 8** (1) Where a member makes an expenditure or a commitment to an expenditure that exceeds the maximum allowed for that category of expenditure in a year, the member is personally responsible for payment of that expenditure unless it amounts to a pre-commitment of expenditure in a future year that is authorized by directive or minutes of the Commission.
- (2) Where through inadvertence or otherwise a claim made by a member is paid from public funds and it is discovered that the claim should not have been paid or honoured because it was in excess of the maximum allowed for that category of expenditure, the member is liable for repayment of that amount to the extent of the excess and must, upon request, immediately pay that excess amount to Her Majesty in right of the Province.
- (3) A request pursuant to subsection (2) must be made within six months of the claim being paid or honoured.

Records

- 9** (1) A member shall keep records of all
- (a) expenditures made or committed; and
 - (b) claims made,
- by the member, together with copies of supporting documents for those expenditures and claims.
- (2) A member shall make the records referred to in subsection (1) available for inspection and copying by the Speaker, the Auditor General and any other auditor employed by the Commission on behalf of the House.
- (3) A member shall retain these records until the end of three years after the member ceases to be a member.

Monthly reports

- 10** (1) Before the twenty-first of each month, the Clerk shall prepare and provide to each member a written report outlining for the preceding month

- (a) all reimbursements made to the member; and
 - (b) all payments made on the member's behalf as authorized by the member,
- together with
- (c) a statement highlighting the total amount spent by the member during the current year in each category of claim;
 - (d) the amount in each category that remains unspent or uncommitted for the current year; and
 - (e) a detailed report of expenditures for that month, sorted by expense category, that reconciles with the reimbursements and payments referred to in clauses (a) and (b).
- (2) The expenditure amount permitted for a year is considered to be allocated in equal monthly amounts throughout the year.
 - (3) A member may request approval of the Speaker to make expenditures in advance for ongoing considerations, such as the purchase of advertising that is repeated over a period of months, or for the purchase of a block of flights if savings will result.
 - (4) The Clerk shall advise the Speaker and a member whenever the amount spent by that member, expressed as a percentage of the total allowable expenditure permitted for that year, is in excess by more than ten per cent of the amount permitted for the portion of the year that has elapsed.
 - (5) An electronic system accessible by a member from which the member may obtain the information required under subsection (1) satisfies the requirements of that subsection.

Statements

- 11 (1) Twice in each year the Clerk shall prepare a statement detailing individual expenditures, including the date, description and amount of the transaction, and summarizing by category of expenditure the amounts paid in respect of which claims were made and paid that each member is entitled to access.
- (2) The Clerk shall provide each statement prepared under subsection (1) to the member to whom the statement relates for review and approval by that member.
- (3) Within twenty-one days, or such further time as the Speaker may permit due to extenuating circumstances, of receipt of a statement under this Section, a member shall sign the statement acknowledging its accuracy or may state in writing to the Speaker objections that the member has with respect to its accuracy.
- (4) Failure to respond to the statement within the time specified under subsection (3) is deemed to be an acceptance by the member of its accuracy.
- (5) A statement prepared under this Section that is sent by ordinary mail is deemed to have been received ten days after it has been mailed.
- (6) Where an objection is filed by the member, the Clerk shall communicate with the member to resolve the issues identified and, where resolved, revise the statement accordingly.
- (7) Where the member and the Clerk cannot reach an agreement on the issues identified, the objection must be filed with the Commission for its review and decision within forty-five days of receipt and the Clerk shall revise the statement in accordance with the decision.

- (8) Sections 12 and 13 apply only to the revised statement.

Public access to statements

- 12** After the expiration of the time referred to in subsection 11(3) and, where an objection is filed pursuant to subsection 11(6), upon resolution and approval of a revised statement, a member shall
- (a) file a copy of the statement and that copy must be kept on file in the member's constituency office, or in the member's residence if the member does not maintain a constituency office; and
 - (b) make a copy of the statement available for inspection by any person within ten days of receiving the request for inspection.

Speaker requirements

- 13** (1) The Clerk shall maintain and file a copy of statements prepared under Section 11 in the Office of the Speaker and make them available for inspection by any person within a reasonable time after a request by that person for inspection.
- (2) The Clerk shall post for public access and inspection a copy of each statement on a website maintained and operated by or on behalf of the Office of the Speaker as soon as a system is in place so to do.
- (3) A statement prepared under Section 11 need not be maintained by the member or the Clerk for public inspection after five years following the end of the year to which the statement relates.

Disagreement with Clerk decision

- 14** (1) A member who is dissatisfied with a decision of the Clerk made under these rules may appeal that decision to the Commission.
- (2) A decision of the Commission with respect to an appeal under subsection (1)
- (a) must be made not more than thirty days or, where circumstances warrant, forty-five days after receipt of the member's appeal by the Commission; and
 - (b) is final,
- and the decision and reasons for that decision must be recorded in the minutes of the Commission.
- (3) The Commission shall determine and direct the procedure to be followed for dealing with an appeal contemplated under this section.

Documentation

- 15** (1) A member shall claim payment or reimbursement in respect of an expense or an allowance in the manner and on the forms prescribed by the Clerk or the Commission or as directed by the Commission.
- (2) A form prescribed by the Clerk or the Commission must contain a provision whereby the member is required personally to certify that the expenses to which the claim relates were actually incurred in compliance with the Act, these regulations and applicable directives of the Commission.
- (3) A member's claim may not be paid unless, in the opinion of the Clerk, there is sufficient documentation supplied verifying that each expenditure of the member was incurred.

- (4) A member's claim, except a daily allowance or mileage claim, may not be paid unless it is supported by the original invoice together with a signed receipt or other instrument evidencing payment, such as a credit card or debit card voucher or cancelled cheque.
- (5) Where an original document is unavailable, a copy, photocopy, faxed copy, electronic copy or statement itemizing the expenditure may be accepted by the Clerk upon provision of an explanation, in writing, for the absence of the original.
- (6) Where a member makes a claim for an accommodation expense for the rental of apartment, no original invoice is required so long as proof of payment and a copy of the lease for the apartment are submitted.
- (7) The copy of the lease must be submitted at the beginning of the lease period and at each renewal or upon any change in the rental rate.

Processing of claims

- 16** (1) The Clerk shall ensure that the processing of member claims, including their acceptance[,] verification and approval for payment under these rules is undertaken in accordance with proper principles of internal control.
- (2) Wherever possible, the Office of the Speaker shall ensure reimbursement to the member for an expense claim within seven days of receipt.

Constituency Offices

Eligibility for office expenses

- 17** A member may seek reimbursement for the provision of eligible office expenses in order to conduct the member's constituency business as a component part of eligible constituency expense.

Eligibility for constituency office accommodation

- 18** (1) Subject to Section 43, the constituency office accommodation expenditure referred to in Section 17 includes accommodation expenses, for or related to the rental of permanent or temporary offices, such as
- (a) rent;
 - (b) utilities;
 - (c) taxes;
 - (d) insurance;
 - (e) security;
 - (f) janitorial services and cleaning supplies;
 - (g) maintenance, snow removal, sanding, salting and parking, if not covered in the lease agreement;
 - (h) necessary renovations to respond to municipal, provincial and federal regulation respecting the provision of a safe, healthy and accessible workplace and public space; and

- (i) signage identifying the office as the member's constituency office without any reference to a political party.
- (2) The Commission shall engage the Department of Transportation and Infrastructure Renewal to
 - (a) assess each constituency office lease;
 - (b) provide advice on appropriate renewal terms; and
 - (c) transition the leasing arrangement to allow for direct payment from Her Majesty in right of the Province to the lessor as soon as possible,and the Department shall correspondingly take on responsibility for property management not included in the lease including, without limiting the generality of the foregoing, snow removal.
- (3) A member, who is unable to establish and operate an office to adequately serve the member's constituents, may claim expenses for the rental of meeting rooms.
- (4) A member, who has a constituency office, may also claim expenses for the rental of meeting rooms.
- (5) A member may not use a constituency office for or to further partisan political activities.
- (6) Following a general election or by-election, a new member who was not a member in the preceding General Assembly of the House is, in addition to the constituency office accommodation funding, entitled to claim amounts associated with the start-up of the member's office in an amount of not more than \$2,550.00 to defray expenses as may be determined by the Commission.
- (7) A member may make arrangements with the Office of the Speaker for it to pay directly any regular recurring payment and charge the member's constituency account.
- (8) Rules regarding the implementation of arrangements described in subsection (7) must be included in the policy and procedure manual.

Nature and location

- 19 (1) The member shall research and locate appropriate office space using the Department of Transportation and Infrastructure Renewal as a resource as the Department may have available space in a building owned or primarily occupied by the Government of the Province, such space to include not less than
 - (a) a private area for the member;
 - (b) space for a constituency assistant;
 - (c) a waiting area;
 - (d) access to public washrooms; and
 - (e) a separate meeting room if possible.
- (2) The space should be wheelchair accessible and on a public transit route if possible.
- (3) The agreed rent must be at fair market rates for similar space in the area, confirmed by a real estate agent or property appraiser or other independent source.

- (4) No agreement to lease shall be made without prior written approval of the Clerk.
- (5) *repealed.*
- (6) A lease contract for office accommodation acquired under this Section must
 - (a) be prepared between “Her Majesty the Queen in Right of the Province of Nova Scotia, represented by the Honourable the Speaker of the House of Assembly” and the owner of the office space, and the cost of that preparation must, unless stipulated otherwise by the Speaker in exceptional cases, be paid directly by the House in accordance with an approved office lease; and
 - (b) stipulate that the lease is terminable within three months of the call of the next general election.
- (7) Following a by-election, a member, who was not a member in the preceding session of the House, must utilize the previous member’s constituency office if it is readily available, unless that office was in the previous member’s home or a location unsuitable to the new member.
- (8) The member shall occupy this office until the next general election unless a more suitable space is available and there is no financial penalty to terminate the lease.
- (9) *repealed.* amended October 19, 2010

Renting from associated person

- 20** (1) A lease of office accommodation for a member may not be entered into with a landlord who is an associated person of the member.
- (2) Notwithstanding subsection (1), a member may operate a constituency office from the member’s residence in the member’s constituency but in that event, is not entitled to claim reimbursement by way of rent of charge for use of that accommodation. amended October 19, 2010

Office operations, supplies and communications

- 21** (1) Subject to Section 43, a member may claim expenses to cover the costs of operating a constituency office including expenses for
- (a) office supplies;
 - (b) printing;
 - (c) photocopies;
 - (d) newspapers, including subscriptions to on-line publications;
 - (e) telephones, facsimile machines and answering machines or services;
 - (f) staff professional development;
 - (g) database maintenance;

- (h) advertising, including constituency office hours, contact telephone numbers for the member, email addresses, notices of constituency meetings and advertising messages of welcome or congratulations;
 - (ha) advertising employment opportunities for constituency assistants;
 - (i) constituency communications including
 - (i) business cards,
 - (ii) greeting, sympathy or holiday cards to be sent to constituents or others relating to the member's constituency work,
 - (iii) supplies to create certificates, including specialized paper, document holders or framing, and
 - (iv) the dissemination of information, that meets the standard of parliamentary language, directed to the member's constituents in the form of constituency newsletters and flyers, a website or any other medium, including website design and hosting;
 - (j) rental of the office space and those expenses authorized in Section 18;
 - (k) attending events in the member's constituency, or events related to the member's constituency work that may take place outside the constituency, such as dinners and festivals, but not meetings related to the member's political party;
 - (l) where required and approved by the Commission, the services of part-time constituency assistants, or summer students, to be compensated on the payroll system of Her Majesty the Queen in right of the Province through the Office of the Speaker; and
 - (m) any other items, including office equipment, directed by the Commission.
- (2) The expenses claimed pursuant to clause (1)(k) for attendance at an event may include fund-raising dinners where a portion of the ticket price is allocated as a charitable donation but
- (a) where a charitable donation receipt is issued, it must be marked void and filed with the member's records; and
 - (b) in no case, shall a member claim the donation as a tax deduction or credit.
- (3) Advertising may not include solicitations of membership in or monetary contributions to any political party or notices of political-party meetings and other political-party events. amended September 28, 2010

Donations

22 Subject to Section 43, a member is entitled to be reimbursed for donations if they consist of

- (a) memberships in community or other service organizations, not to exceed \$510.00 per membership per annum; and
- (b) certificates, cards, plaques, frames for certificates and such other items as the Commission may, by directive, approve to allow members to commemorate and recognize significant events within a constituency and in the lives of constituents.

Standard office allocation

- 23** (1) Subject to Section 43, a member is entitled to acquire, as assets of Her Majesty in right of the Province, and seek reimbursement for office furniture, equipment and services for the member's constituency office based on a standard office allocation approved by directive of the Commission and may include
- (a) authorized office furniture and equipment described in an approved list;
 - (b) telephone and facsimile services;
 - (c) computer equipment described in an approved list;
 - (d) backup drives;
 - (e) personal data-communication devices and services;
 - (f) photocopier, printer and scanner services;
 - (g) Internet services and cable television; and
 - (h) other items that may be approved by a directive of the Commission.
- (2) All purchases within the standard office allocation remain the property of the Her Majesty in right of the Province and must be identified by appropriate markings as assets of Her Majesty in right of the Province.
- (3) A member may not personally fund, in whole or in part, the purchase of assets of Her Majesty in right of the Province.
- (4) The Clerk shall maintain and update an inventory report of all assets of Her Majesty in right of the Province entrusted to each member, being assets acquired after October 27, 2009.
- (5) A member is personally responsible for all items in an inventory and shall account on an annual basis or on demand to the Speaker for the items listed in the member's inventory report.
- (6) A member may not dispose of or purport to dispose of a House asset.
- (7) Where a member wishes to dispose of a House asset or have it written off, the member shall submit a request to the Clerk identifying the item and stating the reason for the request.
- (8) The Clerk shall consult with the Manager of Inventory Control, Department of Transportation and Infrastructure Renewal, to determine whether the item should be disposed of or written off and the member having that item shall return it to the House for disposal or otherwise comply with the Clerk's directions, at which time the item will be removed from the member's inventory.
- (9) When a member is advised to dispose of computing devices, the member may exercise one of the following options:
- (a) repurchase the device at the then fair-market value for the item as determined by Procurement Services, Department of Economic and Rural Development, or the Manager of Inventory Control; or

- (b) allow the item to be disposed of, after removing the hard drive of any computer or the memory card of any personal digital assistant.
- (10) A new member shall utilize the furniture, furnishings and equipment utilized by the outgoing member for that constituency, that are assets of Her Majesty in right of the Province, if they are readily available to the new member and are of reasonable quality and state of repair as determined by the new member.
- (11) Where a new member wishes to have a House asset replaced from the outgoing member's standard office allocation, the member shall submit a request to the Clerk identifying the item and stating the reason for the request and the Clerk shall consult with Procurement Services, Department of Economic and Rural Development, to determine whether the asset should be replaced.
- (12) Where an asset is to be replaced, the member shall return it to the Department of Transportation and Infrastructure Renewal for disposal or otherwise comply with the Clerk's directions, whereupon the member is entitled to acquire a replacement item.
- (13) It is the responsibility of the Manager of Inventory Control to arrange for the removal of the surplus item. amended October 19, 2010

Support staff

- 24 (1) A member is entitled to engage the services of one full-time constituency assistant or the full-time equivalent.
- (2) The Commission shall, by directive, set the salaries and benefits for constituency assistants.
 - (3) An employment contract of a constituency assistant must be in a form authorized by the Commission and be between the member and the constituency assistant.
 - (4) Constituency assistant salaries and benefits must be paid directly to constituency assistants by the Office of the Speaker, pursuant to the pay levels and benefits as exist as at March 1, 2010, until altered by directive of the Commission.
 - (5) Where the constituency assistant attends training or attends a meeting or event on behalf of the member at the member's request,
 - (a) the constituency assistant may present a claim for mileage, accommodation and meals at the rate specified for civil servants;
 - (b) the claim must be signed by the member indicating the member's approval of the travel and the expenditure on the member's constituency account; and
 - (c) the claim must be submitted to the Office of the Speaker for disbursement directly to the constituency assistant.
 - (6) Where a member considers it necessary to engage a temporary replacement for a constituency assistant due to vacation, illness, or other temporary absence, the member may do so upon notice to the Office of the Speaker and completion of the appropriate forms to enable payment to that employee on the payroll system of Her Majesty the Queen in right of the Province through the Office of the Speaker.

- (7) Payroll services, including proper deductions for the constituency assistants and temporary replacements, must be provided by the Office of the Speaker. amended September 28, 2010

Election period restrictions

- 24A (1)** In this Section, “election period” means the period of time between the dissolution of the House, or the occurrence of a vacancy for which a writ for an election is issued, and when a candidate is declared elected.
- (2) During an election period for an electoral district, a person who was the member for the electoral district at any time within three months preceding the commencement of the election period may not
- (a) advertise, make donations, engage in constituency communications, engage additional constituency assistant services or utilize any telecommunications for which the member is or was reimbursed, or for such activity during the election period claim reimbursement at any time;
- (b) claim reimbursement for attendance during the election period at an event described in clause 21(1)(k); or
- (c) utilize a constituency office, furniture, equipment or any employee for partisan purposes.
amended by Regulation 2010B, September 28, 2010

House Indemnity–Allowance–Travel–Expense

Indemnity, allowance and salary

- 25 (1)** Each member is entitled to receive a member’s indemnity in twenty-six equal instalments, each instalment being paid at equally spaced intervals throughout the year.
- (2) Where as at June 9, 2010, a member of the House of Assembly, the Chief Clerk or the Sergeant-at-Arms is drawing his or her indemnity, allowance or salary other than as provided in subsection 25(1) of the *Regulations* as enacted by subsection (1), subsection (1) does not apply until the first pay period following December 31, 2010. amended by Regulation 2010A, July 7, 2010

Outside member allowance

- 26 (1)** Each outside member, except the Premier or a member of the Executive Council having charge of a department or the Leader of the Opposition or a leader of a recognized party, is entitled for attending a sitting of the House to
- (a) an amount on account of expenses, without receipts, for each day that the outside member is in attendance at the House while the House is in session at the same rate as is paid to civil servants; and
- (b) reimbursement in addition to that authorized by clause (a) for expenses,
- (i) with proper receipts for sleeping accommodation charges only, to a maximum of \$153.00 per night, or
- (ii) for travel by the shortest and most convenient route between the place where the outside member is ordinarily resident and the place where the House ordinarily sits at the rate set out in Section 50, incurred in attending the House while it is in session.

- (2) Notwithstanding subsection (1), each member of the Executive Council, who is an outside member and normally travels by motor vehicle on a daily basis between the Halifax-Dartmouth metropolitan area and the member's constituency in the capacity of a member of the Executive Council, is entitled to be reimbursed for travelling expenses by the shortest and most convenient route at the rate per kilometre set out in Section 50.
- (3) Subsection (2) does not apply to
 - (a) a member of the Executive Council who is an outside member and who is entitled to payment of motor vehicle operation expenses as a member of the Executive Council; or
 - (b) a member of the Executive Council who is an outside member and who leases premises for sleeping accommodation in the Halifax-Dartmouth metropolitan area.
- (4) Notwithstanding subsection (1), where an outside member entitled to reimbursement pursuant to that subsection normally travels by motor vehicle on a daily basis between the Halifax-Dartmouth metropolitan area and the member's constituency to attend sittings of the House,
 - (a) the first trip made during a week that the House is sitting is counted as one of the fifty-two trips referred to in Section 49 and the member is entitled to be reimbursed accordingly; and
 - (b) for any additional trips made during that week to attend sittings of the House, the member is entitled to be reimbursed for travelling expenses by the shortest and most convenient route at the rate per kilometre set out in Section 50.
- (5) Subsection (4) does not apply to an outside member referred to in that subsection if the member leases premises for sleeping accommodation in the Halifax-Dartmouth metropolitan area.
- (6) Payments may be made pursuant to this Section in respect of a holiday, a Saturday or a Sunday if the Speaker determines that travel on the holiday, Saturday or Sunday is necessary for the purpose of attending a sitting of the House on the day following.
- (7) Notwithstanding anything contained in this Section, a member may not submit a claim for travel more often than once every two weeks in respect of payments to be made pursuant to this Section.
amended January 11, 2011

Leased premises

- 27**
- (1) An outside member, other than the Premier or a member of the Executive Council having charge of a department, the Leader of the Opposition or the leader of a recognized party, is entitled to be reimbursed in a total amount not exceeding \$1,499.00 per month for accommodation expenses in the Halifax-Dartmouth metropolitan area accounted for by proper receipts.
 - (2) Where a member is reimbursed for accommodation expenses pursuant to this Section, the member may not be reimbursed for sleeping accommodation charges pursuant to Sections 26 or 44.
 - (3) A member may be reimbursed for accommodation expenses pursuant to this Section for necessary termination expenses after the member ceases to be a member, but not exceeding the allowable reimbursement for three months.
 - (4) Accommodation expenses in subsection (1) consists of
 - (a) apartment rental;

- (b) the cost of the parking at or near the apartment unit of one vehicle;
 - (c) the cost of utilities provided to the apartment unit;
 - (d) a security deposit;
 - (e) the cost of keys or other security devices or services;
 - (f) the cost of Internet, cable television and telephone service;
 - (g) the cost of tenant insurance; and
 - (h) the cost of the rental of appliances or furnishings.
- (5) In addition to the foregoing, a newly elected outside member is entitled during the first ninety days following the election date to be reimbursed for the cost, not exceeding \$2,550.00, of furnishings, utensils, cookware, linens and appliances as are required to fit out rental accommodations in the former City of Halifax if same are not provided in the accommodations so leased, but nothing herein permits the reimbursement for the cost of televisions, radios, CDs, DVDs, DVRs or other forms of entertainment systems or machines.
- (6) Any asset acquired pursuant to subsection (5) is not a House asset.
- (7) Notwithstanding the approval of any amount claimed under this Section, the Commission shall, as soon as possible, initiate a review of fair-market rates for apartment rental and utilities, and other like services, and entertain all options for providing appropriate accommodation to outside members while attending the business of the House, its committees or to their duties as members. amended by Regulation 2010A, July 7, 2010

Non-outside member and outside member of Executive Council allowance

28 Each non-outside member, and each outside member who is a member of the Executive Council, the Leader of the Opposition or a leader of a recognized party and not entitled to submit a claim pursuant to Section 26, is entitled to an amount at the same rate as is paid to civil servants for expenses for each day that the member is in attendance at the House while the House is in session.

Committee chairs and vice-chairs

- 29** (1) The chair of each standing committee, each select committee and each special committee of the House is entitled to payment as follows:
- (a) Public Accounts Committee—\$3,152.00;
 - (b) all other committees of the House—\$2,101.00;
- (2) The vice-chair of each standing committee, each select committee and each special committee of the House is entitled to payment of \$525.00.
- (3) Subsection (1) does not apply to the Speaker or a member of the Executive Council.
- (4) A payment respecting a position referred to in subsection (1) or (2) must be paid in two instalments after September 30th and March 31st for the six-month period ending on that day.

- (5) Where more than one member holds a position referred to in subsection (1) or (2) during any six-month period, the payment to each member must be reduced proportionally to the percentage of the period that the member serves in the position.
- (6) No payment respecting a position referred to in subsection (1) or (2) may be paid if the committee for which it is payable has not met during the period or, where subsection (5) applies, the part of the period to which the payment relates. amended January 11, 2011

Committee expenses

- 30** (1) The chair and each member of each standing, select and special committee of the House and the Commission for each day on which the chair and a member attends a meeting of a committee or the Commission when the House is not sitting or the meeting is held outside the Halifax-Dartmouth metropolitan area is entitled to receive reimbursement for:
- (a) an amount on account of expenses for meals and other reasonable expenses incurred for the purpose of attending the meeting at the same rate as is paid to civil servants;
 - (b) actual expenses incurred in respect of accommodation; and
 - (c) travelling expenses calculated in accordance with Section 50.
- (2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must
- (a) be accompanied by proper receipts;
 - (b) not be for more than one night's accommodation; and
 - (c) not exceed the government rate for the establishment where the member stayed.
- (3) Other expenses incurred pursuant to subsection (1) may not be for more than two days.
- (4) Payments may be made pursuant to this Section in respect of a holiday, a Saturday or a Sunday if the Speaker determines that travel on the holiday, Saturday or Sunday is necessary for the purpose of attending a committee or Commission meeting on the day following. amended October 19, 2010

House leaders, whips and caucus chairs

- 31** (1) The House Leader is entitled to a payment of \$10,506.00.
- (2) The Deputy House Leader is entitled to a payment of \$5,253.00.
- (3) The person recognized by the Speaker as occupying the position of House Leader of the Official Opposition is entitled to a payment of \$10,506.00.
- (4) The person recognized by the Speaker as occupying the position of Deputy House Leader of the Official Opposition is entitled to a payment of \$5,253.00.
- (5) The person recognized by the Speaker as occupying the position of house leader of a recognized party is entitled to a payment of \$10,506.00.
- (6) The person recognized by the Speaker as occupying the position of deputy house leader of a recognized party is entitled to a payment of \$5,253.00.
- (7) The whip of each recognized party is entitled to a payment of \$5,253.00.

- (8) The caucus chair of each recognized party is entitled to a payment of \$10,506.00.
- (9) Where a member holds more than one of the positions described in this Section, the member may only receive payment for the highest-paying position held.
- (10) Where a payment is made pursuant to this Section to a member in the capacity of House Leader, Deputy House Leader, House Leader of the Official Opposition, house leader of a recognized party, whip or caucus chair, no further payment may be made pursuant to this Section in respect of that position for the same six-month period unless there is an intervening general election.
- (11) For greater certainty, where a payment is made pursuant to this Section to a member in the capacity of the House Leader, Deputy House Leader, House Leader of the Official Opposition, house leader of a recognized party, whip or caucus chair and the member ceases to hold that position before the end of the six-month period for which it was made, the payment is not pro-rated. amended October 19, 2010

Installment payments

- 32** A payment respecting a position referred to in Section 31 must be paid in two instalments, after April 1st and October 1st, upon the Office of the Speaker being advised by the caucus chair of the holder of the position. amended January 11, 2011

Caucus

Caucus offices

- 33** (1) In this Section, “member” does not include the Speaker, the Premier or other member of the Executive Council, the Leader of the Opposition or the leader of a recognized party.
- (2) Each caucus office is entitled, for support services including employment positions, to
- (a) for the fiscal year 2011-12, \$449,595.00 plus \$44,287.29 times the number of caucus members determined at the beginning of the year;
 - (b) for the fiscal year 2012-13, \$445,099.05 plus \$43,844.42 times the number of caucus members determined at the beginning of the year; and
 - (c) for the fiscal year 2013-14 and subsequent fiscal years, \$440,648.06 plus \$43,405.98 times the number of caucus members determined at the beginning of the year,
- and a pro-rated proportion of \$44,287.29, \$43,844.42 or \$43,405.98 as applicable for the remainder of the year for each additional member the caucus gains during the year.
- (2A) Section 52 does not apply to the amounts set out in subsection (2).
- (3) For greater certainty, the entitlement under this Section is not reduced for the loss by a caucus of a member during the year.
 - (4) The expenditure of the entitlement under this Section is subject to any guidelines adopted from time to time by the Commission.
 - (5) For greater certainty, the sums referred to in this Section do not include the offices of the Leader of the Opposition or a leader of a recognized party. amended April 27, 2011

Caucus and task force meetings

- 34** (1) Members of the Government Caucus, members of the caucus of the Official Opposition and members of the caucus of each recognized party are eligible for reimbursement, pursuant to subsections (3) and (4), for a maximum of four trips to attend caucus meetings held in the Province outside the former City of Halifax during the year.
- (2) In lieu of each of one or more of the caucus meetings referred to in subsection (1), members of the Government Caucus, members of the Caucus of the Official Opposition and members of the caucus of each recognized party may be reimbursed in accordance with subsections (3) and (4) and Section 43 for a trip to attend a task force meeting anywhere within the Province where the task force meets in one location only and is for a maximum of two nights.
- (3) A member attending a caucus meeting pursuant to subsection (1) or a task force meeting pursuant to subsection (2) is entitled to receive reimbursement for
- (a) an amount on account of expenses for meals and other reasonable expenses incurred for the purpose of attending the meeting at the same rate as is paid to civil servants or a reasonable amount on account of meals accompanied by proper receipts;
 - (b) actual expenses incurred in respect of accommodation; and
 - (c) travelling expenses calculated in accordance with Section 49.
- (4) Sleeping accommodation charges incurred and claimed pursuant to subsection (3) must
- (a) be accompanied by proper receipts; and
 - (b) not exceed the government rate for the establishment where the member stayed.

Caucus chairs—expenses

- 35** Where the chair of a caucus is an outside member, that member is entitled to claim and to be paid, in addition to any other expenses allowed the chair, the same allowance and reimbursement authorized for an outside member for twelve return trips between the place where the chair is ordinarily resident and the former City of Halifax.

Leader of Opposition and Leader of Recognized Party**Expenses within the Province**

- 36** The Leader of the Opposition and the leader of a recognized party, in carrying out official duties within the Province, are entitled to be reimbursed for actual and reasonable expenses for accommodation, meals, travel and incidentals in a total amount not exceeding \$42,024.00 accounted for by proper receipts.

Special travel

- 37** In addition to the entitlement authorized by Section 45, the Leader of the Opposition and the leader of a recognized party are entitled to be reimbursed for actual and reasonable expenses incurred for accommodation, meals, travel and incidentals incurred by the Leader or leader and one assistant in carrying out official duties outside the Province on two separate occasions during the year, except that on each occasion reimbursement may not exceed expenses incurred for travel that includes more than three nights' accommodation.

Living allowance

- 38** The Leader of the Opposition and the leader of a recognized party, as outside members, are entitled to receive an allowance equivalent to that provided pursuant to the *Executive Council Act* to members of the Executive Council for living expenses within the former City of Halifax.

Motor vehicle

- 39** The Leader of the Opposition and the leader of a recognized party are entitled to payment of the same motor vehicle operation expenses as a member of the Executive Council. amended October 19, 2010

Deputy Speaker**Expenses respecting duties**

- 40** Each Deputy Speaker is entitled to be reimbursed in a total amount not exceeding \$4,202.00 for expenses incurred in carrying out duties as Deputy Speaker accounted for by proper receipt.

Independent Member**Support services**

- 41 (1)** In this Section, “independent member” means a member who is not a member of a caucus that receives financial support pursuant to Section 33.
- (2)** An independent member is entitled to be provided with
- (a) office space not exceeding three hundred square feet;
 - (b) one administrative assistant at the Civil Service classification AS(16);
 - (c) office furniture and equipment necessary to furnish and equip the office for the member and one administrative assistant;
 - (d) one telephone line; and
 - (e) reasonable postage.
- (3)** Where there is any question arising from subsection (2) in respect of the office of the independent member concerning
- (a) the selection of space;
 - (b) the level of administrative assistant within the AS(16) classification;
 - (c) the selection or amount of furniture; or
 - (d) reasonable postage,
- such question must be determined by the Speaker.
- (4)** An independent member may incur and be reimbursed for long-distance telephone charges for telephone calls made from the office telephone in respect of House or constituency business. amended October 19, 2010

Constituency Matters**Franking and travel**

- 42 (1)** Each member of the House is entitled to be reimbursed in a total amount not exceeding \$14,059.00
- (a) in substitution for the franking privilege and for expenses incurred on account of postage or equivalent forms of distribution; and

- (b) for expenses incurred on account of travel within the member's constituency or in relation to the member's duties as a member.
- (2) Instead of the amount set out in subsection (1),
- (a) the members for
- (i) Guysborough-Sheet Harbour,
 - (ii) Inverness, and
 - (iii) Victoria-The Lakes,
- are each entitled to be reimbursed in a total amount not exceeding \$18,558.00;
- (b) the members for
- (i) Colchester-Musquodoboit Valley,
 - (ii) Cumberland South,
 - (iii) Digby-Annapolis, and
 - (iv) Queens,
- are each entitled to be reimbursed in a total amount, not exceeding \$17,434.00;
- (c) the members for
- (i) Shelburne,
 - (ii) Colchester North, and
 - (iii) Annapolis,
- are each entitled to be reimbursed in a total amount not exceeding \$16,309.00; and
- (d) the members for
- (i) Hants East,
 - (ii) Cape Breton West,
 - (iii) Chester-St. Margaret's,
 - (iv) Pictou East,
 - (v) Argyle, and
 - (vi) Antigonish,
- are each entitled to be reimbursed in a total amount not exceeding \$15,184.00.

- (3) *repealed December 19, 2012.*
- (4) The amounts payable pursuant to subsection (1) or (2) to a person who becomes a member during the year must be reduced proportionally to the percentage of the year that the person is a member.
- (5) The amounts reimbursed pursuant to clause (1)(a) must be accounted for by proper receipt.
- (6) The amounts reimbursed pursuant to clause (1)(b) are to be paid at the rate set out in clause 50(a) and must be accounted for by a proper log of the mileage with the dates and destinations of a trip and the number of kilometres actually and reasonably travelled in connection with the trip.
- (7) A member shall make the member's vehicle travel log available for inspection by the Chief Clerk, the Speaker, the Commission and an auditor appointed by the Commission within the three year period following the date when a particular trip was undertaken. amended April 27, 2011

Services

- 43** (1) In this Section, "expenses" means expenses incurred by a member prior to the time a member ceases to be a member, or within three months after the member ceases to be a member, regardless of when the expense is to be paid by the member except that a member must not be reimbursed for expenses incurred by a member prior to the time a member ceases to be a member, or within three months after the member ceases to be a member, if those expenses are required to be paid more than three months after the member ceases to be a member. Nothing herein in any way affects severance payments to a constituency assistant payable under a written contract.
- (2) In this Section, expenses may include
- (a) travel outside the Province for professional development; and
 - (b) courses for the member or a constituency assistant if approval of the Speaker is obtained before incurring the expenses.
- (3) Each member of the House is entitled to be reimbursed in a total amount, net of sales tax, not exceeding \$4,282.00 per month for expenses accounted for by proper receipt and incurred on account of those items and services in that member's constituency as more specifically set out in Sections 18, 19, 21, 22 and 23.
- (4) The maximum amount that a member may be reimbursed for advertising is ten per cent of the amount set out in subsection (3) except that a member may apply to the Commission once each year for approval of an expenditure not greater than \$1,020.00 for specific additional promotional items.
- (5) Where the maximum amount that may be claimed pursuant to subsections (3) or (4) is not claimed in any month the unclaimed balance may be claimed in a subsequent month.
- (6) Each member of the House is entitled to receive the sum, net of sales tax, not exceeding \$4,282.00 per month, for expenses accounted for by proper receipt and incurred on account of services in that member's constituency in accordance with subsection (3) for three months after the member ceases to be a member.
- (7) Expenses incurred for the lease or the lease-purchase of office furniture and equipment are expenses for which a member may be reimbursed pursuant to this Section.
- (8) Furniture and equipment acquired pursuant to this Section on or after October 28, 2009, is the property of Her Majesty in right of the Province.

- (9) Notwithstanding anything contained in this Section, a member shall normally submit not more than one expense claim in a month in respect of all payments made pursuant to this Section for a month.
- (10) Nothing contained in this Section means that the Office of the Speaker may not make a payment on account of expenses to the person or organization performing or providing the service on behalf of the member at the member's request. amended September 28, 2010

Attendance at Halifax

- 44** (1) Subject to Section 49, each outside member, except the Premier or a member of the Executive Council having charge of a department or the Leader of the Opposition or a leader of a recognized party, is entitled to
- (a) an amount on account of expenses for each day at the same rate as is paid to civil servants;
 - (b) reimbursement in addition to that authorized by clause (a) for travelling expenses calculated in accordance with Section 50, and expenses for sleeping accommodation charges incurred, for return trips between the place where the member is ordinarily resident and the former City of Halifax, to attend in Halifax other than to attend a sitting of the House or one of its committees.
- (2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must
- (a) be accompanied by proper receipts;
 - (b) not be for more than two nights' accommodation unless approved in advance by the Speaker; and
 - (c) not exceed the government rate for the establishment where the member stayed.

Attendance at Ottawa

- 45** (1) Each member is entitled to
- (a) an amount on account of expenses for each day at the same rate as is paid to civil servants or a reasonable amount on account of meals accompanied by proper receipts;
 - (b) reimbursement in addition to that authorized by clause (a) for economy air fare, normal airline ground transportation and expenses for sleeping accommodation charges incurred,
- for two return trips between the place where the member is ordinarily resident and the City of Ottawa to attend in Ottawa on constituency business or on business as a caucus critic.
- (2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must
- (a) be accompanied by proper receipts;
 - (b) not be for more than two nights' accommodation for each trip; and
 - (c) not exceed the government rate for the establishment where the member stayed.
- (3) The Speaker may permit reimbursement for an additional day and night for each trip if the total reimbursement would be less than the amount permitted by subsection (2).

- (4) The Government Caucus, the Official Opposition Caucus and the caucus of a recognized party may each designate a member to make two return trips or two members to each make one return trip to attend in Ottawa on constituency or caucus business and subsections (1) and (2) apply *mutatis mutandis* to each such trip.

Attendance outside the Province other than Ottawa

- 46** (1) Where a member is not reimbursed pursuant to Section 45 for a return trip between the place where the member is ordinarily resident and the City of Ottawa on constituency business or on business as a caucus critic, that member is entitled to
- (a) an amount on account of expenses for each day at the same rate as is paid to civil servants or a reasonable amount on account of meals accompanied by proper receipts;
 - (b) reimbursement, in addition to that authorized by clause (a), for economy air fare, normal airline ground transportation and expenses for sleeping accommodation charges incurred, for one return trip between the place where the member is ordinarily resident and another place in North America outside the Province to attend that other place on constituency business, if approval of the Speaker is obtained before incurring the expenses.
- (2) Subsections 45(2) and (3) apply to reimbursement pursuant to this Section.
- (3) Notwithstanding subsections (1) and (2), the member is not entitled to an amount pursuant to this Section for economy air fare charges in excess of that to which the member would have been entitled pursuant to Section 45.

Attendance at authorized parliamentary or legislative meetings

- 47** Each member is entitled to
- (a) an amount on account of expenses for each day at the same rate as is paid to civil servants or a reasonable amount on account of meals accompanied by proper receipts;
 - (b) reimbursement in addition to that authorized by clause (a) for economy air fare, normal airline ground transportation and expenses for sleeping accommodation charges incurred if the sleeping accommodation charges ~~are~~
 - (i) [are] accompanied by proper receipts,
 - (ii) [are] not for more nights' accommodation than are necessary to attend the planned program for the meeting, and
 - (iii) do not exceed the government rate for the establishment where the member stayed, unless determined otherwise by the Speaker for return trips between the place where the member is ordinarily resident and another place, to attend at that other place a meeting of the Commonwealth Parliamentary Association or a meeting of any other parliamentary or legislative group, if approval of the Speaker is obtained before incurring the expenses. amended September 28, 2010

Expenses of critics

- 48** (1) A member occupying the position of critic of a department or agency of Government is entitled to
- (a) an amount on account of expenses for each day at the same rate as is paid to civil servants or a reasonable amount on account of meals accompanied by proper receipts;

- (b) reimbursement in addition to that authorized by clause (a), for travelling expenses calculated in accordance with Section 50 and expenses for sleeping accommodation charges incurred by the critic,

for attending not more than four meetings per year within the Province which meetings are necessarily incidental to the duties of the critic, if approval of the Speaker is obtained before incurring the expenses.

- (2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must
 - (a) be accompanied by proper receipts; and
 - (b) not exceed the government rate for the establishment where the member stayed.
- (3) Reimbursement pursuant to subsection (1) is limited to three days and two nights for each meeting.
- (4) In lieu of each of one or more of the caucus meetings referred to in subsection 34(1), members of the Government Caucus, members of the Caucus of the Official Opposition and members of the caucus of each recognized party may be reimbursed in accordance with this Section for a meeting referred to in subsection (1) if approval of the Speaker is obtained before incurring the expenses.

General

Restriction

- 49** Except as authorized by Section 26, no member may be reimbursed for travel expenses authorized by Sections 26 and 44 in excess of fifty-two return trips in the year between the place where the member is ordinarily resident and the former City of Halifax to attend in Halifax, other than for attendance at a meeting of a select committee, a special committee or a standing committee.

Calculation of travel expense

- 50** Each outside member of the House, the Leader of the Opposition and a leader of a recognized party entitled under the *House of Assembly Act* to receive travelling expenses is entitled to be reimbursed out of the General Revenue Fund of the Province for claimed travelling expenses incurred for travel by the shortest and most convenient route between the place where the member is ordinarily resident and the place where the House ordinarily sits or the Committee is meeting at
- (a) 38.13¢ per kilometre; or
 - (b) the cost of economy air fare plus normal airline ground transportation.

Out-of-Province travel

- 51** Members of the House are entitled to reimbursement for health-insurance premiums for out-of-Province travel on House business, if such premiums are necessary to maintain coverage.

Annual adjustment

- 52** (1) The fixed amounts set out in the regulations, except the amount in clause 50(a), is [are] increased on April 1st of each year by the increase in the Consumer Price Index for Nova Scotia or the core Consumer Price Index for Canada, whichever is lower, for the previous year, rounded to the nearest dollar, and the regulations are amended accordingly.
- (2) Notwithstanding subsection (1), the fixed amounts set out in these regulations are not increased for the fiscal year 2011-12. amended April 27, 2011

No recovery upon ceasing to be member**53** Where

- (a) a member dies or resigns; or
- (b) there is a general election during the year and a member does not reoffer or is defeated,

no recovery of any amounts paid to the member pursuant to this Regulation may be made as a result of the member not being a member for the remainder of the year.

Request for reimbursement**54** A person who makes a request for payment or reimbursement shall

- (a) make the request in writing on the form provided by the House of Assembly Management Commission;
- (b) make the request within six months from the time the payment or claim for which reimbursement is made was incurred or became eligible to be paid;
- (c) sign the request and certify that the request is correct; and
- (d) forward the request to the Office of the Speaker.

Limitation on reimbursement**55 (1)** Notwithstanding anything contained in this regulation, no member may claim for reimbursement an expense

- (a) for which the member is reimbursed pursuant to another regulation or enactment;
- (b) paid to an associated person;
- (c) paid to a person living in the same dwelling, as a member of the same household;
- (d) paid to any business or on account of property in which the member or those persons mentioned in clause (b) or (c) have an ownership interest.

(2) Notwithstanding anything contained in this regulation, no member may claim for reimbursement for meals or other food or refreshment for any day if the member is entitled for that same day to the amount set out in

- (a) clause 26(1)(a);
- (b) Section 28;
- (c) clause 30(1)(a);
- (d) clause 34(3)(a);
- (e) clause 44(1)(a);
- (f) clause 45(1)(a);
- (g) clause 46(1)(a);

- (h) clause 47(a); or
- (i) clause 48(1)(a).

Forms

- 56** (1) The Clerk may prescribe any forms the Clerk considers necessary or advisable for the purpose of these regulations.
- (2) Notwithstanding subsection (1), the Commission may, by directive, prescribe any forms the Commission considers necessary or advisable for the purpose of these regulations.

Payment approval

- 57** (1) Directions for payment of indemnities, allowances, payments or reimbursements and approval of requests for payment or reimbursement must be issued or made by the Speaker, the Deputy Speaker or a person designated by the Speaker.
- (2) The person who approves a request for payment or reimbursement has the authority to reduce or increase the amount of the payment or reimbursement claimed where that person determines that the amount claimed is in error.
- (3) A member's expense claim form and private vehicle usage report must be completed in their entirety, including detailed expenditures, as required by the Office of the Speaker for reimbursement. amended October 19, 2010

Application

- 58** This regulation applies on and after June 9, 2010.