

Statutes

OF

Nova Scotia

Passed in the
Thirtieth Year of the Reign of Her Majesty
QUEEN ELIZABETH II

Being the Third Session of the Fifty-Second
General Assembly



Halifax, Nova Scotia
Queen's Printer
1981

1981

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XXIX ELIZABETH II
1981

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STATUTES OF NOVA SCOTIA passed in the thirtieth year of the Reign of Our Sovereign Lady 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, being the third Session of the fifty-second General Assembly convened in the Province at Halifax on Thursday the nineteenth day of February, A.D. 1981, adjourned on Friday the thirteenth day of March, A.D. 1981, resumed on Monday the twenty-third day of March, A.D. 1981 and adjourned on Thursday the twenty-fifth day of June, A.D. 1981.

In the time of His Honour, the Honourable John E. Shaffner, Lieutenant Governor; the Honourable Arthur R. Donahoe, Speaker of the House of Assembly; the Honourable Harry W. How, Q.C., Provincial Secretary; Henry F. Muggah, Q.C., Clerk of the House of Assembly; and Graham D. Walker, Q.C., Chief Legislative Counsel.

CHAPTER 1

An Act to Provide for Defraying Certain Charges and Expenses of the Public Service of the Province

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as The Appropriations Act, 1981.

Supply

2 The several sums of money hereinafter stated are granted to His Honour the Lieutenant Governor for the purpose of defraying the undermentioned several charges and expenses of the public service for the fiscal year ending the thirty-first day of March, A.D. 1982, and for the purpose of defraying the several charges and expenses of the public service that are chargeable to Capital Account; provided that the sums so chargeable to Capital Account may be expended in the period commencing the first day of April, A.D. 1981, and terminating on the thirty-first day of March, A.D. 1983;

Agricultural Services, Department of Agriculture and Marketing	\$ 9,116,400
Agricultural Production, Department of Agriculture and Marketing	8,833,900
Boards and Commissions, Department of Agriculture and Marketing	7,357,900
Nova Scotia Agricultural College, Department of Agriculture and Marketing	2,583,600
General, Department of the Attorney General	8,974,200
Law Administration, Department of the Attorney General	19,656,700
Public Offices, Department of the Attorney General	3,589,200
Superintendent of Insurance, Department of the Attorney General	152,500

Registry of Joint Stock Companies, Department of the Attorney General	433,300
Consumer Affairs, Department of Consumer Affairs	2,466,700
Administration, Department of Culture, Recreation and Fitness	7,404,100
Recreation Facility Development, Department of Culture, Recreation and Fitness	1,407,900
General Administration, Department of Development	19,948,200
Development Operations, Department of Development	5,854,700
Development Strategy, Department of Development	1,048,200
Development Projects, Department of Development	764,600
Provincial Employment Program, Department of Development	14,201,500
General Development Agreement, Department of Development	29,748,500
Senior Management Program, Department of Education	999,500
Finance and Budgeting Program, Department of Education	313,964,100
Curriculum Development Program, Department of Education	3,941,200

Regional Vocational Education Program, Department of Education	21,077,900
Education Resource Services Program, Department of Education	9,011,400
School Planning and Inspection Program, Department of Education	1,208,900
Adult Education Program, Department of Education	19,277,200
Teacher Education Program, Department of Education	521,600
Program Services Program, Department of Education	684,600
Assistance to Universities	129,163,700
Environment, Department of the Environment	8,570,300
General, Department of Finance	3,827,700
Provincial Tax Commission, Department of Finance	4,008,300
Government Contributions to Benefit Plans, Department of Finance	20,003,400
Unclassified and Unforeseen Expenditures, Department of Finance	300,000
Homeowners' Incentive Act - Grants, Department of Finance	2,850,000
Debt Charges, Department of Finance	225,344,100

Fisheries, Department of Fisheries	15,466,300
Government Services, Department of Government Services ..	23,585,700
Health Programs, Department of Health	344,119,800
Health Services and Insurance Commission, Department of Health	140,114,700
Nova Scotia Commission on Drug Dependency, Department of Health	4,836,500
General Administration, Department of Labour and Manpower	644,900
Labour Relations and Standards, Department of Labour and Manpower	1,015,300
Safety Services, Department of Labour and Manpower	1,366,000
Manpower Services, Department of Labour and Manpower	3,785,500
Administration Branch, Department of Lands and Forests	3,294,800
Program Planning Branch, Department of Lands and Forests	3,960,400
Operations Branch, Department of Lands and Forests	12,358,800

Land Services Branch, Department of Lands and Forests	290,100
Operations, Department of Mines and Energy	4,589,600
Energy Assistance, Department of Mines and Energy	24,081,000
Assistance - Coal Industry, Department of Mines and Energy	3,031,700
General, Department of Municipal Affairs	152,996,100
Cape Breton Development Corporation	1,100,000
Civil Service Commission	1,807,000
Council of Maritime Premiers	2,865,700
Education Incentive Program for Black Students	235,100
Election Expenses	65,600
Executive Council Office	718,900
Expropriation Compensation Board	122,900
Gasoline and Fuel Oil Licensing Act - Administration	326,800
Government House	173,000
Halifax-Dartmouth Bridge Commission	2,400,000
Human Rights Commission	689,600
Industrial Estates Limited	1,849,900
Intergovernmental Affairs	300,500

Legislative Counsel.....	378,700
Legislative Expenses.....	2,984,600
Management Board	795,200
Maritime Resource Management Service	450,000
Ministers' Salaries and Expenses	778,200
Motor Carrier Act - Administration	897,800
Nova Scotia Advisory Council on the Status of Women	209,200
Nova Scotia Boxing Authority.....	42,400
Nova Scotia Horse Racing Commission....	372,000
Nova Scotia Housing Commission - Administration	3,985,200
Nova Scotia Housing Commission - Subsidies	10,995,800
Nova Scotia Lottery Commission	276,100
Nova Scotia Municipal Finance Corporation.....	302,400
Nova Scotia Police Commission	277,400
Nova Scotia Power Corporation	21,316,000
Nova Scotia Research Foundation Corporation.....	1,600,000
Nova Scotia Resources Limited	200,000
Office of Auditor General	979,200
Office of the Ombudsman.....	173,400

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	Office of the Premier		298,900
	Office of the Speaker		695,200
	Protocol Office		324,500
	Provincial Boundaries Commission		20,000
	Public Archives of Nova Scotia, Board of Trustees		752,200
	Purchasing Agency		506,900
	Registrar of Condominiums		51,300
	Royal Commission on the Status of Pensions		50,000
	Salvage Yards Licensing Act - Administration		278,200
	Sydney Steel Corporation		10,200,000
	Tidal Power Corporation		99,100
	Workers' Compensation Board		1,650,000
	Administration, Department of Social Services		10,611,200
	Family and Children's Services, Department of Social Services		14,009,500
	Rehabilitation and Community Services, Department of Social Services		10,375,200
	Protection Services, Department of Social Services		5,303,900
	Public Assistance, Department of Social Services		143,079,700

Other Social Services, Department of Social Services	2,514,200
Administration, Department of Tourism	832,900
Bluenose II, Department of Tourism	476,200
Industry Development, Department of Tourism	702,700
Marketing, Department of Tourism	4,776,800
Travel Information, Department of Tourism	938,100
Hotel Operations, Department of Tourism	3,648,000
Maintenance and Improvement of Highways, Department of Transportation	74,332,300
Registry of Motor Vehicles, Department of Transportation	8,838,400
Sinking Fund Instalments	37,931,500

A sum not exceeding \$240,249,900 for certain amounts chargeable to Capital Account as follows:

FURNITURE AND EQUIPMENT

Agriculture and Marketing, Department of	\$ 335,800
Attorney General, Department of the	132,000
Education, Department of	6,667,500

Environment, Department of the	425,200
Finance, Department of.....	76,000
Government Services, Department of.....	1,034,800
Health, Department of.....	2,697,000
Lands and Forests, Department of.....	3,319,900
Mines and Energy, Department of.....	220,400
Social Services, Department of.....	50,000
Tourism, Department of.....	202,000

OTHER

Agriculture and Marketing, Department of.....	\$ 200,000
Attorney General, Department of the	300,000
Development, Department of.....	21,781,100
Education, Department of.....	136,000
Environment, Department of the	2,251,000
Health, Department of.....	5,552,700

Lands and Forests, Department of.....	10,680,400
Public Service	56,201,500
Transportation, Department of.....	94,745,600

PUBLIC WORKS AND SPECIAL PROJECTS

Agriculture and Marketing, Department of.....	\$ 2,580,000
Attorney General, Department of.....	100,000
Education, Department of.....	5,149,000
Government Services, Department of.....	3,425,000
Health, Department of.....	18,183,800
Lands and Forests, Department of.....	729,000
Mines and Energy, Department of.....	40,000
Public Service	20,000
Social Services, Department of.....	387,000
Tourism, Department of.....	687,200
Transportation, Department of.....	1,940,000

A sum not exceeding \$67,500 for Total Capital Advances:

Agriculture and Marketing, Department of.....	\$	67,500
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Application of Funds

3 The said several sums shall be paid by the Minister of Finance subject to the provisions of the statutes in that behalf out of the moneys that are applicable to the several purposes for which the said several sums are granted.

Power to Borrow

4 The Governor in Council is authorized to borrow or raise by way of loan on the credit of the Province either before or after the expiration of the said fiscal year, the sum of \$550,000,000 for the public service.

Payment out of Revenue

5 (1) Notwithstanding anything contained herein, the Governor in Council may, either before or after the close of the fiscal year, pay any sum chargeable to Capital Account or any part thereof, out of the revenue of the said fiscal year.

Effect of Payment out of Revenue

(2) Where the Governor in Council has paid any sum chargeable to Capital Account, or any part thereof, out of the annual revenue of the Province, the capital appropriations granted by this Act or any previous Act shall be accordingly reduced and the appropriations of the several Departments to which the capital appropriations have been charged shall, if the Governor in Council so directs, be accordingly increased.

Effective Date

6 This Act shall be and shall be deemed to have been in force on, from and after the first day of April, 1981, and shall accordingly be read, construed and given effect on, from and after that date.



**An Act Respecting
the Conduct of Consumer Creditors**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Consumer Creditors Conduct Act.

Interpretation

2 In this Act,

(a) “borrower” means a person who receives credit;

(b) “credit” means credit for which a borrower is required to pay and that is

(i) given under an agreement between a seller and a buyer to purchase goods or services by which all or part of the purchase price is payable after the agreement is entered into, or

(ii) given by the advancement of money,

and includes a transaction where a person, acting in the course of his business, acquires from another person the other person’s right to any income tax refund or other payment by the Government of Canada or the Governmnet of the Province which is due or will become due to the other person, but does not include credit extended

(iii) on the security of a mortgage of real property,

(iv) in respect of the sale of goods intended for resale, or

(v) for industrial or business purposes of the borrower;

(c) "creditor" means a person who extends credit, his agent or employee.

Supervision of Act

3 This Act shall be under the general supervision of the Minister of Consumer Affairs.

Rules of Conduct

4 No creditor shall

(a) collect or attempt to collect money without first being satisfied that the money is owed by the borrower to the creditor;

(b) make any charge against a borrower in addition to those contained in the agreement with that borrower or in a cost of borrowing statement furnished to the borrower;

(c) send any telegram or make any telephone call for the purpose of demanding payment, if the charges are payable by the addressee or the person to whom the call is made;

(d) communicate with a borrower after the borrower has notified him in writing to communicate with the designated legal adviser of the borrower;

(e) use, without lawful authority, any summons, notice or demand, or other document, expressed in language of the general style or purport of any form used in any court in the Province, or printed or written or in the general appearance or format of any such form;

(f) in any way abuse or intimidate a borrower either orally or in writing to induce the borrower to pay money or to deliver up possession of property;

(g) make telephone calls or personal calls or written communications of such nature or with such frequency as to constitute harassment of the borrower or any member of his family;

(h) make telephone calls or personal calls

(i) on a Sunday, or

(ii) on any other day except between the hours of eight o'clock in the forenoon and nine o'clock in the afternoon,

for the purpose of demanding payment of money or possession of property;

(i) give by statement, expressly or impliedly, directly or indirectly, any false or misleading information to any person that may be detrimental to a borrower, his spouse or a member of his family;

(j) contact or threaten to contact the employer of a borrower, his spouse or any member of his family, and give information that may adversely affect the employment or employment opportunities of the borrower, his spouse or any member of his family;

(k) while attempting to collect money or get possession of property, falsely hold himself out as a police officer, sheriff or deputy sheriff.

Offence and Penalty

5 (1) Every person who violates or fails to comply with any provision of this Act and every director of a corporation who knowingly concurs in a violation or failure to comply with any provision of this Act is guilty of an offence and liable on summary conviction to a penalty of not more than two thousand dollars or to imprisonment for a term of not more than one year, or both.

Penalty on Corporation

(2) Where a corporation is convicted of an offence under subsection (1) it is liable to a penalty of not more than twenty-five thousand dollars.

Time Limit for Prosecution

(3) A prosecution under this Section may be commenced within one year from the date on which the offence is committed.

**An Act to Extend the Agency Agreement
Between the Dominion Coal Workers' Relief
Association and the Successor of the
Eastern and Chartered Trust Company**

(Assented to the 27th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Interpretation

1 In this Act, "agency agreement" means the agreement made the twenty-eighth day of May, 1966, between the Dominion Coal Workers' Relief Association, incorporated by Chapter 142 of the Acts of 1919, An Act to Incorporate The Dominion Coal Workers' Relief Association, of the first part, and the Eastern and Chartered Trust Company, of the second part.

Continuation of Agreement

2 Subject to any earlier termination through court or legislative process, the agency agreement shall continue and endure and be binding upon the parties thereto for such length of time as will enable them to discharge their obligations or until the twenty-eighth day of May, 1982, whichever first occurs.

**An Act Respecting the
Sharing of Taxes of
Gulf Oil Canada Limited**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Gulf Oil Canada Limited Tax Sharing Act.

Interpretation

2 In this Act,

(a) "annual taxes" means the annual taxes for general municipal purposes levied on the property of the Company by the County of Richmond;

(b) "Company" means Gulf Oil Canada Limited;

(c) "County of Richmond" means the Municipality of the County of Richmond;

(d) "property of the Company" means the property of the Company situate at or near Point Tupper in the County of Richmond and assessed pursuant to the Assessment Act.

1981 Taxes

3 In the year 1981 the Company shall pay to the County of Richmond seventy-five per cent of the annual taxes that would be levied against the Company in the year 1981 but for Chapter 10 of the Acts of 1969, An Act Relating to the Taxation of Gulf Oil Canada Limited.

Distribution of Taxes Received

4 (1) In the year 1981 the County of Richmond shall distribute the annual taxes received by it from the Company, and any interest charged and received for a late payment thereof, to the towns and rural municipalities named in subsection (2) of Section 9 of said Chapter 10 in the same proportions as are set out therein.

Time Limit for Distribution

(2) The County of Richmond shall make the payments required to be made by this Section within thirty days of the receipt of the annual taxes or instalments thereof.

Municipal Grants Act

5 For the purposes of Sections 14 and 34 of the Municipal Grants Act, the share of each rural municipality and town for the year 1981 distributed pursuant to subsection (1) of Section 4 shall be capitalized as determined by the Director of Assessment for the Province.

**An Act Respecting
the Provision of
Homemakers Services**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Homemakers Services Act.

Interpretation

2 In this Act,

(a) "agency" means a municipal unit, a Society incorporated under the Children's Services Act or a non-profit organization providing a homemakers service;

(b) "homemakers service" means a service provided under this Act and the regulations;

(c) "Minister" means the Minister of Social Services;

(d) "municipal unit" means a city, incorporated town, or municipality of a county or district.

Purpose of Act

3 The purpose of this Act is to encourage the provision of homemakers services to families or individuals to enable them to remain in their homes.

Supervision of Act

4 The Minister of Social Services has the general supervision of this Act.

Funding of Agency Providing Homemakers Service

5 (1) Subject to the regulations, the Minister may provide funding to an agency which provides a homemakers service

(a) for a person who is elderly, handicapped, ill or convalescent;

(b) for households in which there is a child who might otherwise have to be cared for in a place other than his home during the absence, illness, convalescence or incapacity of his mother or other person in whose charge he is;

(c) for households in which the standard of housekeeping or child-rearing practices requires improvement to assist the family in coping with domestic or financial difficulties which might otherwise result in the family being unable to maintain themselves in their home.

Amount and Manner of Funding

(2) The amount and manner of funding shall be determined by regulations.

Personnel

6 (1) Persons required for the administration of this Act shall be appointed in accordance with the Civil Service Act.

Director

(2) The Minister may appoint a person in the public service to be Director for the purposes of this Act and may prescribe his functions and duties.

Regulations

7 (1) The Governor in Council may make regulations

(a) respecting the approval by the Minister of a homemakers service;

(b) respecting personnel complements and personnel qualifications of a homemakers service;

(c) respecting the conditions under which funds may be provided by the Province for a homemakers service;

(d) respecting the collection of fees by a homemakers service;

(e) respecting records to be maintained by a homemakers service;

(f) respecting standards of service;

(g) respecting the establishment of a homemakers service advisory committee;

(h) respecting the classes of persons to whom an agency may provide a homemakers service;

(i) prescribing forms and providing for their use;

(j) defining any word or expression used in this Act and not defined in this Act;

(k) respecting such other matters or things as are necessary to carry out the intent and purpose of this Act.

Regulations Act

(2) The exercise by the Governor in Council of the authority contained in subsection (1) shall be regulations within the meaning of the Regulations Act.

Proclamation

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

**An Act to Establish
the Hospitality Institute
of Nova Scotia**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Hospitality Institute of Nova Scotia Act.

Interpretation

2 In this Act,

(a) "Board" means the Board of Governors of the Institute;

(b) "hospitality industry" means every corporation, partnership, organization or individual providing accommodation, camping, food, beverage, information, entertainment, recreation and related services and facilities to persons travelling in the Province;

(c) "Institute" means the Hospitality Institute of Nova Scotia.

Nova Scotia Hospitality Institute

3 The Nova Scotia Hospitality Institute is hereby established as a body corporate.

Objects of Hospitality Institute

4 The objects of the Institute shall be

(a) to develop and recommend performance standards for occupations within the hospitality industry;

(b) to recommend industry standards to institutions involved in providing education programs for future employees in the industry;

(c) to develop, recommend and assist in the delivery of training programs which can be available for people already employed in the hospitality industry; and

(d) to act as a Tourism Sector Committee to the Provincial Manpower Board on matters relating to assessment of manpower needs and training requirements to meet these needs.

Powers of Hospitality Institute

5 The Institute shall have the powers of a society incorporated under the Societies Act except that no by-law made by the Institute shall have force and effect unless and until approved by the Governor in Council.

Board of Governors

6 (1) There shall be a Board of Governors of the Institute composed of not more than twenty-one persons appointed by the Governor in Council.

Persons Appointed to Board

(2) In making appointments to the Board the Governor in Council shall appoint

(a) not more than fifteen persons representing the hospitality industry recommended by the Minister of Tourism in consultation with the industry;

(b) one person from the Department of Education recommended by the Minister of Education;

(c) one person from the Department of Labour and Manpower recommended by the Minister of Labour and Manpower;

(d) one person from the Department of Tourism recommended by the Minister of Tourism;

(e) one person from the Department of Development recommended by the Minister of Development.

Powers of Board

(3) The Board may exercise any of the powers of the Institute.

Remuneration and Expenses

7 No member of the Board shall receive payment or remuneration for his services as a member of the Board, but all members of the Board shall be entitled to travelling and living allowances, while engaged in activities on behalf of the Institute, in accordance with the guidelines established for civil servants of the Government of the Province.

Chairman and Vice-Chairman

8 The Board shall elect annually, from among the members of the Board appointed representing the hospitality industry, one person to be the Chairman and one person to be Vice-Chairman.

Executive Committee

9 (1) There shall be an Executive Committee consisting of the Chairman, the Vice-Chairman and at least three other members of the Board appointed from time to time by the Board.

Other Officers and Standing or Special Committees

(2) The Board may appoint such other officers and standing or special committees as the Board considers advisable and the members of committees need not be members of the Board.

Foundation

10 The Board may establish a foundation for the purpose of raising or soliciting funds to assist in furthering the objects of the Institute.

Personnel and Remuneration

11 (1) The Board may engage and pay for the professional

services of a chief executive officer and such other professional, technical, clerical and other staff as it considers necessary for the proper conduct of the activities of the Institute and the Board may determine their remuneration and terms of employment.

Use of Employees of Province

(2) The Governor in Council may authorize employees of the Province to work on behalf of the Institute.

Fiscal Year

12 The fiscal year of the Institute shall be the period ending the thirty-first day of March in each year.

Books of Account

13 The Institute shall cause to be kept at its principal office, or such other place as the Board may direct, proper books of account respecting

(a) all sums of money received and expended by the Institute and the matters in respect of which the receipt and expenditure took place; and

(b) the assets and liabilities of the Institute.

Audit

14 The accounts of the Institute shall from time to time and at least once every year be audited and reported upon by an auditor named by the Board and the expenses of such audits shall be paid by the Institute as part of the costs of administration of the Institute.

Annual Report

15 On or before the first day of October in each year, the Board shall publish an annual report containing clear and comprehensive statements disclosing and exhibiting

(a) the audited results of the yearly operation of the Institute ending on the preceding thirty-first day of March;

(b) the audited financial position of the Institute as at the preceding thirty-first day of March; and

(c) such other financial reports and matters as may appear to be of public interest in relation to the Institute.

Proclamation

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

**An Act Respecting
Montreal Trust Company and
Montreal Trust Company of Canada**

(Assented to the 24th day of June, A.D. 1981)

WHEREAS Montreal Trust Company, by its wholly owned subsidiary, Montrustco Corporation, has caused to be incorporated by Letters Patent dated the 19th day of July, 1978, under the Trust Companies Act, Chapter T-16 of the Revised Statutes of Canada 1970, as a subsidiary of Montrustco Corporation, wholly owned except for directors' qualifying shares, Montreal Trust Company of Canada, for the purpose of taking over and carrying on certain of the business of Montreal Trust Company in the Province and other areas of Canada, with certain exceptions as herein described;

THEREFORE be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as Montreal Trust Company of Canada Act.

Substituted Reference in Document or Trust

2 Except as provided in Section 6 hereof, Montreal Trust Company of Canada is deemed to be substituted in the place and stead of Montreal Trust Company in or in respect of every trust, trust deed, agreement, instrument of creation, settlement, assignment, will, codicil or other testamentary document, and every letters testamentary, letters of administration, judgment, decree, order, direction, or appointment of any court, judge or other constituted authority, and every other document or trust howsoever created, including every incomplete or inchoate trust, and in every conveyance, mortgage, assignment, appointment or other writing, wherein or whereby, or of which Montreal Trust Company is named as executor, administrator, trustee, bailee, committee, assignee, liquidator, receiver, guardian or curator, or is

named to any other office or position whatsoever wherein any property, interest, possibility or right is vested in, administered or managed by, or put in charge of Montreal Trust Company in trust, or in the custody, care or control of Montreal Trust Company, for or for the benefit of any other person or purpose; and every such document or trust howsoever created shall be read, construed and given effect as if Montreal Trust Company of Canada had been named therein in the place and stead of Montreal Trust Company.

Vesting in Montreal Trust Company of Canada

3 (1) Except as provided in Section 6 hereof, all real and personal property and every interest therein that is granted to, or held by or vested in Montreal Trust Company, whether by way of security or otherwise, in trust, or in the custody, care or control of Montreal Trust Company, for or for the benefit of any other person or purpose, pursuant to or in respect of any document or trust to which Section 2 applies, and whether in the form in which it was originally acquired by Montreal Trust Company or otherwise, shall be vested in Montreal Trust Company of Canada, according to the tenor of and at the time indicated or intended by the document or trust, upon the same trusts, and with the same powers, rights, immunities, and privileges, and subject to the same obligations and duties as are thereby provided, granted or imposed.

Change of Title Effected

(2) For the purposes of any enactment affecting the title to property, both real and personal, it shall be sufficient to cite this Act as effecting the grant, conveyance or transfer of title from Montreal Trust Company to and the vesting of title in Montreal Trust Company of Canada of every property affected by subsection (1), and notwithstanding any other enactment, it shall not be necessary to register or file this Act, or any further or other instrument, document or certificate showing the change of title, in any public office whatsoever within the jurisdiction of the Province.

Proceedings in Progress Continued

4 (1) No suit, action, appeal, application or other proceeding being carried on and no power or remedy being exercised by or against Montreal Trust Company in any court or before any tribunal or agency of the Province, pursuant to or in

respect of any document or trust to which Section 2 applies, shall be discontinued or abated on account of this Act, but may be continued in the name of Montreal Trust Company of Canada, which shall have the same rights, shall be subject to the same liabilities, and shall pay or receive the same costs and awards as if the suit, action, appeal, application or other proceeding had been commenced or defended in the name of Montreal Trust Company of Canada.

Rights of Action or of Other Proceedings Continued

(2) Any suit, action, appeal, application or other proceeding, or any power, right, remedy or right of distress that might have been brought or exercised by or against Montreal Trust Company pursuant to or in respect of any document or trust to which Section 2 applies, may be brought or exercised by or against Montreal Trust Company of Canada, which shall have the same rights, and shall be subject to the same liabilities, in respect thereof, as those which Montreal Trust Company would have or be subject to if this Act had not been enacted.

Claims and Liabilities Continued

5 Nothing in this Act affects the rights of any person having a claim against Montreal Trust Company in respect of any document or trust to which Section 2 applies, or impairs, modifies or affects the liability of Montreal Trust Company to any such person; and any such rights as may be enforceable in the Province may instead be asserted or enforced against Montreal Trust Company of Canada, which shall be responsible for all debts, liabilities, and obligations of Montreal Trust Company in respect of any such document or trust.

Sections 2 to 5 Do Not Apply

6 Sections 2, 3, 4 and 5 of this Act do not apply to

(a) any real or personal property granted to, or held by or vested in Montreal Trust Company, and any power, right, immunity, privilege or right of action that may be exercised by or against Montreal Trust Company, pursuant to or in respect of,

(i) any trust indenture wherein Montreal Trust Company is trustee and by virtue of which any bond,

debenture or other evidence of indebtedness, warrant or right is issued;

(ii) any document or trust to which Section 2 applies pursuant to which Montreal Trust Company acts as trustee in respect of an employees' superannuation or pension fund or plan, which has been accepted for registration purposes pursuant to the Income Tax Act (Canada) and any mutual fund, pooled trust fund or unit trust the principal purpose of any of which is the investment of moneys forming part of any such employees' superannuation or pension fund or plan;

(b) any agreement or other document whatsoever whereby Montreal Trust Company is named as registrar or transfer agent;

(c) any real property and any interest or estate in land which is held by Montreal Trust Company as a grantee or mortgagee under any deed or mortgage wherein the grantee or mortgagee is described as "Montreal Trust Company" without further qualification, and which is held by Montreal Trust Company pursuant to or in respect of any document or trust described in Section 2, and any power, right, immunity, privilege or right of action that may be exercised by or against Montreal Trust Company under such document or trust with respect to that property;

(d) any real or personal property owned or held by, vested in or granted to Montreal Trust Company, and which is held by Montreal Trust Company exclusively for its own use and benefit, and not in trust for or for the benefit of any other person or purpose;

(e) any real or personal property which is held by Montreal Trust Company under any document or trust to which Section 2 applies which is situate outside the Province, and any power, right, immunity, privilege or right of action that may be exercised by or against Montreal Trust Company under any such document or trust with respect to that property, but

(i) for all property situate outside the Province for which Montreal Trust Company has been appointed, or

is entitled to be appointed by a court of the Province, as personal representative of a deceased person, whether as executor, administrator or otherwise, Montreal Trust Company of Canada may, upon application to such court, be appointed personal representative in the place and stead of Montreal Trust Company with respect to that property, and

(ii) for all property situate outside the Province not coming within subclause (i), but held by Montreal Trust Company under any document or trust to which Section 2 applies, for which the Supreme Court has jurisdiction under Section 30 of the Trustee Act to make an order for the appointment of a new trustee, Montreal Trust Company of Canada may, upon application to the Trial Division of the Supreme Court, be appointed trustee in the place and stead of Montreal Trust Company with respect to that property, and such appointment shall have the same effect as if made under Section 30 of the Trustee Act,

but any appointment made pursuant to subclause (i) or (ii) shall not affect any rights which may continue to be exercised by or against Montreal Trust Company; or

(f) trusts relating to moneys received for guaranteed investment and any real or personal property held in trust with respect to any such guaranteed investment.

Declaration in Instrument

7 For every instrument executed subsequent to the commencement of this Act by Montreal Trust Company or by Montreal Trust Company of Canada dealing with any property granted to, or held by or vested in either corporation, a declaration in such instrument that title to such property is changed by Section 3, or that such property comes within any exemption provided by Section 6, or that this Act does not apply to such property, shall be binding on both corporations, and shall be accepted as conclusive by every public office whatsoever within the jurisdiction of the Province.

**An Act to Amend Chapter 5
of the Acts of 1974, the
Handicapped Persons' Education Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (2) of Section 18 of Chapter 5 of the Acts of 1974, the Handicapped Persons' Education Act, is repealed and the following subsection substituted therefor:

(2) The share of each of the Atlantic Provinces payable pursuant to subsection (1) shall be in accordance with the formula agreed to from time to time by the Atlantic Provinces on the recommendation of the Authority and contained in an agreement entered into pursuant to Section 22.

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

An Act to Establish the Nova Scotia Municipal Board

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Municipal Board Act.

Interpretation

2 In this Act,

(a) "Board" means the Nova Scotia Municipal Board established by this Act;

(b) "Chairman" means the Chairman of the Board;

(c) "Clerk" means the Clerk of the Board;

(d) "member" means a member of the Board;

(e) "Minister" means the Minister of Municipal Affairs;

(f) "municipality" means a city, incorporated town or municipality of a county or district.

Nova Scotia Municipal Board

3 (1) The Governor in Council may appoint three or more persons who shall constitute the Nova Scotia Municipal Board.

Chairman and Vice-Chairman

(2) The Governor in Council shall designate one of the members of the Board to be the Chairman, and another member to be the Vice-Chairman.

Oath of Office

(3) The members shall be sworn to the faithful performance of their duties before entering office.

Term of Office

(4) Each member shall hold office during good behaviour until he attains the age of sixty-five years or such longer time as may be ordered by the Governor in Council.

Powers and Duties of Board

4 The Board shall

(a) perform such duties as are conferred upon it by this Act, the Planning Act, the Municipal Boundaries and Representation Act, the Assessment Act, the School Boards Membership Act and the Shopping Centre Development Act;

(b) have such other powers and duties as are conferred upon it by an enactment or the Governor in Council.

Restriction on Other Employment of Member

5 (1) The members shall devote the whole of their time to the performance of their duties as members of the Board and shall not accept or hold any office or employment inconsistent with such duties.

Remuneration and Expenses

(2) The members of the Board shall be paid such salary and expenses as the Governor in Council determines.

Designation where Unfinished Business

6 (1) Where a member of the Board resigns his office, retires or is appointed to another position in the public service, he shall, during such period of time as the Governor in Council designates, in respect of any application, appeal, proceedings, matter or thing heard before him or commenced by him as a member of the Board, have and exercise the jurisdiction of a member including the power to complete any unfinished matter and give a decision therein as if he had not so resigned, retired or been appointed.

Time of Designation

(2) A designation by the Governor in Council pursuant to subsection (1) may be made before or after such resignation, retirement, or appointment, and may be retroactive in effect.

Conflict of Interest or Other Inability To Act

7 (1) If any member of the Board is so interested in any matter before the Board that he or the Chairman considers he cannot act, or if any member shall be unable to act by reason of illness, absence or other cause, the Governor in Council, on the request of the Chairman, may appoint some disinterested person to act as a member in his stead in and about such matter or until such disability comes to an end.

Continuing Power of Replacement Member

(2) Any person so appointed may complete any unfinished business in which he has taken part, even if the member he has replaced has returned or has become able to act.

Member Not Disqualified

(3) No member of the Board shall be disqualified from acting in any matter affecting a municipality by reason only of being a resident or ratepayer of the municipality.

Specially Qualified Acting Member

8 The Governor in Council on the recommendation of the Chairman of the Board may, from time to time, appoint as an acting member of the Board a person who, in the opinion of the Board, is specially qualified to assist the Board with respect to any particular proceeding or matter, and the person so appointed has all the powers of a member of the Board with respect to the proceeding or matter and is entitled to such remuneration as the Governor in Council authorizes.

Clerk

9 (1) The Board shall appoint a Clerk, who shall keep a record of the proceedings of the Board, have the custody and care of all records and documents belonging to or pertaining to the Board, and serve such notices and perform such duties as the Board may require.

Personnel

(2) The Board may employ such clerks, stenographers or other persons as it may deem advisable, and their compensation shall be paid by the Board.

Experts

(3) The Board may, from time to time, engage persons having technical or special knowledge of matters or subjects within the jurisdiction of the Board or in question before the Board to assist the Board in an advisory or other capacity.

Public Service Superannuation Act

10 (1) For all purposes of the Public Service Superannuation Act every member of the Board and every full time employee of the Board shall be deemed to be a person employed in the public service of the Province, and full time service in employment of the Board shall be deemed to be public service.

Deduction from Salary

(2) The Board shall deduct from the salary of every member of the Board and of every full time employee of the Board such amount as is directed by the Governor in Council to be deducted from the salary of employees in the public service of the Province, and shall pay the same to the Minister of Finance, and such amounts when so received shall be paid into and form part of the Superannuation Fund under the Public Service Superannuation Act.

Designation of Counsel of Board

11 (1) The Attorney General may from time to time designate a barrister of the Supreme Court of Nova Scotia to be the counsel of the Board.

Duties of Counsel

(2) It shall be the duty of the counsel to

(a) represent and appear for the Board in all actions and proceedings involving any question under this Act, or under, or in reference to any act, order, or proceedings of the Board, and if directed to do so by the Board, to intervene, if possible, in any action or proceeding in which any such question is involved;

(b) to commence and prosecute all actions and proceedings directed or authorized by the Board, and to expedite, in every way possible, final and just determination of all such actions and proceedings;

(c) to advise the Board and each member of it when so requested in regard to all matters in connection with the powers and duties of the Board and of the members thereof; and

(d) generally to perform all duties and services as solicitor and counsel for the Board which the Board may reasonably require.

Attendance of Counsel at Hearings

(3) It shall not be necessary for counsel of the Board to attend every hearing.

Use of Employee of Board or Commission or Department

12 For the purposes of carrying out the duties of the Board, the Board may avail itself of the services of any officer or other employee of any board, commission or department of the Province subject to the approval of the Minister or other person in charge of the administration of the service in which the officer or employee is employed.

Inquiry by Appointment of Board

13 The Board may appoint or direct any person to make an inquiry and report to the Board upon any matter, application or proceeding before the Board or upon any matter or thing over which the Board has jurisdiction.

Acquisition of Property

14 (1) The Board may lease or purchase real and personal property necessary for carrying out its responsibilities.

Tax Exemption

(2) The Board and its property are exempt from taxes levied pursuant to any enactment of the Legislature.

Payment of Expenses of Board

15 (1) The expenses of the Board shall be paid out of the money appropriated by the Legislature therefor or out of the Consolidated Fund.

Fiscal Year

(2) The fiscal year of the Board shall be the fiscal year of the Province.

Assignment of Member to Sitzings of Board

16 (1) The Chairman shall from time to time assign the members of the Board to its various sittings and may change any such assignment at any time.

Direction for Staff To Attend Sitting and Duties

(2) The Chairman may from time to time direct any officer or member of the staff of the Board to attend any of the sittings of the Board and may prescribe his duties.

Number of Members To Attend Hearing and Quorum

(3) The Chairman shall prescribe the number of members to attend the hearing of an application, appeal or other matter before the Board, and shall prescribe the quorum with respect to such application, appeal or other matter.

Duty of Chairman

(4) The Chairman shall be responsible for ensuring the efficient and expeditious handling of the business of the Board.

Presiding at Meetings

(5) The Chairman, when present, shall preside at all sittings of the Board, and in his absence the member designated by the Chairman to preside shall preside.

Absence or Inability To Act of Chairman

17 (1) In case of the absence of the Chairman or his inability to act, the Vice-Chairman shall exercise the powers of the Chairman, and in such case all regulations, orders and other documents signed by the Vice-Chairman shall have the same force and effect as if signed by the Chairman.

Presumption Respecting Action by Vice-Chairman

(2) Whenever the Vice-Chairman appears to have acted for or instead of the Chairman, it shall be presumed that he so acted in the absence or disability of the Chairman.

Simultaneous Sittings

18 (1) The members may sit separately at the same time to hear and determine matters before the Board if there is a quorum in each case.

Vacancy Does Not Impair

(2) A vacancy in the Board does not impair the right of the remaining members to act.

Inquiry by Member

19 The Chairman may authorize any member of the Board to inquire into and report to the Board upon any matter within the jurisdiction of the Board or pending before it, and when so authorized that member shall, for the purpose of taking evidence or obtaining information for such report, have all the powers of the Board.

Powers, Privileges, Immunities

20 In any matter in which the Board has jurisdiction the Board and each member has all the powers, privileges and immunities of a commissioner appointed under the Public Inquiries Act.

Right of Inspection and Examination

21 (1) The Board, a member or a person appointed by the Board for that purpose has the right upon demand to inspect the books, accounts, papers and records of a municipality and a board, commission, committee or agency thereof and authority to examine any officer, agent or employee thereof.

Duty To Furnish Information

(2) Every municipality, and every board, commission, committee or agency thereof, shall furnish to the Board such accounts, reports and information as the Board requests.

Costs of Proceeding

22 (1) Except in respect of a proceeding pursuant to the Planning Act, the costs of and incidental to any proceeding before the Board shall be in the discretion of the Board, and may be fixed at a sum certain, or may be taxed.

Taxation of Costs

(2) The Board may order by whom costs are to be taxed and may prescribe the scale under which costs are to be taxed.

Rules of Practice and Procedure

23 With the approval of the Governor in Council, the Board may make general rules respecting practice and procedure in relation to matters coming before it.

Location of Hearing

24 (1) Unless otherwise ordered, the Board shall hear all matters before it in or near the municipality affected by the application, appeal or other matter or proceeding.

Providing of Accommodation for Hearing

(2) The municipality in which the Board hears a matter shall, at the request of the Board, provide suitable accommodation for the Board's hearing.

Notice of Hearing

25 (1) Notice of any hearing shall be given by advertisement in one or more newspapers circulating in the municipality affected by the subject-matter of the hearing for three consecutive weekly insertions preceding the date of the hearing unless otherwise ordered by the Board.

Insertion and Cost of Advertisement

(2) The Clerk shall be responsible for inserting such advertisements and shall recover the actual cost thereof from the person initiating the application, appeal or other matter or proceeding before the Board.

Advertisement of Assessment Appeal Not Required

(3) It shall not be necessary to advertise the hearing of an appeal from an assessment.

Order To Confirm Settlement of Municipal Boundary

26 Notwithstanding the provisions of the Municipal Boundaries and Representation Act, where two or more municipalities agree to a change in or settlement of their mutual boundary and have advertised the change or settlement so agreed at least weekly for three weeks in a newspaper circulating in both of them and the advertisement invites objectors to advise the Board of their objections, upon proof of the advertising and where no objections have been received by the Board, the Board may by order confirm the change or settlement of the boundary without a hearing.

Parties to Proceeding before Board

27 (1) Parties to any application, appeal or other matter or proceeding before the Board include

- (a) the applicant or appellant;
- (b) the person responsible for a decision or act that is appealed;
- (c) any municipality and any board, commission, committee or agency thereof that may be affected;
- (d) the Minister.

Notice to and Appearance by Parties

(2) Parties shall be notified of the commencement of proceedings and of any hearing, and may appear and participate in the hearing.

Appearance and Participation by Any Person

(3) Any person may appear and give evidence on any matter before the Board, but may not participate in the hearing except as permitted by the Board.

Participation by Interested Person

(4) The Board shall permit any person who demonstrates to the Board that he has a real and substantial interest in the subject matter of the proceeding to participate in the hearing.

Restriction on Power of Board Respecting Planning Appeal

28 In any matter before the Board, pursuant to the Planning Act, where an appeal is from a decision of a council, the Board shall not interfere with that decision unless in the opinion of the Board the council's decision cannot reasonably be said to carry out the intent of the municipal development plan, and where there is no plan in force the Board shall not interfere with the council's decision unless the decision is inconsistent with or unnecessary for the protection of the best interests of the municipality.

Order of Board

29 In any matter before it, the Board shall grant an order, either as specified in the application or notice of appeal or as the Board decides, and may by order dismiss the application or appeal.

Not Required To Be Shown on Face of Order

30 It shall not be necessary that any order of the Board shall show upon its face that any proceeding or notice was had or given, or any circumstances existed necessary to give it jurisdiction to make such order.

Order May Be Made Order of Court

31 (1) Any decision or order made by the Board may be made a rule or order of the Supreme Court of Nova Scotia, and shall be enforced in like manner as any rule, order, decree or judgment of that Court.

Procedure

(2) To make a decision or order of the Board a rule or order of the Supreme Court, the Clerk may make a certified copy of the decision or order upon which shall be endorsed:

Make the within a rule or order of the Supreme Court of Nova Scotia.

Dated this day of , 19

Chairman, Nova Scotia Municipal Board

Signing and Sealing of Endorsement

(3) The endorsement shall be signed by the Chairman and be sealed with the seal of the Board.

Certified Copy of Order to Prothonotary

(4) The Clerk shall forward the certified copy so endorsed to a prothonotary of the Supreme Court, who shall upon receipt thereof enter the same as of record, and it shall thereupon become and be an order of the Supreme Court and enforceable as any rule, order, decree or judgment thereof.

Variation of Order Made Order of Court

(5) Where a decision or order of the Board has been made a rule or order of the Supreme Court, any decision or order of the Board rescinding or varying the same shall be deemed to rescind or vary the rule or order, and may in like manner be made a rule or order of the Supreme Court.

Exclusive Jurisdiction

32 (1) The Board has exclusive jurisdiction in all cases and in respect of all matters in which jurisdiction is conferred on it.

Power to Determine Questions of Law or Fact

(2) The Board as to all matters within its jurisdiction under this Act has authority to hear and determine all questions of law or of fact.

Not Bound by Court Determination of Fact

33 (1) In determining any question of fact, the Board shall not be bound by the finding or judgment of a court in a proceeding involving the determination of such fact, but such finding or judgment shall in proceedings before the Board be prima facie evidence only.

Jurisdiction Despite Pending Court Proceeding

(2) The Board has jurisdiction to hear and determine a question of fact notwithstanding that a proceeding involving the same question of fact is pending in a court.

Board Determination of Fact Is Binding

34 The finding or determination of the Board upon any question of fact within its jurisdiction is binding and conclusive.

Appeal

35 (1) An appeal shall lie to the Appeal Division of the Supreme Court from any order of the Board upon any question as to its jurisdiction or upon any question of law, but such appeal can be taken only with leave of a Judge of the said Court, given upon an application made to him within thirty days after the issuance of the order and upon such terms as the Judge may determine.

Notice of Application for Leave To Appeal

(2) Notice of such application shall be given to the parties or their solicitor and to the Board at least two clear days before the application is held.

Notice of Appeal

36 (1) Where leave to appeal has been granted, the appeal shall be brought by notice served on the Clerk within ten days after the leave to appeal has been granted.

Content of Notice of Appeal

(2) The notice shall contain the names of the parties and the date of the order appealed from and such other particulars as the Judge granting leave may require.

Service of Copy of Notice of Appeal

(3) After the notice has been filed and within ten days after leave to appeal has been granted, a copy of the notice shall be served upon the other parties.

Stated Case at Request of Board

37 (1) The Board may of its own motion or upon the application of any party, and upon security being given as the Board directs, state a case in writing for the opinion of the Appeal Division of the Supreme Court upon any question which in the opinion of the Board is a question of law.

Stated Case at Request of Governor in Council

(2) A like reference may also be made at the request of the Governor in Council.

Determination of Stated Case

38 The Appeal Division of the Supreme Court shall hear

and determine the question or questions of law arising thereon and remit the matter to the Board with the opinion of the Court thereon.

Record of Board Proceeding Required

39 A full and complete record shall be kept of all proceedings before the Board and all testimony shall be recorded.

Information Given to Board Shall Be Given to Parties

40 (1) Any information provided to the Board by any person with intent that it influence the decision of the Board with respect to any application, appeal or other matter or proceeding before the Board, including any information requested by the Board, shall be provided to all parties to the application, appeal or other matter or proceeding by the person providing the information or by the Board.

Where Information Not Provided to Parties

(2) Any information not so provided to all parties may not be relied upon or used by the Board in coming to its decision.

Duty To Permit Representation Respecting Information

(3) The Board shall upon the request of any party permit that party to make representations concerning the information so provided or to provide other information relevant thereto.

Certified Copy of Filed Document Is Prima Facie Evidence

41 (1) A document purporting to be certified by a member or by the Clerk to be a true copy of a document deposited with the Board, or of any portion thereof, is, without proof of signature or office of the person who purported to have signed the document, prima facie evidence of the original document, and that the original is so deposited and is signed, certified, attested or executed as shown on or appearing from the certified copy, and if the certificate states the time when the original was so deposited, that it was deposited at the time so stated.

Certified Copy of Document in Board Custody is Evidence

(2) A copy of any regulation, order, plan or other document in the custody of the Clerk or on record with the Board,

purporting to be certified by a member of the Board or by the Clerk to be a true copy and purporting to be sealed with the seal of the Board, is prima facie evidence of the regulation, order, plan or document without proof of the signature of the person purporting to certify it.

Decision of Board

42 (1) A decision of the Board shall be in writing and shall set forth reasons for the decision.

Transmission of Certified Copy of Decision

(2) A copy of the decision shall be certified and sent to each party and to the Minister by the Clerk.

Filing of Order

43 (1) The Board shall file or cause to be filed with the Minister a copy of every order made by the Board.

Publication of Order

(2) The Clerk shall ensure that every order made by the Board is published in the Royal Gazette pursuant to the provisions of the Regulations Act.

Availability of Copy of Order or Document

(3) Upon application and upon payment of the fee prescribed by the Board, the Clerk shall provide a certified copy of a regulation, rule, decision or order of the Board or of a map, plan or other document deposited with the Board.

Annual Publication of Decisions

44 (1) The Board shall publish the decisions of the Board annually.

Annual Report

(2) The Board shall make an annual report to the Legislature, including a list of the applications, appeals and other matters or proceedings that came before the Board and a summary of the disposition of each, and such other matters as the Governor in Council may prescribe or as the Board considers advisable.

Assessment Act Amended

45 (1) Chapter 14 of the Revised Statutes, 1967, the

Assessment Act, as that Act is amended by Chapter 17 of the Acts of 1968, Chapters 24, 25 and 26 of the Acts of 1969, Chapter 27 and 28 of the Acts of 1970, Chapter 27 of the Acts of 1970-71, Chapter 21 of the Acts of 1973, Chapter 1 of the Acts of 1973 (Second Session), Chapter 11 of the Acts of 1974, Chapter 57 of the Acts of 1975, Chapter 2 of the Acts of 1976, Chapter 22 of the Acts of 1977, Chapters 18 and 43A of the Acts of 1978 and Chapter 10 of the Acts of 1978-79, is further amended by striking out the heading "APPEALS TO THE COUNTY COURT" immediately preceding Section 99 thereof.

Further Amended

(2) Section 99 of said Chapter 14 is amended by

(a) striking out the symbols and figure "(1)" in the first line thereof;

(b) striking out the words "next sittings of the county court for the county" in the third and fourth lines thereof and substituting therefor the words "Nova Scotia Municipal Board"; and

(c) repealing subsection (2) thereof.

Further Amended

(3) Subsection (1) of Section 100 of said Chapter 14 is amended by striking out the words "county court" in the tenth line thereof and substituting therefor the words "Nova Scotia Municipal Board".

Further Amended

(4) Subsection (2) of said Section 100 is amended by striking out the words "county court" in the seventh line thereof and substituting therefor the words "Nova Scotia Municipal Board".

Further Amended

(5) Subsection (3) of said Section 100 is amended by striking out the words "county court" in the seventh line thereof and substituting therefor the words "Nova Scotia Municipal Board".

Further Amended

(6) Section 101 of said Chapter 14 is repealed and the following Section is substituted therefor:

101 (1) The Nova Scotia Municipal Board shall inquire into the matter de novo, and shall examine such witnesses and take all such proceedings as are requisite for a full investigation of the matter.

(2) On the appeal the Board shall have all of the powers of the regional assessment appeal court.

Further Amended

(7) Section 109 of said Chapter 14 is amended by striking out the words "county court" in the fourth line of clause (b) thereof and in the first and second lines and in the third line of clause (c) thereof, and substituting therefor in each case the words "Nova Scotia Municipal Board".

Further Amended

(8) Section 111 of said Chapter 14 is amended by striking out the words "county court" in the third line thereof and substituting therefor the words "Nova Scotia Municipal Board".

Municipal Boundaries and Representation Act Amended

46 (1) Section 1 of Chapter 195 of the Revised Statutes, 1967, the Municipal Boundaries and Representation Act, is amended by repealing clause (a) thereof and substituting therefor the following clause:

(a) "Board" means the Nova Scotia Municipal Board;

Further Amended

(2) Section 2 of said Chapter 195 is repealed and the following Section is substituted therefor:

2 The Nova Scotia Municipal Board is the Board for the purpose of this Act.

Further Amended

(3) Section 3 of said Chapter 195 is amended by striking out the words "Public Utilities" in the second line thereof and substituting therefor the words "Municipal Board".

Further Amended

(4) Section 7 of said Chapter 195 is repealed.

Further Amended

(5) Subsection (2) of Section 30 of said Chapter 195 is amended by striking out the words "Public Utilities" in the third and fourth lines thereof and substituting therefor the words "Municipal Board".

Further Amended

(6) Section 34 of said Chapter 195 is amended by striking out the words "Public Utilities" in the first line thereof and substituting therefor the words "Municipal Board".

Further Amended

(7) Section 49 of said Chapter 195 is repealed.

Planning Act Amended

47 (1) Clause (a) of Section 1 of Chapter 16 of the Acts of 1969, the Planning Act, is repealed and the following clause substituted therefor:

(a) "board" means the Nova Scotia Municipal Board;

Further Amended

(2) Part X of said Chapter 16 is repealed.

School Boards Membership Act Amended

48 Subsection (3) of Section 6 of Chapter 13 of the Acts of 1978, the School Boards Membership Act, is amended by

(a) striking out the word "Minister" in the fifth line thereof and substituting therefor the words "Nova Scotia Municipal Board"; and

(b) repealing clause (a) thereof.

Shopping Centre Development Act Amended

49 (1) Clause (b) of Section 2 of Chapter 74 of the Acts of 1978-79, the Shopping Centre Development Act, is repealed and the following clause substituted therefor:

(b) "Board" means the Nova Scotia Municipal Board;

Further Amended

(2) Section 7 of said Chapter 74 is repealed.

Matter Pending upon Act Coming into Force

50 (1) Upon the coming into force of this Act, any matter pending before the Provincial Planning Appeal Board, the Board of Commissioners of Public Utilities pursuant to the Municipal Boundaries and Representation Act or a county court pursuant to Sections 99 and 100 of the Assessment Act shall, if not set down for a hearing to commence within ninety days of the coming into force of this Act, be transferred to the Nova Scotia Municipal Board for hearing and determination, but otherwise shall be heard and determined by the board or court that would have had jurisdiction but for this Act.

Transfer of Pending Matter by Agreement

(2) Notwithstanding subsection (1), the parties may agree that a matter pending be transferred to the Nova Scotia Municipal Board.

Temporary Continuing of Provincial Planning Appeal Board

(3) The Provincial Planning Appeal Board shall be continued until all matters pending before it at the coming into force of this Act and not transferred to the Nova Scotia Municipal Board have been finally decided.

Proclamation

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

**An Act Respecting the Observance
of Remembrance Day**

(Assented to the 24th day of June, A.D. 1981)

WHEREAS our heritage of freedom and human dignity has, under Providence, been preserved through the unselfish devotion of those who sacrificed health, limb, and life itself in World War One, World War Two and the Korean Conflict;

AND WHEREAS the eleventh day of November has traditionally been set aside throughout Nova Scotia as a day to be kept and observed in each and every year under the name "Remembrance Day";

AND WHEREAS it is fitting that on Remembrance Day the people of Nova Scotia should pay grateful tribute to the memory of those who have died, cherish those who have suffered grievous injury, and dedicate themselves anew to the maintenance and furtherance of the great ideals hallowed by those sacrifices;

THEREFORE be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Remembrance Day Act.

Interpretation

2 In this Act,

(a) "employee" means a person who is in receipt of, or entitled to, compensation for labour or services performed for another in an industry, but does not include an independent contractor;

(b) "employer" means a person, firm, corporation, agent, manager, representative, contractor, sub-contractor, or principal, having control or direction of, or responsible

directly or indirectly for, the employment of an employee in an industry;

(c) “goods” means personal property;

(d) “hospitality industry” means the provision of accommodation, camping, food, beverage, recreation, related services and facilities, and tourist information and includes a private club, fraternal organization and veteran’s organization;

(e) “industry” means a business, trade or profession except

(i) farming,

(ii) fishing and aquaculture,

(iii) Christmas tree operations,

(iv) tree harvesting, logging and forest industry as defined by the Labour Standards Code,

(v) industrial undertakings as defined by the Labour Standards Code;

(f) “performance” includes any game, match, sport, contest, exhibition, entertainment, dance, program, theatrical presentation, or motion picture presentation;

(g) “Remembrance Day” means the whole of the eleventh day of November in each year.

Prohibited Activity on Remembrance Day

3 Except as herein provided, no person shall, on Remembrance Day,

(a) sell, offer for sale, or purchase, any goods, or real property; or

(b) for gain or reward engage as employer or employee in any industry.

Section 3 Does Not Apply

4 Section 3 does not apply to

(a) the operation of hospitals or work for the relief of sickness or suffering;

(b) the operation of a facility licensed under the Day Care Act;

(c) the operation of drug stores except in department stores;

(d) the operation of service stations;

(e) the work of policemen, firemen, prison guards, furnace tenders, watchmen, janitors, or domestic servants;

(f) the effecting of emergency repairs;

(g) the hospitality industry;

(h) conveying of goods or travellers on railways, buses or other public conveyances, and work incidental thereto;

(i) the caring for perishable products and live animals;

(j) the operation of a shop or store for the sale of goods if no more than three persons are in the shop or store at any one time for the purpose of operating it;

(k) the operation of a dairy, a milk processing plant or a dairy manufacturing plant and the distribution of its products directly to the consumer;

(l) the operation of a bakery for the baking of products for sale on the next succeeding day;

(m) the conducting, in fish plants or meat packing plants, of those processes that cannot be postponed without serious deterioration of product quality, and the carrying on of such other operations as are necessary in receiving, paying for and shipping such products;

(n) the doing of any work without the doing of which on Remembrance Day electric current, telephone service, heat,

fuel oil, gas, gasoline, light, or water, cannot be continuously supplied;

(o) work incidental to the conducting of commemorative or religious services;

(p) the operation of the office of a broker who is registered as such under the Securities Act and who, in the conduct of his business, has occasion on behalf of clients to transact business on Remembrance Day on stock exchanges outside the Province;

(q) broadcasting as defined by the Defamation Act;

(r) the publication of newspapers including all work necessary for, or incidental to, the preparation, printing, and distribution thereof;

(s) the completion, before six o'clock in the forenoon of Remembrance Day, of a regular shift or tour of duty commenced on the previous day, or the beginning, after nine o'clock, on the afternoon of Remembrance Day, of a regular shift or tour of duty continuing into the next following day.

Restriction on Serving Alcoholic Beverage or Performing

5 Notwithstanding anything contained in this Act, no person shall

(a) carry on, give, produce or conduct a performance;
or

(b) sell, offer for sale or serve in a commercial establishment an alcoholic beverage,

before twelve o'clock noon on Remembrance Day.

Holiday with Pay for Employee Required to Work

6 An employer of an employee in an industry who

(a) is required to work on Remembrance Day; and

(b) has received or is entitled to receive wages for at least fifteen days during the thirty calendar days immediately preceding Remembrance Day,

shall grant the employee a holiday with pay on the working day immediately following the employee's annual vacation or another day agreed upon by the employee and the employer.

Three Minute Suspension of Operation

7 Every employer carrying on or engaged in an industry to which Section 3 does not apply shall, subject to Section 8, relieve the employees in the industry from duty, and suspend the operations of the industry, for a period of three minutes, at one minute before eleven o'clock in the forenoon on Remembrance Day.

Permit in Emergency

8 In circumstances beyond human control and for which no other arrangements can be made, the Minister of Labour and Manpower may grant a permit for the doing of work required in the circumstances to meet an emergency, and the Minister may attach such conditions as he deems fair and reasonable in the circumstances.

Offence and Penalty for Non-compliance

9 (1) Any person who contravenes, disobeys, or refuses, neglects, omits, or fails to observe and comply with any provision of this Act is guilty of an offence and is liable, on summary conviction, to a fine not exceeding one hundred dollars.

Offence and Penalty on Employer

(2) An employer who authorizes, directs, or knowingly permits, anything to be done in violation of any provision of this Act is guilty of an offence and is liable, on summary conviction, to a fine not exceeding three hundred dollars.

**An Act Respecting Financial
Aid to Senior Citizens**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Senior Citizens Financial Aid Act.

Interpretation

2 In this Act,

(a) "Director" means Director appointed pursuant to the provisions of this Act;

(b) "Minister" means Minister of Social Services;

(c) "recipient" means a person to whom financial aid is granted.

Purpose of Financial Aid

3 The purpose of financial aid under this Act is to provide assistance to senior citizens so that they may remain in their own homes for as long a time as is possible.

Supervision of Act

4 The Minister shall have general supervision of this Act.

Eligibility for Financial Aid

5 (1) Subject to this Act and the regulations, a senior citizen is eligible to apply for financial aid.

Definition of Senior Citizen

(2) Subject to the regulations, senior citizen means a person who

(a) has attained the age of sixty-five years and is in receipt of a Supplement under the Old Age Security Act (Canada);

(b) has attained the age of sixty years and is in receipt of Spouse's Allowance paid under the Old Age Security Act (Canada); or

(c) has attained the age of sixty-five years, is single and has an annual income which is not in excess of ninety-eight hundred dollars or such larger income as may from time to time be prescribed.

Definition of Financial Aid

(3) Subject to the regulations, financial aid means

(a) aid in the form of a payment to be known as special social assistance which shall be paid in a lump sum once a year to senior citizens described in clause (a) of subsection (2);

(b) aid in the form of a payment to be known as the property tax rebate which shall be paid in a lump sum once a year to senior citizens described in clauses (a) or (b) of subsection (2);

(c) aid in the form of a payment to be known as the rental subsidy which shall be paid monthly to senior citizens.

Duties of Director Respecting Grant of Financial Aid

6 The Director shall receive applications for financial aid and, in accordance with the Act and the regulations,

(a) determine whether the applicant is entitled to receive financial aid;

(b) where an applicant is so entitled, determine the amount of financial aid and direct provision thereof; and

(c) from time to time review the amount so determined.

Power To Determine Ineligibility or To Discontinue Aid

7 The Director may determine that an applicant is not eligible to receive financial aid and he may discontinue or suspend financial aid where an applicant or recipient fails to provide the Director or his representative with the information required to determine initial or continuing eligibility for financial aid.

Residency Requirement

8 Financial aid under this Act shall not be granted unless the person who seeks such aid or for whom such aid is sought resides in the Province at the time of the application for financial aid and while receiving financial aid.

Exempt from Seizure or Garnishment and Not Assignable

9 Subject to Section 12, financial aid granted or that may be granted under this Act is not assignable or subject to seizure or garnishment.

Trustee for Incompetent Recipient

10 If the recipient is, in the opinion of the Director, incapacitated or incapable of managing his own affairs or is using or is likely to use the aid otherwise than for the purpose for which the aid was granted, the Director may order the aid to be paid to a trustee for the benefit of the recipient.

Payment of Aid where Recipient Dies

11 Subject to the regulations, where a recipient dies, payment of financial aid may be made to an appropriate person determined by the Director.

Recovery of Improper Payment

12 (1) The Director may recover from a recipient or out of the estate of a deceased recipient, as a debt due by the recipient to the Province, any sum improperly paid by way of financial aid whether as a result of non-disclosure of fact, misrepresentation or any other cause and may deduct from any sum payable by way of financial aid an amount or amounts sufficient to repay the sum.

Undue Hardship

(2) Where the Minister determines that the recovery from a person, or out of the estate of a deceased person, of any financial aid improperly granted or paid under this Act would cause undue hardship to the person or his family, the Minister may direct that such financial aid shall be deemed to have been properly granted or paid to the person.

Obtaining of Aid by Ineligible Person Prohibited

13 (1) No person shall knowingly obtain or receive any financial aid that he is not eligible to obtain or receive under this Act and the regulations.

False Information or Misrepresentation

(2) No person shall for the purposes of qualifying for financial aid under this Act or the regulations make any false statement or misrepresentation in any application or other document or wilfully furnish any false or misleading information.

Aiding or Abetting

(3) No person shall knowingly aid or abet another person to obtain or receive any financial aid that the other person is not eligible to obtain or receive under this Act and the regulations.

Offence and Penalty

(4) Every person who violates this Section is guilty of an offence under this Act and is liable on summary conviction to a fine of not more than one hundred dollars.

Suspension or Discontinuance of Aid for Non-compliance

14 Financial aid may be suspended or discontinued if the recipient fails to comply with any requirements under this Act or the regulations.

Personnel

15 (1) Persons required for the administration of this Act shall be appointed in accordance with the Civil Service Act.

Appointment and Duties of Director

(2) The Minister may appoint a person in the public service to be Director for the purposes of this Act and may prescribe his functions and duties.

Regulations

- 16 (1)** The Governor in Council may make regulations
- (a) respecting the manner of making an application for financial aid;
 - (b) providing for inquiries to be made concerning or on behalf of applicants or recipients in order to determine their eligibility for financial aid;
 - (c) prescribing the material or proof of facts, including evidence under oath, required before financial aid is paid or during the time financial aid is being paid;
 - (d) providing for the time and manner of granting financial aid;
 - (e) providing for the suspension, discontinuance, reduction, increase and resumption of financial aid;
 - (f) expanding the classes of persons who are to be considered senior citizens for the purposes of this Act;
 - (g) expanding the types of financial aid to be provided to senior citizens pursuant to this Act;
 - (h) prescribing the maximum amount of financial aid that may be granted;
 - (i) respecting the form or forms of financial aid that may be granted;
 - (j) respecting the duration of circumstances of need as a standard of eligibility for financial aid;
 - (k) respecting the property or income or other qualifications to be possessed by applicants and persons receiving financial aid;
 - (l) prescribing standards of eligibility for financial aid in addition to those contained in this Act;
 - (m) prescribing methods by which the amount and forms of financial aid to be granted under any provision

or provisions of this Act are to be calculated or determined;

(n) respecting payment of financial aid upon the death of an eligible applicant;

(o) prescribing the manner in which trust money shall be dealt with by a trustee;

(p) defining any word or expression used in this Act not defined in this Act;

(q) generally for the better carrying out of the provisions of this Act.

Regulations Act

(2) The exercise by the Governor in Council of the authority contained in subsection (1) shall be regulations within the meaning of the Regulations Act.

Agreement

17 The Minister may enter into agreements for and on behalf of the Province with the Government of Canada whereby the Government of Canada may make grants of money as reimbursement or cost sharing in whole or in part of the costs incurred or committed in providing financial aid under this Act.

Social Assistance Act Amended

18 Sections 45 to 50 of Chapter 16 of the Acts of 1970, the Social Assistance Act, and the headings "PART VI" and "Special Social Assistance" immediately preceding said Section 45 are repealed.

**An Act Respecting Development
of Small Business**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Short Title

1 This Act may be cited as the Small Business Development Act.

Interpretation

2 In this Act,

(a) "Board" means the Board of Directors of the Corporation;

(b) "Corporation" means the Small Business Development Corporation;

(c) "financial assistance" includes assistance by way of loan, loan guarantee, the purchase of any bonds, debentures, notes or other debt obligations, and the purchase or other acquisition of any common or preferred shares or other equity securities;

(d) "Fund" means the Small Business Development Fund;

(e) "Minister" means the Minister of Development;

(f) "person" includes a partnership;

(g) "regional board" means a regional board established pursuant to this Act;

(h) "regulations" means regulations made by the Governor in Council pursuant to this Act;

(i) "small business" means a business to which this Act applies.

Application of Act

3 (1) This Act applies to a business that is carried on with less than fifty employees and has an annual sales volume of less than two million dollars unless the number of employees or annual sales volume is determined otherwise by the regulations.

Act does not Apply

(2) This Act does not apply to a business excluded by the regulations.

Closely Related Business

(3) In calculating the number of employees or the annual sales volume of a business, consideration shall be given to the number of employees and annual sales volume of a closely related business.

Small Business Development Corporation

4 There is hereby established a body corporate to be known as the Small Business Development Corporation.

Board of Directors

5 (1) The Corporation shall be managed by a Board of Directors composed of such members as are appointed by the Governor in Council.

Regional Boards

(2) The Governor in Council may establish such number of regional boards as he may from time to time determine.

Chairman of Board and Regional Board

(3) The Governor in Council may designate one member of the Board to be Chairman of the Board and one member of each regional board to be chairman of that regional board.

Remuneration and Allowances

6 (1) The members of the Board and of the regional

boards shall receive such remuneration and allowances as may be determined by the Governor in Council.

Expenses

(2) The members of the Board and the regional boards shall be paid reasonable expenses incurred by them in the performance of their duties.

Effect of Vacancy

7 (1) A vacancy on the Board or a regional board does not impair the right of the remaining members to act.

Term of Office and Re-appointment

(2) Each member of the Board and a regional board shall hold office for a term, not exceeding three years, prescribed by his appointment, unless his appointment is sooner revoked by the Governor in Council, and is eligible for re-appointment.

Vacancy

(3) The Governor in Council may appoint persons to fill vacancies occurring from time to time on the Board or a regional board.

Object and Purpose

8 The object and purpose of the Corporation is to promote the economic well-being of the Province by rendering to small business financial assistance or such other assistance as may be determined by the Governor in Council.

Duties

9 The Corporation shall

(a) exercise and perform the functions and duties conferred on it by this Act, any other enactment, the Governor in Council or the Minister;

(b) administer the Fund and any money or other security under its control;

(c) prescribe the manner in which its meetings are called, the time and place of such meetings and the manner in which business is conducted.

Powers**10 (1) The Corporation may**

(a) subject to the regulations, render to small business financial assistance, or such other assistance as may be determined by the regulations, which in the opinion of the Board will encourage, sustain, improve or develop small business in the Province;

(b) without restricting the generality of any power herein conferred, render financial assistance out of the Fund or any money or other security under its control;

(c) receive, acquire, take, hold, mortgage, sell, convey or otherwise dispose of or acquire or deal with real and personal property and any interest therein;

(d) subject to the approval of the Minister, make such by-laws as it deems necessary for the effective attainment of its objects and exercise of its powers and for the internal control, management and administration of the Corporation;

(e) subject to the approval of the Minister, make by-laws respecting the operation of a regional board;

(f) do such matters and things as may be necessary for or incidental to the effective attainment of its objects and exercise of its powers.

Further Powers

(2) Except as otherwise provided in this Act, or from time to time by the Governor in Council, the Corporation shall have all the powers of a company incorporated under the Companies Act.

Administration of Corporation

11 The general administration of the affairs, property and assets of the Corporation is vested in the Board.

Administration Expenses

12 The administration expenses incurred pursuant to this

Act shall be administration expenses of the Department of Development and shall not be a charge upon the Fund.

Small Business Development Fund

13 For the purposes of this Act, there shall be established in the Office of the Minister of Finance a special account to be known as the Small Business Development Fund.

Transfers to Fund

14 The Governor in Council, upon the recommendation of the Minister, may from time to time transfer to the Fund such amounts as are considered necessary for the purposes of this Act and may charge the same to Capital Account, Special Reserve Account, or Revenue of the Province for any year or years.

Guarantee a Charge on Fund

15 All guarantees of loans made pursuant to this Act shall be a charge upon the Fund to the amount of the guarantees from time to time outstanding.

Repayment and Recovery

16 All repayments and all recoveries made in respect of any transaction out of the Fund shall be credited to the Fund.

Financial Assistance by Board

17 (1) The Board may provide financial assistance

(a) in an amount not exceeding two hundred and fifty thousand dollars;

(b) with the approval of the Governor in Council, in an amount exceeding two hundred and fifty thousand dollars.

Financial Assistance by Regional Board

(2) A regional board may provide financial assistance in such amount not exceeding two hundred and fifty thousand dollars as the Board, with the approval of the Governor in Council, determines by by-law.

Audit and Approval of System Accounting

18 The system of accounting and the books and records of the Corporation shall be subject to the approval of the Minister of Finance and subject to audit by the Auditor General or any person designated by him.

Fiscal Year

19 The fiscal year of the Corporation shall be the same as the fiscal year of the Province.

Annual Financial Statement and Report

20 The Corporation shall, not later than the thirty-first day of January in each year prepare and submit to the Minister a financial statement setting forth the assets and liabilities of the Corporation, the receipts and expenditures of the Corporation for the previous year, together with a report concerning the work of the Corporation during the previous year, and such report shall be tabled by the Minister at the next ensuing Session of the Legislature.

Regulations

21 The Governor in Council may make regulations

(a) prescribing the manner in which applications for financial assistance may be made;

(b) prescribing the terms and conditions upon which financial assistance may be provided;

(c) prescribing the manner in which and conditions upon which persons may sell or transfer any asset, equipment or product in respect of which a loan has not been fully repaid;

(d) prescribing or limiting the size or type of assets, equipment or products for or in respect of which financial assistance may be provided;

(e) limiting the amount of any financial assistance;

(f) prescribing the terms, conditions or circumstances under which the Board in its discretion may extend, defer, adjust or compromise

- (i) the repayment of financial assistance, or
- (ii) the terms and conditions of any financial assistance;
- (g) fixing rates of interest on loans;
- (h) providing for the commuting of any payment due to the Corporation;
- (i) respecting the security for obtaining or receiving financial assistance;
- (j) prescribing the purposes for which financial assistance may be provided;
- (k) respecting the records to be kept by persons to whom financial assistance has been provided;
- (l) for the examination and audit of records and accounts and for the inspection of any premises, plant, assets, product or equipment in respect of which financial assistance has been provided;
- (m) notwithstanding the definition of "small business", prescribing commercial, business or other activities that shall be and be deemed to be included in the definition of "small business" for the purposes of this Act and regulations;
- (n) defining any word or expression used in this Act but not defined in this Act;
- (o) respecting any matter authorized by this Act to be done by the regulations;
- (p) respecting any matter or thing, whether of any of the foregoing kinds or not, necessary or advisable to carry out effectively the intent and purpose of this Act.

Regulations Act

22 The exercise of the authority contained in subsection (2) of Section 17 by the Board and in Section 21 by the Governor in Council is regulations within the meaning of the Regulations Act.

**An Act to Amend Chapter 12
of the Revised Statutes, 1967,
the Arbitration Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 12 of the Revised Statutes, 1967, the Arbitration Act, is amended by adding immediately following Section 13 thereof the following Section:

13A (1) In an application to a court or a judge respecting the matters referred to in Section 13, the originating notice shall be issued and served within a reasonable time.

(2) In this Section, "within a reasonable time" means within sixty days after service of a copy of the award of the arbitrator has been made upon the party issuing the originating notice or such longer time as a court or a judge may determine.

**An Act Respecting Chapter 14
of the Revised Statutes, 1967,
the Assessment Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

Extension of Time for Completing and Filing Halifax Roll

1 Notwithstanding Section 64 of Chapter 14 of the Revised Statutes, 1967, the Assessment Act, the Director shall complete the roll for the City of Halifax for the 1981 assessment year not later than the thirtieth day of April, 1981, and the roll shall be as valid as if it had been filed pursuant to subsection (1) of said Section 64 and the period for filing the roll is hereby extended to that date.

Extension of Appeal Dates

2 All dates relating to appeals from assessment are extended by the period of the extension granted by this Act.

**An Act to Amend Chapter 14
of the Revised Statutes, 1967,
the Assessment Act**

(Assented to the 24th of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (a) of Section 1 of Chapter 14 of the Revised Statutes, 1967, the Assessment Act, as enacted by Chapter 22 of the Acts of 1977, is amended by adding immediately following subclause (x) thereof the following subclause:

(xi) the buildings, pump stations, deep well pumps, main transmission lines, distribution lines, meters and associated plant and equipment of a municipal water utility located outside the boundaries of the municipality that owns, operates or manages the utility;

(2) Clause (ha) of said Section 1 is repealed and the following clause substituted therefor:

(ha) "municipal water utility" means a utility owned, operated or managed by a city, town or municipality either directly or through the medium of a board or commission, for the purpose of producing, transmitting, delivering or furnishing water directly or indirectly to or for the public;

(3) Said Section 1 is further amended by

(a) relettering clause (na) as clause (naa); and

(b) adding immediately following clause (n) thereof the following clause:

(na) "recorder" means the recorder of the regional assessment appeal court appointed pursuant to subsection (5) of Section 76;

(4) Clause (nb) of said Section 1, as enacted by Chapter 2 of the Acts of 1976, is amended by adding immediately following subclause (ii) thereof the following subclause:

(iii) land of a municipal water utility, excluding any building or structure thereon;

(5) Clause (qa) of said Section 1 is repealed.

2 Said Chapter 14 is further amended by adding immediately following Section 3 thereof the following Section:

3A (1) With the approval of the Minister, the council may, by by-law, exempt from taxation the buildings, pump stations, deep well pumps, main transmission lines, distribution lines, meters and associated plant and equipment of a municipal water utility.

(2) A by-law passed pursuant to subsection (1) does not apply to a taxation year unless passed before the thirtieth day of November in the year preceding the year in which it is to become effective, except that a by-law passed in the year 1981 has effect commencing in the taxation year 1981 unless otherwise provided in the by-law.

3 Said Chapter 14 is further amended by adding immediately following Section 5 thereof the following Section:

5A Notwithstanding clause (a) of Section 3, no person in the Canadian Armed Forces who resides on a defence establishment base shall be taxed in respect of his ownership or occupation of property, whether property of Her Majesty or not, located on the base.

4 (1) Subsection (1) of Section 7 of said Chapter 14, as enacted by said Chapter 22, is amended by

(a) striking out the word "and" at the end of clause (a) thereof; and

(b) adding immediately following clause (b) thereof the following clause:

(c) property of a municipal water utility, occupied by the utility;

(2) Said Section 7, as enacted by said Chapter 22, is further amended by adding immediately following subsection (1) thereof the following subsection:

(1A) Notwithstanding subsection (1), an assessed owner of a building classified as commercial shall not be assessed a business occupancy assessment in respect of such building or portion thereof which is vacant and for which the assessed owner would otherwise be liable for business occupancy assessment.

5 Section 9 of said Chapter 14 is repealed and the following Section substituted therefor:

9 (1) A person assessed a business occupancy assessment in respect of his occupation or use of a property who ceased to occupy or use the property in the year preceding the year for which the assessment was made shall be relieved of the tax on the assessment so made if he so notifies the Director within thirty days after service of the assessment notice.

(2) A person assessed a business occupancy assessment in respect of his occupation or use of a property who ceases to occupy or use the property or part thereof during the year for which the assessment was made shall be entitled to an abatement of the tax on the business occupancy assessment calculated with respect to that property or part thereof in an amount proportionate to the period of the year unexpired at the date he ceases to occupy or use the property or part thereof if he so notifies the Director within thirty days of the date he ceases to occupy or use the property or part thereof.

(3) Any person who fails to notify the Director within the time specified in subsection (1) or (2) shall be relieved of or rebated only that proportion of the tax equal to the proportion of the year unexpired at the date when he

notifies the Director, unless another person has been assessed a business occupancy assessment in respect of his occupation or use of the same property, in which case the proportion of the tax to be relieved or rebated is the proportion of the year unexpired when the other business occupancy assessment was added to the roll.

(4) Upon receipt of a notice pursuant to this Section the Director shall forthwith provide the treasurer with a copy of the notice.

(5) Upon receipt of the notice by the treasurer, he shall forthwith notify the person assessed of the amount of the tax to be relieved or rebated.

(6) A notice from the treasurer pursuant to this Section may be appealed in accordance with Sections 77 and 78.

(7) The treasurer shall relieve or rebate the amount of the tax upon the expiration of the period of appeal, or upon the appeal having been disposed of.

(8) The provisions of this Section or a summary thereof shall be included with every notice of business occupancy assessment.

6 Subsection (2) of Section 17 of said Chapter 14 is repealed and the following subsection substituted therefor:

(2) The Director may cause to be delivered to any person a request for relevant information required by him in order to make a proper assessment of the property or occupancy assessment of the person to whom the request is delivered.

7 Section 18 of said Chapter 14 is amended by

(a) striking out the words "Form A or another" in the third line thereof and substituting therefor the word "a"; and

(b) striking out the word "fifteen" in the sixth line thereof and substituting therefor the word "thirty".

8 Section 38 of said Chapter 14 is repealed and the following Section substituted therefor:

38 All property shall be assessed at its market value, such value being the amount which in the opinion of the assessor would be paid if it were sold in the open market by a willing seller to a willing buyer, but in forming his opinion the assessor shall have regard to the assessment of other properties in the town or municipality so as to ensure that taxation falls in a uniform manner upon all property in the town or municipality.

9 Section 40A of said Chapter 14, as enacted by said Chapter 22 and amended by Chapter 18 of the Acts of 1978, is further amended by adding immediately following subsection (11) thereof the following subsections:

(12) Notwithstanding subsection (6) and subject to subsection (13), an owner of land to which this Section applies may transfer to each father, mother, brother, sister, son, daughter, grandson, granddaughter or spouse one lot suitable for the erection of a single family dwelling, and the change of use tax shall not be payable if the land ceases to be used for agricultural purposes.

(13) The size of the lot referred to in subsection (12) shall not exceed one acre or the size required by any applicable law, whichever is larger.

(14) If within seven years of the date of the grant of the land to him, a grantee of a lot referred to in subsection (12) transfers the lot to any person other than a father, mother, brother, sister, son, daughter, grandson, granddaughter or spouse of the owner referred to in subsection (12) then the change in use tax shall be payable by the transferor in accordance with this Section.

(15) Subsections (12) to (14) do not apply to any transfer of property unless the grantor thereof files in the registry of deeds for the registration district in which the land is situate a statutory declaration that the grantee of the land is a person named in subsection (12).

10 Section 40B of said Chapter 14, as enacted by said Chapter 22 and amended by said Chapter 18, is further amended by adding immediately following subsection (11) thereof the following subsections:

(12) Notwithstanding subsection (6) and subject to subsection (13), the owner of land to which this Section applies may transfer to each father, mother, brother, sister, son, daughter, grandson, granddaughter or spouse one lot suitable for the erection of a single family dwelling, and the change of use tax shall not be payable if the land ceases to be used for forestry purposes.

(13) The size of the lot referred to in subsection (12) shall not exceed one acre or the size required by any applicable law, whichever is larger.

(14) If within seven years of the date of the grant of the land to him, a grantee of a lot referred to in subsection (12) transfers the lot to any person other than a father, mother, brother, sister, son, daughter, grandson, granddaughter or spouse of the owner referred to in subsection (12) then the change in use tax shall be payable by the transferor in accordance with this Section.

(15) Subsections (12) to (14) do not apply to any transfer of land unless the grantor thereof files in the registry of deeds for the registration district in which the land is situate a statutory declaration indicating that the grantee of the land is a person named in subsection (12).

11 (1) Subsection (1) of Section 41 of said Chapter 14 is repealed.

(2) Subsection (11) of said Section 41 is repealed.

12 Section 42A of said Chapter 14 is repealed.

13 Subsection (1) of Section 65 of said Chapter 14, as amended by said Chapter 2, is further amended by adding immediately following the word "assessment" in the fourth line thereof the words "or of a person acting for him".

14 Subsection (1) of Section 69 of said Chapter 14, as amended by said Chapter 18, is further amended by adding immediately following the word “property” in the second, seventh and ninth lines thereof in each case the words “or occupancy assessment”.

15 Subsection (5) of Section 76 of said Chapter 14 is repealed and the following subsections substituted therefor:

(5) The Director shall appoint a recorder who shall perform the duties of clerk of the court, and may appoint such necessary administrative staff as the Minister may approve.

(6) Subject to the approval of the Minister, the cost of the required physical facilities for a regional assessment appeal court shall be paid from the Consolidated Fund of the Province.

16 (1) Subsection (1) of Section 77 of said Chapter 14, as enacted by Chapter 57 of the Acts of 1975 and amended by said Chapter 2, is further amended by striking out the word ‘clerk’ in the seventh and tenth lines thereof and substituting therefor in each case the word “recorder”.

(2) Subsection (2) of said Section 77, as enacted by said Chapter 57 and amended by said Chapters 2 and 22, is further amended by striking out the word “clerk” in the eighth and eleventh lines thereof and substituting therefor in each case the word “recorder”.

(3) Subsection (3) of said Section 77, as enacted by said Chapter 57 and amended by said Chapter 2, is further amended by striking out the word “clerk” in the sixth and ninth lines thereof and substituting therefor in each case the word “recorder”.

17 Subsection (1) of Section 83 of said Chapter 14, as enacted by Chapter 25 of the Acts of 1969, is amended by adding immediately following the word “Court” in the last line thereof the words “or the recorder”.

18 (1) Subsection (1) of Section 84 of said Chapter 14, as enacted by said Chapter 57 and amended by said Chapter 2, is further amended by striking out the word "clerk" in the first line thereof and substituting therefor the word "recorder".

(2) Subsection (3) of said Section 84, as enacted by Chapter 10 of the Acts of 1978-79, is amended by adding the words "and recorder" immediately following the word "clerk" in the last line thereof.

19 Section 85 of said Chapter 14 is repealed.

20 (1) Subsection (1) of Section 86 of said Chapter 14, as amended by said Chapter 2, is further amended by

(a) striking out the word "clerk" in the first line thereof and substituting therefor the word "recorder"; and

(b) striking out the words "and the respondent" in the first and second lines thereof and substituting therefor the words and punctuation ", the respondent, the clerk".

(2) Subsection (2) of said Section 86 is amended by striking out the word "clerk" in the sixth line thereof and substituting therefor the word "recorder".

21 Subsection (2) of Section 88 of said Chapter 14 is amended by adding immediately following the word "municipal" in the first line thereof the words "clerk or".

22 Section 90 of said Chapter 14 is repealed and the following Section substituted therefor:

90 Within three days after a decision by the court, the recorder shall give written notice to the clerk, the appellant, the respondent and any occupier of the property assessed an occupancy assessment by personal service or registered mail to the appellant at the address for service given on the notice of

appeal and to the respondent and any occupier of the property assessed an occupancy assessment at his usual or last place of residence or business or if no such address is known to the recorder, then by posting it in a conspicuous place on the property.

23 Subsection (2) of Section 91 of said Chapter 14, as amended by said Chapter 2, is further amended by striking out the words “clerk to” in the second line thereof and substituting therefor the words “recorder to the clerk and”.

24 Section 92 of said Chapter 14 is amended by

(a) striking out the word “clerk” in the sixth line thereof and substituting therefor the word “recorder”; and

(b) adding immediately following the word “appellant” in the seventh line thereof the words “and the clerk”.

25 (1) Subsection (1) of Section 100 of said Chapter 14, as enacted by said Chapter 18, is amended by adding immediately following the word “on” in the fifth line thereof the words “the recorder and”.

(2) Subsection (2) of said Section 100, as enacted by said Chapter 18, is amended by adding immediately preceding the word “person” in the fourth line thereof the words “recorder and the”.

(3) Subsection (3) of said Section 100, as enacted by said Chapter 18, is amended by adding immediately following the word “person” in the fifth line thereof the words and punctuation “, the recorder”.

26 (1) Subsection (4) of Section 157A of said Chapter 14, as enacted by said Chapter 18, is amended by striking out the words “a distinct description of the land so vested” in the eighth line thereof and substituting therefor the words and punctuation “the best available description of the land so vested, the assessment number”.

(2) Subsection (5) of said Section 157A is amended by striking out the word "two" in the third line thereof and substituting therefor the word "six".

(3) Subsection (6) of said Section 157A is amended by deleting the words "one year" in the second line thereof and substituting therefor the words "eighteen months".

27 Subsection (7) of Section 166 of said Chapter 14 is amended by striking out the words, symbols and figure "after a withdrawal under subsection (6)" in the first and second lines thereof and substituting therefor the words "not more than twenty years from the date of the sale".

28 Subsection (1) of Section 188 of said Chapter 14 is amended by adding immediately following the word "court" in the second line thereof the punctuation and words ", the recorder".

29 Subsection (3) of Section 194 of said Chapter 14 is amended by adding immediately following the word "If" in the first line thereof the words "the recorder or".

30 Section 197 of said Chapter 14 is amended by adding immediately following the word "court" in the first line the punctuation and words ", the recorder".

31 Subsection (1) of Section 198 of said Chapter 14 is amended by adding immediately following the word "clerk" in the second line thereof the punctuation and words ", recorder".

32 (1) Subsection (2) of Section 200 of said Chapter 14, as enacted by said Chapter 57, is amended by striking out the words "or town" in the first line thereof and substituting therefor the punctuation and words ", town or regional assessment appeal court".

(2) Subsection (3) of said Section 200, as enacted by said Chapter 57, is amended by adding immediately following the

word "Director" in the second line thereof the words "or a recorder".

33 (1) Subsection (1) of Section 202 of said Chapter 14, as enacted by said Chapter 57, is amended by striking out the symbols and figure "(1)" in the first line thereof.

(2) Subsection (2) of said Section 202 is repealed.

34 Said Chapter 14 is further amended by adding immediately following Section 202 thereof the following Section:

202A (1) The exercise by the Governor in Council of the authority conferred by subsection (5) of Section 25C, subsection (5) of Section 40A, subsection (4) of Section 40B and Section 202 shall be regulations within the meaning of the Regulations Act.

(2) The exercise by the Minister of the authority conferred by subsection (2) of Section 64, subsection (1) of Section 76 and clause (b) of Section 76A shall be regulations within the meaning of the Regulations Act.

35 Section 208 of said Chapter 14 is repealed.

36 The Schedule of said Chapter 14, as amended by Chapter 28 of the Acts of 1970 and said Chapters 2 and 22, is further amended by

(a) striking out Form A thereof;

(b) striking out all words and symbols following the words "Director of Assessment" in Form B thereof to the end of the Form;

(c) striking out the words "clerk of" in the second line of the final paragraph of Form C and substituting therefor the words "recorder of the regional assessment appeal court for";

(d) striking out the words "Clerk of the Municipality (or Town) of" in the last line of Form D and substituting therefor the words "Recorder of the Regional Assessment Appeal Court for the (City, Town or Municipality) of";

(e) striking out the words "Clerk of the Town (or Municipality) of" in the last line of Form F and substituting therefor the words "Recorder of the Regional Assessment Appeal Court for the (City, Town or Municipality) of"; and

(f) striking out Form G thereof.

37 Subsections (1), (2) and (4) of Section 1, Section 2 and subsection (1) of Section 4 shall be and shall be deemed to be in force on the first day of December, 1980, and shall accordingly be read, construed and given effect on, from and after that day.

**An Act to Amend Chapter 42
of the Revised Statutes, 1967,
the Companies Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 42 of the Revised Statutes, 1967, the Companies Act, is amended by striking out the commas and words “, not exceeding two dollars for the certificate of incorporation, and not exceeding fifteen cents for each folio of the copy or extract” in the last three lines thereof.

2 Clause (a) of subsection (1) of Section 9 of said Chapter 42 is repealed and the following clause substituted therefor:

(a) the name in all its language forms of the company, with “Incorporated”, “Incorporée”, “Limited” or “Limitée” as the last word in each form of its name;

3 Clause (a) of subsection (1) of Section 10 of said Chapter 42 is repealed and the following clause substituted therefor:

(a) the name in all its language forms of the company, with “Incorporated”, “Incorporée”, “Limited” or “Limitée” as the last word in each form of its name;

4 Clause (a) of subsection (1) of Section 11 of said Chapter 42 is amended by adding immediately following the word “name” therein the words “in all its language forms”.

5 Said Chapter 42 is further amended by adding immediately preceding Section 14 thereof the following Section:

13A Subject to clause (a) of subsection (1) of Section 9 and clause (a) of subsection (1) of Section 10, a company may have its name in more than one language form.

6 Section 15 of said Chapter 42 is repealed and the following Section substituted therefor:

15 (1) Subject to Section 14, a company may by special resolution change its name.

(2) A change of name is effective on such day as the Registrar determines.

(3) The Registrar shall issue to the company a certificate of change of name.

(4) The Registrar shall cause to be published in the Royal Gazette a notice of the change of name.

7 (1) Section 67 of said Chapter 42, as amended by Chapter 31 of the Acts of 1969, is further amended by adding immediately following subsection (2) thereof the following subsections:

(2A) Where a company's name is in more than one language form, the company may be legally designated by any such form and, unless expressly required by law to use a particular language form or all language forms of its name, it may use any one language form of its name by itself in any case where its name is required to be used.

(2B) Notwithstanding any provision of this Act, a limited company with the word "Incorporated" or the word "Incorporée" as part of its name may use as part of the name of the company the word "Incorporated" or the word "Incorporée", or both, and may substitute for these words the abbreviation "Inc." and reference to the company may be made in the same manner.

(2) Subsection (3) of said Section 67, as enacted by said Chapter 31, is amended by adding immediately following the word "company" in the second line thereof the words and punctuation with the word "Limited" or the word "Limitée" as part of its name".

8 Section 68 of said Chapter 42 is amended by striking out the word and punctuation ““Limited”” in the second line thereof and substituting therefor the words and punctuation ““Incorporated”, “Incorporée”, “Limited” or “Limitée” ”.

9 Subsection (5) of Section 70 of said Chapter 42 is repealed.

10 (1) Subsection (1) of Section 84 of said Chapter 42 is amended by

(a) striking out the word “or” in the third line thereof and substituting therefor the comma and words “, officers and”;

(b) adding immediately following the word “directors” in the fifth line thereof the comma and word “, officers”.

(2) Said Section 84 is further amended by adding immediately following subsection (2) thereof the following subsection:

(3) The filing of an annual statement pursuant to the Corporations Registration Act is compliance with subsection (1) if the statement contains the information and is filed within the time required by subsection (1).

11 Subsection (6) of Section 119B of said Chapter 42, as enacted by Chapter 12 of the Acts of 1978-79 and amended by Chapter 26 of the Acts of 1980, is further amended by

(a) striking out the words “and shareholders” in the first line of clause (f) thereof; and

(b) adding immediately following the word “any” in the second line of clause (g) thereof the word “adverse”.

**An Act to Amend Chapter 59
of the Revised Statutes, 1967,
the Corporations Registration Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (e) of Section 32 of Chapter 59 of the Revised Statutes, 1967, the Corporations Registration Act, is amended by striking out the words "and the amount of its rest or reserve funds and the like" in the second and third lines thereof.

2 Subsection (2) of Section 34 of said Chapter 59 is amended by striking out the words "verified under oath" in the first line thereof and substituting therefor the word "signed".

3 (1) Section 36 of said Chapter 59, as amended by Chapter 16 of the Acts of 1976 and Chapter 13 of the Acts of 1978-79, is further amended by adding immediately following subsection (2A) thereof the following subsection:

(2B) In the case of a corporation limited by guarantee under the Companies Act, the amount of the fee shall be twenty-five dollars or such lesser amount as may be determined by the Governor in Council.

(2) Subsection (3) of said Section 36 is amended by adding immediately following the word "corporation" in the first line thereof the commas and words " , other than a corporation to which subsection (2B) applies,".

**An Act to Amend Chapter 64
of the Revised Statutes, 1967,
the County Court Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Subsection (1) of Section 5 of Chapter 64 of the Revised Statutes, 1967, the County Court Act, as enacted by Chapter 41 of the Acts of 1978, is amended by

(a) striking out the word “two” in the first line thereof and substituting therefor the word “three”; and

(b) adding immediately following the words “Number One” in the third line thereof the punctuation and words “, there shall be two judges appointed by the Governor General for the County Court of District Number Seven”.

(2) Said Section 5 is further amended by

(a) renumbering subsection (1A) as (1D) and by adding immediately following subsection (1) thereof the following subsections:

(1A) One of the judges referred to in subsection (1) shall be appointed by the Governor General as a chief judge who shall be styled the “Chief County Court Judge of Nova Scotia”.

(1B) The Chief County Court Judge of Nova Scotia has general supervisory powers in respect to all other county court judges, and may assign any county court judge to a sitting of a county court, including chambers, or to any sitting of a county court judge’s criminal court.

(1C) The Chief County Court Judge of Nova Scotia may, from time to time, designate any judge to act in his place for any or all purposes.

(b) striking out the words “a judge of any county court” in the fifth and sixth lines of subsection (1D) thereof and substituting therefor the words “the Chief County Court Judge of Nova Scotia”.

(3) Subsection (2) of said Section 5, as enacted by Chapter 33 of the Acts of 1970-71, is amended by striking out the words “a judge appointed for the district” in the fifth line thereof and substituting therefor the words “the Chief County Court Judge of Nova Scotia”.

(4) Subsection (4) of said Section 5, as enacted by said Chapter 33, is amended by striking out the words and punctuation “the senior judge appointed for the district who is present or, in the absence of all judges appointed for the district, the senior additional judge present” in the second, third, fourth and fifth lines thereof and substituting therefor the words “the Chief County Court Judge of Nova Scotia”.

(5) Subsection (5) of said Section 5, as enacted by said Chapter 33, is amended by striking out the words “Such senior appointed or additional judge” in the first and second lines thereof and substituting therefor the words “The Chief County Court Judge of Nova Scotia”.

2 Section 27 of said Chapter 64, as amended by Chapter 41 of the Acts of 1978, is further amended by striking out the words “four hundred dollars” in the last two lines of clause (d) thereof and substituting therefor the words “two thousand dollars”.

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

**An Act to Amend Chapter 75
of the Revised Statutes, 1967,
the Dental Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 5 of Chapter 75 of the Revised Statutes, 1967, the Dental Act, is amended by renumbering subsection (2) as subsection (4) thereof and by repealing subsection (1) thereof and substituting therefor the following subsections:

(1) The Association, subject to the approval of the Governor in Council, shall have power to make by-laws to regulate and carry out the business of the Association and by-laws as to the code of ethics and standards of practice to be observed by practitioners and as to what shall constitute unprofessional conduct and infamous conduct.

(2) The Association shall have power to amend or repeal all or any of its by-laws at any regular meeting.

(3) The Association shall have power to determine the amount of the annual dues and the amount of the registration fee for registration in the dental register, payable by any person whose name is registered in the dental register.

2 Said Chapter 75 is further amended by adding immediately following Section 19 thereof the following Sections:

19A The Board may, subject to the approval of the Governor in Council, make regulations

(a) constituting a Peer Review Committee and authorizing that Committee to perform any or all of the functions, make any or all decisions or impose any or all sanctions which this Act permits

the Board to perform, make or impose respecting discipline of dental practitioners, dental hygienists, or dental assistants;

(b) prescribing procedure in disciplinary proceedings before the Peer Review Committee and the Board;

(c) prescribing the sanctions that may be imposed on a practitioner guilty of unprofessional conduct or infamous conduct under clause (a) of subsection (1) of Section 22 and the sanctions may include the suspension or cancellation of the certificate with or without conditions, reprimand and payment of costs of a disciplinary proceeding;

(d) prescribing the standards, procedures and sanctions to be imposed for the discipline of dental assistants and dental hygienists.

19B The Board and the Peer Review Committee constituted under the authority of this Act shall have all the powers, privileges and immunities of a commissioner appointed under the Public Inquiries Act.

19C (1) If the Registrar has reasonable and probable grounds to believe that evidence relevant to a proceeding under this Act may be obtained from an inspection of premises used for the practice of dentistry by a practitioner, the Registrar or a person appointed by him may at any reasonable time enter upon the premises so used for the purpose of inspecting the facilities.

(2) No person shall obstruct or refuse admission to any person who is carrying out the power conferred upon him by subsection (1).

3 Subsection (1) of Section 22 of said Chapter 75 is amended by

(a) adding immediately following the word "Board" in the first line thereof the words "or the Peer Review Committee"; and

(b) striking out the words "by the Board" in the first line of clause (a) thereof.

4 Said Chapter 75 is further amended by adding immediately following Section 22 thereof the following Section:

22A A dental practitioner who has been disciplined by order of the Board may, within thirty days from the date of the order, appeal the order to a Judge of the Trial Division of the Supreme Court who shall hear and determine the appeal as a trial de novo.

**An Act to Amend Chapter 81 of
the Revised Statutes, 1967,
the Education Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 1 of Chapter 81 of the Revised Statutes, 1967, the Education Act, as amended by Chapter 23 of the Acts of 1968, Chapter 37 of the Acts of 1970-71, Chapter 24 of the Acts of 1975 and Chapter 18 of the Acts of 1977, is further amended by relettering clause (a) thereof as clause (aa) and adding immediately preceding clause (aa) the following clause:

(a) "Acadian school" means a school designated as an Acadian school pursuant to clause (aa) of Section 3;

2 Section 3 of said Chapter 81, as amended by Chapter 39 of the Acts of 1970, said Chapter 37, Chapter 29 of the Acts of 1972, said Chapter 24 and Chapter 15 of the Acts of 1978-79, is further amended by adding immediately following clause (a) thereof the following clause:

(aa) upon the request of a school board, or the joint request of two or more school boards, and upon the recommendation of the Minister, designate

(i) as an Acadian school, a school that is within the jurisdiction of the board or one of the boards, and

(ii) as the area which is to be served by the Acadian school, an area in which there is a sufficient number of children, whose first language learned and still understood is French, to warrant provision of public funds for instruction to be carried out in the French language,

and, where the request is from two or more boards, determine the responsibilities of each board in relation to the school;

3 Section 4 of said Chapter 81, as amended by said Chapters 23, 37 and 24, is further amended by adding immediately following clause (ka) thereof the following clause:

(kb) determine the ratio of instruction in French to instruction in English in Acadian schools, prescribe courses of study in French and authorize French-language textbooks and related materials for use in Acadian schools;

4 Said Chapter 81 is further amended by adding immediately following Section 5 thereof the following Section:

5A The principal language of administration of an Acadian school and communication of an Acadian school with the community it serves shall be French.

5 Section 44 of said Chapter 81, as amended by said Chapter 23, is further amended by adding immediately following subsection (1) thereof the following subsection:

(1A) Notwithstanding subsection (1), a regional school board shall not make any expenditure or incur any obligation unless the expenditure or obligation is provided for in the estimates of the municipal school boards and boards of school commissioners within the regional school area and for which sums have been provided pursuant to Section 226 of the Municipal Act and Section 138 of the Towns Act, as the case may be.

**An Act to Amend Chapter 83
of the Revised Statutes, 1967,
the Elections Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 1 of Chapter 83 of the Revised Statutes, 1967, the Elections Act, is amended by

(a) adding to the list immediately following the item "The Chief Electoral Officer and His Staff ... 3-6" the item "Election Commission ... 6A-6B";

(b) striking out the number "37" in the item "Enumeration of Electors 36-37" and substituting therefor "37A";

(c) adding to the list immediately following the item "Advance Poll 126-138" the item "Special Poll 138A-138H";

(d) striking out the number "164" in the item "Official Agent and Election Expenses of a Candidate 159-164" and substituting therefor "164I".

2 Section 2 of said Chapter 83, as amended by Chapter 40 of the Acts of 1969 and Chapter 28 of the Acts of 1977, is further amended

(a) by adding immediately following subsection (5) thereof the following subsection:

(5A) "Commission" means the Election Commission;

(b) adding immediately following the words "election clerk" in the third line of subsection (8) thereof the following punctuation and words ", supervising deputy returning officer";

(c) repealing subsection (15) thereof;

(d) adding immediately following the word and number "Section 121" in the second line of subsection (27) thereof the words and number "or Section 138E".

3 Said Chapter 83 is further amended by adding immediately following Section 6 thereof the following heading and Sections:

ELECTION COMMISSION

6A (1) There shall be a commission to be known as the "Election Commission" which shall

(a) consider reports of investigations by the Chief Electoral Officer or police officers concerning alleged violations of the Elections Act for the purpose of determining whether there should be prosecutions;

(b) advise the Chief Electoral Officer regarding the administrative conduct of elections.

(2) The Commission shall be composed of

(a) a person appointed by the Governor in Council to be the Chairman of the Commission;

(b) the Chief Electoral Officer;

(c) two persons appointed by each of the leaders of a recognized party as defined by the House of Assembly Act.

(3) The Chairman shall hold office for a term of five years and may be reappointed but he shall retire from office upon attaining the age of sixty-five years unless the

Governor in Council extends his appointment beyond that age.

(4) The Chairman of the Commission shall be removable only for cause by the Governor in Council acting upon a resolution of the House of Assembly.

(5) A person appointed to the Commission by a leader of a recognized party as defined by the House of Assembly Act shall hold office for a term of two years unless he is sooner replaced by the leader of that party.

(6) Where persons are appointed to the Commission by the leader of a party and the party ceases to be a recognized party as defined by the House of Assembly Act, the persons so appointed shall cease to be members of the Commission.

(7) Only persons entitled to be registered as electors at a general election shall be appointed to the Election Commission by the Governor in Council or a leader of a party.

(8) No person shall be appointed or shall act as a member of the Commission who is

(a) an officially nominated candidate in a provincial or federal election;

(b) a member of the House of Assembly or a member of Parliament;

(c) an official agent or campaign manager of a candidate or of a political party in a provincial or federal election.

(9) One half of the members of the Commission at a duly constituted meeting shall be a quorum and any vacancy on the Commission shall not impair the right of the remaining members of the Commission to act.

(10) The Chairman and each other member of the Commission shall be compensated for reasonable expenses incurred by them in the performance of their duties and the Chairman and each member of the Commission other than

the Chief Electoral Officer shall be paid such salary or other remuneration as the Governor in Council determines.

6B (1) For the purposes of prosecutions for offences under this Act, the Commission has all the rights, powers and authority of the Attorney General in respect of prosecutions for offences under other Acts of the Legislature and the Commission, acting through the Chairman or the Chief Electoral Officer, may institute prosecution proceedings by laying informations.

(2) No person may institute a prosecution for an offence under this Act without the prior consent of the Commission which may be certified in writing by the signature of the Chairman of the Commission or the Chief Electoral Officer.

(3) Where a person is not satisfied with the refusal or failure of the Commission to consent to a prosecution under this Section, the person may apply to a judge of the county court for such consent.

(4) A judge of the county court hearing an application under this Section shall be permitted to examine investigation reports, recommendations from prosecutors and other materials which were before the Commission but these materials shall not be disclosed to anyone else unless members of the public are otherwise entitled to have access to them.

(5) If the judge of the county court signs a consent for a prosecution under this Section, a prosecution may be commenced and it shall be conducted at public expense by the prosecution staff of the Attorney General.

4 (1) Subclause (iii) of clause (a) of subsection (1) of Section 21 of said Chapter 83 is amended by striking out the word "three" in the second line thereof and substituting therefor the word "four".

(2) Subsection (2) of said Section 21 is amended by striking out the word "three" where it appears in the fourth and in the last lines thereof and in each case substituting therefor the word "four".

5 Section 25 of said Chapter 83, as amended by Chapter 41 of the Acts of 1970, Chapter 29 of the Acts of 1973 and Chapter 28 of the Acts of 1977, is further amended by

(a) striking out the word "twelve" in the first line of subclause (i) of clause (c) thereof and substituting therefor the word "six"; and

(b) adding immediately following the Section number the symbols and figure "(1)" and by adding thereto the following subsections:

(2) A candidate at a general election who, on the day before the dissolution of the Legislature immediately preceding the election, was a member, and any spouse or dependant of the candidate who lives with him and is qualified as an elector, may have their names entered on the list of electors for either

(a) the polling division in which they ordinarily reside; or

(b) any polling division in the electoral district in which the former member is a candidate.

(3) A member of the Parliament of Canada representing an electoral district in the Province who has his ordinary residence outside the Province, and the spouse or dependant of the member who lives with him and is otherwise qualified as an elector, shall be permitted to have their names entered on the list of electors in the polling division of the electoral district in which the member last resided in the Province.

(4) A Senator in the Parliament of Canada representing the Province who has his ordinary residence outside the Province, and the spouse or any dependant of the Senator who lives with him and is otherwise qualified as an elector, shall be permitted to have their names entered on the list of electors in the polling division of the electoral district in which the Senator last resided in the Province.

6 Clause (a) of Section 35 of said Chapter 83 is amended by striking out the words “occupation and address” in the first and second lines thereof and substituting therefor the words “address and sex”.

7 (1) Subsection (1) of Section 36 of said Chapter 83 is amended by striking out the punctuation and words “, occupation and address” in the fourth line thereof and substituting therefor the words “and particulars”.

(2) Clause (c) of subsection (2A) of said Section 36, as enacted by Chapter 28 of the Acts of 1977, is amended by adding immediately following the word “name” in the first line thereof the punctuation and words “, telephone number”.

8 Section 37 of said Chapter 83, as enacted by Chapter 28 of the Acts of 1977, is amended by adding immediately following subsection (1) thereof the following subsections:

(1A) In every polling division in an incorporated city or town having a population of five thousand or more, or in any other place where the polling divisions have been declared to be urban by the Chief Electoral Officer, and in which the territory is designated by streets, roads or avenues on which residences have distinguishing numbers, the returning officer shall instruct each pair of enumerators to prepare the list of electors in geographical order, that is, by streets, roads and avenues and by apartment or unit numbers, except when otherwise directed by the returning officer pursuant to subsection (1B).

(1B) In every polling division wholly composed of a large institution, or comprised in an incorporated city or town having a population of five thousand or more, or in any other place where the polling divisions have been declared urban by the Chief Electoral Officer, and in which the territory is not designated by streets, roads or avenues or in which the residences of the electors are not designated by distinguishing numbers, the returning officer shall instruct each pair of enumerators to prepare the list of electors in alphabetical order with the names of the electors grouped according to the initial letter of their respective surnames.

(1C) In every polling division outside an incorporated city or town having a population of five thousand or more, or any other place where the polling divisions have been declared rural by the Chief Electoral Officer, the returning officer shall instruct each pair of enumerators to prepare the list of electors in alphabetical order with the names of the electors grouped according to the initial letter of their respective surnames.

9 Clause (a) of subsection (3) of Section 41 of said Chapter 83 is amended by striking out the punctuation and words “, address and occupation” in the second line thereof and substituting therefor the words “and particulars”.

10 Section 73 of said Chapter 83 is amended by adding immediately following subsection (2) thereof the following subsections:

(3) Where a returning officer establishes a central polling place in which five or more polling stations are located, he may appoint a person, who shall be called a “supervising deputy returning officer”, to attend at the central polling place on polling day for the purpose of keeping the returning officer informed with respect to matters affecting peace and good order in the central polling place and the person so appointed shall attend at the central polling place throughout polling day and keep the returning officer promptly and fully informed with respect to all matters affecting or likely to affect peace and good order therein.

(4) A supervising deputy returning officer shall have all of the powers and privileges of the deputy returning officer and may be dismissed or replaced in the same manner as a deputy returning officer.

11 Section 75 of said Chapter 83 is amended by adding immediately following the word “addresses” in the third line thereof the words “of the supervising deputy returning officers in the form prescribed by the Chief Electoral Officer,”.

12 Subsection (2) of Section 76 of said Chapter 83 is amended

(a) by striking out the word “durable” in clause (b) thereof and substituting therefor the word “suitable”; and

(b) striking out the word “metal” in the first line of clause (c) thereof.

13 Subsection (1) of Section 80 of said Chapter 83, as amended by Chapter 28 of the Acts of 1977, is further amended by striking out the words and punctuation “Saturday, the third” in the first line thereof and substituting therefor the words and punctuation “noon on Monday, the”.

14 Subsection (2) of Section 84 of said Chapter 83 is amended by adding immediately following the word “district” in the last line thereof the words “or in a weekly newspaper where the returning officer is satisfied that it has adequate circulation in the electoral district”.

15 Section 85 of said Chapter 83 is amended by adding immediately following the word “the” in the first line thereof the words and punctuation “supervising deputy returning officer,”.

16 Section 90 of said Chapter 83 is amended

(a) by striking out the word “three” in the second line thereof and substituting therefor the word “four”;

(b) by striking out the word “three” in the third line of clause (a) thereof and substituting therefor the word “four”.

17 Subsection (1) of Section 94 of said Chapter 83, as amended by Chapter 28 of the Acts of 1977, is further amended by

(a) adding immediately following the word “officer” in the third line thereof the words “or an election clerk”;

(b) adding immediately following the word “officer” in the first line of clause (b) thereof the words “or election clerk”.

18 Said Chapter 83 is further amended by adding immediately following Section 94 thereof the following Section:

94A A returning officer or an election clerk may refuse to issue a proxy paper and Form 40 if he is not satisfied that the signatures on Form 39 are genuine.

19 Section 95 of said Chapter 83 is amended by adding immediately following the word "officer" in the first line thereof the words "or an election clerk".

20 Section 96 of said Chapter 83 is amended by striking out the punctuation and words ", address and occupation which corresponds so closely to the name, address and occupation" in the second and third lines thereof and substituting therefor the words "and particulars which correspond so closely to the name and particulars".

21 Clause (c) of subsection (1) of Section 99 of said Chapter 83 is amended by striking out the word "metal" in the second line thereof.

22 Subsection (1) of Section 100 of said Chapter 83 is amended by

(a) striking out the punctuation and words ", address and occupation" in the second line of clause (b) thereof and substituting therefor the words "and address";

(b) striking out the punctuation and words ", address and occupation" in the second and third lines of clause (c) thereof and substituting therefor the words "and address";

(c) striking out the words "black lead pencil" in the first line of clause (f) thereof and substituting therefor the words "pencil or pen".

23 Clause (a) of Section 101 of said Chapter 83 is repealed and the following clause substituted therefor:

(a) proceed into the voting compartment and there mark with a pencil or pen the circular space on the ballot paper at the right of the name of the candidate for whom he intends to vote with a cross, an "X", a check mark or a line;

24 (1) Subsection (1) of Section 105 of said Chapter 83 is amended by striking out the punctuation and words ", address and occupation" where they appear in the second and in the third lines thereof and substituting therefor in each case the words "and address".

(2) Clause (a) of subsection (2) of said Section 105 is amended by striking out the punctuation and words ", address and occupation" in the first line thereof and substituting therefor the words "and address".

25 Section 110 of said Chapter 83 is amended by

(a) striking out the punctuation and word ", occupation" in the first line of clause (a) thereof;

(b) repealing clause (f) thereof and renumbering clause (g) as clause (f).

26 Clause (b) of Section 113 of said Chapter 83 is amended by striking out the words "and his voucher comply" in the second and third lines thereof and substituting therefor the word "complies".

27 Section 114 of said Chapter 83 is repealed and the following Section substituted therefor:

114 (1) A person whose name is not on the official list of electors for a polling division located outside a city or a town having a population in excess of five thousand persons as shown by the last census of Canada may vote at the polling station for that polling division on ordinary polling day if he appears before the deputy returning officer and swears to and signs Form 47 in the Poll Book.

(2) A person whose name is not on the official list of electors for a polling station in a city may vote on ordinary polling day if,

(a) he attends on ordinary polling day at the headquarters of the returning officer during polling hours and obtains from the revising officer sitting pursuant to Section 58 a certificate in Form 48 after having satisfied the revising officer that he is qualified under Section 25 to be registered as an elector; and

(b) he immediately delivers the certificate in Form 48 to the deputy returning officer of the polling station established in the headquarters of the returning officer.

(3) A person who is not on the official list of electors for a polling station in a town having a population in excess of five thousand persons as shown by the last census of Canada, may vote at the polling station on ordinary polling day if

(a) he attends on ordinary polling day at the headquarters of the returning officer during polling hours, and obtains from the revising officer sitting there pursuant to Section 58 a certificate pursuant to Form 48 after having satisfied the revising officer that he is qualified under Section 25 to be registered as an elector on the official list of electors for the polling station; and

(b) he delivers this certificate in Form 48 to the deputy returning officer of the polling station and signs Form 47 in the Poll Book.

28 Section 119 of said Chapter 83 is amended by adding immediately following the word "and" in the first line thereof the words "a supervising deputy returning officer and".

29 Section 121 of said Chapter 83, as amended by Chapter 28 of the Acts of 1977, is further amended by adding immediately following clause (b) thereof the following clause:

(ba) upon which the circular space at the right of the name of a candidate is not marked with a cross, an "X", a check mark or a line made with a pencil or pen;

30 Section 124 of said Chapter 83 is amended

(a) by adding immediately following the word "box" in the first line of clause (g) thereof the words "or such other container as may be prescribed by the Chief Electoral Officer"; and

(b) striking out the word "metal" in the first line of clause (h) thereof; and

(c) by adding immediately following the word "box" in the third line of clause (h) thereof the words "or seal such other container as may be prescribed by the Chief Electoral Officer for the purpose".

31 Subclause (ii) of clause (b) of Section 134 of said Chapter 83 is amended by striking out the word "metal" in the first line thereof.

32 Said Chapter 83 is further amended by adding immediately following Section 138 the following heading and Sections:

SPECIAL POLL

138A (1) A special poll shall be conducted on

(a) Thursday the twelfth day before ordinary polling day between the hours of twelve o'clock noon and nine o'clock in the afternoon;

(b) Friday the eleventh day before ordinary polling day between the hours of twelve o'clock noon and nine o'clock in the afternoon; and

(c) Saturday the tenth day before ordinary polling day between the hours of nine o'clock in the morning and five o'clock in the afternoon.

(2) The purpose of the special poll is to permit electors who will be unable to vote on the days fixed for the advance poll or on ordinary polling day to vote at the time and place of the special poll.

(3) A special poll shall be established in the office of each returning officer and, in large electoral districts where electors would have to travel a great distance to the office of the returning officer, at such additional place as the Chief Electoral Officer may direct.

(4) A special poll shall be conducted by a "presiding officer" who shall be the returning officer or the election clerk or, where the Chief Electoral Officer so authorizes, a person appointed by the returning officer to conduct a special poll.

(5) Before twelve o'clock noon on Thursday, the twelfth day before ordinary polling day, the returning officer for each electoral district shall cause ballot papers to be prepared in the form prescribed by the Chief Electoral Officer with the names of each of the candidates in that electoral district entered on each ballot paper in a uniform manner.

138B (1) At twelve o'clock noon on Thursday, the twelfth day before ordinary polling day, in the place at which a special poll is to be conducted and in full view of such of the candidates or their agents or electors representing the candidates as are present, the presiding officer shall

(a) open the ballot box and ascertain that nothing is contained therein;

(b) seal the ballot box with a seal prescribed by the Chief Electoral Officer;

(c) note the number of the seal in the poll book to be used for the special poll.

(2) An elector who wishes to vote at the special poll shall declare his name and address to the presiding officer and complete and sign, in the presence of the presiding officer, a declaration in the form prescribed by the Chief Electoral Officer and printed on an envelope, hereinafter referred to as the "outer envelope", stating

- (a) his name and address; and
 - (b) that he has not previously voted and will not attempt to vote again at that election.
- (3) Where an elector has complied with subsection (2), the presiding officer shall, in the presence of the elector,
 - (a) consecutively number each outer envelope in the order in which the declaration is completed and signed;
 - (b) enter the name and address of the elector, and the consecutive number on the outer envelope containing the declaration of the elector, in the poll book for the special poll;
 - (c) give the elector a ballot paper and allow him to vote.
- (4) Upon the return to him by the elector of the ballot paper folded as required, the presiding officer shall, in full view of the elector, forthwith
 - (a) without folding it, ascertain that it is the same ballot paper that was given to the elector; and
 - (b) deposit the ballot paper in a plain envelope, hereinafter referred to as the "inner envelope", seal the inner envelope and deposit the inner envelope in the outer envelope on which the elector has completed and signed the declaration, seal the outer envelope and deposit it in the ballot box.
- (5) In the intervals between voting hours at the special poll and until the closing of the polls on ordinary polling day, the ballot box shall be kept in the custody of the presiding officer.
- (6) Such of the candidates, their agents or the electors representing the candidates as are present during the

hours of a special poll or at the opening of the ballot box used at the special poll, may, if they so desire, take note of the serial number placed on the ballot box.

138C (1) Before the opening of the poll on the first day of the advance poll and before ordinary polling day, the returning officer shall strike off the list of electors to be used at the advance poll and at an ordinary poll the name of all the electors who have voted at the special poll.

(2) Before the opening of the poll on the first day of the advance poll, the returning officer shall transmit a list of the persons who voted at the special poll to each candidate.

138D Where an elector votes at the special poll and his name does not appear on the preliminary list of electors, it is the obligation of the elector to have his name added to the list at the revisal sittings.

138E (1) Where fifteen or more persons have voted at a special poll in which the returning officer and the election clerk have acted as the presiding officer, the returning officer shall appoint two persons to be presiding officers for the purpose of counting the votes cast at the special poll.

(2) At the time of the closing of the polls on ordinary polling day and at the place where the special poll was conducted or such other place as the returning officer may designate, the presiding officers, in the presence of such of the candidates, their agents or electors representing the candidates as are present or, if none of such persons is present, in the presence of at least two electors, shall

(a) open the ballot box and examine every outer envelope to determine whether the person named thereon is on the official list of electors;

(b) when all of the outer envelopes have been so examined, open them and remove the inner envelopes containing the ballot papers, but without opening the inner envelopes;

(c) mix the unopened inner envelopes together in the ballot box;

(d) remove the inner envelopes from the ballot box; and

(e) open the inner envelopes and count the votes cast for each candidate.

(3) Where, on examination of an outer envelope, the declaration thereon is found to be unacceptable in that

(a) the identity and address of the elector cannot be determined from the declaration;

(b) the elector is not entitled to vote in the presiding officer's electoral district; or

(c) the declaration has not been signed by the elector,

that outer envelope shall be laid aside unopened and is deemed to be a rejected ballot.

(4) A ballot paper found in the ballot box other than in an outer envelope shall be so marked and shall be laid aside and deemed to be a rejected ballot.

(5) An inner envelope that is found in the ballot box other than within an outer envelope when the ballot box is opened shall be so marked and shall be laid aside unopened and is deemed to be a rejected ballot.

(6) A ballot paper that is not contained in an inner envelope shall not be rejected if it is found in the ballot box in an outer envelope but, after being taken from the outer envelope, the ballot paper shall be placed and sealed in an inner envelope without being unfolded and the envelope shall be mixed together with the other inner envelopes.

(7) The presiding officer shall keep a record of every objection made by a candidate, an agent of a candidate or an elector who was present during the counting of the ballot papers.

(8) Where fewer than fifteen persons have voted at a special poll, the returning officer shall take the ballot box

used at the special poll to the place where ballots cast at an advance poll are to be counted and the deputy returning officer and poll clerk at the advance polling station shall proceed to open the ballot box and count the ballot papers from the special poll in the manner set out in this Section except that the ballot papers shall be mixed together with the ballot papers cast at the advance poll and a total of the votes cast for each candidate will be recorded.

138F The Chief Electoral Officer shall prescribe the manner in which the time and place of a special poll shall be advertised during an election.

138G The provisions of this Act relating to a polling station, in so far as they are applicable, apply to a special poll.

138H Everyone who,

(a) makes a false statement in a declaration made at a special poll;

(b) votes at the same election after having voted at a special poll,

is guilty of an offence.

33 Clause (a) of Section 139 of said Chapter 83 is amended by striking out the word "metal" in the first and in the second lines thereof.

34 Section 142 of said Chapter 83 is amended by striking out the word "metal" in the fourth line thereof.

35 Clause (e) of Section 148 of said Chapter 83 is amended by striking out the word "metal" in the fourth line thereof.

36 Subsection (3) of Section 161 of said Chapter 83, as enacted by Chapter 40 of the Acts of 1969, is amended by adding immediately following the word "current" in the fifth line thereof the words "or next".

37 Subsection (1) of Section 162 of said Chapter 83, as enacted by Chapter 40 of the Acts of 1969, is amended by striking out the punctuation and words “, address and occupation” in the second and third lines thereof and substituting therefor the words “and address”.

38 Subsection (5) of Section 164A of said Chapter 83, as enacted by Chapter 28 of the Acts of 1977, is amended by striking out the words “index for the month immediately preceding the month during which a writ of election is issued” in the fifth, sixth and seventh lines thereof and substituting therefor the words and punctuation “latest available index, as determined by the Chief Electoral Officer,”.

39 (1) Subsection (3) of Section 164B of said Chapter 83, as enacted by Chapter 40 of the Acts of 1969, is repealed and the following subsections substituted therefor:

(3) After the official agent of the candidate has reported the election expenses of the candidate as required by this Act the Chief Electoral Officer shall

(a) approve, as soon as possible, payment of seventy-five per cent of the reimbursement to which a candidate is entitled when the Chief Electoral Officer is satisfied that election expenses in at least that amount have been incurred; and

(b) approve the remaining amount of reimbursement to which a candidate is entitled when the Chief Electoral Officer has determined that the report is accurate and that the expenses claimed are election expenses as defined in Section 2.

(2) Subsection (4) of said Section 164B, as enacted by Chapter 28 of the Acts of 1977, is amended by striking out the words “index for the month immediately preceding the month during which a writ of election is issued” in the fifth, sixth and seventh lines thereof and substituting therefor the words and punctuation “latest available index, as determined by the Chief Electoral Officer,”.

40 Subsection (1) of Section 164C of said Chapter 83, as enacted by Chapter 40 of the Acts of 1969, is amended by striking out the words "payment that was made" in the last line thereof and substituting therefor the words "expense incurred".

41 Subsection (1) of Section 164F of said Chapter 83, as enacted by Chapter 40 of the Acts of 1969, is repealed and the following subsections substituted therefor:

(1) If a report or an affidavit contains an error, the official agent, candidate or party leader may request

(a) a judge; or

(b) the Chief Electoral Officer,

to direct the necessary correction and, where he is satisfied that the correction should be made, he shall cause the report to be amended.

(1A) Where, in the opinion of the judge or the Chief Electoral Officer, a substantial change is made by reason of a correction pursuant to subsection (1), he may order the publication of a summary of the amended election expense report in an appropriate newspaper at the expense of the candidate or political party on whose behalf the change is made.

42 Subsection (1) of Section 164G of said Chapter 83, as enacted by Chapter 40 of the Acts of 1969, is repealed and the following subsection substituted therefor:

(1) In the report prescribed by Section 164C or Section 164D, an official agent shall report separately election expenses which are

(a) paid;

(b) unpaid and uncontested; and

(c) unpaid and contested.

43 Said Chapter 83 is further amended by adding immediately following Section 164I thereof the following Sections:

164J (1) The Chief Electoral Officer shall prescribe forms

(a) for recording information with respect to amounts of money provided to a candidate or recognized party by way of contribution;

(b) for use as an official receipt to be issued by official agents for the purpose of the Income Tax Act,

and every candidate and official agent shall use such forms, and no others, for the purposes for which they are prescribed.

(2) A form prescribed by the Chief Electoral Officer to be a receipt for the purpose of the Income Tax Act shall provide for the inclusion therein by the official agent of such information as is prescribed by the Income Tax Act.

(3) The Chief Electoral Officer shall cause to be printed a sufficient supply of forms prescribed by him pursuant to subsection (1) and the forms shall be provided by the Chief Electoral Officer to official agents of recognized parties and by returning officers to official agents of candidates for use by the official agents and all the forms that are not used shall be returned to either the Chief Electoral Officer or the returning officer not later than one month after ordinary polling day.

164K (1) Every candidate shall, at the time of appointment of his official agent, appoint an auditor.

(2) Every recognized party shall, at the time of appointment of its official agent, appoint an auditor.

(3) An auditor shall be a public accountant licensed under the Public Accountants Act.

(4) Where an auditor appointed by a candidate or a recognized party ceases for any reason to hold office as such, ceases to be qualified as provided in subsection (3) or becomes

ineligible as provided in subsection (5), the candidate or recognized party shall forthwith appoint another auditor.

(5) No returning officer, deputy returning officer or election clerk and no candidate, official agent of a candidate or official agent of a recognized party is eligible to act as the auditor for a candidate or a recognized party.

(6) A partner or employee in a firm of public accountants may act as an auditor notwithstanding that another person in the firm is a candidate, an official agent of a candidate, an official agent of a recognized party or an auditor for another candidate or recognized party.

(7) The auditor appointed by a candidate or a recognized party shall make a report to the official agent of the candidate or the recognized party on the election expense report form prescribed by the Chief Electoral Officer

(a) respecting election expenses incurred by or on behalf of the candidate or the recognized party; and

(b) respecting the total contributions for which the official agent has issued a receipt for income tax purposes,

and the auditor shall make such examinations as will enable him to state in his report whether in his opinion the return presents fairly the financial transactions required to be detailed in the report.

(8) An auditor, in his report pursuant to subsection (7), shall make such statements as he considers necessary in any case where

(a) the return to which the report relates does not present fairly the financial transactions required to be detailed in the report;

(b) he has not received all the information and explanation that he has required; or

(c) proper accounting records have not been kept by the official agent so far as appears from his examination.

(9) An auditor appointed by a candidate shall have access at all reasonable times to all records, documents, books, accounts and vouchers of the official agent of the candidate and of the candidate relating to the election, and is entitled to require from the official agent of the candidate and the candidate such information and explanation as in his opinion may be necessary to enable him to report as required by this Section.

(10) An auditor appointed by a recognized party shall have access at all reasonable times to all records, documents, books, accounts and vouchers of the party, and is entitled to require from the official agent and officers of the party such information and explanation as in his opinion may be necessary to enable him to report as required by this Section.

164L (1) Where the aggregate of all contributions received by an official agent of a candidate for which he has issued a receipt for income tax purposes is in excess of the amount required by the candidate to pay the aggregate of

(a) the deposit;

(b) election expenses;

(c) auditor's fees in excess of the amount for which reimbursement is provided; and

(d) costs with respect to a recount,

incurred by him in relation to the election, the amount of such excess shall be paid by the official agent

(e) where the political affiliation of the candidate is shown on the ballot paper as a recognized party, to any local organization or association of members of the party in the electoral district of the candidate or, where there is no local organization or association, to the official agent of the recognized party; or

(f) in any other case, to the Minister of Finance,

within one month after the candidate receives his reimbursement of election expenses pursuant to this Act or, where the candidate is not entitled to reimbursement, within two months after the filing by the official agent of the election expense report.

(2) Where an official agent of the candidate pays an excess amount pursuant to this Section, he shall forthwith transmit to the Chief Electoral Officer notification of such payment in the form prescribed by the Chief Electoral Officer.

(3) Where, after payment to the Minister of Finance of an excess amount pursuant to this Section, an official agent is required to make a further payment, the official agent may make application to the Chief Electoral Officer for the repayment to the official agent of an amount not exceeding the lesser of

(a) the excess amount paid by the official agent to the Minister of Finance; or

(b) the amount of such further payment,

and upon receipt of a certificate from the Chief Electoral Officer to the effect that such further payment has been or may properly be made by the official agent, the Minister of Finance shall pay out of the Consolidated Fund to the official agent to whom a certificate relates the amount certified by the Chief Electoral Officer.

(4) An official agent who fails to make a payment as required by this Section, or who knowingly makes a payment that is less than the amount that he is required by this Section to pay, is guilty of an offence against this Act.

164M Where an official agent refuses, fails or is unable to comply with the provisions of this Act, the Chief Electoral Officer may apply to a judge of the county court for an order directing the official agent to attend before the judge to show cause why he has not complied with the Act and, upon the hearing of the matter, the judge may order the official agent to

be examined with respect to any report or particulars which have not been provided in accordance with this Act and may order the official agent to make such return and declaration or supply such statement of particulars as the judge thinks appropriate within the time, to the person and in the manner as the judge may direct.

44 Subsection (1) of Section 165 of said Chapter 83 is amended by adding immediately following the word “enumerator” in the second line thereof the punctuation and words “, supervising deputy returning officer”.

45 Section 180 of said Chapter 83 is amended by adding immediately following the Section number the symbols and figure “(1)” and by adding thereto the following subsection:

(2) A prosecution for an offence against this Act shall be commenced within nine months next after the day on which the offence was committed and not thereafter.

46 Form 47 in the Schedule to said Chapter 83 is repealed and the following Form substituted therefor:

FORM 47
Section 114

OATH OF PERSON OMITTED
FROM LIST OF ELECTORS

I, the undersigned, swear (solemnly affirm)

1. That my correct name and address are shown below preceding my signature;
2. That I am eighteen years of age or older;
3. That I am a Canadian citizen or other British subject;
4. That I have been ordinarily resident within the meaning of the Elections Act

(a) in Nova Scotia for six months immediately preceding the day of, 19... ; and (insert date of writ of election)

(b) in this polling division on that date;

5. That I have not already voted at the pending election in this or any other polling station in the Province;

6. That I have not received anything, nor has anything been promised to me, directly or indirectly, to induce me to vote or refrain from voting at this election;

7. That to the best of my knowledge and belief, I am not disqualified under the Elections Act from being registered as an elector in this polling division at the pending election.

Name

Address

Signature

Name	Address	Signature

47 The Forms in the Schedule are amended to conform with amendments to the Elections Act.

48 Notwithstanding subsection (2) of Section 190 of said Chapter 83, the amendments contained in this Act shall apply in any election for which the writ is issued after the day on which this Act comes into force.



**An Act to Amend Chapter 81
of the Revised Statutes, 1967,
the Education Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (4) of Section 73 of Chapter 81 of the Revised Statutes, 1967, the Education Act, is repealed and the following subsection substituted therefor:

(4) Notwithstanding any provision of this Act or any contract or agreement between or governing a school board and a teacher,

(a) the date for a teacher giving notice of termination of his teacher's contract shall be deemed to be the fifteenth day of April in the year in which the contract will be terminated after the school year 1980-81;

(b) the date for a school board giving notice of termination of a teacher's contract shall be deemed to be the thirtieth day of April in the year in which the contract will be terminated after the school year 1980-81.

2 (1) Subsection (3A) of Section 76 of said Chapter 81, as enacted by Chapter 27 of the Acts of 1977, is amended by striking out the words "or by" in the second line of clause (b) thereof and substituting therefor the words "with or without".

(2) Said Section 76 is further amended by adding immediately following subsection (5) thereof the following subsections:

(5A) An employer shall not terminate a probationary contract pursuant to clause (a) of subsection (5) until

(a) the employer has given the teacher written notice of the reasons upon which the termination is to be based; and

(b) within ten days after the employer has given notice to the teacher pursuant to clause (a) an opportunity has been given the teacher by the employer to appear before the employer in person, with or without counsel, to present his comments upon the notice and reasons upon which the termination is to be based.

(5B) Where an employer terminates a probationary contract, the termination is not subject to any grievance procedure provided in a contract relating to the employment of the teacher nor to any appeal.

(3) Subsection (6) of said Section 76, as enacted by Chapter 27 of the Acts of 1977, is amended by striking out the words "or by" in the third line of clause (b) thereof and substituting therefor the words "with or without".

**An Act to Amend Chapter 91
of the Revised Statutes, 1967,
the Escheats Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 91 of the Revised Statutes, 1967, the Escheats Act, is amended by adding immediately following Section 19 thereof the following Section:

19A (1) Subject to Section 14, the Governor in Council may grant any land which has reverted in the Crown pursuant to this Act, or any part thereof or interest therein, to

(a) a person who, in the opinion of the Governor in Council, had a legal or moral claim upon the person to whom the land belonged immediately prior to reverting in the Crown or a just or natural right or claim to succeed to the land, or any part thereof or interest therein;

(b) carry into effect any disposition thereof that the Governor in Council believes the person to whom the land belonged immediately prior to it reverting in the Crown may have intended;

(c) reward a person making discovery of the property to the Crown.

(2) Any such grant may be made without actual entry or taking possession of the property or inquisition being first made, and, if possession of the property is withheld, the person to whom the grant is made may institute proceedings for the recovery thereof in any court of competent jurisdiction.

(3) In each year in which the Governor in Council grants land pursuant to this Section, the Attorney General shall table in the House of Assembly a report setting forth the particulars of such grant.

**An Act to Amend Chapter 98
of the Revised Statutes, 1967,
the Family Court Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 98 of the Revised Statutes, 1967, the Family Court Act, as amended by Chapter 32 of the Acts of 1972, is further amended by adding immediately following subsection (1) thereof the following subsection:

(1A) No person shall be appointed as a judge of a Family Court unless he is a barrister of the Supreme Court of Nova Scotia for at least five years standing.

**An Act to Amend Chapter 100
of the Revised Statutes, 1967,
the Fatal Injuries Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 100 of the Revised Statutes, 1967, the Fatal Injuries Act, is amended by adding immediately following Section 10 thereof the following Section:

11 A person has in respect of the death of a deceased the same rights under this Act as

(a) a child of the deceased if the deceased has demonstrated a settled intention to treat that person as a child of the family of the deceased;

(b) a parent of the deceased if that person has demonstrated a settled intention to treat the deceased as a child of the family of that person.

2 This Act applies only in respect of deaths occurring on or after the day upon which this Act comes into force.

**An Act to Amend Chapter 126
of the Revised Statutes, 1967,
the Health Services Tax Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (ggg) of Section 10 of Chapter 126 of the Revised Statutes, 1967, the Health Services Tax Act, as enacted by Chapter 15 of the Acts of 1974 and as amended by Chapter 33 of the Acts of 1980, is further amended by

(a) striking out the punctuation, words, symbols and letter “, notwithstanding clause (j),” in the first line thereof; and

(b) adding immediately following the word “but” in the second line thereof the punctuation, words, symbols and letter “, notwithstanding clause (j),”.

(2) Clause (m) of said Section 10, as enacted by said Chapter 33, is amended by adding immediately following the word “gross” therein the punctuation and words “, and repairs to such vessels”.

(3) Clause (sa) of said Section 10, as enacted by Chapter 25 of the Acts of 1976, is amended by adding immediately following the word “material” in the first line thereof the punctuation and words “, including thermal insulation material forming part of a building which is or is intended to be used exclusively for industrial purposes, double and triple glazed windows and storm windows and doors,”.

(4) Said Section 10, as amended by Chapter 49 of the Acts of 1969, Chapter 35 of the Acts of 1973, Chapter 3 of the Acts of 1973 (2nd Sess.), said Chapter 15, Chapter 38 of the Acts of 1974, Chapter 28 of the Acts of 1975, said Chapter 25, Chapter 31 of the Acts of 1977, Chapter 20 of the Acts of 1978-79 and said Chapter 33, is further amended by adding striking out the period at

the end of the Section and substituting therefor a semi-colon and adding immediately following clause (ac) thereof the following clauses:

(ad) heat pumps;

(ae) heat recovery units for extracting heat from waste air or water;

(af) time-controlled thermostats for heating systems;

(ag) devices to recycle heated air;

(ah) electricity produced or manufactured from excess material and energy of an industrial process where the electricity is utilized by a corporation operating the process or a corporation that is, according to the regulations, related to it, for its own consumption or use.

2 (1) Subsection (1) of Section 18 of said Chapter 126, as enacted by said Chapter 33, is amended by adding the words "or agent" immediately following the word "solicitor" in the fourth line thereof.

(2) Subsection (2) of said Section 18 is amended by adding the words "or agent" immediately following the word "solicitor" in the third line thereof.

3 (1) Subsection (2) of Section 27 of said Chapter 126 is amended by striking out the words "taxpayer or collector" in the third line thereof and substituting therefor the words "vendor or purchaser".

(2) Subsection (3) of said Section 27 is amended by striking out the words "taxpayer or collector" in the first and second lines, the fifth line and the sixth line thereof and substituting therefor in each case the words "vendor or purchaser".

4 Subsection (2) of Section 30 of said Chapter 126, as enacted by said Chapter 33, is amended by striking out the words, symbols and figure “subsection (1) of” in the third line thereof.

**An Act to Amend Chapter 128
of the Revised Statutes, 1967,
the House of Assembly Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (a) of Section 3 of Chapter 128 of the Revised Statutes, 1967, the House of Assembly Act, as amended by Chapter 19A of the Acts of 1978, is further amended by

(a) adding immediately following the words "Annapolis West" in the second line thereof the punctuation and word ", Argyle";

(b) adding immediately following the words "Hants West" in the tenth and eleventh lines thereof the punctuation and words ", Inverness North, Inverness South"; and

(c) adding immediately following the words "Pictou Centre" in the last line thereof the punctuation and word ", Yarmouth".

(2) Said Section 3 is further amended by

(a) striking out the semicolon at the end of clause (b) thereof and substituting therefor a period; and

(b) repealing clause (c) thereof.

2 Said Chapter 128 is further amended by adding immediately following Section 12 thereof the following Sections:

12A The County of Inverness shall be divided into two electoral districts named and described as follows:

(a) Inverness North, consisting of that portion of the County of Inverness which is north of a boundary line beginning at a point on high water mark on the eastern shore line of George's Bay, said point being an extension of the Maryville Station Road;

Thence in an easterly direction along the centre line of the Maryville Station Road to Route Number 19;

Thence in a straight line in an easterly direction across Route Number 19 and continuing along the centre line of the Beaton Road to a point said point being on the western boundary of land granted to Peter Smyth (Grant No. 5479);

Thence in a southerly direction following the eastern boundary of a 66 foot reserve to a northwestern corner of a lot of land granted to Angus MacDonald, Bk. T, Pg. 33;

Thence in an easterly direction following the northern boundaries of lands granted to Angus MacDonald, Bk. T, P. 33, Angus McDougal (Bk. T, P. 33), John MacIsaac (Bk. U, Pg. 69); and Donald MacIsaac (Grant 5620) to the eastern boundary of the aforesaid Donald MacIsaac Grant;

Thence in a southerly direction along the eastern boundary of the aforesaid Donald MacIsaac Grant and a projection thereof to a northwestern corner of land granted to Hon. Peter Smyth (Grant Number 11070);

Thence in an easterly direction along the north boundary of the aforesaid Smith Grant Number 11070 and the north boundary of lands granted to Hon. Peter Smyth (Grant Number 9130) to the west boundary of a lot of land granted to John Duncan Beaton (Grant Number 22537);

Thence in a southerly direction along said Beaton Grant to the southwest corner thereof;

Thence in an easterly direction along the west boundary of the said Beaton Grant Number 22537 to the Southwest Mabou River;

Thence following the various courses of the main branch of the Southwest Mabou River in a general southerly direction to the North boundary of a lot of land granted to Hon. Peter Smyth Grant Number 10496;

Thence in a northeasterly direction in a straight line to the northwest corner of the Charles McDonald Grant 10351;

Thence in an easterly direction along the northerly boundaries of the McDonald Grant Number 10351 and the Grant to Angus Walker to the northeastern corner of the Angus Walker Grant;

Thence in a northeasterly direction in a straight line to the northwest corner of the Charles McDonald Grant 10351;

Thence in an easterly direction along the northerly boundaries of the McDonald Grant Number 10351 and the Grant to Angus Walker to the northeastern corner of the Angus Walker Grant;

Thence in a northerly direction along the western boundary of Grant 13083 to John McDonald to the northwestern corner thereof;

Thence in an easterly direction along the McDonald Grant 13083 to the northeastern corner thereof;

Thence in an easterly direction in a straight line to Crown Post Number 72 being the southern corner of the Grant to Angus D. McPhail (Number 19625);

Thence in a northeasterly direction along the McPhail grant and a prolongation thereof in a straight line to the southeasterly corner of the Grant to the Hon. Duncan C. Fraser (number 20409);

Thence in a straight line in a northwesterly direction to Crown Post 74, on the northwestern boundary of the Philip McCuish Grant number 20923;

Thence in a northeasterly direction to Crown Post Number 340 being the most northern corner of the McCuish Grant number 20923;

Thence in a northeasterly direction in a straight line to Crown Post number 348 being the most southern corner of the John McDonald Grant number 10017;

Thence in a northeasterly direction following the southeastern boundary of the McDonald Grant number 10017 to the northern corner of the Donald Ferguson Grant number 8607;

Thence in a southeasterly direction along Ferguson Grant number 10017 to the southern corner of the Duncan A. MacKinnon Grant number 22644;

Thence in a northeasterly and northwesterly direction along the southeastern and northeastern boundary of the MacKinnon Grant and along the northeastern boundary of the James P. MacGregor Grant 22912 to the most northern corner thereof;

Thence in a northeasterly direction following the northwestern boundary of the John MacGregor Grant 7791 and the lands claimed by Angus Morrison 1961 to the southwestern boundary of Alexander McQueen Grant 9545;

Thence following the southwestern and northwestern boundary of the McQueen Grant 9545 to the most northern corner thereof, being the most southern corner of the John McDonald Grant 9856;

Thence northwesterly along the southwestern boundary of John McDonald Grant number 9856 and Alexander McDonald (Bk. Y, P. 224) to the most western corner thereof;

Thence in a northeasterly direction along said McDonald Grant (Bk. Y, P. 224) to the most southerly corner of the Malcolm MacKinnon Grant number 10076;

Thence in a northwesterly and northeasterly direction along the southwestern and northwestern boundaries of the McKinnon Grant 10076 and continuing in a northeasterly direction to the most northern corner of Angus and Donald Campbell Grant number 15433;

Thence in a general easterly direction along the Campbell Grant 15433 to the western boundary of the lands of John McAulay (Sr.) Grant 8495;

Thence in a southerly and northeasterly direction along the western and southeastern boundaries of the McAulay Grant to the southeastern corner thereof;

Thence in a southeasterly direction to meet the northern boundary of Petition 8804;

Thence northeasterly to the northeastern corner of said Petition 8804;

Thence in a northerly direction along ungranted lot and lot granted to John Gillis number 6595 to the northwestern corner thereof;

Thence in an easterly direction along the northern boundary of the Gillis lot to the western boundary of the John Miller Grant (Bk. T, P. 79);

Thence southerly to the southwestern corner of the Miller Grant (Bk. T, P. 79);

Thence easterly and northerly along the southern and eastern boundary of the Miller Grant (Bk. T, P. 79) to the southwestern corner of the James Smith Grant (Bk. T, P. 89);

Thence easterly along the Smith Grant (Bk. T, P. 89) and the James Smith Grant (Bk. S, P. 110) to the southeastern corner of the last mentioned James Smith Grant (Bk. S, P. 110);

Thence northerly along the eastern boundary of the Smith grant (Bk. S, P. 110) to the northeastern corner thereof;

Thence in a northeasterly direction along the northwestern boundary of the John Beaton Grant 6591-A to the most northern corner thereof;

Thence in a southeasterly direction along Grants numbered 6591-A and 6591-B, ungranted Lot, and Grants numbered 6592-A, 6592-B, 6592-C and 6592-D; to the northwestern boundary of Grant to John E. Gillis number 23058;

Thence in an easterly direction along the northerly boundary of the said Gillis lot 23058 to the northeastern corner thereof;

Thence in a southeasterly and northeasterly direction along the boundaries of the Gillis lot and John Archibald Campbell Grant 22176 and the Grant to Alexander Stewart number 17425 and the Grant to Andrew MacKenzie 20100 to the northerly boundary of the Grant to Neil MacMillan number 4176;

Thence in a northeasterly direction along the northern boundary of MacMillan Grant 4176 to the northeastern corner thereof;

Thence in a southeasterly direction along the southwestern boundaries of the Hector McKinnon Grant 10413 and the Angus McSwain Grant 12776 to the most southern corner thereof;

Thence in a northeasterly and northerly direction along the southeastern and eastern boundaries of the McSwain Grant 12776 to the shores of Lake Ainslie;

Thence in a northerly direction following the eastern shore line of Lake Ainslie to the point where Trout Brook flows into Lake Ainslie;

Thence generally in an easterly direction along Trout Brook and East Trout Brook to the point where it intersects with the boundary line between Inverness County and Victoria County.

(b) Inverness South, consisting of that portion of the County of Inverness not contained in the electoral district of Inverness North.

12B The County of Yarmouth shall be divided into two electoral districts named and described as follows:

(a) Argyle, consisting of that portion of the County of Yarmouth contained in the Municipality of the District of Argyle;

(b) Yarmouth, consisting of that portion of the County of Yarmouth contained in the Town of Yarmouth and Municipality of District of Yarmouth.

3 Section 13 of said Chapter 128, as amended by Chapter 44 of the Acts of 1970, is repealed and the following Section substituted therefor:

13 (1) In this Section,

(a) "enacted" does not include a consolidation or revision of this Act;

(b) "municipal boundary" means a boundary of

(i) a city,

(ii) an incorporated town,

(iii) a municipality of a county,

(iv) a municipality of a district,

(v) a village service commission,

(vi) a polling district.

(2) The boundaries of an electoral district set out in this Act shall be altered only by amendment to this Act.

(3) Where the description of the boundaries of an electoral district refers to or incorporates a county boundary or a municipal boundary, the county boundary or municipal boundary is the boundary as it existed at the time the description of the electoral district was enacted.

(4) The division of counties into electoral districts is solely for the purpose of describing the boundaries of an electoral district under this Act and does not affect a county boundary or a municipal boundary for any other purpose.

4 The returning officer in each of the electoral districts of Inverness and Yarmouth shall cease to hold office upon the coming into force of this Act and a returning officer shall be appointed pursuant to the Elections Act for each of the new electoral districts.

5 Sections 1, 2 and 4 of this Act come into force on, from and after, but not before, the dissolution or the determination by the effluxion of time of the present House of Assembly and apply from that day notwithstanding any provision in the Elections Act to contrary.

**An Act to Amend Chapter 134
of the Revised Statutes, 1967,
the Income Tax Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 134 of the Revised Statutes, 1967, the Income Tax Act, as amended by Chapter 31 of the Acts of 1968, Chapter 45 of the Acts of 1970, Chapter 38 of the Acts of 1972, Chapter 36 of the Acts of 1973, Chapter 16 of the Acts of 1974, Chapter 60 of the Acts of 1975, Chapter 26 of the Acts of 1976, Chapter 32 of the Acts of 1977, Chapter 20 of the Acts of 1978, Chapter 23 of the Acts of 1978-79 and Chapter 36 of the Acts of 1980, is further amended by adding immediately following Section 4A thereof the following heading and Section:

DIVISION BA - POLITICAL CONTRIBUTIONS

4B (1) In this Section,

(a) "candidate" means a person who has been officially nominated as a candidate pursuant to the Elections Act;

(b) "donations in kind" means any property other than money given or provided to or for the benefit of a recognized party or a candidate without compensation from the recognized party or candidate, and includes services of an employee of the taxpayer provided to a recognized party or a candidate without compensation from the recognized party or candidate;

(c) "recognized party" means recognized party within the meaning of the Elections Act.

(2) In respect of the aggregate amount of contributions, other than donations in kind, made by a taxpayer to candidates and recognized parties during the taxation year, that taxpayer may deduct from the amount of tax which he would otherwise be required to pay under this Act an amount equal to

(a) seventy-five per cent of the aggregate amount contributed if the aggregate amount contributed does not exceed one hundred dollars;

(b) seventy-five dollars plus fifty per cent of the amount by which the aggregate amount contributed exceeds one hundred dollars but does not exceed five hundred fifty dollars; or

(c) the lesser of

(i) three hundred dollars plus thirty-three and one-third per cent of the amount by which the aggregate amount contributed exceeds five hundred fifty dollars, and

(ii) five hundred dollars,

or the amount of the tax payable whichever is the lesser.

(3) Payment of each amount that is included in the aggregate amount of contributions in respect of which a deduction is claimed under subsection (2) shall be proved by filing with the Minister receipts containing prescribed information, signed by the official agent of the recognized party or the official agent of the candidate, as the case may be.

(4) This Section applies to the 1981 and subsequent taxation years.

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

**An Act to Amend Chapter 141
of the Revised Statutes, 1967,
the Industrial Safety Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 1 of Chapter 141 of the Revised Statutes, 1967, the Industrial Safety Act, as amended by Chapter 42 of the Acts of 1978, is further amended by

(a) adding immediately following clause (b) thereof the following clause:

(ba) “forest industry operation” means the harvesting and transporting of trees, including Christmas trees, and the processing of trees into logs or lumber and includes employment incidental to the above operations or immediately connected therewith;

(b) amending clause (c) thereof by

(i) adding immediately following the word “structure” in the second line thereof and in the fourth and fifth last lines thereof in each case the words and punctuation “, forest, site, location”;

(ii) striking out the word “or” in the last line of subclause (ii) thereof;

(iii) renumbering subclause (iii) thereof as subclause (iv); and

(iv) adding immediately following subclause (ii) thereof the following subclause:

(iii) where a forest industry operation is carried on,

2 Section 2 of said Chapter 141 is amended by

(a) adding immediately following the Section number thereof the symbols and figure “(1)”;

(b) adding immediately preceding the word “trees” in the second line of clause (d) of subsection (1) thereof the words “ornamental nursery”;

(c) adding immediately following clause (d) thereof the following clause:

(da) a woodlot where the product is cut for personal use and not for sale or where there is no employer-employee relationship; and

(d) by adding thereto the following subsection:

(2) Where a direction is given by an inspector, an appeal is made to the Chief Inspector or a person is charged with an offence under this Act and the person to whom the direction is given or by whom the appeal is made or against whom the charge is laid claims that the Act does not apply to him on account of subsection (1), the burden of proving that the person does not come within the exemption claimed shall be upon the inspector or the person who is prosecuting the charge.

**An Act to Amend Chapter 169
of the Revised Statutes, 1967,
the Liquor Control Act and to
Provide for a New Plebiscite in
the Licensing Area in and near
the Village of New Minas**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (8) of Section 32 of Chapter 169 of the Revised Statutes, 1967, the Liquor Control Act, is amended by striking out the word "The" in the first line thereof and substituting therefor the words and punctuation "Subject to Section 34, the".

2 Section 33 of said Chapter 169 is repealed and the following Section substituted therefor:

33 (1) An enumeration shall be conducted in the voting area and persons entitled to vote shall be the electors named on the official list of electors prepared for the vote, and other persons permitted to vote in accordance with this Section.

(2) The person conducting the vote shall appoint one enumerator for each polling division unless the Commission directs that additional enumerators shall be appointed.

(3) The enumeration shall be conducted in accordance with the provisions of the Elections Act as they may be modified or altered by the Commission in the circumstances.

(4) A person whose name is not on the official list of electors shall be permitted to vote on ordinary polling day following the procedure in the Elections Act as modified or altered by the Commission in the circumstances.

3 Section 34 of said Chapter 169 is amended by adding immediately following the Section number thereof the symbols and number “(1)” and by adding thereto the following subsections:

(2) Notwithstanding the provisions of this Act or the regulations, only persons of the full age of nineteen years shall be eligible to vote where a vote is taken pursuant to this Act.

(3) Notwithstanding the provisions of this Act or the regulations, ballot papers shall be marked by electors in accordance with the provisions of the Elections Act.

(4) Any qualified elector may petition for a judicial recount.

(5) The person conducting the vote may petition for a recount where he has reasonable and probable grounds to believe that votes were counted improperly.

(6) The provisions of the Controverted Elections Act shall apply mutatis mutandis to the taking of a vote by or under the direction of the Commission.

(7) Notwithstanding the provisions of this Act, where the Elections Act is amended during the conduct of a vote the amendments shall not apply to the conduct of that vote.

4 Subsection (3) of Section 38 of said Chapter 169 is amended by

(a) striking out the words and figures “Section 32 and Section 33” in the fifth line thereof and substituting therefor the words, figures and punctuation “Sections 32, 33 and 34”;

(b) striking out the word and figures “32 and 33” in the second last line thereof and substituting therefor the word, figures and punctuation “32, 33 and 34”.

5 (1) The vote conducted by the Liquor License Board in the licensing area comprised of polling district eleven in the Municipality of the County of Kings on the seventh day of April, 1981, is hereby set aside and declared null and void.

(2) Notwithstanding the provisions of Section 38, the Liquor License Board shall conduct another vote in the licensing area comprised of polling district eleven in the Municipality of the County of Kings at the earliest convenient time determined by the Board.

(3) If, in the opinion of the Liquor License Board, a person or group of persons incurred extraordinary expenses in connection with the conduct of the vote set aside and declared to be null and void in this Section, the Board may reimburse that person or group of persons for the whole or some portion of those expenses.

**An Act to Amend Chapter 171
of the Revised Statutes, 1967,
the Loan Companies Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 171 of the Revised Statutes, 1967, the Loan Companies Act, as amended by Chapter 36 of the Acts of 1968, is further amended by adding immediately following Section 2 thereof the following Section:

2A (1) This Act does not apply to a company incorporated pursuant to the Companies Act that has as an object, purpose or power the lending of money on the security of mortgages upon freehold real estate or the investing of money in mortgages, charges or hypothecs upon real estate where such company does not accept deposits, and borrows only by way of

(a) loans from chartered banks in the usual course of business; or

(b) the issue of debentures, notes or like obligations of an amount not less than one hundred thousand dollars each to any one person on his account, whereby the company is not obligated, or by demand of the holder cannot be obligated, to repay the money secured by such debenture, note or like obligation within five years from the date of the issue of such debenture, note or like obligation.

(2) A company to which subsection (1) applies shall be deemed not to carry on the business of a loan company.

**An Act to Amend Chapter 172
of the Revised Statutes, 1967,
the Lord's Day (Nova Scotia) Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (1) of Section 2 of Chapter 172 of the Revised Statutes, 1967, the Lord's Day (Nova Scotia) Act, as amended by Chapter 40 of the Acts of 1974, is further amended by adding immediately following clause (e) thereof the following clause:

(f) a retail fish store,

2 Subsection (1) of Section 3 of said Chapter 172, as amended by said Chapter 40, is further amended by adding immediately preceding the word "confectionery" in the fourth line thereof the words and comma "retail fish store,".

**An Act to Amend Chapter 178
of the Revised Statutes, 1967,
the Mechanics' Lien Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 5 of Chapter 178 of the Revised Statutes, 1967, the Mechanics' Lien Act, is amended by adding immediately following the Section number thereof the number and symbols "(1)" and by adding thereto the following subsection:

(2) A person who rents to an owner, contractor or subcontractor equipment used on land or in such place in the immediate vicinity thereof as is designated by the owner, contractor, subcontractor, or agent thereof, performs a service within the meaning of subsection (1).

2 Section 12 of said Chapter 178 is amended by

(a) repealing subsections (2) and (5) thereof;

(b) renumbering subsections (1), (3) and (4) thereof as subsections (2), (4) and (5) respectively;

(c) adding immediately preceding subsection (2) thereof the following subsection:

(1) In this Section, a contract under which a lien can arise pursuant to Section 5 is deemed to be substantially performed

(a) when the work or improvement is ready for use or is being used for the purpose intended; and

(b) when the work to be done under the contract is capable of completion or correction at a cost of

not more than two and one-half per cent of the contract price.

(d) striking out the words and punctuation "completion or abandonment of the contract, twenty per cent" in the sixth and seventh lines of subsection (2) thereof and substituting therefor the words and punctuation "contract is substantially performed, ten per cent";

(e) adding immediately following subsection (2) thereof the following subsection:

(3) Forty-five days after the contract is substantially performed the amount required to be retained pursuant to subsection (2) may be reduced to two and one-half per cent of the value of the work, service and materials actually done, placed or finished and this balance of two and one-half per cent may be retained by the person primarily liable upon the contract until all required work is performed completely.

(f) adding immediately following subsection (5) thereof the following subsections:

(6) Payment of the percentage required to be retained pursuant to subsections (2) and (3) may be validly made so as to discharge all liens or charges in respect thereof after the expiration of the periods mentioned in subsections (2) and (3) unless in the meantime proceedings have been commenced to enforce any lien or charge against such percentage as hereinafter provided.

(7) Where, pursuant to subsection (3), anyone reduces the holdback being retained, everyone retaining the holdback shall pay to the person to whom he is primarily liable ninety-seven and one-half per cent of the value to the payer of the services and the materials supplied by the person who has received the return of the holdback referred to in subsection (3).

(8) Anyone retaining a holdback who does not make payment within fifty days immediately following

substantial performance as permitted by subsection (3) or subsection (7) is liable to the person entitled to such payment for interest on the amount which should have been paid at the prime rate of interest then commonly charged by chartered banks plus two per cent unless there has been agreement on some other rate of interest.

(9) As funds retained are paid eventually according to entitlement under the provisions of this Act, the owners' liability to a lien claim will be reduced in the same proportion as such payments.

3 Section 22 of said Chapter 178 is amended by adding immediately following the Section number thereof the figure and symbols "(1)" and by adding thereto the following subsection:

(2) A mortgage lender who has registered his mortgage obtains priority with respect to funds advanced in good faith, over any lien then existing for which a claim for lien has not been filed at the time the funds are paid to the owner.

**An Act to Amend Chapter 191
of the Revised Statutes, 1967,
the Motor Vehicle Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (bb) of Section 1 of Chapter 191 of the Revised Statutes, 1967, the Motor Vehicle Act, is amended by adding immediately following the word "determines" in the second line thereof the words "or the period ending on the date specified when the vehicle is registered under the staggered system of vehicle registration".

2 Section 17 of said Chapter 191 is repealed and the following Section substituted therefor:

17 (1) Every vehicle registration under this Act, except a registration under the staggered system of registration, expires December thirty-first each year.

(2) A vehicle registration under the staggered system of registration expires on the date specified when the vehicle is registered.

(3) A vehicle registration shall be renewed by the owner upon application and payment of the required fees.

3 Subsection (1) of Section 17A of said Chapter 191, as enacted by Chapter 39 of the Acts of 1968, is amended by striking out the words "for a year" in the third line thereof and substituting therefor the punctuation and words ", other than vehicle registrations on the staggered system of vehicle registration,".

4 (1) Subsection (5) of Section 18 of said Chapter 191, as amended by Chapter 35 of the Acts of 1977, is further amended by

(a) striking out the words and punctuation “as upon inheritance, devise or bequest, or” in the third line thereof; and

(b) striking out the words and punctuation “an administrator, executor,” in the ninth and tenth lines thereof.

(2) Said Section 18 is further amended by adding immediately following subsection (5) thereof the following subsections:

(5A) Immediately upon the death of a registered owner, the vehicle is deemed to be registered in the name of the estate of the deceased registered owner for a period of sixty days unless an application for other registration of the vehicle is sooner made.

(5B) Where no application for registration is sooner made, the vehicle of a deceased registered owner is deemed to be unregistered at the expiration of sixty days following his death.

(5C) Subsections (5A) and (5B) do not affect the title or interest of any person in the vehicle or the protection provided by the Insurance Act upon the death of an insured vehicle owner.

5 (1) Section 20 of said Chapter 191 is amended by adding immediately following subsection (1) thereof the following subsection:

(1A) Subject to the approval of the Governor in Council, the Minister may from time to time make regulations providing for the implementation of a mileage pro-rated motor vehicle registration plan for interprovincial trucking in accordance with agreements made with other jurisdictions.

(2) Subsection (2) of said Section 20 is amended by adding immediately following the symbols and figure “(1)” in the second line thereof the words, symbols and figure “or (1A)”.

6 (1) Clause (a) of subsection (4) of Section 60 of said Chapter 191, as enacted by Chapter 22 of the Acts of 1978, is amended by adding immediately following the figures "234" in the fourth line thereof the punctuation and figures ", 234.1".

(2) Subsection (5B) of said Section 60, as enacted by Chapter 42 of the Acts of 1974, is amended by adding immediately following the figures "234" in the second line thereof the punctuation and figures ", 234.1".

(3) Subsection (6A) of said Section 60, as enacted by Chapter 22 of the Acts of 1978, is amended by adding immediately following the figures "234" in the fourth line thereof the punctuation and figures ", 234.1".

7 Subsection (1) of Section 88 of said Chapter 191, as amended by Chapter 53 of the Acts of 1970, is further amended by striking out the word "two" in the third line thereof and substituting therefor the word "five".

8 Subsection (1) of Section 102 of said Chapter 191 is repealed and the following subsections substituted therefor:

(1) Where a highway is divided into two separate roadways, no person shall

(a) drive or park a vehicle upon the lefthand roadway, having regard to the direction in which the vehicle is being driven;

(b) drive a vehicle from one roadway to the other roadway except at an intersection.

(1A) Clause (b) of subsection (1) does not apply to police, fire or emergency vehicles, or vehicles operated by employees of the Department while acting in the course of their employment.

9 Said Chapter 191 is further amended by adding immediately following Section 109 thereof the following Section:

109A No person shall turn a vehicle across a roadway at an interchange for the purpose of using an exit ramp intended solely for the use of vehicles proceeding in the opposite direction to the turning vehicle.

10 Section 113 of said Chapter 191 is amended by adding immediately following subsection (4) thereof the following subsection:

(5) In this Section, "pedestrian" includes a person in a wheelchair.

11 Subsection (2) of Section 124 of said Chapter 191 is amended by adding immediately following the word "pedestrian" in the third line thereof the words "or a person in a wheelchair".

12 Section 131 of said Chapter 191 is repealed and the following Section substituted therefor:

131 (1) The traffic authority may determine

(a) the location of passenger zones;

(b) the location of loading zones;

(c) the days and hours when the passenger zones and loading zones shall be in effect,

and may erect and maintain or cause to be erected and maintained appropriate signs indicating these zones and their effective times.

(2) Unless the sign erected and maintained by the traffic authority indicates otherwise, a passenger zone or a loading zone shall be in effect from six o'clock in the morning to six o'clock in the afternoon on Monday through Friday except holidays.

(3) It shall be an offence for the driver of a vehicle to stop, stand or park the vehicle in a place marked as a passenger zone for a period longer than is necessary for the expeditious loading or unloading of passengers.

(4) It shall be an offence for the driver of a vehicle to stop, stand, or park the vehicle in a place marked as a loading zone for a period of time longer than is necessary for the expeditious loading or unloading of passengers or materials and in no case shall the stop for loading or unloading of passengers or materials exceed thirty minutes.

(5) It shall be an offence for the driver of a vehicle to stop, stand or park the vehicle in a passenger zone or loading zone if passengers or materials are not being loaded or unloaded.

13 Said Chapter 191 is further amended by adding immediately following Section 137 thereof the following Section:

137A (1) Notwithstanding Section 137, the council of a city may by by-law prohibit or restrict the parking or leaving standing of vehicles except in accordance with a sign or device on a parking meter.

(2) Where the council of a city makes a by-law pursuant to subsection (1),

(a) the traffic authority of the city shall not make parking meter regulations pursuant to Section 137;

(b) the by-law may repeal or amend parking meter regulations theretofore made by the traffic authority;

(c) the by-law may provide that a person commits a separate offence for each additional period of one hour that an offence continues;

(d) the by-law may provide the penalty for each offence;

(e) the by-law may provide a system whereby a person who is alleged to have violated the by-law is given a notice of the alleged violation and may pay a penalty of a fixed sum in lieu of prosecution;

(f) subsection (3A) of Section 137 applies mutatis mutandis to the by-law.

14 Section 150 of said Chapter 191 is amended by adding immediately following subsection (6) thereof the following subsection:

(7) No person shall ride or lead a horse on any sidewalk except for the purpose of crossing the sidewalk.

15 Subsection (3) of Section 162 of said Chapter 191 is repealed and the following subsection substituted therefor:

(3) No person shall drive or move on a highway a vehicle with a blue light visible in any direction unless the vehicle is a police vehicle.

16 Section 179 of said Chapter 191 is amended by adding immediately following subsection (3) thereof the following subsections:

(3A) Notwithstanding subsection (3), the Minister may from time to time order that any vehicle or class of vehicle be tested by an inspector under the Motor Carrier Act at such time or times and within such time or times as the Minister prescribes.

(3B) Notice of an order made pursuant to subsection (3A) may be given by publishing a copy of the order in the Royal Gazette.

17 Section 188 of said Chapter 191 is amended by striking out the words "and liable to the penalty prescribed by Section 265" in the last two lines thereof.

18 Clause (b) of subsection (1) of Section 250 of said Chapter 191, as enacted by Chapter 45 of the Acts of 1972, is amended by adding immediately following the figures "234" in the first line thereof the punctuation and figures ", 234.1".

19 Subsection (2) of Section 258 of said Chapter 191 is amended by adding immediately following the word "cancelled" in the second line thereof the punctuation and word ", revoked".

20 Subsection (3) of Section 269 of said Chapter 191, as enacted by Chapter 45 of the Acts of 1972, is amended by adding immediately following the word "invalid" in the last line thereof the words "or if the vehicle has been registered under the staggered system of vehicle registration".

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

**An Act to Amend Chapter 191
of the Revised Statutes, 1967,
the Motor Vehicle Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 61 of Chapter 191 of the Revised Statutes, 1967, the Motor Vehicle Act, as amended by Chapter 51 of the Acts of 1970-71, is further amended by adding immediately following subsection (2) thereof the following subsection:

(3) Notwithstanding subsection (2), the Registrar may issue a chauffeur's license permitting a person who has attained the age of sixty-five years to operate a bus where that person satisfies any special conditions stated by the Registrar upon the license.

**An Act to Amend Chapter 192
of the Revised Statutes, 1967,
the Municipal Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 136 of Chapter 192 of the Revised Statutes, 1967, the Municipal Act, as amended by Chapter 41 of the Acts of 1968, Chapter 60 of the Acts of 1969, Chapter 52 of the Acts of 1970-71, Chapter 43 of the Acts of 1974, Chapter 36 of the Acts of 1977, Chapter 31 of the Acts of 1978-79 and Chapter 44 of the Acts of 1980, is further amended by re-numbering clause (61) thereof as clause (62) and adding immediately following clause (60) thereof the following clause:

(61) the provision of a homemakers service pursuant to the Homemakers Services Act;

2 Section 136A of said Chapter 192, as enacted by Chapter 3 of the Acts of 1976 and amended by said Chapter 36, is further amended by adding immediately following subsection (1) thereof the following subsection:

(1A) Any allowance paid pursuant to the War Veterans Allowance Act (Canada) or pension paid pursuant to the Pension Act (Canada) is not to be included in a person's total income for the purpose of subsection (1).

3 Said Chapter 192 is further amended by adding immediately following Section 202 thereof the heading "BUSINESS IMPROVEMENT DISTRICTS" and the following Sections:

202A (1) The council may by by-law establish a business improvement district if

(a) the council receives a petition, requesting such a district to be established, signed by at least

(i) fifty-one per cent of the persons assessed within the proposed district for business occupancy tax and whose total business occupancy assessment within the proposed district is at least fifty-one per cent of the total business occupancy assessment within the proposed district of all persons, and

(ii) fifty-one per cent of the persons assessed within the proposed district for real property tax in respect of commercial property and whose total commercial property assessment within the proposed district is at least fifty-one per cent of the total commercial property assessment within the proposed district of all persons; or

(b) subject to subsection (2), the council has, pursuant to subsection (3), sent notice of its intent to establish such a district to all persons assessed within the proposed district for business occupancy tax or for real property tax in respect of commercial property.

(2) The council shall not establish a business improvement district pursuant to clause (b) of subsection (1) if written objection to the establishment of such a district is received from at least

(a) forty per cent of the persons assessed within the proposed district for business occupancy tax and whose total business occupancy assessment within the proposed district is at least forty per cent of the total business occupancy assessment within the proposed district of all persons; and

(b) forty per cent of the persons assessed within the proposed district for real property tax in respect of commercial property and whose total commercial property assessment within the

proposed district is at least forty per cent of the total commercial property assessment within the proposed district of all persons.

(3) A notice given pursuant to clause (b) of subsection (1) shall

(a) be sent by prepaid mail to every person assessed within the proposed business improvement district for business occupancy tax or for real property tax in respect of commercial property;

(b) delineate the boundaries of the proposed district;

(c) include a copy of Sections 202A to 202F of this Act; and

(d) state that written objection may be made to the council by delivery of such objection to the municipal clerk within three weeks, or such longer period as the council may determine, from the date of the notice.

(4) The council may establish more than one business improvement district.

202B (1) A by-law made pursuant to Section 202A shall establish a business improvement district commission for the business improvement district.

(2) If the Minister approves a by-law establishing a business improvement district commission, he shall

(a) issue to the commission an instrument of incorporation setting out the name of the commission, the number of members of the commission and the boundaries of the business improvement district; and

(b) cause a copy of the instrument of incorporation to be filed with the Registrar of Joint Stock Companies,

whereupon the commission shall be a body corporate under the name set out in the instrument of incorporation.

(3) A business improvement district commission shall consist of

(a) two members at large; and

(b) at least two and not more than six persons representing the business improvement district or business improvement organizations representing the district, as the by-law establishing the commission determines,

appointed annually by the council.

(4) Any vacancy on a business improvement district commission, other than a vacancy resulting from the expiration of the term of office of a member of the commission, shall be filled by a person appointed at the next regular meeting of the council, and such appointment shall be for the unexpired term of the member who created the vacancy.

(5) A business improvement district commission shall have such officers and the officers shall be appointed or elected in such manner as the by-law establishing the commission determines.

(6) A business improvement district commission shall meet at such time and in such manner and be governed by such procedures as the by-law establishing the commission determines.

(7) Every meeting of a business improvement district commission shall be open to the public.

202C The objects of a business improvement district commission are to

(a) beautify, improve, enlarge, repair, alter, equip, service, insure and maintain property owned or leased by it;

(b) beautify, improve and maintain property of the municipality as authorized by the council;

(c) promote the business improvement district as a place for retail and commercial activity;

(d) establish or maintain parking facilities within the district.

202D A business improvement district commission may

(a) acquire, accept or receive real and personal property, or any interest therein, and dispose of the same when no longer required for the use of the commission;

(b) use, apply or dispose of real or personal property, or any interest therein, in accordance with the terms on which it was acquired, accepted or received or for any object of the commission not inconsistent with the terms of the acquisition, acceptance or receipt;

(c) make grants to persons assessed within the business improvement district for business occupancy tax or for real property tax in respect of commercial property, or to any organization incorporated for the purpose of promoting the district as a place for retail or commercial activity;

(d) do all other things necessary or incidental to the carrying out of the objects of the commission.

202E (1) The council may from time to time make grants to a business improvement district commission for the purpose of carrying out the objects of the commission.

(2) Each year a business improvement district commission shall, on or before such day as the by-law establishing the commission determines, submit to the council its proposed operating budget for the next year, together with an estimate of the business improvement rate required to be

levied pursuant to subsection (5) to raise the funds required to implement the operating budget as proposed.

(3) Prior to the submission to the council of a proposed operating budget, a business improvement district commission shall

(a) hold a meeting to consider the proposed operating budget and business improvement district rate and at such meeting hear all submissions respecting the proposed operating budget and business improvement district rate; and

(b) at least two weeks prior to the meeting

(i) notify by prepaid mail every person assessed within the business improvement district for business occupancy tax or for real property tax with respect to commercial property, of the date, time and location of the meeting, and

(ii) cause to be inserted in a newspaper circulating in the municipality a notice stating the date, time and location of the meeting.

(4) A report of the meeting held pursuant to subsection (3) shall be included with the proposed operating budget submitted to the council.

(5) If the council approves the proposed operating budget of a business improvement district commission, the council shall levy and collect a business improvement district rate of so much on the dollar on the total business occupancy assessment and commercial property assessment within the business improvement district, sufficient to raise the sum estimated to be required to defray the expenditures of the commission as set out in the proposed operating budget, less any revenue to be received by the commission other than from the collection of such rate.

(6) The rate levied pursuant to subsection (5) constitutes a lien upon the property in respect of which it is

levied, in the same manner and with the same effect as and is collectable in the same manner as rates and taxes under the Assessment Act.

(7) The expenditures of a business improvement district commission in any year shall not exceed the revenue of the commission for that year.

(8) The auditor of the municipality shall be the auditor of every business improvement district commission of the municipality.

202F (1) Subject to subsection (2), the council may by by-law dissolve a business improvement district commission upon receipt of a petition signed by the persons who may request the establishment of a business improvement district pursuant to clause (a) of subsection (1) of Section 202A.

(2) If the Minister approves a by-law made pursuant to subsection (1), he shall cause a copy of the by-law to be filed with the Registrar of Joint Stock Companies, whereupon the business improvement district commission is dissolved.

(3) Upon dissolution of a business improvement district commission pursuant to subsection (2), the assets and liabilities of the commission become assets and liabilities of the municipality.

4 Said Chapter 192 is further amended by adding immediately following Section 203C thereof the following Section:

203D (1) The council may by by-law establish a waste-water management district if the establishment of the proposed district is approved by secret ballot at a public meeting by a majority of the persons assessed within the proposed district for real property tax and whose total real property assessment within the proposed district is at least fifty per cent of the total real property assessment within the proposed district of all persons.

(2) The council may establish more than one waste-water management district.

shall

(3) A by-law made pursuant to subsection (1)

(a) delineate the boundaries of the waste-water management district;

(b) state the system or systems of waste-water management to be used in the district;

(c) state the extent to which the municipality assumes responsibility for the repair, upgrading or replacement of private and public sewer systems; and

(d) provide a method for charging the persons assessed for real property tax within the district the expenditures made in the district for any waste-water management system.

may

(4) A by-law made pursuant to subsection (1)

(a) provide that the charges for any waste-water management system are to be levied in respect of real property

(i) in proportion to street frontage,

(ii) in proportion to real property assessment, or

(iii) in accordance with such other method as the by-law may provide;

(b) make the charges collectable in the same manner as rates and taxes are collectable under the Assessment Act and, if the clerk so determines, collectable at the same time and by the same proceedings;

(c) make the charges a lien on real property in the same manner and with the same effect as rates and taxes under the Assessment Act;

(d) provide a manner for determining when such a lien becomes effective or when such charges become due and payable;

(e) provide that the charges with respect to a property may, at the option of the owner of the property, be paid in such number, not exceeding ten, of annual instalments as the by-law provides and that on default of payment of any instalment the balance of the charges becomes immediately due and payable;

(f) provide that interest, at such rate and after such date as the by-law provides, shall be payable annually on the unpaid balance, whether or not the owner has elected to pay by instalment.

(5) Where a council has made a by-law pursuant to subsection (1), the municipality, its servants and agents may enter on any property within the waste-water management district to repair, upgrade or replace a private waste-water system and may, in accordance with the by-law, charge any or all of the costs therefor to the owners of the property served by the system.

**An Act to Amend Chapter 195 of the
Revised Statutes, 1967, the Municipal
Boundaries and Representation Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 6 of Chapter 195 of the Revised Statutes, 1967, the Municipal Boundaries and Representation Act, is amended by adding immediately following clause (f) thereof the following clause:

(fa) the dissolution of wards or polling districts in municipalities;

2 Subsection (1) of Section 14 of said Chapter 195 is amended by adding immediately following clause (c) thereof the following clause:

(ca) dissolve the wards or polling districts of a municipality;

**An Act to Amend Chapter 210
of the Revised Statutes, 1967,
the Nova Scotia Hospital Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Subsection (2) of Section 7 of Chapter 210 of the Revised Statutes, 1967, the Nova Scotia Hospital Act, is amended by adding immediately following the word "Act" in the first line thereof the words, symbols and figures "and subsection (3) of Section 5 of the Hospitals Act".

(2) Subsection (3) of said Section 7 is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the word "Minister".

(3) Subsection (4) of said Section 7 is amended by striking out the words "Governor in Council" in the second line thereof and substituting therefor the word "Minister".

**An Act to Amend Chapter 229
of the Revised Statutes, 1967,
the Pharmacy Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (a) of Section 1 of Chapter 229 of the Revised Statutes, 1967, the Pharmacy Act, is repealed and the following clause substituted therefor:

(a) “certified dispenser” means a person who has complied with Section 11 of Chapter 216 of the Revised Statutes, 1954, the Pharmacy Act, and has been duly registered under Section 16 of the said Act prior to the coming into force of this Act, who has been duly registered as a certified clerk under the provisions of this Act or who becomes registered as a certified dispenser under the provisions of this Act;

(2) Wherever the term “certified clerk” or “certified clerks” appears in the Pharmacy Act or any by-laws or regulations made pursuant to the Pharmacy Act, except in clause (a) of Section 1 of the Pharmacy Act, the term “certified dispenser” or “certified dispensers”, respectively, shall be substituted therefor.

(3) Nothing in subsection (1) or (2) affects the power, duties, rights, obligations or liabilities of a certified clerk or a certified dispenser.

(4) Said Section 1 is further amended by adding immediately following clause (aa) thereof the following clause:

(aaa) “certificate of accreditation” or “certificate” means a certificate or license issued to a pharmacy that has complied with this Act and the regulations and by-laws, and includes a renewal thereof;

(5) Wherever the term “pharmacy license” or “license” or its equivalent is used in the Pharmacy Act or any by-laws or regulations made pursuant to the Pharmacy Act, the term “certificate of accreditation” or “certificate” shall be substituted therefor.

(6) Nothing in subsection (4) or (5) affects the powers, duties, rights, obligations or liabilities of the holder of a pharmacy license.

(7) Said Section 1 is further amended by

(a) adding immediately following clause (c) thereof the following clause:

(ca) “dispensing” includes the responsibility for taking all reasonable steps to ensure pharmaceutical and therapeutic appropriateness as well as the preparing and releasing of the prescribed medication;

(b) adding immediately following clause (d) thereof the following clause:

(da) “extended care facility” includes a nursing home, home for the aged or other extended care facility;

(c) striking out clause (e) thereof and substituting therefor the following clauses:

(e) “hospital” means any establishment that admits or treats persons or animals for disease, infirmity or injury and, without limiting the generality of the foregoing, includes any premises falling under the jurisdiction of

(i) the Health Services and Insurance Act,
or

(ii) the Hospitals Act;

(ea) “manager” means the pharmaceutical chemist designated by the owner of a pharmacy to

have authority over and be responsible for the operation of the pharmacy;

(d) adding immediately following clause (g) thereof the following clauses:

(ga) "member" means a member of the Society registered as a pharmaceutical chemist, but does not include honorary, associate or supporting members;

(gb) "nursing home" means a place in which for a fee, charge or reward, direct or indirect, accommodation is provided or is available for four or more persons requiring or receiving skilled nursing care including, but not so as to restrict the generality of the foregoing, persons convalescing from or being rehabilitated after illness or injury, but does not include a hospital, a place in which only board and custodial care are provided or a maternity home licensed under the Children's Services Act;

(gc) "personal supervision" means the direct supervision exercised by a pharmaceutical chemist who is physically present;

(e) adding immediately following clause (j) thereof the following clause:

(ja) "practice of pharmacy" means a professional service performed by a pharmaceutical chemist related to the control of the manufacturing, distributing, compounding, dispensing or use of drugs;

2 Section 4 of said Chapter 229 is repealed and the following Sections substituted therefor:

4 (1) There shall continue to be a Council of the Society, the councillors of which shall, except as hereinafter provided, be elected from among the members of the Society who reside in the Province.

(2) One councillor shall be appointed by the Governor in Council to serve as a councillor for such term as the appointment specifies.

(3) One councillor shall be elected from and by those members who are primarily practising in hospital pharmacies and those members so practising shall constitute a zone.

(4) The Director of the College of Pharmacy at Dalhousie University, or his equivalent, from time to time is ex officio a councillor.

(5) The Immediate Past President of the Society is ex officio a councillor.

(6) There shall be not fewer than six nor more than fifteen councillors, exclusive of the councillor elected by the hospital pharmacists, such number to be fixed by by-law, elected from and by the members.

(7) No member shall be entitled to vote in an election of councillors in more than one electoral zone.

(8) Unless otherwise provided by this Act or the by-laws, councillors shall be elected annually to serve for two years in the place and stead of councillors whose term of office under heretofore existing legislation or under this Act will, at the end of such annual meeting, expire.

(9) Except as provided in subsection (4), councillors shall be members and Canadian citizens and are eligible for re-election unless otherwise provided by this Act.

(10) The Council shall by by-law divide the Province into electoral zones, and fix the number of councillors to be elected from each zone and the term of office of such councillors, exclusive of the hospital pharmacy zone, and shall fix the boundaries of such zones; provided that the term of office of the councillor elected from the hospital pharmacy zone shall be for two years unless otherwise fixed by Council.

(11) The Council may by by-law redivide Nova Scotia into electoral zones and re-arrange the boundaries and representation of such zones, exclusive of the hospital pharmacy zone; provided that not more than one by-law to vary the number of electoral zones or to vary the boundaries and representation thereof shall be passed in any period of three years.

(12) An election of councillors who are to be elected shall be held annually on such date as may be fixed by by-law, and

(a) one councillor or such number of councillors as provided in the by-laws shall be elected from each electoral zone from among those entitled to vote in such electoral zones; and

(b) one councillor shall be elected from among those members whose principal place of practice on the first day of April immediately preceding the election is in a hospital pharmacy in the Province.

(13) When in good standing and not in default of payment of any fees payable by him under this Act or the by-laws or any regulations, a member may vote in the electoral zone in which his place of business or employment is located on the first day of April immediately preceding the election or such other date as may be fixed by by-law and,

(a) if his place of business or employment is in more than one electoral zone on such date, he shall name one of such zones as his principal place of business or employment and may vote in that zone only;

(b) if he has no fixed place of business or employment in the Province, he may vote in the electoral zone in which he resided on such date or in which he last resided in the Province; or

(c) if he is primarily employed on such date in a hospital pharmacy, he may vote only for a member to be elected from among members primarily practising in hospital pharmacies.

(14) If a councillor ceases to be qualified to vote in an electoral zone for which he was elected, he ceases to be a councillor.

(15) A councillor may at any time resign his office by giving notice in writing to the Registrar.

(16) In case of a vacancy occurring through resignation, incapacity or otherwise,

(a) if the vacancy occurs more than six months before the date a general election is required to be held, an election shall be held in the electoral zone in which the vacancy occurred within one month of the occurrence of the vacancy; or

(b) if the vacancy occurs less than six months before the date a general election is required to be held, the Council may, at its next meeting after the vacancy occurs, appoint a member of the Society, qualified to vote in the electoral zone in which the vacancy occurred, to fill the vacancy until the next general election of councillors at which time a member shall be elected for the balance of the term, if any.

(17) While vacancies exist the remaining councillors may exercise all the functions and powers conferred upon the Council by this Act, the by-laws and the regulations.

(18) If a councillor fails to attend three consecutive meetings of Council, Council may, by an affirmative vote of two thirds of the councillors, remove such councillor from office and take appropriate steps to fill the vacancy so created.

(19) A majority of the councillors shall constitute a quorum for the transaction of business.

(20) At all meetings of Council a majority vote of councillors present, excluding the President or the presiding officer, shall decide upon the matters proposed, and in the event of an equality of votes the motion shall be declared lost.

(21) A resolution signed by all the councillors shall have the same force and effect as a resolution duly passed at a regularly convened meeting of the Council.

(22) The tenure of all councillors and officers of the Society who have been elected pursuant to any provision which has been repealed shall continue until expiry in due course thereof notwithstanding the repeal.

(23) Subject to this Act, the regulations and by-laws and the directions of any general meeting of the members of the Society, the Council shall conduct the affairs and exercise the powers of the Society.

(24) The Council shall have the sole control and management of the property of the Society, subject to this Act and the regulations, but no real property shall be sold, acquired, alienated, mortgaged, charged or disposed of without the previous authorization of a majority of the members of the Society present at an annual meeting or at a special meeting of the Society called for the purpose.

(25) The Council shall hold at least two meetings for the transaction of general business in each year at such times and at such places as it may from time to time by resolution determine; provided that the Council may by resolution delegate to the President the authority to call the required meetings at such times and places as he determines.

4A (1) The Council may pass by-laws not inconsistent with this Act respecting

(a) the remuneration and expenses of councillors or persons employed by the Council while engaged on the business of the Society;

(b) the payment of necessary expenses of Council and committees of the Society and the conduct of their business;

(c) the calling, conduct and proceedings of its meetings, and meetings of the Society, including the annual meeting, and of committees; provided that any rule of procedure passed by Council

governing the general meetings of the Society may be suspended at and for any such general meeting by a two-thirds vote of those present at such a meeting;

(d) the quorums for the meetings of its committees;

(e) the appointment and remuneration of teachers, examiners, inspectors, administrative personnel and such other persons as the Council may employ and prescribing their duties;

(f) the election of councillors including the nomination of candidates, the notice of election, the taking of the vote and a casting vote in the case of an equality of votes;

(g) the number of elected members of Council and dividing the Province into electoral zones for the purpose of election of councillors, and providing for representations from zones; provided that Council may by regulation change the number of elected councillors and redivide the Province into electoral zones, or may rearrange the electoral zones and representation therefrom; and further provided that not more than one regulation to vary the number of elected councillors or of electoral zones or representation from, or to vary the boundaries thereof, shall be passed in any three year period;

(h) the time for payment of any annual fee required to be paid under this Act, the by-laws or regulations made thereunder;

(i) the appointment and composition of such committees as the Council deems necessary, except the Discipline Committee and the Complaints Committee;

(j) the forms to be used under this Act except forms relating to discipline procedures;

(k) the extending of observer privileges at Council meetings to members of the Society or of other pharmaceutical societies recognized by Council;

(l) the management of property belonging to the Society;

(m) the duties of councillors;

(n) the banking and financing of the Society;

(o) the membership of the Society in a federation of professional pharmacy licensing authorities in Canada, the Pharmacy Association of Nova Scotia, or any similar organization, the payment of an annual assessment and provision for representatives at meetings;

(p) the duties of the Registrar;

(q) the appointment of administrative officers and staff and the delineation of their duties;

(r) the election as honorary or supporting members of the Society of such persons as have rendered distinguished service to the profession of pharmacy; provided that such honorary or supporting members by virtue of such capacity shall not be entitled to vote at elections or rank as a person registered under this Act;

(s) the election as associate members of the Society of such persons who have been members of the Society and who desire to be so elected; provided that associate members by virtue of such capacity shall not be entitled to vote at elections or rank as a person registered under this Act;

(t) any other matters necessary or advisable for the management of the affairs of the Society, the Council and any committees thereof.

(2) A copy of the by-laws of the Society as amended from time to time shall be available for public inspection at all reasonable times in the office of the Registrar.

3 (1) Subsection (1) of Section 5 of said Chapter 229, as amended by Chapter 42 of the Acts of 1977, is further amended by

(a) striking out the words "by-laws and" in the first line thereof;

(b) striking out clauses (h), (i), (j), (k), (n), (o), (p), (s) and (u);

(c) adding immediately following clause (m) thereof the following clauses:

(ma) the appointment and composition of a Discipline Committee and a Complaints Committee, both of which shall be comprised of not fewer than three members of Council;

(mb) the appointment of the Chairman of the Discipline Committee and the provision and naming of a suitable place to hold discipline hearings; the provision of services by counsel and a court reporter; such other assistance as is necessary or proper to enable the Discipline Committee to perform its duties;

(mc) the forms to be used under this Act for matters of discipline;

(md) the discipline, suspension or expulsion for cause of students at any school established, maintained or operated by the Council;

(d) relettering clause (v) as clause (zh) and adding immediately following clause (tk) the following clauses:

(v) the terms and conditions of registration of certified dispensers, the terms and conditions of their service as such and prescribing the fees therefor;

(w) the tribunal to conduct an inquiry pursuant to Section 29B including its authority and powers which may include the right to require the member to submit to a physical and mental examination and assessment, and all matters of procedure or otherwise considered necessary or desirable to enable the inquiry to be made;

(x) qualifications for preceptors and providing for the certification of preceptors and the adoption of a preceptors' manual;

(y) the information to be recorded on the prescription by the person who dispenses the drug or prescription, with particular reference to the need to conform to the Food and Drug Regulations (Canada) as amended from time to time;

(z) the manner in which records shall be kept of the purchase and sale of the drugs referred in the Schedules;

(za) standards for the accreditation, maintenance and operation of pharmacies, including space, equipment and facilities required therefor;

(zb) pharmacy services and hospitals, community health centers, clinics, extended care facilities, penal institutions, depots and other government or service facilities where drugs are supplied and distributed without direct payment by the recipient;

(zc) the exemption of hospitals, community health centers, clinics, extended care facilities, penal institutions, depots and other government or service facilities where drugs are supplied and distributed without direct payment by the recipient;

(zd) requiring hospitals or classes of hospitals to retain the services of a pharmaceutical chemist within a reasonable period of time so that the hospital pharmacy will be under the direction of a pharmaceutical chemist;

(ze) the reporting and publication of decisions in disciplinary matters;

(zf) providing for the collection and compilation of statistical information on the supply, distribution and professional activity of persons registered or licensed under this Act and requiring persons registered or licensed under this Act to provide the information necessary to compile or maintain such statistics;

(zg) providing for the information, instruments or documents to be filed with the Registrar by persons opening, acquiring, relocating or closing a pharmacy, and the form thereof and the time of filing;

(2) Subsection (2) of said Section 5 is amended by striking out the words "by-law or" in the first line thereof.

4 Sections 11, 12 and 13 of said Chapter 229 are repealed and the following Section substituted therefor:

11 (1) Every applicant for registration as a pharmaceutical chemist who has the qualifications set forth in subsection (2) and who

(a) has had such practical training as the regulations prescribe;

(b) has paid the fees prescribed by the regulations;

(c) has obtained the age of majority;

(d) has made application for registration within the period prescribed by the regulations;

(e) is a member of the Pharmacy Association of Nova Scotia or undertakes to become such a member within one month of registration as a pharmaceutical chemist; and

(f) has such other qualifications as the regulations prescribe,

may be registered as a pharmaceutical chemist and thereupon becomes a member of the Association.

(2) To be a registered as a pharmaceutical chemist an applicant shall

(a) have been granted the degree of Bachelor of Science in Pharmacy by Dalhousie University and have passed such examinations as the regulations prescribe;

(b) have been granted such degree as may be determined by Council to be equivalent to the degree of Bachelor of Science in Pharmacy of Dalhousie University, and have passed such examinations as the regulations prescribe; or

(c) have completed such course of study and passed such examinations as Council determines sufficient to render the academic qualifications of the applicant equivalent to those set out in clauses (a) and (b) above, and have passed such examinations as the regulations prescribe,

and shall hold a certificate of qualification issued by the Pharmacy Examining Board of Canada unless the applicant

(d) has been granted the degree of Bachelor of Science in Pharmacy by Dalhousie University;

(e) has, before the coming into force of this Section, been granted a degree determined by Council to be equivalent to the degree of Bachelor of Science in Pharmacy of Dalhousie University; or

(f) applies to the Council for an exemption from the requirement to have a certificate and satisfies the Council that he is otherwise qualified for registration and the requirement for the certificate would cause undue hardship.

(3) Notwithstanding anything contained in this Section a person whose right to practise pharmacy in any jurisdiction has been cancelled or suspended shall be entitled to be registered as a pharmaceutical chemist at the discretion of Council and upon such terms and conditions as Council may prescribe notwithstanding that he meets the other qualifications for registration.

(4) A person who fails to apply for registration within the time prescribed by the regulations, but who is otherwise entitled to registration, may on application be registered as a pharmaceutical chemist on passing such examinations as the regulations prescribe.

5 Section 14 of said Chapter 229 is amended by adding immediately following the Section number the symbols and figure "(1)" and by adding thereto the following subsection:

(2) No person shall be registered as a registered student who has not attained the age of sixteen years.

6 Section 15 of said Chapter 229 is repealed.

7 Subsection (1) of Section 16 of said Chapter 229 is amended by

(a) striking out the word "regulations" in the tenth line thereof and substituting therefor the word "requirements";

(b) adding immediately following the word "by-laws" in the tenth line thereof the words "or regulations"; and

(c) adding immediately following the word "by-laws" in the eleventh line thereof the words "or regulations".

8 Subsection (3) of Section 18 of said Chapter 229, as amended by Chapter 42 of the Acts of 1977, is further amended by striking out the word "by-laws" in the fourth line thereof and substituting therefor the word "regulations".

9 Section 21 of said Chapter 229 is repealed and the following Section substituted therefor:

21 (1) No person shall operate a pharmacy unless a certificate of accreditation has been issued and is in effect with respect thereto.

(2) Subsection (1) shall not apply to a pharmacy being operated on the day this Section comes into force until

(a) the expiration of three months after this Section comes into force; or

(b) the expiration of the current annual license,

whichever occurs later.

(3) On receipt by the Registrar of a certificate signed by the owner and the manager of a pharmacy that the pharmacy complies with the standards of accreditation for a pharmacy prescribed by the regulations, and upon the Registrar being satisfied that it so complies, and upon payment of such fees as are prescribed by the regulations, the Registrar shall issue a certificate of accreditation in respect of the pharmacy.

(4) A certificate of accreditation shall remain in force for one year and is renewable upon application in accordance with the provisions of this Act and the regulations.

(5) Subject to the provisions of this Act and the regulations, Council or the Discipline Committee may direct that the certificate of accreditation of any pharmacy be cancelled or suspended if the provisions of this Act and the regulations respecting standards of accreditation are not complied with.

(6) A certificate of accreditation shall be issued in the name of the pharmaceutical chemist who is the owner or manager of the pharmacy and,

(a) in the case of a sole proprietorship, the owner shall be a pharmaceutical chemist;

(b) in the case of a partnership, all partners shall be pharmaceutical chemists;

(c) in the case of a corporation the majority of directors shall be pharmaceutical chemists and the majority of all classes of shares shall be beneficially owned and registered in the names of pharmaceutical chemists;

(d) in the case of a hospital, extended care facility, clinic or depot, the certificate of accreditation shall be issued in the name of the pharmaceutical chemist in charge of the pharmacy, and the certificate may be transferred to a successor upon compliance with this Act, the regulations and the by-laws.

(7) In the event of the sale of business of a pharmaceutical chemist, partnership of pharmaceutical chemists or corporation operating a pharmacy, the certificate of accreditation issued for such business shall terminate, and the new certificate may be issued to the purchaser of the business on compliance by the purchaser with this Act and the regulations.

(8) No corporation except a hospital shall operate a pharmacy or apply for a certificate of accreditation unless the majority of the directors of the Corporation are registered as pharmaceutical chemists under this Act.

(9) No corporation except a hospital shall operate a pharmacy or apply for a certificate of accreditation unless the majority of each class of shares of the corporation is beneficially owned by and registered in the name of the pharmaceutical chemists.

(10) Clause (c) of subsection (6) and subsection (9) do not apply to a corporation operating a pharmacy on the day this Section comes into force; provided that the majority of common stock is beneficially owned by and registered in the names of Canadian citizens and the majority of its directors are pharmaceutical chemists.

(11) Every pharmacy for the compounding or the dispensing of drugs or medicine or for the sale of poisons or dangerous drugs shall be under the personal superintendence of and shall be bona fide managed and conducted by a pharmaceutical chemist.

(12) The certificate of accreditation, when issued, shall be displayed in a conspicuous public place in the pharmacy.

10 Said Chapter 229 is further amended by adding immediately following Section 22 thereof the following Section:

22A (1) Every person who proposes to open a new pharmacy or who acquires an existing pharmacy shall, within the time prescribed by subsection (2), furnish the Registrar with a signed statement showing

(a) his full name;

(b) his place of residence;

(c) the location of his place of business;

(d) the date he proposes to commence business or, if he has acquired an existing pharmacy, the date he acquired it; and

(e) the names of the manager of the pharmacy, and the pharmaceutical chemist in charge thereof.

(2) If a person proposes to open a new pharmacy, he shall furnish the information required by subsection (1) at least thirty days before he opens the pharmacy and, if he proposes to acquire an existing pharmacy, he shall furnish the information at least fifteen days before he operates the pharmacy.

(3) Every person who proposes to open a new pharmacy, acquire an existing pharmacy or relocate an existing pharmacy shall, before operating the pharmacy, file with the Registrar the information, instruments or documents within such time as the regulations prescribe.

(4) Before operating a pharmacy, the owner and the manager thereof shall certify in writing to the Registrar that the pharmacy complies with the standards for licensing of pharmacies prescribed by the regulations.

(5) Every person who closes a pharmacy with the intention of discontinuing the operation of the pharmacy shall immediately remove all signs and symbols relating to the practice of pharmacy, either within or outside the premises, shall remove and dispose of all drugs according to law and shall submit in writing to the Registrar such information within such time as the regulations prescribe.

11 Said Chapter 229 is further amended by adding immediately following Section 27 thereof the following Sections:

27A (1) In accordance with the regulations, the Council may appoint a Complaints Committee and, if such a committee is appointed,

(a) it shall be composed of not less than three nor more than five elected members of Council;

(b) the Council shall appoint one member of the Committee to be Chairman of the Committee;

(c) no member of the Committee shall be a member of the Discipline Committee;

(d) a majority of the members of the Committee shall constitute a quorum.

(2) In the case of a vacancy in the Committee or if any member of the Committee is unable to attend, the President may designate another member elected to Council to fill the vacancy or replace the absent member.

(3) In the absence of the Chairman, the other members of the Committee who are present shall designate one of their number as Chairman.

(4) The Committee shall consider complaints or reports regarding the conduct or actions of persons registered

under this Act or reports regarding a breach of the provisions of this Act, the regulations or the by-laws.

(5) In accordance with its findings, the Committee may either

(a) recommend that no inquiry shall be held in the case by Council or the Discipline Committee; or

(b) recommend that the matters in question shall, in whole or in part, be referred to Council or the Discipline Committee; or

(c) make such recommendations as it deems appropriate in the circumstances and not inconsistent with this Act, the regulations or the by-laws.

(6) The decisions of the Complaints Committee, the Discipline Committee, the Executive Committee or Council in disciplinary matters are not admissible in a civil proceeding other than an appeal brought by a member to review a decision of the Discipline Committee, the Executive Committee or the Council.

27B (1) In accordance with the regulations, the Council may appoint a Discipline Committee and, if such a Committee is appointed,

(a) it shall be composed of not fewer than three members elected to the Council;

(b) the Council shall appoint one member of the Committee to be Chairman of the Committee;

(c) a majority of the members of the Committee shall constitute a quorum.

(2) In the case of a vacancy in the membership of the Committee or if a member is unable to act, the President may designate another member elected to the Council to fill the vacancy or replace the absent member.

12 Section 28 of said Chapter 229 is repealed and the following Section substituted therefor:

28 (1) The Council or the Discipline Committee may direct that

(a) the registration of any person under this Act be cancelled;

(b) the registration of any person under this Act be suspended for such time as the Council or Discipline Committee deems proper;

(c) any person registered under this Act be reprimanded;

(d) the right to practice of any person be limited as the Council or Discipline Committee may direct, if

(i) such person has been convicted of an offence against any Act of the Parliament of Canada or of the legislature of any province of Canada relating to the sale of drugs, poisons, medicines or alcoholic liquors;

(ii) his rights or privileges under the Narcotic Control Act (Canada) or the Food and Drug Act (Canada) or the regulations under either of them have been restricted or withdrawn, unless by his own request;

(iii) the person has been found guilty of an indictable offence or an offence relating to professional practice either by indictment or on summary conviction; or

(iv) it finds such person has been guilty of negligence or incompetence in a professional respect or of professional misconduct,

and the Registrar shall note the cancellation, suspension, reprimand or direction limiting the right to practise in the appropriate register.

(2) Any registration, certificate or license

(a) which has been cancelled shall be forthwith surrendered to the Registrar;

(b) which has been suspended shall not be displayed and shall be returned to the Registrar for the period of suspension.

(3) A person whose resignation has been cancelled or suspended

(a) shall not be employed in a pharmacy;

(b) shall not act as a director or vote or interfere as a shareholder in a corporation operating a pharmacy;

(c) shall not as a sole owner or partner of a pharmacy interfere with or participate in the operation of a pharmacy,

except as otherwise provided in this Act.

(4) If the registration of a pharmaceutical chemist who owns a pharmacy either as a sole proprietor or in partnership is cancelled, the pharmacy shall not be operated under his ownership except under the personal supervision and management of a pharmaceutical chemist and then only for a period of six months after the cancellation.

(5) If the registration of a pharmaceutical chemist who owns a pharmacy either as a sole proprietor or in partnership is suspended, the pharmacy shall not be operated under his ownership during the suspension except under the personal supervision and management of a pharmaceutical chemist.

(6) A person whose registration under this Act or under previous legislation has been cancelled or suspended or who has been reprimanded under this Act, may within three months of the cancellation, suspension or reprimand, or within such longer time as a Judge of the Trial Division of the Supreme Court determines to be reasonable, appeal to a

Judge of the Trial Division of the Supreme Court and the Judge may make any order which the Council or the Discipline Committee is authorized to make in the proceedings or may dismiss the appeal.

(7) The decision of the Court shall be final, and the Registrar shall make any entry in the appropriate register necessary to comply with the order of the Court, and take such action as the order directs.

13 Section 29 of said Chapter 229 is repealed and the following Sections substituted therefor:

29 (1) Subject to the provisions of this Act and the regulations, the Council or the Discipline Committee may upon application reinstate to full or restricted practice conditions a person whose registration has been cancelled or suspended under this Act or the regulations, and the Council or the Discipline Committee may upon the application of a person whose right to practice has been so limited reinstate the person to full practise rights or otherwise vary the direction limiting his right to practise.

(2) Council or the Discipline Committee may, as a condition of granting an application made pursuant to subsection (1), require the person to pass such examinations as it may determine.

(3) Where the person's registration has been cancelled or suspended for reasons of addiction or habituation to alcohol or drugs, or both, or mental illness, the application for reinstatement must be supported by certificates of two medical practitioners, one appointed by the Council or the Discipline Committee, certifying that the applicant is fit to practise pharmacy.

29A (1) A person whose application for reinstatement has been approved by the Council or the Discipline Committee and a person whose registration has been cancelled or erased and who is otherwise eligible for registration, may on application have his name re-entered on the appropriate register by

(a) payment of arrears of fees for the previous five years;

(b) passing such examinations and meeting such other requirements, including such period of practical training as the regulations prescribe;

(c) payment of such examination fees as the regulations prescribe; and

(d) payment of such reinstatement fee as the regulations prescribe.

(2) Notwithstanding the provisions of subsection (1), where a person who was registered under this Act has relinquished such registration and has maintained associate membership in the Society, the fees payable on reinstatement of the person as a member shall be limited to the fees payable for the current year together with such reinstatement fee as prescribed by the regulations.

29B (1) If, pursuant to any Act, a person registered under this Act has been found to be mentally incapacitated, mentally ill or incapable of managing his affairs, or has been found after due inquiry to be suffering from a physical or mental condition or disorder, including addiction to alcohol or drugs, of a nature and extent making it desirable in the interest of the public or the person so registered that his registration be suspended or that his professional activities be restricted or controlled, the Council or the Executive Committee may by order suspend his registration or direct that his professional activities be restricted or controlled in such manner and for such period as the Council or the Executive Committee may designate.

(2) If the order is made by the Executive Committee the order shall continue in effect only until it is confirmed with or without amendment at the next ensuing session of the Council.

(3) The Registrar may give notice of an order made under this Section to such persons, institutions or bodies as may appear desirable in the public interest.

(4) The person who is the subject of an order under this Section is entitled to the same rights of appeal as in this Act provided in case of an order in disciplinary matters.

29C (1) Where the Executive Committee, Council or the Discipline Committee cancels or suspends the registration of a person or reprimands a person or directs that his right to practise be limited, it may direct such person to pay to the Society the costs of and incidental to the hearing, which may include the costs of reporting and transcribing the evidence.

(2) The costs shall be taxed on the scale for the Trial Division of the Supreme Court by the taxing officer at Halifax, upon whose certificate execution may issue out of the Supreme Court for the collection of such costs by the Society as upon a judgment in the Supreme Court.

(3) Where a person appeals an order in a disciplinary matter to the Supreme Court, the Court may make such order respecting costs both for the hearing in the Supreme Court and other proceedings before the Executive Committee, Council, the Complaints Committee or the Discipline Committee as the Court may in its discretion deem just.

29D (1) Subject to Section 29B, where discipline proceedings have been instituted against a person registered under this Act, the person shall be given at least ten days notice of the hearing, including a statement of the charges against him.

(2) Discipline hearings shall not be held in public unless the member involved so requests, and only then if it is shown that a public hearing would be in the public interest.

(3) Council or the Discipline Committee may proceed with a disciplinary hearing where the member involved has been duly notified of the hearing and does not attend.

(4) In emergency situations, Council or the Discipline Committee may make an interim order suspending a person's registration under this Act pending a full disciplinary hearing; provided that there shall be an appeal

from the interim order by the member suspended to a Judge of the Trial Division of the Supreme Court who may either confirm or vacate the interim order and the provisions of Section 28 and Section 29C shall apply mutatis mutandis to such an appeal.

(5) A member against whom disciplinary proceedings have been instituted is entitled to be represented by counsel.

(6) Disciplinary hearings may be adjourned from time to time and place to place.

(7) Council or the Discipline Committee may, on a disciplinary hearing, accept an undertaking of a person registered under this Act charged with a violation of this Act, the regulations or the by-laws to restrict voluntarily the scope and nature of his practice.

(8) Council or the Discipline Committee is vested with all the powers, privileges and immunities that are or may be given to a commissioner by or under the Public Inquiries Act.

29E (1) The Council may appoint a Registration Committee and, if such a Committee is appointed,

(a) it shall consider and recommend to Council or the Board of Examiners upon applications for registration;

(b) it shall be composed of

(i) the Director of the College of Pharmacy at Dalhousie University or his representative, and

(ii) two members appointed by the Council;

(c) the Council shall appoint one member of the Registration Committee to be the Chairman;

(d) a majority of the members of the Committee shall constitute a quorum.

(2) The Registrar shall attend meetings of Council or the Registration Committee when requested and shall be entitled to participate in the deliberations, but he shall have no vote at the meetings.

14 Section 31 of said Chapter 229 is repealed and the following Section substituted therefor:

31 It shall be unlawful

(a) for a certified dispenser to compound prescriptions or sell poisonous drugs or chemicals unless under the personal superintendence of a pharmaceutical chemist;

(b) for a candidate for registration or a registered student to compound prescriptions or sell poisonous drugs or chemicals unless under the personal supervision of a pharmaceutical chemist.

15 Section 32 of said Chapter 229 is repealed and the following Sections substituted therefor:

32 (1) All prescriptions dispensed shall be retained by the dispensing pharmaceutical chemist or his successor at the pharmacy for at least two years.

(2) Prescriptions shall, at all reasonable times, be available for inspection by the prescriber and the inspector, and they shall be retained in the pharmacy where they were dispensed or in the successor pharmacy.

(3) No prescription shall be renewed after a period of one year from the date thereof.

(4) There shall be no initial dispensing on a prescription after ninety days from the date thereof unless the prescription is verified by the prescriber or renewed.

(5) If a prescription is not dated, the pharmaceutical chemist must verify the date with the prescriber and write the verified date on the prescription before dispensing on it.

(6) Every pharmaceutical chemist who receives a prescription which is not in writing shall reduce it to writing as soon as possible, and in any event before dispensing on it.

(7) The provisions of this Section shall apply *mutatis mutandis* to any medical profile or family record system prescribed by the regulations.

(8) Notwithstanding the other provisions of this Act, a pharmaceutical chemist may dispense a drug pursuant to a written order signed by a medical practitioner or dentist licensed to practise in a province other than Nova Scotia, or a state of the United States of America, if in the professional judgement of the pharmaceutical chemist the patient requires the drug immediately but no such prescription shall be refilled.

(9) Every person in respect of whom a prescription is presented to a pharmaceutical chemist to be dispensed and which has been dispensed, unless otherwise directed by the prescriber, is entitled to have a copy marked "Copy for Information Only" furnished to him or his agent, but the original prescription shall be retained by the pharmaceutical chemist.

(10) When the copy is given the date of the giving of the copy and the person to whom it was given shall be noted on the original prescription.

(11) When a prescription is transferred by a pharmaceutical chemist to another pharmaceutical chemist, the transfer shall conform to the Food and Drug Regulations (Canada) as amended from time to time; provided that a certified dispenser under the professional superintendence of a pharmaceutical chemist or a candidate for registration or a registered student under the personal supervision of a pharmaceutical chemist may accept such a transferred prescription.

(12) Where a pharmacy ceases to operate, prescriptions held at the pharmacy when it ceases to operate shall be delivered to the person or agent of the person who presented the prescription or, with the consent of the person or his agent, to another pharmacy within a convenient distance, or failing that, to the custody of the Registrar.

32A (1) Any record required to be kept under this Act, the regulations or the by-laws shall be open to inspection at all reasonable times by an inspector appointed by Council.

(2) An inspector appointed by Council under this Act may enter any pharmacy or other shop or place in the performance of his duties under this Act at all reasonable times and without previous notice.

32B (1) The Society may co-operate with the Pharmacy Association of Nova Scotia in the attainment of the Association's objectives and the improvement of the practice of pharmacy in Nova Scotia.

(2) The Society may contract with the Association to

(a) make a grant or grants to the Association;

(b) advance any sum or sums by way of loan to the Association,

upon such terms and conditions as may be determined by the Society.

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

**An Act to Amend Chapter 256
of the Revised Statutes, 1967,
the Public Service Superannuation Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 13 of Chapter 256 of the Revised Statutes, 1967, the Public Service Superannuation Act, as amended by Chapter 71 of the Acts of 1969, Chapter 31 of the Acts of 1976 and Chapter 47 of the Acts of 1980, is further amended by adding immediately following subsection (6) thereof the following subsection:

(7) Subsection (6) does not mean and shall not be construed to mean that an employee, spouse, child or dependent entitled to a superannuation allowance pursuant thereto is not entitled to receive, instead of such superannuation allowance, a payment of employee contributions in accordance with Section 6.

2 Section 4 of Chapter 47 of the Acts of 1980 is repealed.

3 (1) Clause (a) of subsection (1) of Section 14 of said Chapter 256 is amended by

(a) striking out the word "widow" in the first and fifth lines thereof and substituting therefor in each case the word "spouse"; and

(b) striking out all the words therein immediately following the word "life" in the fifth line thereof.

(2) Clause (b) of said subsection (1), as amended by said Chapter 31 and Chapter 47, is further amended by

(a) striking out the word "widow" in the eighth and ninth lines thereof and substituting therefor in each case the word "spouse"; and

(c) striking out the words "or marries again" in the ninth and tenth lines thereof.

(3) Clause (c) of said subsection (1) as amended by said Chapters 31 and 47 is further amended by striking out the word "widow" in the first line thereof and substituting therefor the word "spouse".

(4) Said Section 14 is further amended by adding immediately following subsection (2) thereof the following subsections:

(3) Where an employee marries after retirement, a surviving spouse or child shall be entitled to be granted a superannuation allowance pursuant to subsection (1) if the employee married the spouse or parent of the child at least three years prior to his death.

(4) Where a surviving spouse or child is entitled to a superannuation allowance by reason of subsection (3), no superannuation allowance is payable pursuant to clause (c) of subsection (1).

(5) This Section applies where an employee who had been granted a superannuation allowance dies on or after this Act comes into force.

4 Sections 1 and 2 of this Act shall be and shall be deemed to be and to have been in force on, from and after the fifth day of June, 1980, and shall accordingly be read, construed, interpreted and given effect on, from and after that date.

**An Act to Amend Chapter 260
of the Revised Statutes, 1967,
the Real Estate Brokers' Licensing Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (3) of Section 6 of Chapter 260 of the Revised Statutes, 1967, the Real Estate Brokers' Licensing Act, is repealed.

**An Act to Amend Chapter 278
of the Revised Statutes, 1967,
the School Loan Fund Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 278 of the Revised Statutes, 1967, the School Loan Fund Act, is amended by striking out the words "two million five hundred thousand dollars" wherever they appear therein and substituting therefor the words "three million five hundred thousand dollars".

**An Act to Amend Chapter 309
of the Revised Statutes, 1967,
the Towns Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 112 of Chapter 309 of the Revised Statutes, 1967, the Towns Act, as amended by Chapter 58 of the Acts of 1968, Chapter 59 of the Acts of 1970-71, Chapter 45 of the Acts of 1974, Chapter 51 of the Acts of 1977 and Chapter 49 of the Acts of 1980, is further amended by adding immediately following clause (aj) thereof the following clause:

(ak) the provision of a homemakers service pursuant to the Homemakers Services Act.

2 Section 112A of said Chapter 309, as enacted by Chapter 4 of the Acts of 1976 and amended by said Chapter 51, is further amended by adding immediately following subsection (1) thereof the following subsection:

(1A) Any allowance paid pursuant to the War Veterans Allowance Act (Canada) or pension paid pursuant to the Pension Act (Canada) is not to be included in a person's total income for the purpose of subsection (1).

3 Said Chapter 309 is further amended by adding immediately following Section 176C thereof the following Section:

176D (1) The council may by by-law establish a waste-water management district if the establishment of the proposed district is approved by secret ballot at a public meeting by a majority of the persons assessed within the proposed district for real property tax and whose total real property assessment within the proposed district is at least

fifty per cent of the total real property assessment within the proposed district of all persons.

(2) The council may establish more than one waste-water management district.

shall (3) A by-law made pursuant to subsection (1)

(a) delineate the boundaries of the waste-water management district;

(b) state the system or systems of waste-water management to be used in the district;

(c) state the extent to which the town assumes responsibility for the repair, upgrading or replacement of private and public sewer systems; and

(d) provide a method for charging the persons assessed for real property tax within the district the expenditures made in the district for any waste-water management system.

may (4) A by-law made pursuant to subsection (1)

(a) provide that the charges for any waste-water management system are to be levied in respect of real property

(i) in proportion to street frontage,

(ii) in proportion to real property assessment, or

(iii) in accordance with such other method as the by-law may provide;

(b) make the charges collectable in the same manner as rates and taxes are collectable under the Assessment Act and, if the clerk so determines, collectable at the same time and by the same proceedings;

(c) make the charges a lien on real property in the same manner and with the same effect as rates and taxes under the Assessment Act;

(d) provide a manner for determining when such a lien becomes effective or when such charges become due and payable;

(e) provide that the charges with respect to a property may, at the option of the owner of the property, be paid in such number, not exceeding ten, of annual instalments as the by-law provides and that on default of payment of any instalment the balance of the charges becomes immediately due and payable;

(f) provide that interest, at such rate and after such date as the by-law provides, shall be payable annually on the unpaid balance, whether or not the owner has elected to pay by instalment.

(5) Where a council has made a by-law pursuant to subsection (1), the town, its servants and agents may enter on any property within the waste-water management district to repair, upgrade or replace a private waste-water system and may, in accordance with the by-law, charge any or all of the costs therefor to the owners of the property served by the system.

4 Said Chapter 309 is further amended by adding immediately following Section 220 thereof the heading "BUSINESS IMPROVEMENT DISTRICT" and the following Sections:

220A (1) The council may by by-law establish a business improvement district if

(a) the council receives a petition, requesting such a district to be established, signed by at least

(i) fifty-one per cent of the persons assessed within the proposed district for business occupancy tax and whose total

business occupancy assessment within the proposed district is at least fifty-one per cent of the total business occupancy assessment within the proposed district of all persons, and

(ii) fifty-one per cent of the persons assessed within the proposed district for real property tax in respect of commercial property and whose total commercial property assessment within the proposed district is at least fifty-one per cent of the total commercial property assessment within the proposed district of all persons; or

(b) subject to subsection (2), the council has, pursuant to subsection (3), sent notice of its intent to establish such a district to all persons assessed within the proposed district for business occupancy tax or for real property tax in respect of commercial property.

(2) The council shall not establish a business improvement district pursuant to clause (b) of subsection (1) if written objection to the establishment of such a district is received from at least

(a) forty per cent of the persons assessed within the proposed district for business occupancy tax and whose total business occupancy assessment within the proposed district is at least forty per cent of the total business occupancy assessment within the proposed district of all persons; and

(b) forty per cent of the persons assessed within the proposed district for real property tax in respect of commercial property and whose total commercial property assessment within the proposed district is at least forty per cent of the total commercial property assessment within the proposed district of all persons.

(3) A notice given pursuant to clause (b) of subsection (1) shall

(a) be sent by prepaid mail to every person assessed within the proposed business improvement district for business occupancy tax or for real property tax in respect of commercial property;

(b) delineate the boundaries of the proposed district;

(c) include a copy of Sections 220A to 220F of this Act; and

(d) state that written objection may be made to the council by delivery of such objection to the town clerk within three weeks, or such longer period as the council may determine, from the date of the notice.

(4) The council may establish more than one business improvement district.

220B (1) A by-law made pursuant to Section 220A shall establish a business improvement district commission for the business improvement district.

(2) If the Minister approves a by-law establishing a business improvement district commission, he shall

(a) issue to the commission an instrument of incorporation setting out the name of the commission, the number of members of the commission and the boundaries of the business improvement district; and

(b) cause a copy of the instrument of incorporation to be filed with the Registrar of Joint Stock Companies,

whereupon the commission shall be a body corporate under the name set out in the instrument of incorporation.

(3) A business improvement district commission shall consist of

(a) two members at large; and

(b) at least two and not more than six persons representing the business improvement district or business improvement organizations representing the district, as the by-law establishing the commission determines,

appointed annually by the council.

(4) Any vacancy on a business improvement district commission, other than a vacancy resulting from the expiration of the term of office of a member of the commission, shall be filled by a person appointed at the next regular meeting of the council, and such appointment shall be for the unexpired term of the member who created the vacancy.

(5) A business improvement district commission shall have such officers and the officers shall be appointed or elected in such manner as the by-law establishing the commission determines.

(6) A business improvement district commission shall meet at such time and in such manner and be governed by such procedures as the by-law establishing the commission determines.

(7) Every meeting of a business improvement district commission shall be open to the public.

220C The objects of a business improvement district commission are to

(a) beautify, improve, enlarge, repair, alter, equip, service, insure and maintain property owned or leased by it;

(b) beautify, improve and maintain property of the town as authorized by the council;

(c) promote the business improvement district as a place for retail and commercial activity;

(d) establish or maintain parking facilities within the district.

220D A business improvement district commission may

(a) acquire, accept or receive real and personal property, or any interest therein, and dispose of the same when no longer required for the use of the commission;

(b) use, apply or dispose of real or personal property, or any interest therein, in accordance with the terms on which it was acquired, accepted or received or for any object of the commission not inconsistent with the terms of the acquisition, acceptance or receipt;

(c) make grants to persons assessed within the business improvement district for business occupancy tax or for real property tax in respect of commercial property, or to any organization incorporated for the purpose of promoting the district as a place for retail or commercial activity;

(d) do all other things necessary or incidental to the carrying out of the objects of the commission.

220E (1) The council may from time to time make grants to a business improvement district commission for the purpose of carrying out the objects of the commission.

(2) Each year a business improvement district commission shall, on or before such day as the by-law establishing the commission determines, submit to the council its proposed operating budget for the next year, together with an estimate of the business improvement rate required to be levied pursuant to subsection (5) to raise the funds required to implement the operating budget as proposed.

(3) Prior to the submission to the council of a proposed operating budget, a business improvement district commission shall

(a) hold a meeting to consider the proposed operating budget and business improvement district rate and at such meeting hear all submissions respecting the proposed operating budget and business improvement district rate; and

(b) at least two weeks prior to the meeting

(i) notify by prepaid mail every person assessed within the business improvement district for business occupancy tax or for real property tax with respect to commercial property, of the date, time and location of the meeting, and

(ii) cause to be inserted in a newspaper circulating in the town a notice stating the date, time and location of the meeting.

(4) A report of the meeting held pursuant to subsection (3) shall be included with the proposed operating budget submitted to the council.

(5) If the council approves the proposed operating budget of a business improvement district commission, the council shall levy and collect a business improvement district rate of so much on the dollar on the total business occupancy assessment and commercial property assessment within the business improvement district, sufficient to raise the sum estimated to be required to defray the expenditures of the commission as set out in the proposed operating budget, less any revenue to be received by the commission other than from the collection of such rate.

(6) The rate levied pursuant to subsection (5) constitutes a lien upon the property in respect of which it is levied, in the same manner and with the same effect as and is collectable in the same manner as rates and taxes under the Assessment Act.

(7) The expenditures of a business improvement district commission in any year shall not exceed the revenue of the commission for that year.

(8) The auditor of the town shall be the auditor of a business improvement district commission of the town.

220F (1) Subject to subsection (2), the council may by by-law dissolve a business improvement district commission upon receipt of a petition signed by the persons who may request the establishment of a business improvement district pursuant to clause (a) of subsection (1) of Section 220A.

(2) If the Minister approves a by-law made pursuant to subsection (1), he shall cause a copy of the by-law to be filed with the Registrar of Joint Stock Companies, whereupon the business improvement district commission is dissolved.

(3) Upon dissolution of a business improvement district commission pursuant to subsection (2), the assets and liabilities of the commission become assets and liabilities of the town.

**An Act to Amend Chapter 317
of the Revised Statutes, 1967,
the Trustee Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (w) of subsection (1) of Section 2 of Chapter 317 of the Revised Statutes, 1967, the Trustee Act, is amended by adding the words "and short term notes" immediately following the word "debentures" in the first line thereof.

**An Act to Amend Chapter 330
of the Revised Statutes, 1967,
the Vital Statistics Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 330 of the Revised Statutes, the Vital Statistics Act, as amended by Chapter 63 of the Acts of 1968, Chapter 57 of the Acts of 1972, Chapter 40 of the Acts of 1975, Chapter 35 of the Acts of 1976, Chapter 55 of the Acts of 1977, Chapters 41 and 42 of the Acts of 1978 and Chapter 50 of the Acts of 1980, is further amended by adding immediately following Section 10 thereof the following Section:

10A Where a person born outside the Province is adopted under the Children's Services Act, the Registrar, upon receipt of a certified copy of the order of adoption, shall transmit a certified copy of the order to the person having charge of the registration of births in the province, state or country in which the person was born.

**An Act to Amend Chapter 343
of the Revised Statutes, 1967,
the Workers' Compensation Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 9A of Chapter 343 of the Revised Statutes, 1967, the Workers' Compensation Act, as enacted by Chapter 36 of the Acts of 1976, is repealed and the following Section substituted therefor:

9A Any coal miner who has worked at the face of a mine or in similar conditions for twenty years or more and who suffers from a loss of lung function will be compensated according to his disability.

2 (1) Subsection (3) of Section 60 of said Chapter 343, as enacted by Chapter 38 of the Acts of 1978-79, is amended by striking out the word "two" in the fifth line thereof and substituting therefor the word "three".

(2) Subsection (4) of said Section 60, as enacted by said Chapter 38, is amended by striking out the words "two hundred" in the seventh line thereof and substituting therefor the words "three hundred and fifty".

**An Act to Amend Chapter 15
of the Acts of 1969,
the Medical Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (b) of subsection (2) of Section 13 of Chapter 15 of the Acts of 1969, the Medical Act, as amended by Chapter 60 of the Acts of 1977, is further amended by adding immediately following the words "United States of America" in the third line thereof the words "or who pass the Federation Licensing Examinations of the Federation of State Medical Boards of the United States of America".

**An Act to Amend Chapter 13
of the Acts of 1970,
the Residential Tenancies Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (7) of Section 9 of Chapter 13 of the Acts of 1970, the Residential Tenancies Act, as amended by Chapter 16 of the Acts of 1976, is further amended by striking out the word "fifteen" in the second line thereof and substituting therefor the word "ten".

2 Subsection (2) of Section 12 of said Chapter 13 is amended by adding immediately following the symbols and word "(Canada)" in the last line thereof the words and symbols "or the National Housing Act (Canada)".

3 Clause (i) of subsection (3) of Section 11 of said Chapter 13, as enacted by Chapter 64 of the Acts of 1975, is amended by striking out the words "five hundred dollars" in the last line thereof and substituting therefor the words "one thousand dollars".

**An Act to Amend Chapter 15
of the Acts of 1970,
the Settlement Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 6 of Chapter 15 of the Acts of 1970, the Settlement Act, is repealed.

2 (1) Subsection (1) of Section 10 of said Chapter 15 is amended by striking out the words "a provincial magistrate" in the fifth and sixth lines thereof and substituting therefor the words "the Family Court".

(2) Subsection (2) of said Section 10 is amended by striking out the word "magistrate" in the first line thereof and substituting therefor the words "Family Court".

(3) Subsection (3) of said Section 10 is amended by striking out the word "magistrate" in the first line thereof and substituting therefor the words "Family Court".

(4) Subsection (4) of said Section 10 is amended by

(a) striking out the words "A magistrate" in the first line thereof and substituting therefor the words "The Family Court"; and

(b) striking out the word "magistrate" in the seventh line thereof and substituting therefor the words "Family Court".

3 (1) Subsection (1) of Section 11 of said Chapter 15 is amended by striking out the words "a magistrate" in the third line thereof and substituting therefor the words "the Family Court".

(2) Subsection (4) of said Section 11 is amended by striking out the word "magistrate" in the third line thereof and substituting therefor the words "Family Court".

4 Section 13 of said Chapter 15 is amended by adding immediately following subsection (3) thereof the following subsections:

(4) A municipal unit may enter into an agreement with another municipal unit respecting

(a) the settlement of individuals;

(b) disbursements by the municipal units based upon settlement.

(5) An agreement entered into pursuant to subsection (4) does not permit parties to the agreement to avoid obligations determined by settlement.

**An Act to Amend Chapter 1
of the Acts of 1970-71, the
Homeowner's Incentive Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (2) of Section 7 of Chapter 1 of the Acts of 1970-71, the Homeowner's Incentive Act, is amended by striking out the words "five hundred" in the second line thereof and substituting therefor the words "seven hundred and fifty".

2 Section 1 applies to a grant made in respect of health services tax paid on building materials consumed subsequent to 12:01 a.m. April 11, 1981, in the construction of a housing unit.

**An Act to Amend Chapter 17
of the Acts of 1970-71,
the Snow Vehicles Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (a) of Section 1 of Chapter 17 of the Acts of 1970-71, the Snow Vehicles Act, is repealed and the following clauses substituted therefor:

(a) "cultivated lands" means acreage managed for agricultural crops, orchards, pastures and includes an area of land where Christmas tree cutting is taking place if the area is posted with signs not more than one hundred and fifty feet apart;

(aa) "forest plantation" means a young artificially forested area established by planting or by direct seeding;

(ab) "highway" means a highway as defined in the Motor Vehicle Act;

(ac) "manufacturer" means a snow vehicle manufacturer whose machines are tested and approved for all safety standards recommended by the Snowmobile Safety Certification Committee;

(2) Clause (b) of said Section 1 is amended by striking out the word "Highways" in the second line thereof and substituting therefor the word "Transportation".

(3) Said Section 1 is further amended by adding immediately following clause (c) thereof the following clause:

(ca) "pasture" means an area of land fenced for the purpose of grazing animals;

2 (1) Section 2 of said Chapter 17 is amended by adding immediately following subsection (2) thereof the following subsections:

(2A) No snow vehicle shall be registered in the name of a person who is under the age of sixteen years.

(2B) No person under the age of eighteen years shall register a snow vehicle in his name without written permission from his parent or guardian in the form prescribed by the Registrar.

(2) Said Section 2 is further amended by adding immediately following subsection (5) thereof the following subsection:

(6) Notwithstanding the provisions of this Act and the regulations regarding the issuing and displaying of identification numbers, the Minister may authorize dealers and other persons designated by him to issue temporary permits in a form approved by him pending the issue of a certificate of registration and an identification number.

3 (1) Subsection (1) of Section 3 of said Chapter 17 is amended by striking out the word "twelve" where it appears in the second and fifth lines thereof and in each case substituting therefor the word "fourteen".

(2) Subsection (2) of said Section 3 is repealed and the following subsections substituted therefor:

(2) A snow vehicle may be operated by a person under the age of fourteen years when

(a) the snow vehicle is being operated by a child on private property of a parent of the child; or

(b) the operation is directly supervised and the operator is accompanied by a person who is eighteen years of age or older.

(3) Where a snow vehicle is being operated by a person under the age of fourteen years with the permission of the owner of the snow vehicle, the owner is liable for injuries or property damage caused by the snow vehicle.

4 (1) Subsection (1) of Section 4 of said Chapter 17 is amended by adding immediately following the word “transfer” in the last line thereof the words “within fifteen days”.

(2) Said Section 4 is further amended by adding immediately following subsection (2) thereof the following subsection:

(3) Every dealer shall provide a copy of this Act and the regulations to the purchaser of a new snow vehicle.

5 (1) Subsection (1) of Section 5 of said Chapter 17, as enacted by Chapter 69 of the Acts of 1972, is amended by striking out the word, symbols, figure and letter “and (3A)” in the first line thereof and substituting therefor the punctuation, word, symbols, figures and letters “, (3A) and (3B)”.

(2) Subsection (3) of said Section 5 is repealed and the following subsection substituted therefor:

(3) A person may drive a snow vehicle across a highway at a right angle after coming to a stop at the side of the road and checking for traffic.

(3) Said Section 5 is further amended by adding immediately following subsection (3A) thereof the following subsection:

(3B) A person may operate a snow vehicle during daylight hours between the boundary line of a highway and the nearer line of the shoulder of the highway with that boundary line (commonly known as the ditch) with or against the flow of vehicular traffic but from dusk until dawn the snow vehicle may only be driven in the same direction as the normal flow of vehicular traffic on that side of the centre line of the highway.

(4) Said Section 5 is further amended by adding immediately following subsection (4) thereof the following subsections:

(5) The owner of a snow vehicle which is involved in a collision with a motor vehicle on a highway is liable for any injury, loss or damage caused through the negligence or improper conduct of a person operating the snow vehicle with his permission.

(6) For the purpose of subsection (5) a person operating a snow vehicle is presumed to have had the permission of the owner to operate it, and the onus of proving that a person operating a snow vehicle did not have the permission of the owner to do so is upon the owner.

6 (1) Subsection (1) of Section 6 of said Chapter 17 is amended by striking out the words "not exceeding one hundred dollars" in the fourth and fifth lines thereof and substituting therefor the words "not less than twenty-five dollars nor more than three hundred dollars".

(2) Subsection (2) of said Section 6 is amended by

(a) adding immediately following the word "alcohol" in the second line of clause (d) thereof the words "or a drug"; and

(b) striking out the words "not exceeding two hundred dollars" in the last line thereof and substituting therefor the words "not less than one hundred dollars and not more than three hundred dollars".

(3) Subsection (3) of said Section 6 is amended by

(a) striking out the word "twenty-five" in the fourth line thereof and substituting therefor the word "fifty"; and

(b) striking out the word "one" in the fourth line thereof and substituting therefor the word "five".

(4) Subsection (4) of said Section 6 is amended by

(a) repealing clause (b) thereof and substituting therefor the following clause:

(b) kills, takes, hunts or pursues,

(b) striking out the words "two hundred" in the second last line thereof and substituting therefor the words "one thousand".

(5) Said Section 6 is further amended by adding immediately following subsection (4) thereof the following subsections:

(5) Owners or operators of snow vehicles shall be responsible and held accountable to the owner of any land where a tree, shrub, crop or other property has been damaged.

(6) After a hearing, a court of law may revoke the registration of a snow vehicle registered in the name of a person who violates this Act or the regulations.

7 Subsection (2) of Section 7 of said Chapter 17 is repealed and the following subsections substituted therefor:

(2) In addition to any other person responsible for a violation, the person in whose name the snow vehicle is registered, the operator and the owner shall be liable to incur penalties provided for a violation of any provision of this Act or the regulations.

(3) If the owner of a snow vehicle which is operated in violation of any of the provisions of this Act or the regulations fails to identify the person in charge of the snow vehicle at the time of the violation within forty-eight hours of a demand by a peace officer, the owner is guilty of an offence and is liable on summary conviction to a penalty of not more than five hundred dollars.

(4) Every person who fails to stop a snow vehicle on the signal of a peace officer is guilty of an offence and is liable on

summary conviction to a penalty of not more than five hundred dollars.

(5) A peace officer may seize a snow vehicle which is operated in violation of any of the provisions of this Act or the regulations and may keep it in his custody for a period of not exceeding sixty days.

(6) A peace officer may arrest a person he finds violating this Act or the regulations.

8 Said Chapter 17 is further amended by adding immediately following Section 8 thereof the following Section:

8A All new snow vehicles sold in the Province on, from and after the coming into force of this Section shall be of a type approved by and shall bear the seal of approval of the Snowmobile Safety Certification Committee.

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

**An Act to Amend Chapter 21
of the Acts of 1970-71,
the Tidal Power Corporation Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (1) of Section 3 of Chapter 21 of the Acts of 1970-71, the Tidal Power Corporation Act, as amended by Chapter 43 of the Acts of 1978-79, is further amended by striking out the word "eight" in the fourth line thereof and substituting therefor the word "eleven".

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

**An Act to Amend Chapter 2
of the Acts of 1972,
the Judicature Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 15 of Chapter 2 of the Acts of 1972, the Judicature Act, as enacted by Chapter 67 of the Acts of 1977 and amended by Chapter 54 of the Acts of 1980, is further amended by striking out the word "thirteen" in the third line thereof and substituting therefor the word "fourteen".

2 Subsection (1) of Section 16 of said Chapter 2, as enacted by said Chapter 67, is amended by striking out the word "four" in the fourth line thereof and substituting therefor the word "five".

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

**An Act to Amend Chapter 2
of the Acts of 1972,
the Judicature Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 **(1)** Subsection (9) of Section 38 of Chapter 2 of the Acts of 1972, the Judicature Act, as enacted by Chapter 55 of the Acts of 1980, is amended by adding immediately following the word “judgment” in the last line thereof the words “after trial or after any subsequent appeal”.

(2) Subsection (11) of said Section 38, as enacted by said Chapter 55, is amended by repealing clause (c) thereof and relettering clause (d) as clause (c).

**An Act to Amend Chapter 3
of the Acts of 1973, the
Boxing Authority Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 3 of the Acts of 1973, the Boxing Authority Act, is amended by

(a) striking out the word "and" in the second line of clause (c) thereof and substituting therefor the words "including such entertainment involving the use of fists as is determined to be boxing by the Authority but";

(b) repealing clause (d) thereof and substituting therefor the following clauses:

(d) "closed circuit televised contest or exhibition" means a contest or exhibition shown through the means of closed circuit television, film projection or any other electronic projection device;

(da) "contest" means a boxing match in which the contestants compete for monetary reward and includes a closed circuit televised contest;

(db) "exhibition" means a boxing match in which the contestants do not compete for monetary reward other than the receipt of proper and reasonable expenses incurred through their participation in such exhibition and includes a closed circuit televised exhibition;

(dc) "gross gate receipts" means all money collected in respect of a boxing match including all television and film royalties or money collected to obtain the rights to represent the boxing match or exhibition in any form;

(c) adding immediately before the word "time-keepers" in the second line of clause (f) thereof the word and punctuation "inspectors,";

(d) adding immediately following the word "Trainer" in the second line of clause (g) thereof the words and punctuation ", Matchmaker, Agent".

2 Section 3 of said Chapter 3 is repealed and the following Section substituted therefor:

3 (1) There shall be a body corporate to be known as the "Nova Scotia Boxing Authority" which shall be composed of not less than five nor more than nine members appointed by the Governor in Council.

(2) In making appointments pursuant to subsection (1) the Governor in Council shall appoint

(a) one person from among persons nominated by the Halifax Athletic Commission;

(b) one person from among persons nominated by the commission that controls wrestling in the City of Dartmouth;

(c) one person from among persons nominated by the Pictou County Athletic Commission;

(d) one person from among persons nominated by the Cape Breton County Athletic Commission.

(3) The Governor in Council shall designate a member of the Authority to be the Chairman.

(4) A member of the Authority shall hold office for such term as is prescribed by his appointment.

(5) Where a member of the Authority is absent, ill or unable to act, the Minister may authorize another person to act in that member's place and stead and perform that member's duties.

(6) Members of the Authority shall be paid the necessary expenses incurred by them while engaged in the performance of their official duties and such salary or remuneration as the Governor in Council determines.

3 (1) Subsection (1) of Section 4 of said Chapter 3 is amended by striking out the word "Secretary" in the second line thereof and substituting therefor the word "Secretary-Treasurer".

(2) Subsection (3) of said Section 4 is amended by striking out the word "Secretary" in the second line thereof and substituting therefor the word "Secretary-Treasurer".

4 Section 7 of said Chapter 3, as amended by Chapter 71 of the Acts of 1977, is further amended by

(a) striking out the words and punctuation "the local commission where there is a local commission operating, or where there is no local commission operating," in the second and third lines thereof; and

(b) striking out the words and punctuation "to a local commission, or" in the seventh and eighth lines thereof.

5 Section 9 of said Chapter 3 is amended by

(a) adding immediately following the word "establish" in clause (b) thereof the words "and enforce";

(b) repealing clause (d) thereof and substituting therefor the following clauses:

(d) provide for and enforce proper medical standards and periodic medical examinations for boxers and officials as prescribed by the regulations; and

(e) train officials in accordance with nationally established standards.

6 Section 10 of said Chapter 3, as amended by said Chapter 71, is further amended by

(a) striking out the words “and after all reasonable consultation with representatives of local commissions” in the second and third lines thereof;

(b) adding the words “adherence to” immediately following the word “prescribing” in the first line of clause (g), by striking out the word “and” immediately following the word “boxers” in the second line thereof and substituting therefor a comma, and by adding immediately following the word “managers” in the second line thereof the punctuation and word “ , promoters”;

(c) striking out the words “and the local commission where it is operating” in the first line of clause (i) thereof;

(d) repealing clause (k) thereof and substituting therefor the following clauses:

(k) monitoring standards for training facilities, rings and physical equipment;

(ka) determining which entertainment or a type of entertainment involving the use of fists is boxing;

(e) striking out the word “standardization” in the first line of clause (l) thereof and substituting therefor the words “the standards” and by striking out the word “procedures” in the second line thereof;

(f) adding immediately following clause (l) thereof the following clause:

(la) concerning the control and cost of a closed circuit televised contest or exhibition;

(g) striking out the words “immediately prior to any contest or exhibition” in the second line of clause (m) thereof.

7 Section 11 of said Chapter 3 is repealed.

8 (1) Subsection (1) of Section 12 of said Chapter 3, as enacted by said Chapter 71, is amended by striking out all the words therein immediately following the word "Authority" in the third line thereof.

(2) Subsection (3) of said Section 12 is amended by striking out the word "five" in the last line thereof and substituting therefor the word "ten".

9 Section 13 of said Chapter 3, as amended by said Chapter 71, is further amended by

(a) striking out the word "five" in the third line thereof and substituting the word "ten"; and

(b) adding immediately following the word "dollars" in the third line thereof the words "or twenty-five per cent of the gross gate receipts whichever is the greater".

10 Section 15 of said Chapter 3 is amended by striking out the word "Secretary" in the fourth line thereof and substituting therefor the word "Secretary-Treasurer".

11 Section 16 of said Chapter 3 is amended by changing the period at the end of clause (d) thereof to a semi-colon and adding thereto the following clauses:

(e) respecting amateur boxers appearing at a professional contest or exhibition;

(f) respecting amateur boxing generally in the Province.

12 Chapter 53 of the Acts of 1963, An Act to Amend and Consolidate Chapter 66 of the Acts of 1926, An Act to Provide for the Establishment of an Athletic Commission for the City of Halifax, as amended by Chapter 81 of the Acts of 1970-71 and Chapter 46 of the Acts of 1976, is further amended by striking out the words "boxing or" and "boxing and" wherever those words appear therein.

13 (1) Section 160 of Chapter 43A of the Acts of 1978, the Dartmouth City Charter, is amended by striking out the words “boxing or” and “boxing and” wherever those words appear therein.

(2) Subsection (9) of the said Section 160 is repealed.

14 (1) Chapter 110 of the Acts of 1949, An Act to Provide for the Establishment of an Athletic Commission for the County of Pictou, as amended by Chapter 102 of the Acts of 1954, is further amended by striking out the words “boxing or” and “boxing and” wherever those words appear therein.

(2) Section 13 of said Chapter 110 is repealed.

15 (1) The title of Chapter 137 of the Acts of 1930, An Act to Provide for the Establishment of a Boxing Commission for the County of Cape Breton, is changed to “An Act to Provide for the Establishment of an Athletic Commission for the County of Cape Breton”.

(2) The name of The Cape Breton County Boxing Commission, a body corporate established by said Chapter 137, is changed to the “Cape Breton County Athletic Commission”.

(3) A reference in any enactment or document or instrument of any kind to The Cape Breton County Boxing Commission shall as regards any subsequent transaction, matter or thing be read and construed as a reference to the “Cape Breton County Athletic Commission”.

(4) Said Chapter 137, as amended by Chapter 140 of the Acts of 1966, is further amended by striking out the words “boxing or” and “boxing and” wherever those words appear therein.

(5) Section 13 of said Chapter 137 is repealed.

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

**An Act to Amend Chapter 8
of the Acts of 1973, the
Health Services and Insurance Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (2) of Section 12 of Chapter 8 of the Acts of 1973, the Health Services and Insurance Act, is amended by adding immediately following clause (b) thereof the following clause:

(ba) prescribing prosthetic services which shall be insured medical services;

**An Act to Amend Chapter 14
of the Acts of 1973, the
Culture, Recreation and Fitness Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 7 of Chapter 14 of the Acts of 1973, the Culture, Recreation and Fitness Act, is amended by

(a) striking out the period in the last line of clause (j) thereof and substituting therefor a semi-colon; and

(b) adding immediately following clause (j) thereof the following clause:

(k) advise, assist and co-operate with The Board of Trustees of Public Archives of Nova Scotia, in the carrying out of its duties, activities and projects pursuant to the Public Archives Act.

**An Act to Change the Name of the
Nova Scotia Government Employees
Association to the Nova Scotia
Government Employees Union**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 The name of the “Nova Scotia Government Employees Association”, a body corporate, incorporated by Chapter 136 of the Acts of 1973, An Act to Incorporate the Nova Scotia Government Employees Association, is changed to the “Nova Scotia Government Employees Union”.

2 The title of said Chapter 136 is changed from “An Act to Incorporate the Nova Scotia Government Employees Association” to “An Act to Incorporate the Nova Scotia Government Employees Union”.

3 (1) Section 1 of said Chapter 136 is amended by striking out the words “Nova Scotia Government Employees Association” in the third line thereof and substituting therefor the words “Nova Scotia Government Employees Union”.

(2) Said Chapter 136, as amended by Chapter 92 of the Acts of 1976, is further amended by striking out the word “Association” wherever it appears in said Chapter 136 except in the expression “Nova Scotia Government Employees Association” and substituting therefor the word “Union”.

(3) Clause (d) of Section 6 of said Chapter 136 is amended by striking out the word “Association’s” in the third line thereof and substituting therefor the word “Union’s”.

4 No rights, duties, obligations or liabilities of the Nova Scotia Government Employees Association shall be in anywise

affected by the change of name made by this Act and these rights, duties, obligations and liabilities shall continue to be vested in and binding upon it by the name "Nova Scotia Government Employees Union".

5 (1) Section 2 of Chapter 3 of the Acts of 1978, the Civil Service Collective Bargaining Act, as amended by Chapter 61 of the Acts of 1980, is further amended by

(a) repealing clause (c) thereof;

(b) striking out the period at the end of clause (l) thereof and substituting therefor a semicolon; and

(c) adding immediately following clause (l) thereof the following clause:

(m) "Union" means the Nova Scotia Government Employees Union.

(2) Said Chapter 3 is further amended by striking out the word "Association" wherever it appears therein and substituting therefor the word "Union".

6 Except in this Act and in said Chapter 136, a reference in any enactment to the Nova Scotia Government Employees Association, whether expressed in those terms or not, is a reference to the Nova Scotia Government Employees Union and the appropriate reference may be substituted therefor.

**An Act to Amend Chapter 8
of the Acts of 1976,
the Children's Services Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (1) of Section 43 of Chapter 8 of the Acts of 1976, the Children's Services Act, is repealed and the following subsections substituted therefor:

(1) Where

(a) a person reports that a child is a child in need of protection within the meaning of subclause (iv) or (vii) of clause (m) of Section 2; or

(b) a qualified medical practitioner, registered nurse, or administrator of a hospital or institution reports that he has reasonable and probable grounds to believe that a child is subject to child abuse,

the Minister shall cause the report to be investigated and, after considering the results of the investigation, the Minister may direct the recording of information in the child abuse register.

(1A) Where the Minister directs the recording of information in the child abuse register, the person who is alleged to have abused a child shall be informed of the recording as soon as practicable and that person may apply to the court or a judge thereof to have the information struck from the register.

(1B) In considering an application made pursuant to subsection (1A), the court or a judge thereof may exercise its or his discretion as to whether the information should remain in or be struck from the child abuse register.

2 Section 51 of said Chapter 8, as amended by Chapter 37 of the Acts of 1978, is further amended by

(a) adding immediately after the Section number thereof the figure and symbols “(1)”;

(b) repealing clause (d) thereof;

(c) relettering clauses (e) and (f) as clauses (d) and (e) respectively; and

(d) adding thereto the following subsection:

(2) Where the care and custody of a child is transferred from one agency under this Act to another agency, the agency to which the care and custody is transferred shall be the legal guardian of the child and as such shall have all the rights and powers of a parent and those that might be conferred upon a guardian under any Act and the agency making the transfer shall cease to have those rights and powers in relation to the child.

3 Said Chapter 8 is further amended by adding immediately following Section 85 thereof the following Section:

85A The Minister may appoint agents of the Minister within the meaning of this Act.

4 Subsection (3) of Section 94 of said Chapter 8, as amended by Chapter 37 of the Acts of 1978, is further amended by

(a) adding immediately following the word “municipality” in the third line of clause (a) thereof the words “or such other amount as may be determined from time to time by the Governor in Council after consultation between the Minister and the Union of Nova Scotia Municipalities”; and

(b) adding immediately following the word “municipality” in the last line of clause (b) thereof the words “or such other amount as may be determined from time to

time by the Governor in Council after consultation between the Minister and the Union of Nova Scotia Municipalities”.

**An Act to Amend Chapter 9
of the Acts of 1976,
the Fire Prevention Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (a) of subsection (1) of Section 16 of Chapter 9 of the Acts of 1976, the Fire Department Prevention Act, is amended by

(a) striking out the word "a" in the first line thereof and substituting therefor the words "in case the" ; and

(b) striking out the words "supplied with heat or electrical power or both" in the first and second lines thereof.

**An Act to Amend Chapter 2
of the Acts of 1978,
An Act to Incorporate
Camp Hill Hospital**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 2 of the Acts of 1978, An Act to Incorporate Camp Hill Hospital, is repealed and the following Section substituted therefor:

2 In this Act,

- (a) "Board" means the Board of Directors of Camp Hill Hospital;
- (b) "Corporation" means Camp Hill Hospital;
- (c) "Director" means a member of the Board;
- (d) "Minister" means the Minister of Health.

2 Section 3 of said Chapter 2 is amended by striking out the punctuation and words "; hereinafter referred to as the "Corporation" " in the second and third lines thereof.

3 Section 4 of said Chapter 2 is repealed and the following Section substituted therefor:

4 (1) The Corporation shall be managed by a Board of Directors composed of

- (a) one person appointed by the Governor in Council from among persons nominated by the Nova Scotia Command, Royal Canadian Legion;

(b) the President of the Medical Staff of Camp Hill Hospital;

(c) ten residents of the Province appointed by the Governor in Council.

(2) Of the first Directors appointed pursuant to subsection (1), four shall be appointed for a term of three years, four shall be appointed for a term of two years and the remainder shall be appointed for a term of one year.

(3) If, before the expiration of his term of office, a Director ceases to hold office for any reason, a person appointed by the Governor in Council to replace that Director shall hold office for the unexpired portion of that Director's term.

(4) Subject to subsections (2) and (3) each Director shall be appointed for a three year term.

(5) The Governor in Council shall appoint one Director to be President of the Corporation and one Director to be Vice-President.

(6) Notwithstanding the provisions of this Section, the Governor in Council may remove or suspend, reappoint or reinstate, or replace any Director even though his term has not expired.

(7) Each Director shall be compensated for reasonable expenses incurred by him in the performance of his duties and shall be paid such salary or other remuneration as the Governor in Council determines.

(8) A majority of the Directors shall constitute a quorum and may transact any of the business of the Corporation, and no vacancy on the Board shall impair the right of the remaining Directors to act.

4 Section 6 of said Chapter 2 is amended by adding immediately following the Section number the symbols and figure "(1)" and by adding thereto the following subsection:

(2) It shall be an object of the Corporation to take over the hospital operated by the City of Halifax and known as the Abbie J. Lane Memorial Hospital and to conduct that hospital as part of Camp Hill Hospital.

5 Section 8 of said Chapter 2 is repealed and the following Sections substituted therefor:

8 The Corporation shall have all the privileges necessary or incidental to the attainment of its objects and the exercise of its powers including, without restricting the generality of the foregoing,

(a) privileges necessary to implement any agreement entered into between Her Majesty the Queen in right of the Province of Nova Scotia and Her Majesty the Queen in the right of Canada pertaining to the lands or administration of Camp Hill Hospital; and

(b) privileges necessary to implement any agreement entered into between Her Majesty the Queen in the right of the Province of Nova Scotia and the City of Halifax for the transfer of the Abbie J. Lane Memorial Hospital from the City to the Province.

6 Section 11 of said Chapter 2 is amended by striking out the words "or Director" in the fifth line thereof and substituting therefor the words "of the hospital or officer or Director of the Corporation".

7 Said Chapter 2 is further amended by adding immediately following Section 12 thereof the following Section:

12A Unless expressly forbidden by the terms of an instrument creating the trust, legacy or gift, the Corporation shall be entitled to receive the benefit from a trust, legacy or gift providing a benefit to the Abbie J. Lane Memorial Hospital, whether the trust, legacy or gift confers benefits before or after the coming into force of this Section, and any

benefits so received by the Corporation shall be retained, invested or held in accordance with Section 12.

8 The members of the Board of Directors of Camp Hill Hospital immediately before the coming into force of this Act shall cease to hold office upon the coming into force of this Act and the Board shall be reconstituted as provided in this Act.

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

**An Act to Amend Chapter 7
of the Acts of 1978, the
Fisheries Development Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 The name of the Fishermen's Loan Board, a body corporate established by Chapter 7 of the Acts of 1978, the Fisheries Development Act, is changed to the "Nova Scotia Fisheries Loan Board".

2 Clause (b) of Section 2 of Chapter 7 of the Acts of 1978, the Fisheries Development Act, is amended by striking out the words "Fishermen's Loan Board" therein and substituting therefor the words "Nova Scotia Fisheries Loan Board".

3 Subsection (1) of Section 3 of said Chapter 7 is amended by striking out the words "Fishermen's Loan Board" in the second line thereof and substituting therefor the words "Nova Scotia Fisheries Loan Board".

4 No rights, obligations or liabilities of the Fishermen's Loan Board shall be affected by this Act and these rights, obligations and liabilities shall continue to be vested in and binding upon the Board by the name authorized by this Act.

5 A reference in any Act of the Legislature or in any rule, order, regulation, by-law, ordinance or in any document whatsoever to the Fishermen's Loan Board, whether such reference is by official name or otherwise, shall as regards any subsequent transaction, matter or thing relating to the affairs or matters or any of them assigned by this Act to the Nova Scotia Fisheries Loan Board, be held and construed to be a reference to the Nova Scotia Fisheries Loan Board.

6 Section 6 of said Chapter 7 is amended by adding immediately following the word “industry” in the fourth line thereof the words “of Nova Scotia”.

7 Section 7 of said Chapter 7 is amended by adding immediately following the word “industry” in the seventh line thereof the words “of Nova Scotia”.

8 Section 21 of said Chapter 7 is amended by striking out the words “of Finance” in the second and seventh lines thereof.

**An Act to Amend Chapter 12
of the Acts of 1978, the
Royal Trust Corporation of Canada Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subclause (ii) of clause (e) of Section 6 of Chapter 12 of the Acts of 1978, the Royal Trust Corporation of Canada Act, is amended by striking out the figure "5" in the fifth and eleventh lines thereof and substituting therefor in each case the figure "30".

**An Act to Amend Chapter 4
of the Acts of 1978-79,
the Municipal Elections Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (5) of Section 170 of Chapter 4 of the Acts of 1978-79, the Municipal Elections Act, as amended by Chapter 79 of the Acts of 1978-79, is further amended by striking out the words "first Saturday in November" in the seventh line thereof and substituting therefor the words "third Saturday in October".

**An Act to Amend Chapter 5
of the Acts of 1978-79, the
Municipal Finance Corporation Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (e) of Section 2 of Chapter 5 of the Acts of 1978-79, the Municipal Finance Corporation Act, is amended by striking out the words, punctuation and figures "and except for the purposes of Sections 15, 21 and 22 does not include the City of Halifax" in the third and fourth lines thereof.

**An Act to Amend Chapter 10
of the Acts of 1980, the
Municipal Grants Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 6 of Chapter 10 of the Acts of 1980, the Municipal Grants Act, is amended by striking out the semi-colon at the end of clause (c) thereof and substituting therefor a period and repealing clause (d) thereof.

2 Subsection (1) of Section 14 of said Chapter 10 is amended by striking out the last two lines thereof and substituting therefor the following:

but not including

(c) the assessed value of concessions or exemptions granted prior to the first day of January, 1979; and

(d) the assessed value of any municipal water utility as defined in the Assessment Act.

3 Subsection (4) of Section 34 of said Chapter 10 is amended by adding immediately preceding the word "and" in the last line thereof the words and punctuation ", taxation of any municipal water utility".

LOCAL ACTS

**An Act to Amend Chapter 52
of the Acts of 1963,
the Halifax City Charter, and
to Amend the Law Relating
to the City of Halifax**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 7 of Chapter 52 of the Acts of 1963, the Halifax City Charter, as enacted by Chapter 91 of the Acts of 1969, is amended by striking out the quotation marks and comma following the word "boundaries" in the fourth line thereof and substituting therefor a hyphen and the words "and revised to comply with the order of the Board of Commissioners of Public Utilities dated June 16, 1981".

2 Section 8 of said Chapter 52, as enacted by said Chapter 91, is repealed and the following Section substituted therefor:

8 The City is divided into wards, the number and boundaries of which shall be as from time to time determined pursuant to the Municipal Boundaries and Representation Act.

3 Section 581 of said Chapter 52 is amended by striking out the period at the end of the Section and substituting therefor a semicolon and adding immediately following clause (f) thereof the following clause:

(g) the control of the behavior of dogs, including a hearing before a magistrate to determine whether a dog that has attacked or bitten a person should be banished from the City or destroyed by a poundkeeper or veterinary and the banishment or destruction of such dog.

4 Subsection (3) of Section 584 of said Chapter 52 is repealed.

5 (1) Notwithstanding the Bonus Act, the Halifax City Charter or the Assessment Act, the City of Halifax may enter into agreements with the operators of the container terminals located on National Harbour Board property at Pier "C" on the Halifax Harbour and at Fairview Cove on the Bedford Basin, providing for the exemption of the operators from municipal taxation of any or all years to and including the year 1990, and for the payment by each operator of an amount in lieu of taxes calculated according to such formula as the agreements may provide.

(2) If no agreement is in effect respecting such a container terminal then the operator thereof shall be taxed in the usual manner.

**An Act to Amend Chapter 90
of the Acts of 1966,
the Halifax Superannuation Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Section 2 of Chapter 90 of the Acts of 1966, the Halifax Superannuation Act, as amended by Chapter 98 of the Acts of 1969, Chapter 83 of the Acts of 1970-71, Chapter 47 of the Acts of 1976 and Chapter 46 of the Acts of 1978, is further amended by repealing clause (g) thereof and substituting therefor the following clauses:

(g) "employee of the City" includes any member of the Halifax Police Force but does not include a member of the Council;

(ga) "employment" includes service on Council as a member of the Council;

(2) Said Section 2 is further amended by adding immediately following clause (u) thereof the following clause:

(v) "gross pension" means the result of the average annual earnings of the member during the five consecutive years of highest earnings of the member during his employment with the City, multiplied by the product of two percent in the case of a member's pension or one percent in the case of a survivor's pension, times the number of years, not exceeding thirty-five years, during which the member contributed or is deemed to have contributed to the Fund of the Plan, as the case may be.

2 (1) Clause (k) of subsection (1) of Section 4 of said Chapter 90 is amended by striking out the letters and punctuation ", C.U.P.E." in the second and third lines thereof.

(2) Clause (l) of said subsection (1), as enacted by Chapter 83 of the Acts of 1970-71, is repealed and the following clauses substituted therefor:

(l) one member of the Plan from among the non-union employees, elected annually at a meeting of the non-union employees called by the City Management Association.

(m) one member from among the persons in receipt of benefits under the Plan, elected annually by such persons in an election to be conducted by the City Manager;

(3) Subsection (4) of said Section 4 is repealed.

3 (1) Subsection (2) of Section 5 of said Chapter 90 is amended by striking out the word "ten" in the eighth line thereof and substituting therefor the word "five".

(2) Said Section 5, as amended by Chapter 98 of the Acts of 1969 and Chapter 82 of the Acts of 1977, is further amended by adding immediately following subsection (4) thereof the following subsection:

(5) The mayor or an alderman of the City shall be eligible to become a member of the Plan.

4 (1) Section 6 of said Chapter 90, as amended by said Chapter 83, is further amended by adding immediately following subsection (2) thereof the following subsection:

(2A) The mayor or an alderman of the City may elect to become a member of the Plan, in which case he shall become a member of the Plan as of the date of his election to the Council.

(2) Said Section 6 is further amended by adding immediately following subsection (3) thereof the following subsection:

(3A) The mayor or an alderman shall, immediately upon being elected to the Council, be supplied with all the necessary enrolment forms and, if the mayor or an alderman elects to become a member of the Plan, he shall complete and sign such forms and file them with the Retirement Committee.

(3) Subsection (4) of said Section 6 is amended by striking out the word "employee" in the first line thereof and substituting therefor the words "member of the Plan".

5 Clauses (a) and (b) of Section 7 of said Chapter 90, as enacted by Chapter 53 of the Acts of 1974, are repealed and the following clauses substituted therefor:

(a) for a member of the Plan, other than a member of the Police Force or Fire Department, on the first day of the month following such member's sixty-fifth birthday, provided that a member may, at his option, elect that his normal retirement date be on the first day of any month following such member's sixtieth birthday;

(b) for a member of the Plan who is or has been the mayor or an alderman of the City, on the first day of the month following such member's sixty-fifth birthday;

6 Section 11 of said Chapter 90, as amended by Chapter 109 of the Acts of 1967 and said Chapters 98, 53, 47 and 46, is further amended by adding immediately following subsection (7) thereof the following subsections:

(8) Notwithstanding any other provisions of this Section, a mayor or alderman of the City serving at the time of the coming into force of this subsection may, on becoming a member of the Plan, contribute to the Fund of the Plan in respect of such number of years, not exceeding five, of his service prior to becoming a member of the Plan a sum equal to the amount of contributions he would have made to the Fund of the Plan if he had been a member of the Plan during the whole of such years.

(9) Contributions payable pursuant to subsection (8) shall be paid over the period of time and at the rate of interest thereon as is determined by the Retirement Committee.

(10) The City shall pay into the Fund of the Plan an amount equal to the amount contributed pursuant to subsection (8).

7 Said Chapter 90 is further amended by adding immediately following Section 20B thereof the following Sections:

20C Notwithstanding any other provisions of this Act, a member of the Plan who retired on or before the first day of January, 1974, or his survivor, shall receive from the Fund of the Plan an additional sum calculated annually on the first day of January in each year at the rate of two percent of his then pension benefits, the first such additional sum to be calculated on the first day of January, 1980.

20D Where a pension benefit payable under this Act is calculated by the deduction of benefits payable under the Canada Pension Plan, the maximum deduction which shall be made in respect of Canada Pension Plan benefits for members shall be twenty-five percent of the gross pension.

20E Notwithstanding any other provision of this Act, a retired member of the Plan, or his survivor, who is in receipt of pension benefits under the provisions of the Plan, shall, commencing the first day of January, 1981, receive from the Fund of the Plan an additional sum which shall be the maximum as may be determined to be prudently available, calculated annually on the first day of January in each year at a rate to be established from time to time by the Retirement Committee after receiving advice from the actuary appointed by the Committee to advise it and provided in any event that

(a) no such additional benefit shall be provided to any pensioner who has not attained his sixtieth birthday unless he has qualified for a disability pension in accordance with subsection (1) of Section 9; and

(b) sufficient surplus funds exist in the Fund of the Plan to guarantee the continuation of these additional benefits at the same level during the full

remaining lifetime of the pensioner or survivor as the case may be.

8 Subsection (1A) of Section 22 of said Chapter 90, as enacted by said Chapter 46, is amended by

(a) adding immediately following the semicolon in the last line of clause (a) thereof the word "and";

(b) striking out the punctuation and word "; and" in the last line of clause (b) thereof and substituting therefor the words "at the date of his re-employment."; and

(c) repealing clause (c) thereof.

9 Subsection (2) of Section 27 of said Chapter 90, as amended by said Chapter 47, is amended by striking out the word "sixty" in the last line thereof and by substituting therefor the word "sixty-five".

10 Section 29 of said Chapter 90, as amended by said Chapter 98, is further amended by adding immediately following subsection (2) thereof the following subsections:

(2A) The maximum deduction which shall be made in respect of Canada Pension Plan benefits under clause (a) of subsection (2) for widows who become entitled to a widow's pension on or after the first day of January, 1980, shall be twenty-five percent of the gross pension.

(2B) No deduction shall be made in respect of Canada Pension Plan benefits under clause (a) of subsection (2) until the widow attains the age of sixty-five years.

11 (1) Clause (g) of subsection (1) of Section 41 of said Chapter 90, as enacted by said Chapter 47, is amended by striking out the word "Manager" in the last line thereof and substituting therefor the words "Management Association".

(2) Clause (o) of said subsection (1) is amended by striking out the letters and punctuation ", C.U.P.E." in the third line thereof.

(3) Clause (p) of said subsection (1) is repealed.

(4) Clause (q) of said subsection (1) is relettered as clause (p).

12 Said Chapter 90 is further amended by adding immediately following Section 44A thereof the following Sections:

44B Notwithstanding any other Section, a member of the Plan who is the mayor or an alderman of the City upon reaching the normal retirement age shall not be entitled to make further contributions to the Fund of the Plan, and shall thereupon commence receiving the payments to which he is then entitled even though such member may continue to be the mayor or an alderman of the City.

**An Act to Amend Chapter 92
of the Acts of 1970, the
Halifax Industrial Commission Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Clause (b) of Section 5 of Chapter 92 of the Acts of 1970, the Halifax Industrial Commission Act, is repealed and the following clause substituted therefor:

(b) ten persons appointed by Council as follows:

(i) two aldermen,

(ii) eight other persons.

2 Subsection (4) of Section 11 of said Chapter 92 is amended by striking out the word "Four" in the first line thereof and substituting therefor the word "Six".

**An Act to Authorize the Town
of Antigonish to Make a Grant
to the Governors of St. Francis
Xavier University, Antigonish,
Nova Scotia**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 In this Act "Governors" means the Governors of St. Francis Xavier University, Antigonish, Nova Scotia, a body corporate, continued by Chapter 101 of the Acts of 1957, An Act to Consolidate and Amend the Acts and Amendments to Acts Relating to the Governors of St. Francis Xavier University, Antigonish, Nova Scotia.

2 The Town of Antigonish is authorized and empowered to make a grant to the Governors of a sum not exceeding twenty-five thousand dollars and may pay such grant in five yearly instalments of not more than five thousand dollars each, commencing the first day of April, 1981.

3 All sums required for the payment of such grant shall be held to be sums required for ordinary lawful purposes of the Town and shall be raised, levied and collected in the same manner and in all respects as other sums required for the ordinary lawful purposes of the Town are raised, levied and collected.

4 Section 123 of the Towns Act does not apply to this Act.

**An Act to Amend Chapter 49 of the
Acts of 1976, An Act to Authorize the
Town of Antigonish to Exempt from
Taxation the Property of the
R. K. MacDonald Nursing Home**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 49 of the Acts of 1976, An Act to Authorize the Town of Antigonish to Exempt from Taxation the Property of the R.K. MacDonald Nursing Home, is amended by adding immediately following Section 1 thereof the following Sections:

2 Subject to Section 224 of the Towns Act, a by-law passed pursuant to Section 1 shall have effect commencing in the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 Notwithstanding the provisions of the Assessment Act, the Bonus Act, or any other general or special Act of the Legislature, the Town of Antigonish is authorized and empowered to forgive the rates, taxes, charges and interest imposed on the real or personal property of the R.K. MacDonald Nursing Home Corporation for the taxation years 1977, 1978, 1979, and 1980 to the extent that the Town Council of the Town of Antigonish by by-law declares them to be forgiven.

2 Section 123 of the Towns Act does not apply to this Act.

3 This Act is and is deemed to be in force on, from and after the first day of April, 1980, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act to Authorize the Town of
Glace Bay to Exempt from Property
Taxes Property of the Army, Navy
and Airforce Veterans in Canada**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the Assessment Act, the Bonus Act or any other enactment, the council of the Town of Glace Bay may, for the taxation year 1981, by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it in the taxation year 1981 for general town purposes all or part of the real and personal property that is vested in, owned by or held in trust for the Army, Navy and Airforce Veterans in Canada, a body corporate incorporated by Chapter 70 of the Statutes of Canada, 1917.

2 A resolution passed pursuant to this Act shall have effect for the taxation year 1981 whether it is passed before or after the tax rate is set.

3 Section 123 of the Towns Act does not apply to this Act.

4 This Act is and is deemed to be in force on, from and after the first day of January, 1981, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act to Authorize the Town
of Glace Bay to Fix the Taxes
on Property of Glace Bay
Miners' Forum Company Limited**

(Assented to the 24th of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 In this Act,

(a) "Council" means the Council of the Town of Glace Bay;

(b) "Forum Company" means the Glace Bay Miners' Forum Company Limited;

(c) "property of the Forum Company" means all real and personal property in the Town of Glace Bay vested in, owned by or held in trust for the Forum Company and used in connection with the operation of the Glace Bay Miners' Forum in the Town, but does not include real property used for residential purposes only or household furniture and effects.

2 Notwithstanding the Assessment Act, the Bonus Act or any other enactment, the Council may, at any time that the number of shareholders of the Forum Company is fifteen hundred or more, by resolution fix the rates and taxes imposed by it in the taxation year 1981 on property of the Forum Company in an amount equal to the amount those rates and taxes would be if the assessed value of the property of the Forum Company for municipal taxation purposes were sixteen thousand five hundred dollars.

3 Section 123 of the Towns Act does not apply to this Act.

4 The provisions of Section 2 do not apply if, at any time, the number of shareholders of the Forum Company is fewer than fifteen hundred.

**An Act to Authorize the
Town of Glace Bay to Make a
Contribution to the Glace Bay
Miners' Forum Company Limited**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 The Town of Glace Bay is authorized and empowered to pay to the Glace Bay Miners' Forum Company Limited for a period of three years, commencing in 1981, an amount to be determined annually by resolution of the council of the Town, but not exceeding thirty thousand dollars in the year 1981 and not exceeding ten thousand dollars in each of the years 1982 and 1983.

2 All sums required for the payment of such amounts shall be held to be sums required for ordinary lawful purposes of the Town and shall be raised, levied and collected in the same manner and in all respects as other sums required for the ordinary lawful purposes of the Town are raised, levied and collected.

3 Section 123 of the Towns Act does not apply to this Act.

**An Act Respecting Taxation of
Property of Edward Mortimer Housing
Corporation in Pictou**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the provisions of the Assessment Act or any other general or special Act of the Legislature, taxes payable by Edward Mortimer Housing Corporation to the Town of Pictou upon all the real and personal property of the Corporation in Pictou shall be and are fixed for each of the taxation years 1981, 1982, 1983, 1984 and 1985 at fifteen thousand dollars per year.

2 The taxes herein fixed and provided for shall be in lieu of all taxes that might otherwise be rated, assessed or levied upon the Corporation by the Town of Pictou in respect of the ownership or occupation by the Corporation of property in the Town of Pictou.

3 This Act shall not apply to real and personal property of the Corporation used for other than Corporation purposes.

4 This Act shall not affect the liability of the Corporation in respect of any rates or taxes other than taxes for general Town purposes.

5 Section 123 of the Towns Act shall not apply to this Act.

**An Act to Exempt from
Property Taxes the Property
of the Evergreen
Senior Citizens Club**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the provisions of the Assessment Act, the Bonus Act or any other general or special Act of the Legislature, the council of the Town of Port Hawkesbury may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general town purposes all or part of the real and personal property that is vested in, owned by, or held in trust for the Evergreen Senior Citizens' Club, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 Section 123 of the Towns Act does not apply to this Act.

**An Act to Authorize the Town of
Port Hawkesbury to Exempt from
Property Taxes Property of The
Strait Area Community Curling Club**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the Assessment Act, the Bonus Act, or any other enactment, the council of the Town of Port Hawkesbury may annually, for the taxation years 1981 to 1993 inclusive, by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it in each of such taxation years for general town purposes all or part of the property that is vested in, owned by or held in trust for The Strait Area Community Curling Club, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 Section 123 of the Towns Act does not apply to this Act.

**An Act to Authorize the Town of
Shelburne to Exempt from Property
Taxes Property of the Loyalist
Senior Citizens' Club of Shelburne**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the Assessment Act, the Bonus Act or any other enactment, the council of the Town of Shelburne may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general town purposes all or part of the property that is vested in, owned by or held in trust for the Loyalist Senior Citizens Club of Shelburne, a society incorporated under The Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 Section 123 of the Towns Act does not apply to this Act.

4 This Act is and is deemed to be in force on, from and after the first day of January, 1981, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act to Incorporate
the Springhill Parks and
Recreation Commission**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the Springhill Parks and Recreation Commission Act.

2 In this Act,

(a) "Commission" means the Springhill Parks and Recreation Commission;

(b) "Council" means the Council of the Town;

(c) "councillor" means a member of the Council;

(d) "Legion" means the Springhill Royal Canadian Legion;

(e) "Mayor" means the Mayor of the Town;

(f) "School Board" means the Board of School Commissioners of the Town;

(g) "Town" means the Town of Springhill.

3 There is hereby established a body corporate to be known as the Springhill Parks and Recreation Commission.

4 (1) The members of the Commission shall be

(a) three councillors appointed by the Mayor;

(b) four residents of the Town appointed by the Council;

(c) one person appointed by the Legion;

(d) one person appointed by the School Board.

(2) The terms of office of the members shall be

(a) not more than three years for those members appointed by the Mayor;

(b) four years, three years, two years and one year, respectively, for the first members appointed by the Council and not more than three years for any other member appointed by the Council;

(c) one year for any member appointed by the Legion or the School Board.

when (3) A person is deemed to have resigned as a member

(a) he ceases to be a councillor before his term of office as a member expires, if he was appointed by the Mayor;

(b) he ceases to be a resident of the Town before his term of office as a member expires, if he was appointed by the Council;

(c) he fails to attend three consecutive meetings of the Commission after receiving notice of each such meeting pursuant to this Act, unless he has been excused, by the Commission, either before, during or after any one of such meetings from attending the meeting.

(4) When a person ceases to be a member for any reason, the person or body who appointed him shall appoint a new member to hold office for the remainder of the term of such person who has ceased to be a member.

(5) A member whose term of office has expired may be re-appointed.

(6) A vacancy in the Commission shall not impair the status or capacity of the Commission or the ability of the remaining members to act.

(8) A member continues to hold office until his successor is appointed, notwithstanding that his term of office has expired.

(9) The first members shall be appointed on the date of the first meeting of the Council in November, 1981, or as soon thereafter as is reasonably possible.

(10) At least thirty days before the date on which the term of office of a member expires, the Chairman or Secretary-Treasurer shall, in writing, notify the Mayor, and the person or group of persons who appointed the member, if he was not appointed by the Mayor, that the term of office of the member expires on that date.

(11) At least ten days after a person ceases to be a member of the Commission for any reason other than the expiry of his term of office, the Chairman or the Secretary-Treasurer shall notify the Mayor and any person or group of persons who appointed the person who has ceased to be a member, if he was not appointed by the Mayor that such person has ceased to be a member.

5 Six members of the Commission shall constitute a quorum.

6 (1) At least twenty-four hours' notice of a regular meeting shall be given to each member.

(2) A special meeting of the Commission may be called from time to time by the Chairman or Vice-Chairman.

(3) At least four hours' notice of a special meeting shall be given to each member.

(4) A notice to be given pursuant to subsection (2) or (3) may be given by telephone or in person.

(5) Regular meetings of the Commission shall be open to the public.

(6) A regular meeting of the Commission shall be held at least once each month after the first members of the Commission have been appointed.

7 (1) At its first meeting the Commission shall appoint from its members a Chairman and a Vice-Chairman and they shall hold office until the first meeting of the Commission held in the next ensuing month of November and thereafter the Chairman and the Vice-Chairman shall hold office until the first meeting of the Commission held in the month of November next succeeding the meeting at which they were appointed, when their successors shall be appointed by the Commission.

(2) The Chairman or Vice-Chairman ceases to hold such office when he ceases to be a member of the Commission.

(3) If a person ceases to be Chairman or Vice-Chairman before his term of office as Chairman or Vice-Chairman expires, the members shall appoint from their number a person to succeed him in such office and serve in such office until the first regular meeting of the Commission in the month of November next succeeding the month during which such person so ceased to be Chairman or Vice-Chairman.

(4) A person whose term of office as Chairman or Vice-Chairman has expired may be re-appointed Chairman or Vice-Chairman.

(5) The Clerk of the Town or some other person designated by the Council shall be the Secretary-Treasurer of the Commission.

(6) The auditor of the Town shall be the auditor of the Commission.

(7) The first meeting of the Commission shall be held at such time, prior to the first day of March, 1982, and at such place as the Mayor may determine.

(8) The Commission may appoint such other officers, employees, servants, managers, or workmen as it deems necessary and may with the approval of the Council fix their salaries or other remuneration, and such salaries or other remuneration and all other expenses of the Commission shall be chargeable to the annual revenues of the Commission, and such officers, servants, managers and workmen are deemed to be employees of the Town for all purposes.

8 (1) The Commission may from time to time make, amend, alter or repeal regulations in respect of

(a) the use and operation of recreational facilities and property and the conduct and duties of persons using or entering upon the same;

(b) the duties and discipline of the employees of the Commission;

(c) the conduct of business at the meetings of the Commission;

(d) any other matter incidental to the carrying out and performance of the powers and objects of the Commission.

(2) When any regulation has been made by the Commission it shall be signed by the Chairman and Secretary-Treasurer and a certified copy thereof shall be submitted to the Council for approval.

(3) Every regulation and every amendment or alteration or repeal of an existing regulation shall come into effect only upon approval of the same by the Council.

9 Subject to the prior authorization of the Council, the Commission may effect temporary loans from any bank doing business in the Province, if the aggregate of all such loans outstanding at any one time does not exceed ten thousand dollars.

10 The net profits, if any, of the Commission, after providing for payment of ordinary expenses, a reasonable reserve for depreciation and contingencies, and for the repayment of the principal and interest of any debt of the Commission, and the principal and interest of any money borrowed by the Town for the purposes of the Commission, shall be paid over by the Commission to the Town for the general purposes of the Town, and the deficit, if any, shall constitute a debt due by the Town, and the sums required to pay such debt shall be included by the Town in its estimates for the year following the year in which the deficit was incurred.

11 The fiscal year of the Town shall be the fiscal year of the Commission.

12 The Commission shall, not later than thirty days after the end of each of its fiscal years, submit to the Council an audited statement for the fiscal year immediately preceding showing

(a) the revenue of the Commission from all sources during the fiscal year;

(b) the expenditures by the Commission during the fiscal year including provision for reserve for accounts not collected;

(c) a revenue fund balance sheet as of the close of the fiscal year;

(d) a capital and loan fund balance sheet reflecting the assets and liabilities administered by the Commission as of the close of the fiscal year;

(e) a continuity of surplus or deficit accounts;

(f) such other information and accounts as the Commission or the Council may request;

(g) a certificate of the auditor of the Commission stating whether or not he has all the information and explanations required by him and whether in his opinion the balance sheets and the statement of revenue and expenditure are properly drawn up so as to exhibit the true and correct

financial position of the Commission according to the information and explanations given to him and as shown by the books and records of the Commission.

13 The Council shall provide in the estimates of the Town for any deficit incurred by the Commission as shown by the revenue fund balance sheet of the previous year and such sums shall be assessed and collected in the same manner as other monies required by the Town and such sums shall be paid over to the Secretary-Treasurer of the Commission for the use of the Commission.

14 (1) The Commission shall yearly, not later than the thirty-first day of January, submit to the Council for approval an estimate of the amount required for the purposes of the Commission for the current year.

(2) The Council may approve such estimate or may amend, reduce or otherwise alter the same, and the amount of such estimates as so approved, amended, reduced or altered shall be included in the estimates of the amount to be rated and collected by the Town for the current year.

(3) The Treasurer of the Town shall pay such portion of such amount as required by the Commission and approved by the Council as the Commission shall from time to time agree to be necessary to meet the requirements of the Commission for that year.

(4) The Commission shall not make any expenditure or commitment involving an expenditure in any year in excess of the amount to the credit of the Commission for that year without prior approval of the Council first had and received.

15 The Commission may appoint such standing or special committees as it from time to time deems necessary and may assign to such committees such powers and duties as the Commission may determine, and each such committee shall hold office for as long as the Commission determines.

16 The objects of the Commission are

(a) to enter into an agreement or agreements with the Town for the operating, maintaining and managing of a rink or rinks and community centre, parks, playgrounds and any other recreational facility or property as may from time to time be approved by the Council, and the Commission shall have power to carry out the terms of such agreement or agreements; and

(b) to promote healthful recreation among residents of the Town.

17 The Commission may

(a) employ and engage directors, superintendents, instructors, supervisors, custodians, assistants, police, clerks and other employees, servants or agents, and with the approval of the Council, fix their salaries or other remuneration and their terms of employment or service;

(b) subject to the approval of Council, to enter into any agreement or agreements with any person, body corporate or any government in Canada or department thereof which agreement or agreements shall have as their objective the promotion of healthful recreation in the Town;

(c) lay out, improve, use, equip, manage and control real and personal property;

(d) provide apparatus, fixtures, games and equipment suitable for recreational purposes;

(e) subject to Section 18, receive, use, expend or invest in investments in which trustees are authorized by law to invest trust funds, grants, bequests, gifts or donations of money, security or other property for the uses and purposes of the Commission and any land given or devised to the Commission or to the use of the Commission shall be deemed to have been given or devised to the Town or to the use of the Town for the purposes of the Commission;

(f) do all such things as may be incidental to the exercise of the above powers.

18 (1) Any person or persons may make a gift, assignment, devise or bequest to the Town or to the Commission for the general purposes of the Commission or for any specific purpose in relation thereto, and any money or securities which may be given to the Town or to the Commission, the income from which, by the terms thereof, is to be used for the general purposes of the Commission or for any specific purposes in relation thereto shall be paid over or delivered to the Treasurer of the Town and said monies shall be invested and the income from such investments and securities shall be paid to the Commission to be applied in accordance with the terms and conditions upon which the same was given.

(2) The Treasurer of the Town may receive and hold any money or securities given, bequeathed, devised or assigned, as provided in subsection (1), for the general purposes of the Commission or otherwise and from time to time invest any money in his hands and vary or alter such investments so made, and shall pay the same to the Commission to apply in accordance with the terms of such gift, assignment, devise or bequest and if no specific directions are given, for the general purposes of the Commission.

(3) Where an outright gift, assignment, devise or bequest to the Town or Commission has been made which, by its terms, does not require the same to be invested, the proceeds shall be paid to the Commission to be expended in accordance with the terms of such gift; any portion of the same not immediately required may be paid over to the Treasurer of the Town to be repaid to the Commission on demand.

(4) The principal and income account of all monies or securities which at any time have been given, bequeath, devised, or assigned to the Town or to the Commission for any general or specific purpose relating to the Commission shall be kept and maintained by the Treasurer of the Town in such manner as to enable him to account for the principal and income of any account at the end of any civic year.

(5) The Commission shall, within two months after the end of each fiscal year, submit to the Council a report covering the activities of the Commission for such year.

19 Notwithstanding the Towns Act or any other enactment, the Town may

(a) purchase or otherwise acquire within the Town any real and personal property for the purposes of this Act;

(b) raise, levy and collect, in the same manner and in all respects as sums for the ordinary purposes of the Town are raised, levied and collected, all sums required for the operation, maintenance and management of recreational facilities and property and sums required to meet any deficit arising from the operation of the same, and all such sums shall be deemed to sums required for the ordinary lawful purposes of the Town;

(c) borrow money for the purposes of the Commission by the issue and sale of debentures in accordance with and subject to the provisions of the Municipal Affairs Act, the Municipal Finance Corporation Act or any other enactment, and the sums required to pay such debentures and the interest thereon shall be charged to the annual revenues of the Commission;

(d) enter into agreements or contracts with persons, partnerships, corporate bodies or the Commission for the management and operation of recreational facilities and property by such persons, partnerships, corporate bodies or the Commission;

(e) carry out all transactions of lease or sale;

(f) do all such other things as may be incidental or conducive to the exercise of the above powers.

20 Neither the Council or the Commission shall become financially interested in any athlete or athletic team.

21 Section 123 of the Towns Act does not apply to this Act.

**An Act to Enable the Town of Windsor
to Purchase an Artificial Ice Plant
and to Incorporate the Windsor
Rink Building Commission and the
Windsor Recreation Commission**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

- 1 This Act may be cited as the Windsor Rink Act 1981.
- 2 In this Act,
 - (a) "Building Commission" means the Windsor Rink Building Commission;
 - (b) "Council" means the Council of the Town;
 - (c) "Recreation Commission" means the Windsor Recreation Commission established by this Act;
 - (d) "Society" means the Windsor Agricultural Society;
 - (e) "Town" means the Town of Windsor.
- 3 (1) Notwithstanding the Towns Act, the Town may
 - (a) pay to the Building Commission a sum not exceeding forty-three thousand dollars for the purchase, erection, construction and installation by the Building Commission of an artificial ice plant and rink;
 - (b) apply for, receive, and accept grants, and receive and accept gifts by public subscription for such purposes and pay all such sums so received to the Building Commission for such purposes;

(c) annually pay to the Recreation Commission a sum not exceeding five thousand dollars for the purpose of operating the rink.

(2) Section 123 of the Towns Act does not apply to this Section.

(3) All money required for the payment of such sums shall be held to be money required for the ordinary lawful purposes of the Town and shall be levied, raised and collected in all respects as other money required for the ordinary lawful purposes of the Town is levied, raised and collected.

4 (1) There is hereby established a body corporate to be known as the Windsor Rink Building Commission.

(2) The Building Commission shall consist of

(a) six members appointed by the Council, at least three of whom shall be members of the Council; and

(b) one member appointed by the Society.

(3) The Council may fill any vacancy in the Building Commission resulting from the death, resignation or inability to act of a member of the Building Commission appointed by the Council.

(4) The Society may fill any vacancy in the Building Commission resulting from the death, resignation or inability to act of a member of the Building Commission appointed by the Society.

(5) Any vacancy on the Building Commission does not impair the ability of the remaining members to act.

(6) The members of the Building Commission shall serve without remuneration.

5 The Building Commission may purchase, erect, construct and may install, subject to agreement with the Society, an artificial ice plant in the arena to be built by the Society on the Society's lands at Wentworth Street in the Town.

6 The Building Commission may canvass for, and receive and accept gifts by public subscription, and may receive and accept grants and shall apply all such sums received by it towards the purchase and cost of installation of the ice plant and the construction of the rink.

7 The Building Commission and the Society may enter into an agreement, not inconsistent with this Act, concerning the installation of the artificial ice plant in the arena.

8 The Building Commission shall not

- (a) at any time spend more money than it has collected;
- (b) borrow money.

9 The artificial ice plant and all machinery and equipment required or used therewith when so purchased shall be and become vested in the Town and shall remain the property of the Town after such installation and may be removed by the Town from the arena.

10 (1) The Building Commission shall, on the expiration of two years after this Act comes in force

(a) wind up its affairs; and

(b) present to the Town an audited statement, prepared by the auditors of the Town, of all money received and expended by it.

(2) Any money remaining on hand at such time shall be paid over to the Town and shall be used by the Town for the improvement of the rink and artificial ice plant.

11 The members of the Windsor Recreation Commission established by the by-laws of the Town, or any other persons who may become members of such Commission in accordance with the by-laws of the Town, are hereby created a body corporate under the name "Windsor Recreation Commission" and such body

corporate has, in addition to the powers and duties conferred upon it by this Act, the same powers and duties conferred, at any time before the coming into force of this Act, on the Windsor Recreation Commission by the by-laws of the Town.

12 The Recreation Commission shall operate, maintain and manage the rink and the artificial ice plant after the artificial ice plant has been installed and on entering into the lease referred to in clause (e) of Section 13.

13 The Recreation Commission may

(a) employ such officers or employees as it deems necessary for the proper operation and management of the rink and the artificial ice plant;

(b) fix the salaries and other remuneration of such officers or employees and pay such salaries and remuneration from the revenues of the Recreation Commission;

(c) subject to the approval of the Council, make such rules and regulations not inconsistent with this Act, as it deems necessary for the effective control, management, and administration of the rink and the ice plant;

(d) borrow money from any chartered bank in the Province for current operating expenses, but the total of such loans outstanding at any time shall not exceed five thousand dollars;

(e) lease the arena from the Society for the purpose of operating the rink therein upon such terms and conditions, not inconsistent with this Act, as the Recreation Commission, the Town and the Society may determine.

14 (1) The fiscal year of the Recreation Commission with respect to its operation of the rink shall commence on the first day of January of each year and end on the last day of December of the same year.

(2) The Recreation Commission shall, as soon as practical after the close of each of such fiscal years, file with the

Town a copy of a financial statement, prepared by the auditors of the Town, setting out in detail the assets and the liabilities of the Recreation Commission and the revenues and expenditures and profit and loss of the Recreation Commission for such fiscal year.

15 The revenue the Recreation Commission receives from the operation of the rink shall be used

(a) to pay the salaries or other remuneration of the employees of the Commission employed directly in the operation of the rink;

(b) to pay the rent to the Society as provided by the lease;

(c) to repair the ice plant and maintain it in good condition, to replace such parts thereof as may be required from time to time and to purchase such equipment and machinery as the Recreation Commission deems expedient for its purposes;

(d) to accumulate a cash reserve.

16 The Recreation Commission shall not, at any time, directly or indirectly promote or have any financial interest in any hockey team.

17 The Town shall not be liable for any debts of the Building Commission or the Recreation Commission.

18 Chapter 68 of the Acts of 1953, an Act to Enable the Town of Windsor to Purchase an Artificial Ice Plant and to Incorporate the Windsor Rink Commission, is repealed.

**An Act to Fix the Taxes
on Commercial Property of
Britex Limited in the Municipality
of the County of Annapolis**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 In this Act,

(a) “commercial property” has the same meaning as in the Assessment Act;

(b) “commercial property of the Company” means commercial property of the Company located in the Municipality of the County of Annapolis;

(c) “Company” means Britex Limited, a body corporate, incorporated under the Companies Act.

2 Notwithstanding the Assessment Act, the Bonus Act, or any other enactment, the taxes levied by the Municipality of the County of Annapolis on commercial property of the Company or with respect to the occupation of commercial property of the Company shall be limited to

(a) twenty-five per cent of those taxes that would otherwise be levied for the taxation year 1981, but for this Act;

(b) forty per cent of those taxes that would otherwise be levied for the taxation year 1982, but for this Act;

(c) fifty-five per cent of those taxes that would otherwise be levied for the taxation year 1983, but for this Act;

(d) seventy per cent of those taxes that would otherwise be levied for the taxation year 1984, but for this Act;

(e) eighty-five per cent of those taxes that would otherwise be levied for the taxation year 1985, but for this Act.

**An Act to Authorize the
Municipality of the County of
Annapolis to Exempt from
Property Taxes Property of the
Margaretville and District
Volunteer Fire Department**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the Assessment Act, the Bonus Act or any other enactment, the council of the Municipality of the County of Annapolis may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general municipal purposes all or part of the property that is vested in, owned by or held in trust for Margaretville and District Volunteer Fire Department, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 This Act is and is deemed to be in force on, from and after the first day of January, 1981, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act to Enable the
Municipality of the County of
Antigonish to Make a Contribution
towards the Financial Campaign of
St. Francis Xavier University**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 In this Act, "Governors" means the Governors of St. Francis Xavier University, Antigonish, Nova Scotia, a body corporate, continued by Chapter 101 of the Acts of 1957, An Act to Consolidate and Amend the Acts and Amendments to Acts Relating to the Governors of St. Francis Xavier University, Antigonish, Nova Scotia.

2 The Municipality of the County of Antigonish is authorized and empowered to assist the Financial Campaign of St. Francis Xavier University, by paying, by way of grant, to the Governors, the sum of twenty-five thousand dollars by five consecutive annual payments of five thousand dollars each, commencing in the year 1981.

3 All money required for the payment of the sums mentioned in Section 1 shall be held to be money required for the ordinary lawful purposes of the Municipality of the County of Antigonish and shall be levied, raised and collected in all respects, as other money required for the ordinary lawful purposes of the said Municipality is levied, raised and collected.

**An Act to Authorize the
Municipality of the District
of Digby to Exempt from Property
Taxes Certain Property of
Digby Neck Fire Prevention Society**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the Assessment Act, the Bonus Act, or any other general or special Act of the Legislature, the municipal council of the Municipality of the District of Digby may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general municipal purposes all or part of the property that is vested in, owned by or held in trust for the Digby Neck Fire Prevention Society, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year for which it is passed whether it is passed before or after the tax rate is set.

3 This Act is and is deemed to be in force on, from and after the first day of January, 1978, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act to Authorize the
Municipality of the District of
East Hants to Exempt from Property
Taxes Certain Property of the
Uniacke Saddle and Harness Club**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the provisions of the Assessment Act, the Bonus Act or any other general or special Act of the Legislature, the municipal council of the Municipality of the District of East Hants may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general municipal purposes all or part of the real and personal property that is vested in, owned by, or held in trust for Uniacke Saddle and Harness Club, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

**An Act to Exempt from
Property Taxes Centreville
Community Park &
Recreation Association**

(Assented to on the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the provisions of the Assessment Act, the Bonus Act, or any other general or special Act of the Legislature, the municipal council of the Municipality of the County of Kings may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general municipal purposes all or part of the real and personal property that is vested in, owned by, or held in trust for Centreville Community Park & Recreation Association, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

**An Act to Authorize the
Municipality of the District of
Lunenburg to Exempt from Property
Taxes Property of the Lunenburg-Queens
United Baptist Camp Society**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the Assessment Act, the Bonus Act or any other enactment, the council of the Municipality of the District of Lunenburg may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general municipal purposes all or part of the property that is vested in, owned by or held in trust for the Lunenburg-Queens United Baptist Camp Society, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 This Act is and is deemed to be in force on, from and after the first day of January, 1981, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act to Exempt from Property
Taxes Linacy Community Association
at Linacy, in the Municipality
of the County of Pictou**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the provisions of the Assessment Act, the Municipal Act or any other general or special Act of the Legislature, the council of the Municipality of the County of Pictou may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes imposed by it for general municipal purposes all or part of the real and personal property that is vested in, owned by or held in trust for Linacy Community Association, a society incorporated under the Societies Act.

2 A resolution passed pursuant to this Act shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

3 This Act is and is deemed to be in force on, from and after the first day of January, 1981, and shall accordingly be read, construed and given effect on, from and after that date.

**An Act Respecting the
Municipality of the County
of Richmond**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 In this Act unless the context otherwise requires:

(a) “electrical installation” means the wires, machinery, apparatus, appliances, devices, material and equipment used by a consumer for the receipt, distribution and use of electrical power or energy;

(b) “mobile home” means any trailer that is

(i) designed for or intended to be equipped with wheels whether or not it is so equipped; and

(ii) constructed or manufactured to provide a residence for one or more persons,

but does not include a travel trailer or tent trailer or trailer otherwise designed;

(c) “mobile home park” means any lot, piece or parcel of land upon which two or more occupied mobile homes are located or are intended to be located either free of charge or for revenue purposes, and shall include any building, structure or enclosure used or intended for use as part of the equipment of such mobile home park;

(d) “municipality” means the Municipality of the County of Richmond;

(e) “public utility” includes any corporation, commission, company, person, association of persons whatsoever, and including, but not limiting the generality of

the foregoing, the Nova Scotia Power Corporation, its lessees, trustees, liquidators, receivers, successors or assigns, that own or hereafter own or may own, operate, manage or control or may be incorporated for the purpose of owning, operating, managing or controlling any plant or equipment for the production, transmission, delivery or furnishing of heat, light or power either directly or indirectly to or for the public;

(f) "tent trailer" means a vehicular portable structure built on its own chassis, having a rigid or canvas top and side walls which may be folded or otherwise condensed for travel;

(g) "trailer" means a vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle, but does not include a mobile home.

2 Notwithstanding the provisions of any enactment, a public utility shall not make in the Municipality a new connection with an electrical installation in a mobile home park or a mobile home nor supply electrical power or energy through such connection to a consumer unless and until the consumer has established to the satisfaction of the public utility that all permits required by the municipality or its Board of Health have been issued and are in force with respect to the mobile home park or mobile home in which the electrical installation is located.

**An Act to Authorize the Municipality
of the District of Shelburne
to Provide a Retiring Allowance for
Harris F. Rhodenizer**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 The Municipality of the District of Shelburne shall pay Harris F. Rhodenizer, Municipal Clerk and Treasurer of the Municipality, a retiring allowance of five hundred and sixty-five dollars per month, the first of such monthly payments to be made on the last day of the month following his retirement as Municipal Clerk and Treasurer of the Municipality and continuing thereafter on the last day of each month for and during the term of his life.

2 On the last day of January in each year, the retiring allowance paid pursuant to this Act shall be increased over the allowance paid in the preceding year by the percentage increase in the cost of living in the preceding year as measured by the change in the Consumer Price Index for Canada prepared by Statistics Canada or by the annual increase in municipal stipends authorized by the Council of the Municipality, whichever is the greater.

3 All sums required for the payment of the retiring allowance paid pursuant to this Act shall be held to be sums required for the ordinary lawful purposes of the Municipality and shall be raised, levied and collected in the same manner and in all respects as other sums required for the ordinary lawful purposes of the Municipality are raised, levied and collected.

4 The retiring allowance pursuant to this Act shall be in place of the annuity provided by Section 107 of the Municipal Act.

5 This Act shall be binding upon the Municipality and upon any other municipality or local or other government which may hereafter become the successor to the Municipality or which assumes any or all of the relevant functions thereof.

**An Act to Permit the Municipality
of the District of West Hants to
Make a Special Grant to the
Windsor Agricultural Society in
the Municipality of the
District of West Hants**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding the provisions of the Municipal Act, the Assessment Act, or any special or general Act of the Legislature, the Municipality of the District of West Hants is authorized and empowered to make a grant to the Windsor Agricultural Society in the amount of not more than twenty-five thousand dollars, the terms and time for payment of the said amount to be determined by the Council of the Municipality.

**An Act Relating to the
Zoning By-law of the Village
Commissioners of Brooklyn**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the Brooklyn Village Zoning Act.

2 In this Act,

(a) "Village" means the Village Commissioners of Brooklyn incorporated under the Village Service Act;

(b) "Section 46" means Section 46 of the Village Service Act;

(c) "Minister" means the Minister of Municipal Affairs;

(d) "Zoning By-Law" means the zoning by-law adopted by the Village and approved by the Minister on the twenty-eight day of April, 1969, and any subsequent amendments thereto which would have been validly made if Section 46 had not been repealed.

3 Notwithstanding the repeal of Section 46 the Zoning By-Law shall continue and shall be deemed to have continued in effect as if Section 46 had not been repealed and any orders respecting the Zoning By-Law made by the Minister under the Planning Act shall have full force and effect.

4 The Village shall have full power to exercise all the powers under Section 46 as if Section 46 had never been repealed.

5 This Act shall cease to be in force upon the approval under the Planning Act by the Minister of a Municipal Development Plan for the Municipality of the County of Queens which applies to the area incorporated as the Village.

6 (1) This Act does not affect the rights acquired by any person from a judgment or order of a court given or made in litigation or proceedings commenced during that period of time beginning on the fifteenth day of May, 1979, and ending the day this Act comes into force.

(2) Any Act or omission prohibited by the zoning By-law shall be deemed not to be a violation of the Zoning By-Law if such act or omission occurred during that period of time beginning on the fifteenth day of May, 1979, and ending on the day this Act comes into force.

**An Act to Amend Chapter 72
of the Acts of 1897,
An Act relating to Common Lands
in the County of Lunenburg**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Section 4 of Chapter 72 of the Acts of 1897, An Act relating to Common Lands in the County of Lunenburg, is amended by

(a) striking out the words "municipal council or" in the first and second lines thereof;

(b) striking out the words "their respective" in the third line thereof and substituting therefor the word "its";

(c) striking out the words "municipal or" in the fourth line thereof; and

(d) striking out the word "are" in the fourth line thereof and substituting therefor the word "is".

(2) Said Section 4 is further amended by adding immediately following the Section number the number and symbols "(1)" and by adding thereto the following subsections:

(2) Notwithstanding Section 134 of Chapter 192 of the Revised Statutes, 1967, the Municipal Act, the municipal council shall not rent, lease or sell any portion of the common lands under its control.

**An Act to Amend Chapter 66
of the Acts of 1943,
An Act to Incorporate
Buchanan Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 66 of the Acts of 1943, An Act to Incorporate Buchanan Memorial Hospital, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 128
of the Acts of 1948,
the Lunenburg War Memorial
Community Centre Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 128 of the Acts of 1948, the Lunenburg War Memorial Community Centre Act, is amended by adding immediately following Section 1 thereof the following Section:

1A In this Act, "resident of the Town" means a person who

(a) is of the full age of eighteen years;

(b) is a Canadian citizen; and

(c) is, within the meaning of the Municipal Elections Act, ordinarily resident in the Town.

2 Section 2 of said Chapter 128 is amended by

(a) striking out the word "seven" in the third line thereof and substituting therefor the word "eight";

(b) striking out the word "ratepayers" in the sixth line thereof and substituting therefor the word "residents"; and

(c) striking out the words and punctuation "shall be ratepayers of the Town, to be appointed by the Council" in the sixth and seventh lines thereof and substituting therefor the words and punctuation ", to be appointed by the Council, and each of the remaining members shall be a person who has been a resident of the Town during the whole of the twelve month period immediately preceding his appointment".

3 Section 3 of said Chapter 128 is amended by striking out the words "the successors of such" in the eighth line thereof and substituting therefor the words "all other".

4 Section 6 of said Chapter 128 is amended by

(a) striking out the word "ratepayer" in the fifth line thereof and substituting therefor the word "resident", and

(b) striking out the word "ratepayer" in the sixth line thereof and substituting therefor the words "resident of the Town".

5 Section 9 of said Chapter 128 is amended by striking out the words and punctuation "athletic, social, educational and community facilities" in the eighth and ninth lines thereof and substituting therefor the words "cultural and fitness programs".

6 Section 12 of said Chapter 128 is amended by adding the figure and symbols "(2)" immediately preceding the words "The Commission" in the sixth line thereof.

6A Section 13 of said Chapter 128 is amended by striking out the word "The" in the first line thereof and substituting therefor the words and punctuation "Subject to the Municipal Finance Corporation Act, the".

7 Said Chapter 128 is further amended by adding immediately following Section 14 thereof the following Section:

15 The operation of the Commission shall be under the general supervision and direction of the Council.

**An Act to Amend Chapter 91
of the Acts of 1950,
An Act Relating to
The Aberdeen Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (2) of Section 5 of Chapter 91 of the Acts of 1950, An Act Relating to The Aberdeen Hospital, is amended by striking out the words "Governor in Council" in the last two lines thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 93
of the Acts of 1950, An Act
to Incorporate the Chester
Citizens Park**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (a) of Section 2 of Chapter 93 of the Acts of 1950, as enacted by Chapter 125 of the Acts of 1969, is amended by

(a) striking out the word "or" in the second line thereof and substituting therefor a comma; and

(b) adding immediately following the word "educational" in the second and third lines thereof the words "or recreational".

(2) Clause (b) of Section 2 of said Chapter 93, as enacted by said Chapter 125, is amended by

(a) striking out the words "recreational center and an amusement park" in the second and third lines thereof and substituting therefor the word "facility"; and

(b) striking out the word "Village" in the sixth line thereof and substituting therefor the words "Municipality of the District".

2 Clause (c) of Section 3 of said Chapter 93 is amended by striking out the words and punctuation "a club house or houses, baseball or softball diamonds, tennis courts and booths" in the second and third lines thereof and substituting therefor the words "recreational facilities".

3 Section 4 of said Chapter 93 is amended by

(a) striking out the word "eight" in the second line thereof and substituting therefor the word "nine"; and

(b) adding immediately following the word "of" in the third line thereof the words "the Municipality of the District of".

4 Said Chapter 93 is further amended by adding immediately following Section 6 thereof the following Section:

6A Notice of each of such subsequent annual general meetings shall be given by posting notice of the time and place thereof in not less than ten conspicuous places in the Municipality of the District of Chester at least seven days prior to the date of holding such meeting.

**An Act to Amend Chapter 94
of the Acts of 1958, the Riverport
District Fire Protection Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 8 of Chapter 94 of the Acts of 1958, the Riverport District Fire Protection Act, is amended by striking out the word "fifteen" in the third and eighth lines of clause (b) thereof and substituting therefor in each case the word "thirty".

**An Act to Amend Chapter 78
of the Acts of 1964, the
Amherst Area Industrial Commission Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Chapter 78 of the Acts of 1964, the Amherst Area Industrial Commission Act, is amended by adding immediately following Section 1 thereof this following Section:

1A In this Act,

(a) "Commission" means The Amherst Area Industrial Commission;

(b) "County Council" means the Council of the Municipality of the County of Cumberland.

(c) "Town Council" means the Council of the Town of Amherst;

2 Section 4 of Chapter 78 is repealed and the following Section substituted therefor:

4 (1) The Commission shall be composed of

(a) the Mayor of the Town of Amherst;

(b) the Warden of the Municipality of the County of Cumberland;

(c) one person appointed by Industrial Estates Limited;

(d) six persons appointed by the Town Council from amongst those persons nominated pursuant to clause (a) of subsection (2); and

(e) three persons appointed by the County Council from amongst those persons nominated pursuant to clause (b) of subsection (2).

(2) Each year prior to the thirtieth day of November the Commission or, if the Commission so determines, a nominating committee appointed by the Commission shall nominate

(a) twelve persons who reside or are employed in the Town of Amherst; and

(b) six persons who reside or are employed in the Municipality of the County of Cumberland,

to serve as members of the Commission.

(3) The Town Council and the County Council shall make the appointments it is required to make in each year prior to the thirty-first day of December and the persons so appointed shall take office on the first day of January next following.

(4) A person appointed by Industrial Estates Limited shall hold office for one year and may be re-appointed.

(5) A person appointed by the Town Council or the County Council shall hold office for three years and may be re-appointed.

(6) Notwithstanding subsection (5), in the year 1981 one third of the persons appointed by each of the Town Council and the County Council shall hold office for one year and one third for two years, as the Councils shall determine.

(7) A person appointed by the Town Council or the County Council shall not be appointed for more than two consecutive terms, not including any partial term to which the person is appointed pursuant to subsection (8).

(8) Where a vacancy occurs on the Commission other than by expiration of a term of office, the Commission shall forthwith appoint a person who shall hold office for the unexpired term of the person creating the vacancy.

(9) A member of the Commission shall not receive any remuneration as such.

**An Act to Amend Chapter 108 of the Acts
of 1973, An Act Regarding Exemption
from Property Taxes on Property of The
Nova Scotia Provincial Exhibition
Commission in the Village of Bible Hill
and in the Municipality of
the County of Colchester**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 108 of the Acts of 1973, An Act Regarding Exemption from Property Taxes on Property of The Nova Scotia Provincial Exhibition Commission in the Village of Bible Hill and in the Municipality of the County of Colchester, is repealed and the following Section substituted therefor:

2 (1) Notwithstanding the Assessment Act, the Bonus Act, this Act or any other enactment,

(a) the Municipality of the County of Colchester is authorized and empowered to forgive the rates, taxes, charges and interest imposed on that real and personal property of The Nova Scotia Provincial Exhibition Commission now, or at any time, leased by The Nova Scotia Provincial Exhibition Commission to Jollity Horsemen's Club Limited for the taxation years 1979, 1980 and 1981 to the extent that the Council by resolution declares them to be forgiven;

(b) the Village Commissioners of Bible Hill is authorized and empowered to forgive the rates, taxes, charges and interest imposed on that real and personal property of The Nova Scotia Provincial Exhibition Commission now, or at any time, leased by The Nova Scotia Provincial Exhibition Commission to Jollity Horsemen's

Club Limited for the taxation year 1981 to the extent that the Commissioners by resolution declares them to be forgiven;

(c) the Municipality may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes all or part of that real or personal property of The Nova Scotia Provincial Exhibition Commission now, or at any time, leased by The Nova Scotia Provincial Exhibition Commission to Jollity Horsemen's Club Limited;

(d) the Village Commissioners may annually by resolution and to the extent and under the conditions set out in the resolution exempt from rates and taxes all or part of the property now, or at any time, leased by The Nova Scotia Provincial Exhibition Commission to Jollity Horsemen's Club Limited.

(2) A resolution passed pursuant to clause (c) or (d) of subsection (1) shall have effect for the taxation year in which it is passed whether it is passed before or after the tax rate is set.

P R I V A T E A C T S

**An Act to Incorporate
Citadel Trust Company**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 David J. C. Waterbury, of Kentville, in the County of Kings and Province of Nova Scotia, Barrister-at-Law; Walter O. Newton, of Port Williams, in the County of Kings, Province of Nova Scotia, Barrister-at-Law; Richard W. Johnson, of Kentville, in the County of Kings, Province of Nova Scotia, Barrister-at-Law; Eric O. Sturk of Berwick, in the County of Kings and Province of Nova Scotia, Barrister-at-Law; and Steven R. Enman, of Steam Mill, in the County of Kings, Province of Nova Scotia, Barrister-at-Law and Professor, together with such persons as become shareholders in the company, are incorporated under the name Citadel Trust Company hereinafter called "the Company".

2 The Company shall be a trust company for the purposes of the Trust Companies Act and shall be subject to the provisions of the Act except as herein otherwise provided.

3 The persons named in Section 1 of this Act shall be the provisional directors of the Company.

4 The capital stock of the Company shall be three hundred thousand dollars which may be increased to three million dollars, and notwithstanding Section 25 of the Trust Companies Act shall be divided into shares of ten dollars each.

5 Notwithstanding Section 16 of the Trust Companies Act, no shareholder shall be eligible for election as a director unless he holds in his own name for his own use shares of the capital stock

of the Company of an aggregate par value of at least two thousand five hundred dollars and has paid in cash all calls due thereon and all liabilities incurred by him to the Company.

6 The head office of the Company shall be in the Town of Kentville, in the Province of Nova Scotia.

**An Act to Incorporate
the Eastern Shore
Development Commission**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the Eastern Shore Development Act.

2 In this Act,

(a) "Commission" means the Eastern Shore Development Commission;

(b) "Eastern Shore Region" means that portion of the County of Halifax more particularly described in the Schedule;

(c) "Funding Agency" means the person, including Her Majesty in the right of the Province or in the right of Canada, who obligates himself to provide the greatest proportion of the funds to the Commission for its general purposes;

(d) "1980 Commission" means the Eastern Shore Development Commission incorporated under the Societies Act.

3 (1) There is hereby established a body corporate to be known as the Eastern Shore Development Commission.

(2) The Commission shall consist of members appointed by the Funding Agency but if there is no Funding Agency at the time such member is to be appointed, such appointment may be made by the Governor in Council.

(3) Each member of the Commission shall hold office for three years and is eligible for re-appointment.

(4) If a person ceases to be a member of the Commission before his term of office expires, he may be replaced during the unexpired portion of his term of office by a person appointed by the Funding Agency, but if there is no Funding Agency at the time such person ceases to be a member of the Commission, such appointment may be made by the Governor in Council.

(5) A vacancy in the membership of the Commission shall not impair the corporate status or capacity of the Commission.

4 The objects of the Commission are

(a) to encourage the expansion of existing businesses within the Eastern Shore Region;

(b) to solicit and encourage the establishment and development of new businesses within the Eastern Shore Region;

(c) to sponsor by means of advertising, personal solicitation and otherwise, publicity campaigns for the purposes of making known the advantages of the Eastern Shore Region as a location for industrial or business enterprises;

(d) to prepare and disseminate statistical and other information for the purpose of creating interest in the Eastern Shore Region as a location for industrial or business enterprises;

(e) to make recommendations to various levels of government respecting such matters which, in the opinion of the Commission, relate to the development of industry and business;

(f) to co-operate with other organizations set up for the purpose of creating industry and business;

(g) to do anything which will provide a social, cultural or economic benefit for the Eastern Shore Region.

5 (1) The Commission may

(a) acquire by way of grant, gift, purchase, bequest, devise, or otherwise, real and personal property and any interest therein, including money;

(b) borrow money and mortgage, pledge or otherwise charge its real and personal property or any interest therein for the purpose of securing any sum or sums of money so borrowed, or payment or performance of any obligation;

(c) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable instruments;

(d) invest any money of the Commission not immediately required for the purposes of the Commission;

(e) sell, lease, convey, dispose of, or deal with its real and personal property or any part thereof, or any interest therein;

(f) erect, manage, maintain and develop buildings and structures;

(g) employ such persons as may be necessary to attain its objects or exercise its powers at such remuneration as shall be determined by the Commission;

(h) do all such other acts and things as are incidental or conducive to, or consequential upon, the exercise of its powers or the attainment of its objects.

(2) Notwithstanding subsection (1) any agreement between the Funding Agency and the Commission may provide that the Commission shall not, without the consent of the Funding Agency, borrow money or mortgage, pledge or otherwise charge its

real and personal property or any interest therein, or sell, lease, convey, dispose of or deal with its real and personal property or any part thereof, or any interest therein.

6 The Commission may from time to time make by-laws, not inconsistent with this Act, for its internal management, and, without restricting the generality of the foregoing, may make by-laws in respect of

(a) the conduct and duties of the officers and employees of the Commission;

(b) the method of calling meetings of the Commission and the conduct of business at such meetings and at a meeting of any committee appointed by the Commission;

(c) the order and proceedings at such meetings;

(d) the appointment of such standing or special committees as it may from time to time determine.

7 Notwithstanding any provision in this Act, the Commission shall hold a meeting of its members on at least twelve occasions during each year, at such time and place as the Commission shall determine, but the Chairman of the Commission or any three members of the Commission may call a meeting of the Commission at any time upon notice of such meeting being given in accordance with the by-laws.

8 At least fifty per cent of the members of the Commission shall constitute a quorum unless the Commission by by-law determines otherwise.

9 The funding agency shall appoint a Chairman, Vice-Chairman, Secretary and Treasurer from the members of the Commission and may appoint one person to hold two or more of such offices, and such officers shall hold office for a year from the first meeting of the Commission held in any year, commencing with the year 1981, until the first meeting of the Commission held in each succeeding year, at which time the funding agency may appoint their successors.

10 The Commission may delegate any of its powers to subcommittees consisting of such members of the Commission as the Commission thinks fit, but any such subcommittee shall, in the exercise of the powers so delegated to it, conform and be subject to any directions, restrictions and regulations that may from time to time be imposed upon it by the Commission.

11 The Commission is hereby declared to be the successor of the 1980 Commission and all the property, rights, obligations and liabilities of the 1980 Commission existing immediately before the day on which this Act comes into force shall be deemed to be the property, rights, obligations and liabilities of the Commission and the Commission shall have the same powers for the enforcement and protection of any estate, right, title or interest as were enjoyed by the 1980 Commission, and every document referring to the 1980 Commission shall be read and construed as referring to the Commission.

12 The 1980 Commission is dissolved.

13 Upon the recommendation of the Minister of Development the Governor in Council may authorize the Commission to lease, as agent for the Province, all or any part of any industrial mall or industrial park owned by the Province and located within the Eastern Shore Region.

14 All deeds, mortgages, transfers, assignments, conveyances, releases, agreements, securities, or leases in which the Commission is either landlord or tenant shall be executed by and on behalf of the Commission under its corporate seal by the Chairman or Vice-Chairman of the Commission and the Secretary.

15 Nothing in this Act means or shall be construed to mean that Her Majesty in the right of the Province is obligated to provide any funds to the Commission.

16 The Commission shall, not later than four months immediately following the end of a fiscal year, prepare and submit to any person, including Her Majesty in the right of the Province who was, during such year, a Funding Agency, a financial statement setting forth the assets and liabilities of the Commission, and the receipts and expenditures of the Commission for that year, together with a report concerning the work of the Commission during that year.

SCHEDULE

That part of the County of Halifax bounded by a line commencing at a point situated on the shore of the Atlantic Ocean at the southeastern termination of the Halifax-Guysborough County line; THENCE westerly along the shore of the Atlantic Ocean and along Cole Harbour to the point where Little Salmon River enters Cole Harbour; THENCE northerly along Little Salmon River to Lake Major; THENCE northerly along Lake Major to the northwestern end of Lake Major; THENCE in a line northeasterly to Loon Lake at its south end; THENCE in a line due north to Musquodoboit River; THENCE southeasterly along Musquodoboit River to the bridge where Highway 357 crosses Musquodoboit River; THENCE in a line northeasterly to Pine Lake at its northwest end; THENCE in a line northeasterly to Rocky Lake at its southeast end; THENCE in a line northeasterly to Fish River at the brook out of Ash Hill Lake and Maple Hill Lake; THENCE easterly along Fish River to Moose River; THENCE in a line northeasterly crossing Scraggy Lake to Lake Alma at its north end; THENCE in a line northeasterly to the dam at the southeast end of River Lake; THENCE in a line northerly to Kent Lake at its southeast end; THENCE in a line northeasterly to Como Lake at its southeast end; THENCE in a line northeasterly to the Halifax-Guysborough County line at the northwest shore of Mosher Lake; THENCE along the boundary line between Halifax County and Guysborough County in a southeasterly direction to the point of beginning; together with all offshore islands and parts of islands.

**An Act to Incorporate
the Union of
Nova Scotia Municipalities**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the Union of Nova Scotia Municipalities Act.

2 In this Act,

(a) “former member unit” means a municipal unit that was, immediately prior to the coming into force of this Act, a member of the unincorporated Union;

(b) “member unit” means a municipal unit that is a member of the Union;

(c) “municipal unit” means a city, town or municipality of a county or a municipality of a district;

(d) “unincorporated Union” means the Union of Nova Scotia Municipalities prior to the incorporation of the Union;

(e) “Union” means the Union of Nova Scotia Municipalities incorporated by this Act.

3 The former member units and such municipal units which become members of the Union in accordance with the provisions of this Act and by-laws made thereunder are hereby created a body corporate under the name of the “Union of Nova Scotia Municipalities”.

4 The objects of the Union are

(a) to represent the Provincial interests of local governments in the Province, and to act as the spokesman for member units on all such matters as are properly within the jurisdiction of the government of the Province;

(b) to carry out, or cause to be carried out such research activities as will assist in the betterment and encourage a higher degree of efficiency of local government in the Province;

(c) to act as a clearing house for the collection, exchange and dissemination of statistical data and general information on all matters of municipal practices and procedures;

(d) to hold Annual Conferences for information, discussion and resolutions, and to hold a general workshop and discussion session at each Annual Conference to give delegates an opportunity to present problems of concern;

(e) to promote and strengthen what is best in local government and service;

(f) to protect the rights and privileges of responsible government in municipal affairs;

(g) to further municipal interests by encouraging cooperation between municipal units;

(h) to undertake such activities on its own or in concert with others as may be in the best interests of local government in the Province; and

(i) to do all such other acts and things as are incidental or conducive to or consequential upon the attainment of the objects in the exercise of the powers of the Union.

5 The Union may

(a) purchase, acquire by gift or otherwise, take, lease, hold and enjoy real and personal property or any other interest therein by ownership, lease or otherwise and use and apply the same to the realization of the objects of the Union;

- (b) raise money for the purposes of the Union;
- (c) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, cheques and other negotiable and transferable instruments;
- (d) borrow on the security of its real and personal property, or either of them, or on any other security, or without any security whatever, all such money as it shall deem necessary, and mortgage, pledge or otherwise charge its real and personal property or any part thereof for the purpose of securing any sum or sums so borrowed;
- (e) improve, enlarge, repair, erect and maintain any building or buildings suitable for the purposes of the Union;
- (f) mortgage, lease, sell or otherwise dispose of, or deal with any of the assets of the Union as it may deem expedient; and
- (g) do all such other things as may be necessary or incidental to the attainment of the objects and purposes of the Union.

6 (1) At the Annual Conference the Union shall elect a President and First and Second Vice-Presidents, who shall have served at least one year on the Executive Committee, and a Secretary-Treasurer.

(2) Such officers shall hold office until their successors are elected.

(3) The President shall not hold office for more than three consecutive years.

(4) In the event of the death, resignation or removal from the Province, or relinquishment of municipal office to which any such officer has been elected or appointed, the Executive Committee shall declare such office vacant and appoint a successor who shall hold office until the next Annual Conference; provided that should any member of a committee appointed by the Union or by the Executive Committee resign or be removed from office before the next Annual Conference such member may retain his position on such committee until that Annual Conference.

(5) The officers shall conduct and arrange the affairs of the Union between meetings of the Executive Committee.

(6) The officers shall have all the rights, privileges and powers of the Executive Committee, provided that they do not act contrary to any policies laid down or directions given by the Executive Committee.

7 (1) At the Annual Conference the general meeting of the Union shall elect an Executive Committee consisting of the President, the First Vice-President, the Second Vice-President, Secretary-Treasurer, the Immediate Past President and fifteen other representatives of member units fairly distributed among cities, towns and municipalities, making a total of nineteen members, one of whom shall be a member and a representative from the Association of Municipal Administrators.

(2) The Executive Committee shall meet at the call of the President.

(3) Ten members of the Executive Committee shall constitute its quorum.

(4) Each member of the Executive Committee shall notify the Secretary-Treasurer in writing within thirty days of his election as such of the name of his alternate.

(5) Such alternate shall attend all meetings in the place of the member of the Executive Committee when the member is unable to attend and the alternate shall stand in the place of the said member with all the rights, powers and privileges thereof when so doing.

(6) The Executive Committee shall appoint annually an auditor, and the auditor shall audit the books and accounts of the Union and report thereon to the Executive Committee.

(7) The Executive Committee shall conduct and arrange the affairs of the Union between Annual Conferences or special or general meetings of the Union.

(8) In the event of the death, resignation or removal from the Province, or relinquishment of municipal office to which

any member of the Executive Committee has been elected or appointed, the Executive Committee shall declare that position on the Executive Committee vacant, and appoint a successor who shall hold office until the next Annual Conference.

8 (1) At the Annual Conference there shall be a Committee on Resolutions of not more than fourteen members to be appointed by the Executive Committee not less than forty-two days before the Annual Conference.

(2) Any resolution to be considered by the Committee on Resolutions shall be forwarded to the Secretary-Treasurer by a member unit, a regional meeting of member units or the Executive Committee not less than seventy days before the Annual Conference, and the resolutions so received shall be forwarded to the clerks of the member units at least forty-two days before the Annual Conference.

(3) A substantive resolution that deals with a matter not on the agenda shall not be considered by the Annual Conference unless at least one day's notice in writing thereof has been given to the Secretary-Treasurer.

(4) The Executive Committee may at its meeting immediately prior to the Annual Conference, consider and forward to the Committee on Resolutions for consideration any resolutions received by the Secretary-Treasurer after the closing for resolutions, as it sees fit.

(5) The Committee on Resolutions may on its own motion present any matter to the Annual Conference.

(6) No resolution shall be brought before the Annual Conference except as set out hereinbefore unless it is otherwise determined by a two-thirds affirmative majority of voting delegates present at the meeting.

9 (1) At the Annual Conference there shall be appointed a Committee on Nominations composed of the Chairman and three members, one each from a city, a town and a municipality.

(2) The three members of the Committee on Nominations shall be appointed by the President, or otherwise as the Annual Conference may determine.

(3) The Immediate Past President shall be Chairman of the Committee on Nominations.

(4) If the Immediate Past President is not still involved in municipal government or is otherwise unavailable to serve as Chairman then the next Junior Past President who is still so involved and available shall be Chairman.

(5) If no Past President is eligible and available, the President shall appoint the Chairman.

(6) The Committee on Nominations shall file its report with the Secretary-Treasurer not later than forty-two days before the next Annual Conference and such report shall be circulated to the clerks of the member units with the notice of the Annual Conference.

(7) The Secretary-Treasurer shall serve as secretary of the Committee on Nominations.

10 The Executive Committee shall function as the Legislative Committee of the Union and shall have power to appoint a solicitor and to pay such honorarium to the solicitor as in its discretion it deems fit.

11 Special committees may from time to time be appointed by the Annual Conference or the Executive Committee.

12 The President may appoint special committees, but any such appointment is subject to ratification by the Executive Committee at its first meeting after such appointment.

13 (1) The Annual Conference shall be held at such time and place as the previous Annual Conference or the Executive Committee shall decide.

(2) Every member unit may send thereto such delegates as it may appoint.

(3) Only members of a council or officials of a member unit, not exceeding in all five representatives for each member unit, authorized by such member unit, shall have the right to vote at the Annual Conference.

(4) The Annual Conference fees shall be fixed by the Executive Committee and the member units notified thereof at least ninety days before the convening of the Annual Conference.

14 Membership fees for member units shall remain as fixed prior to the coming into force of this Act until they are changed at an Annual Conference.

15 (1) The Executive Committee may appoint an Executive Director and may by resolution fix the remuneration to be paid to the Executive Director.

(2) The Executive Director shall perform such duties as the Executive Committee shall from time to time assign.

(3) The Executive Director shall be responsible to the Executive Committee for carrying out his duties.

16 The officers, members of the Executive Committee and members of all other committees of the unincorporated Union shall continue to hold office in the Union until the first Annual Conference following the coming into force of this Act.

17 A vacancy on the Executive Committee or any other committee shall not impair the right of the remaining members to act so long as a quorum remains.

18 (1) The Executive Committee may make by-laws not inconsistent with this Act or contrary to law providing for the conduct and management of the affairs, business and property of the Union, and for the exercise of its objects, and without restricting the generality of the foregoing may make by-laws

(a) prescribing the terms and conditions of membership in the Union, and suspension or expulsion therefrom;

(b) prescribing the fees payable by member units;

(c) prescribing the rights and obligations of membership;

(d) regulating and governing the appointment, functions, duties, remuneration, suspension and removal of employees;

(e) regulating the calling, holding and conduct of meetings and conferences of the Union, the Executive Committee and other committees;

(f) any matter incidental or necessary for the carrying out and management of the objects and affairs of the Union.

(2) Any by-law or repeal or amendment thereof made by the Executive Committee shall be circulated to all member units and shall remain in full force and effect until the immediately following Annual Conference or a special meeting of the Union called for the purpose of considering the by-law.

(3) Where a by-law is being considered by the Union pursuant to subsection (2), the Union may confirm, amend, vary or otherwise deal with the by-law.

19 The quorum for the Annual Conference and general and special meetings of the Union shall be twenty-five voting delegates.

20 Notice of the Annual Conference and special or general meetings of the Union shall be given in the manner prescribed by the by-laws.

21 A general or special meeting of the Union

(a) may be called by the Executive Committee at any time; or

(b) shall be called within one month of the date on which the Secretary-Treasurer receives a written request from at least ten member units that such a meeting be held.

22 The Union, by such signing officers as are authorized by its by-laws, may make and execute under the corporate seal of the Union deeds, leases in which the Union is either landlord or tenant, mortgages and other conveyances of the real and personal property or any interest therein held by the Union.

23 Any profits derived from carrying out the affairs and business of the Union shall be devoted and applied solely in promoting and carrying out its objects and exercising its powers and shall not be divided among its member units.

24 No officer or employee of the Union shall be personally liable for any debt, liability or obligation of the Union unless he specifically renders himself liable in his individual capacity.

25 Upon the passing of this Act all property belonging to or held in trust or by the unincorporated Union hereby vests in and belongs to the Union, and the Union shall be the successor to the unincorporated Union.

26 In addition to the powers by law vested in a body corporate and without limiting the generality of any powers conferred by this Act, the Union shall have, for the purpose of carrying out its objects, the power to

(a) contract with any person respecting any matter within the powers or objects of the Union and to do all such acts, deeds and things and to execute all such documents as may be considered expedient in the attainment of the objects of the Union and

(b) enter into agreements with

(i) the Government of the Province,

(ii) any department, board, commission, corporation or agency of Her Majesty in the right of the Province, and

(iii) any municipal unit or department, board, commission, corporation or agency thereof,

to carry out the purpose of this Act and may by such an agreement establish inter-governmental or other committees to co-ordinate or implement programs relating to the objects of the Union.

27 (1) The Executive may, not later than at its second regular meeting in any year, prescribe Regions based on the location of member units.

(2) Each Region so prescribed shall hold at least one regular meeting each year.

(3) The first meeting in each year of such Region shall be convened by the Executive member or members in that Region.

(4) Each member unit in such Region is entitled to a maximum of five voting delegates at a regional meeting.

(5) A regional meeting may consider and pass resolutions, and forward them and recommendations to the Executive of the Union.

28 The Union and its property are exempt from taxation under or pursuant to any enactment of the Legislature.

29 For the purpose of

(a) any enactment conferring upon a municipal unit a tax exemption of property, and

(b) any enactment providing for a grant or assistance to be paid to a municipal unit,

the Union shall be deemed to be a municipality.

30 All by-laws, regulations and rules of procedure of the unincorporated Union remain in force and apply to the Union until they are amended or repealed by the Union.

**An Act to Change the Name of
the Canadian Bible Society,
Auxiliary of the British and Foreign
Bible Society, Nova Scotia District**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 The name of the Canadian Bible Society, Auxiliary of the British and Foreign Bible Society, Nova Scotia District, a body corporate incorporated by Chapter 125 of the Acts of 1910, as amended by Chapter 155 of the Acts of 1931 and further amended by Chapter 107 of the Acts of 1961, is changed to Canadian Bible Society, Nova Scotia District - La Societe Biblique Canadienne Le District Nova Scotia.

2 The Society may from time to time use, and it may be legally designated by either the French or English form of its name or both forms.

3 The change of name of the Society shall not in any way impair, alter, or affect the rights or liabilities of the Society in respect of any bequest, gift, or donation, now made or which hereafter may be made to the Society, whether by any of its former names or its new name, or any suit or proceeding now pending, or judgment existing, either by or in favour of, or against, the Society; and any such suit, proceeding or judgment may, notwithstanding such change in the name of the Society, be continued and enforced as if this Act had not been passed.

**An Act to Confer Additional Powers
Upon Antigonish Farmers' Mutual
Fire Insurance Company**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding Section 33 of the Mutual Insurance Companies Act, Antigonish Farmers' Mutual Fire Insurance Company shall have power and be entitled, in addition to the issuing of policies which it now has power to issue under and by virtue of Section 33 of such Act, to receive applications for policies of insurance against theft and liability and to issue policies of insurance against theft and liability and to transact all necessary business for such purposes in respect of the business of insurance against theft and liability.

2 The provisions of the Mutual Insurance Companies Act shall otherwise apply mutatis mutandis to Antigonish Farmers' Mutual Fire Insurance Company in respect of the business of insurance against theft and liability.

**An Act to Confer Additional
Powers Upon Clare Mutual
Fire Insurance Company**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding Section 33 of the Mutual Insurance Companies Act, Clare Mutual Fire Insurance Company shall have power and be entitled, in addition to the issuing of policies which it now has power to issue under and by virtue of Section 33 of such Act, to receive applications for policies of insurance against theft and to issue policies of insurance against theft and to transact all necessary business for such purposes in respect of the business of insurance against theft.

2 The provisions of the Mutual Insurance Companies Act shall otherwise apply mutatis mutandis to Clare Mutual Fire Insurance Company in respect of the business of insurance against theft.

**An Act to Extinguish Public Rights of
Way Over Certain Lands Located on the
Westerly Side of Edgewood Drive
District No. 17, County of Cape Breton**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Notwithstanding any enactment, all public rights of way or passage of all persons for any purposes whatsoever in, over and along the lands described in the Schedule are extinguished.

SCHEDULE

ALL that certain lot, piece or parcel of land situate, lying and being on Edgewood Drive, District Number 17, County of Cape Breton and more particularly bounded and described as follows:

BEGINNING at an iron bar found at the intersection of the western boundary of Edgewood Drive with the southerly boundary of Cossitt Street as shown on plan of Edgewood Acres by Eldon Adams, P.L.S. dated March 12, 1955 (Registry Reference M-53), said point being the northern corner of a lot of land deeded to Florence Cooperative Housing Limited;

THENCE S 57°45' W along the northern boundary of said lands deeded to Florence Cooperative Housing Limited and the prolongation thereof a distance of 249.38 feet to a survey marker set on the northeastern boundary of lands now or formerly Alex Cameron;

THENCE N 39°00' W along the said northeastern boundary of lands of Alex Cameron and the southwestern boundary of proposed Norfolk Drive as shown on Plan of Edgewood Acres, a distance of 73.35 feet to a survey marker;

THENCE N 58°28' E for a distance of 260.76 feet to a survey marker set on the eastern corner of lands deeded to Gerald Baker and Shauna Morrison, Registry Reference Book 961, page 487;

THENCE S 30°00' E along the said western boundary of Edgewood Drive for a distance of 69.64 feet to the place of beginning.

The above-described lot being a portion of proposed Cossit Street, proposed Norfolk Drive and a portion of Lots 36, 37, 35 and 39 on plan of Edgewood Acres by Eldon ADams, P.L.S. dated March 12, 1955 (Registry Reference M-53).

The above-described lot being outlined in red on plan by Stewart F. Setchell, Nova Scotia Land Surveyor and having Plan No. 02-17-81.

The above-described lot contains 18,150 square feet. Bearings are magnetic of the year 1955.

**An Act to Amend Chapter 107 of the
Acts of 1888, An Act to incorporate
the Royal Nova Scotia Yacht Squadron**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 7 of Chapter 107 of the Acts of 1888, An Act to incorporate the Royal Nova Scotia Yacht Squadron, as enacted by Chapter 117 of the Acts of 1950, is amended by striking out the words "for money" in the second line thereof and substituting therefor the words "money for".

2 Said Chapter 107 is further amended by adding immediately following Section 7 thereof the following Sections:

8 The Corporation may

(a) subject to subsection (1) of Section 9, issue shares without nominal or par value,

(b) sell such shares at such price and on such terms and conditions as may be provided in the by-laws,

(c) repurchase and resell such shares at such price or prices as it may deem advisable.

9 (1) The Corporation shall not

(a) issue shares to persons other than members of the Corporation,

(b) issue more than one share to each member of the Corporation.

(2) No dividends shall be issued on any shares issued by the Corporation.

(3) No shares shall be transferred except with the consent of the Corporation and on such terms and conditions and at such price as may be determined by the by-laws of the Corporation.

(4) No person shall vote on any share except the registered holder of such share.

(5) The registered holder of a share is deemed to be the absolute holder thereof.

10 (1) The Corporation shall have a first lien on each share for the amount, if any, that the registered holder thereof owes to the Corporation for dues, fees, fines, house accounts, penalties or for any other outstanding obligation and such lien shall attach at the time when the amount owed by the registered holder first became due and payable.

(2) Subject to subsection (3), the Corporation may forfeit for its benefit any share upon which it has a lien if the amount for which it has a lien or any part thereof has remained unpaid for a period exceeding twelve months from the date on which it first became due and payable.

(3) One month before forfeiting a share, notice of the proposed forfeiture shall be given to the registered holder or his or her personal representative and unless the dues, fees, fines, penalties or other amounts which constitute the lien are paid within one month from the giving of the notice the share may be forfeited and cancelled, whereupon another share may be issued and sold in lieu of the one cancelled.

(4) The notice required to be given pursuant to this Section may be given by personal service or registered mail addressed to the holder, at that address which is shown on the register of the members of the Corporation.

(5) Where a share is forfeited to the Corporation it shall be deemed to have been sold to the Corporation at the price determined in the by-laws and the proceeds thereof shall be used so far as is necessary to pay off the amount of the lien, and the balance, if any, shall be refunded to the shareholder or his or her personal representative.

**An Act to Amend Chapter 111
of the Acts of 1903,
the Sutherland-Harris
Memorial Hospital Act**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Subsection (2) of Section 11 of Chapter 111 of the Acts of 1903, the Sutherland-Harris Memorial Hospital Act, as enacted by Chapter 87 of the Acts of 1964, is amended by striking out the words "The Nova Scotia Hospital Insurance Commission" in the second and third lines thereof and substituting therefor the words "the Minister of Health".

**An Act to Amend Chapter 111
of the Acts of 1903, the
Sutherland-Harris Memorial
Hospital Act**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Clause (g) of Section 10 of Chapter 111 of the Acts of 1903, the Sutherland-Harris Memorial Hospital Act, as that Section is enacted by Chapter 87 of the Acts of 1964 is repealed.

(2) Clause (h) of said Section 10 is amended by striking out the word "three" in the first line thereof and substituting therefor the word "six".

**An Act to Change the Name of the
Chester Cornet Band and to Amend
Chapter 238 of the Acts of 1906,
An Act to incorporate
the Chester Cornet Band**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 The name of the Chester Cornet Band, a corporation incorporated by Chapter 238 of the Acts of 1906, an Act to incorporate the Chester Cornet Band, is changed to the Chester Brass Band.

2 The title of said Chapter 238 is changed from “an Act to incorporate the Chester Cornet Band” to “an Act to Incorporate the Chester Brass Band”.

3 Section 1 of said Chapter 238 is amended by striking out the word “Cornet” in the fifth line thereof and substituting therefor the word “Brass”.

4 Section 3 of said Chapter 238 is amended by striking out the punctuation, words, symbol and figure “, of the actual value of \$3,000” in the fourth and fifth line thereof.

5 Section 4 of said Chapter 238 is amended by striking out the word “Cornet” in the fifth line thereof and substituting therefor the word “Brass”.

6 Section 6 of said Chapter 238 is amended by striking out the word “Cornet” in the second line thereof and substituting therefor the word “Brass”.

7 No rights, duties, obligations or liabilities of the Chester Cornet Band shall be in any wise affected by the change of name made by this Act and these rights, duties, obligations and liabilities shall continue to be vested in and binding upon it by the name "Chester Cornet Band".

**An Act to Amend Chapter 179
of the Acts of 1908,
An Act to incorporate the
Harbor View Hospital Board, Sydney Mines,
in the County of Cape Breton**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 179 of the Acts of 1908, An Act to incorporate the Harbor View Hospital Board, Sydney Mines, in the County of Cape Breton, is amended by striking out the words "Governor-in-Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend
Chapter 104 of the Acts of 1920,
An Act Respecting the Dawson
Memorial Hospital in the
Town of Bridgewater**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 4 of Chapter 104 of the Acts of 1920, An Act Respecting the Dawson Memorial Hospital in the Town of Bridgewater, as amended by Chapter 127 of the Acts of 1960, is further amended by

(a) striking out the period at the end of the second line of clause (d) thereof and substituting therefor the punctuation and word “, and”, and

(b) adding immediately following said clause (d) the following clauses:

(e) the President of the Auxiliary of the hospital,
and

(f) the President of the medical staff of the hospital.

2 Section 8 of said Chapter 104 as enacted by Chapter 157 of the Acts of 1975 is amended by striking out the word “The” in the first line thereof and substituting therefor the words “Subject to the Municipal Finance Corporation Act the”.

3 Subsection (1) of Section 10 of said Chapter 104, as enacted by Chapter 138 of the Acts of 1966, is amended by

(a) striking out the words “by way of a bank loan” in the eighth line thereof and substituting therefor the words and

punctuation “, subject to the Municipal Finance Corporation Act,” and

(b) striking out the word “one” in the tenth line thereof and substituting therefor the word “five”.

4 The said Chapter 104 is further amended by adding immediately following Section 10 thereof the following Section:

11 In this Act,

(a) “Auxiliary of the hospital” means the hospital auxiliary whose by-laws were approved by the Board of Management on the fifteenth day of December, 1971, or a successor organization if it is organized with the approval of the Board;

(b) “medical staff of the hospital” means the medical staff of the hospital which is constituted an organization under the by-laws of the hospital.

**An Act to Amend Chapter 227
of the Acts of 1920, An Act
to Incorporate the Western Kings
Memorial Hospital Association**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 (1) Subsection (2) of Section 8 of Chapter 227 of the Acts of 1920, An Act to Incorporate the Western Kings Memorial Hospital Association, as enacted by Chapter 69 of the Acts of 1978, is amended by

(a) striking out the word “and” in the second line of clause (a) thereof;

(b) striking out the period at the end of subclause (vii) of clause (b) thereof and substituting therefor the word and punctuation “; and”; and

(c) adding immediately following clause (b) thereof the following clause:

(c) a member of the active medical staff of the corporation appointed by the Board of Trustees.

(2) Said Section 8 is further amended by adding immediately following subsection (6) thereof the following subsection:

(6A) The trustee appointed in accordance with clause (c) of subsection (2) shall serve for a term of two years.

(3) Subsection (9) of said Section 8, as enacted by said Chapter 69, is amended by adding immediately following the symbols and letter “(b)” in the second line thereof the words, symbols and letter “or clause (c)”.

**An Act to Amend Chapter 137
of the Acts of 1925,
An Act to Incorporate the
Digby General Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 137 of the Acts of 1925, An Act to Incorporate the Digby General Hospital, is amended by striking out the words "Governor-in-Council" in the second last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 162
of the Acts of 1928,
An Act to Incorporate The
Kentville Hospital Association**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 162 of the Acts of 1928, An Act to Incorporate The Kentville Hospital Association, is amended by striking out the words "Governor-in-Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 152
of the Acts of 1929,
An Act to Incorporate the
Westwood General Hospital Association**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 152 of the Acts of 1929, An Act to Incorporate the Westwood General Hospital Association, now known as the Eastern Kings Memorial Hospital, is amended by striking out the words "Governor-in-Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 99
of the Acts of 1934,
An Act to Incorporate the
Fishermen's Memorial Hospital Society**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 99 of the Acts of 1934, An Act to Incorporate the Fishermen's Memorial Hospital Society, as enacted by Chapter 126 of the Acts of 1977, is amended by adding immediately following the word "providing" in the fifth line thereof the words "through a Board of Directors".

2 Section 3 of said Chapter 99 is repealed and the following Sections substituted therefor:

3 (1) The Corporation shall elect or appoint a Board of Directors to be comprised of such number of members with such qualifications and to hold office for such terms as are specified in the by-laws.

(2) The Board of Directors shall appoint or elect the officers of the Board of Directors for such terms and in accordance with the by-laws.

(3) Notwithstanding anything contained in this Act, the Board of Directors shall not make, alter, amend or repeal any by-law with respect to the election or appointment of the Board of Directors or any of the officers of the Board of Directors, or the number of members of the Board of Directors, their qualifications or terms of office without the approval of the Minister of Health and the concurrence of a majority of the members of the corporation at a meeting duly called for such purpose.

3A The corporation shall have full power and authority from time to time to make, alter, amend or repeal such constitution, by-laws, rules and regulations for the control of the membership of the corporation, and the admission and qualification of members of the corporation, the calling of meetings and any other matters incidental thereto or connected therewith.

3B The Board of Directors may make by-laws, rules and regulations and may amend or repeal the by-laws, rules and regulations of the corporation with respect to the conduct and management in all respects of the purposes and affairs of the hospital and including among other matters the calling of meetings of the Board of Directors, the making of by-laws for the appointment or election of such officers, boards and committees as may be deemed necessary or convenient, and the delegation to such officers, boards and committees of such powers and duties as may be deemed expedient, the procedure in all things at such meetings, the appointment, functions, duties and removal of the medical staff, all officers, agents and servants and the management and administration of the hospital and its assets and such by-laws shall be subject to the approval of the Minister of Health.

3 Section 6 of said Chapter 99 is amended by adding immediately following the word "corporation" in the first line thereof the words "or the Board of Directors".

4 Said Chapter 99 is further amended by adding immediately following Section 11 thereof the following Sections:

12 The Board of Directors shall be the "board" for the purposes of the Hospitals Act and the Health Services and Insurance Act with respect to such matters it is empowered to control and with respect to which it may make, amend or repeal by-laws under this Act.

13 The existing by-laws, rules and regulations made by the corporation at a duly convened meeting held on the fourth day of August, 1980, and approved by the Minister of Health effective the fifth day of August, 1980, shall continue in force and effect until amended in accordance with this Act.

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

**An Act to Amend Chapter 108
of the Acts of 1936,
An Act to Incorporate The
Queens General Hospital Association**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 108 of the Acts of 1936, An Act to Incorporate The Queens General Hospital Association, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 93
of the Acts of 1939,
An Act to Incorporate
Annapolis General Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 93 of the Acts of 1939, An Act to Incorporate Annapolis General Hospital, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 93
of the Acts of 1939, An
Act to Incorporate Annapolis
General Hospital**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 6 of Chapter 93 of the Acts of 1939, An Act to Incorporate Annapolis General Hospital, as enacted by Chapter 101 of the Acts of 1965, is repealed and the following Section substituted therefor:

6 Subject to the approval of the Minister of Health and subject to the Municipal Finance Corporation Act, The Corporation is authorized and empowered, under the authority of a resolution passed by a majority of the members of the Board of Trustees present at any regular or special meeting of the Board of which notice specifying the intention to propose such resolution has been duly given, to borrow a sum of money not exceeding one million dollars for the purpose of the Corporation, and to secure the repayment of such money by any form of debenture, bond, mortgage, hypothecation, promissory note or other security.

2 Said Chapter 93 is further amended by adding immediately following Section 11 thereof the following Sections:

12 (1) Subject to the approval of the Minister of Municipal Affairs and subject to the Municipal Finance Corporation Act, the Municipality of the County of Annapolis and the Town of Annapolis Royal are authorized and empowered to borrow or raise by way of loan on the credit of the Municipality and the Town, respectively, or to pay out of any special reserve fund the sums of money mentioned in subsection (3) and to pay over such sums of money to The Corporation for the purpose of defraying the cost of carrying

out a building program as authorized by the Minister of Health, including the tearing down, renovation and extending of the present structures of the Corporation and furnishing and equipping the same.

(2) The amounts required for any of the purposes mentioned in this Act shall be deemed to be for a municipal or town purpose within the meaning of the Municipal Affairs Act, the Towns Act and the Municipal Act.

(3) The sums authorized to be borrowed or raised or paid over by the Municipality or the Town for the purposes of this Section shall be, in the case of the Municipality of the County of Annapolis a sum not exceeding one hundred and twenty thousand dollars, and in the case of the Town of Annapolis, a sum not exceeding thirty thousand dollars.

13 Section 123 of the Towns Act does not apply to this Act.

**An Act to Amend Chapter 81
of the Acts of 1946,
An Act to Incorporate
“Guysborough Memorial Hospital”**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 81 of the Acts of 1946, An Act to Incorporate “Guysborough Memorial Hospital”, is amended by striking out the words “Governor in Council” in the last two lines thereof and substituting therefor the words “Minister of Health”.

**An Act to Amend Chapter 84
of the Acts of 1946,
An Act to Incorporate
St. Mary's Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 84 of the Acts of 1946, An Act to Incorporate St. Mary's Memorial Hospital, is amended by striking out the words "Governor in Council" in the last two lines thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 86
of the Acts of 1946, An Act
to Incorporate The Nova Scotia
Provincial Exhibition Commission**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 13 of Chapter 86 of the Acts of 1946, as amended by Chapter 128 of the Acts of 1950, Chapter 127 of the Acts of 1954 and Chapter 92 of the Acts of 1980, is repealed and the following Section substituted therefor:

13 The Commission may borrow money for the purpose of carrying out its objects and may execute mortgages of its real and personal property, issue debentures secured by mortgage or otherwise, sign bills, notes, contracts and other evidences of or securities for money borrowed or to be borrowed by it for such purpose, and pledge debentures as security for loans.

2 This Act is and is deemed to be in force on, from and after the first day of June, 1979, and shall accordingly be read, construed and given effect on, from and after that date.

3 Nothing in this Act affects any right acquired by any person during that period of time commencing on the first day of June, 1979 and ending on the day this Act comes into force including any right acquired by any person from a judgment or order of a court given or made in litigation or proceedings commenced during such period of time.

**An Act to Amend Chapter 97
of the Acts of 1947,
An Act to Incorporate the
Eastern Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 97 of the Acts of 1947, An Act to Incorporate the Eastern Memorial Hospital, as enacted by Chapter 161 of the Acts of 1975, is amended by striking out the words "Health Services and Insurance Commission" in the last two lines thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 109
of the Acts of 1947,
An Act to Incorporate
Victoria County Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 109 of the Acts of 1947, An Act to Incorporate Victoria County Memorial Hospital, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 134
of the Acts of 1948,
An Act to Incorporate
Musquodoboit Valley Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 134 of the Acts of 1948, An Act to Incorporate Musquodoboit Valley Memorial Hospital, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 112
of the Acts of 1949,
An Act to Clarify and Supplement
Certain Acts Applying to The
All Saints Springhill Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 21 of Chapter 112 of the Acts of 1949, An Act to Clarify and Supplement Certain Acts Applying to The All Saints Springhill Hospital, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 112 of the
Acts of 1949, An Act to Clarify
and Supplement Certain Acts Applying
to The All Saints Springhill Hospital**

(Assented to the 24th day of June, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 25 of Chapter 112 of the Acts of 1949, An Act to Clarify and Supplement Certain Acts Applying to The All Saints Springhill Hospital, is amended by striking out the words "Five Thousand Dollars" in the sixth and seventh lines and the ninth line thereof and substituting therefor, in each case, the words "sixty thousand dollars".

2 Section 27 of said Chapter 112, as amended by Chapter 148 of the Acts of 1952, is further amended by striking out the words "Twenty Thousand Dollars" in the seventh line thereof and substituting therefor the words "one hundred thousand dollars".

**An Act to Amend Chapter 94
of the Acts of 1951,
An Act to Incorporate the
Lillian Fraser Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 94 of the Acts of 1951, An Act to Incorporate the Lillian Fraser Memorial Hospital, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 98
of the Acts of 1951,
An Act to Incorporate
North-Cumberland Memorial Hospital**

(Assented to the 20th day of May, A.D. 1981)

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 98 of the Acts of 1951, An Act to Incorporate North-Cumberland Memorial Hospital, as enacted by Chapter 130 of the Acts of 1958, is amended by striking out the words "Governor in Council" in the last line thereof and substituting therefor the words "Minister of Health".

**An Act to Amend Chapter 100
of the Acts of 1959, the
New Waterford Consolidated Hospital Act
(Assented to the 20th day of May, A.D. 1981)**

Be it enacted by the Governor and Assembly as follows:

1 Subsection (2) of Section 5 of Chapter 100 of the Acts of 1959, the New Waterford Consolidated Hospital Act, is amended by striking out the words "Nova Scotia Hospital Insurance Commission" in the second and third lines thereof and substituting therefor the words "Minister of Health".

**TABLE OF PUBLIC STATUTES
1981**

**TABLE SHOWING ALL ACTS IN THE REVISED
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AND CERTAIN PUBLIC ACTS NOT INCLUDED
IN THE REVISED STATUTES, 1967, AND
AMENDMENTS THERETO**

“R.S.” means Revised Statutes, 1967

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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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<p>Agriculture and Rural Credit Act (See also Resources Development Board Act)</p>	<p>4</p>	<p>S.1,1970,c.25 S.10,1970-71,c.25</p>
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<p>Amateur Sports Advisory Council Act</p>	<p>....</p>	<p>1970-71,c.11</p>

Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
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Hospital Insurance(See Health Services and Insurance Act)		
Hospital Services Planning Commission Act	1957,c.3
Hospital Tax(See Health Services Tax Act)		
Hospital,Victoria General (See Victoria General)		

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<p>House of Assembly Act . . .</p>	<p>128</p>	<p>S.1,1969,c.51;1978,c.19A S.3,1978,c.19A;1981,c.27 Ss.4,4A,1978,c.19A S.5,1970-71,c.43;1978, c.19A S.12A,1981,c.27 S.13,1970,c.44;1981,c.27 S.37A,1969,c.50;1974,c.39; 1978-79,c.22 S.40,1969,c.51;1974,c.39; 1978-79,c.21,c.22 S.40A,40B,1978-79,c.22 Ss.41-43,1969,c.51;1974, c.39,1978-79,c.22 S.43A,1969,c.51</p>

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Housing Accommodation, Cities and Towns to Enter Agreements(See Municipal Act;Housing Development;Towns Act)		
Housing and Rentals Act . (See also Rental Act; Residential Tenancies)	1951,c.10(Ss.6 to 13 in force until April 30, 1958) 1952,c.85 1953,c.50 1954,c.57 1955,c.14 1956,c.15 1957,c.11
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Ice,Guideboards,etc.(See Municipal Act; Towns Act)		
Imitation Dairy Products Act	133	Ss.1,2,5A,6,1968,c.30 (Proclaimed 15-7-69; in force 1-7-69)
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Impounding of Cattle(See Fences,Stray Animals)		
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Industrial Commissions Act	137	S.2A,1972,c.39 Ss.18-20,1972,c.39
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(See also Resources Development Board Act)		
Industrial Property Act	R.S.,1954,c.124
Industrial Safety Act	141	S.1,1978,c.42;1981,c.29 S.2,1981,c.29 S.13,1972,c.40 Ss.14,19,1978,c.42
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		<p>S.102,1970-71,c.51;1976, c.27;1981,c.34</p> <p>S.104,1976,c.27</p> <p>S.105,1973,c.42;1978-79, c.29</p> <p>S.106,1970,c.53;1970-71, c.51;1973,c.42;1977,c.35; 1978-79,c.29</p> <p>S.108,1972,c.45;1978-79, c.29</p> <p>S.109,1978-79,c.29</p> <p>S.109A,1981,c.34</p> <p>S.110,1973,c.42</p> <p>S.111,1970,c.53;1970-71, c.51</p> <p>S.113,1981,c.34</p> <p>S.115,1973,c.42</p> <p>S.117,1970-71,c.51</p> <p>S.120,1973,c.42</p> <p>S.121,1978-79,c.29</p> <p>S.122,1978,c.22;1978-79, c.29</p> <p>S.124,1981,c.34</p> <p>S.126,1978-79,c.29</p> <p>S.128,1974,c.42;1978-79, c.29</p> <p>Ss.129A,130,141,1970-71, c.51</p> <p>S.130,1978-79,c.29</p> <p>S.131,1981,c.34</p> <p>S.131A,1978-79,c.30</p> <p>S.134,1978-79,c.29</p> <p>S.137,1978-79,c.30</p> <p>S.137A,1981,c.34</p> <p>S.138,1978-79,c.29</p> <p>S.139,1978-79,c.29</p> <p>S.144,1978-79,c.29</p> <p>S.147,1973,c.42</p> <p>S.150,1981,c.34</p>

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		<p>S.152,1970,c.53 S.153,1970-71,c.51 S.157,1972,c.45;1974,c.42 (Not Proclaimed); 1978-79,c.29 S.159,1968,c.40;1972,c.45; 1973,c.42;1977,c.35; 1978-79,c.29 S.160,1970,c.53;1978-79, c.29 S.161,1978-79,c.29 S.162,1969,c.57;1973,c.42; 1981,c.34 S.164,1972,c.45 S.165,1978-79,c.29 S.166,1970,c.53;1974,c.42; 1978-79,c.29 S.167,1978-79,c.29 S.169,1970,c.53;1972,c.45 S.170,1969,c.57;1970,c.53; 1973,c.42;1978,c.22; 1978-79,c.29 S.171,1978-79,c.29 S.172,1974,c.42;1978-79, c.29 S.173,1970,c.53;1978-79, c.29 S.174,1977,c.35 S.175,1968,c.40;1973, c.42;1977,c.35 S.175A,1977,c.35 S.176,1978-79,c.29 Ss.177,178,1970,c.53 S.179,1981,c.34 S.183,1970,c.53 S.185,1978-79,c.30 S.188,1981,c.34 S.191,1978-79,c.30 S.192,1973,c.43;1978-79, c.30</p>

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		<p>S.193,1970,c.53;1973,c.43 S.193A,1973,c.43;1977,c.35 Ss.194,195,1973,c.43 S.203,1978-79,c.30 S.205A,1970,c.53 S.206,1973,c.42 S.208A,1977,c.35 Ss.209,210,1978-79,c.30 S.232,1970,c.53;1970-71, c.51 S.233,1973,c.42 S.236,1970,c.53;1970-71, c.51 S.238A,1970-71,c.51 S.239,1970-71,c.51;1973, c.42;1977,c.35 Ss.241,245,1977,c.35 S.250,1969,c.59;1970-71, c.51;1972,c.45;1973,c.42; 1977,c.35;1981,c.34 S.251,1974,c.42;1977,c.35 (Not Proclaimed) S.252,1970,c.53 S.254,1969,c.57;1970,c.53; 1972,c.45;1973,c.42 S.255,1970-71,c.51;1977, c.35(Not Proclaimed) S.255A,1972,c.45 S.256,1970,c.53 S.257,1969,c.57 S.258,1981,c.34 S.260,1970,c.53;1977,c.35 S.262,1974,c.42;1976,c.27; 1978-79,c.30 S.263,1974,c.42;1976,c.27; 1977,c.35(Part Not Pro- claimed) S.264,1970,c.53;1974,c.42 S.265,1974,c.42;1976,c.27; 1977,c.35</p>

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<p>Motorized Vehicles(See Liability of Occupiers of Land;Off-Highway; Snow Vehicles)</p> <p>Multi-Service Centre,Act to Establish(See Cobequid)</p>		<p>S.266,1974,c.42 S.269,1972,c.45;1981,c.34 S.270,1977,c.35 Ss.273,275,1970,c.53</p>
<p>Municipal Act (See also School Boards Membership Act)</p>	192	<p>S.1,1969,c.60;1978-79,c.4; 1980,c.44 S.8,1978,c.23 S.10,1972,c.46;1978-79,c.4 S.11,1970-71,c.52;1978-79, c.4 Ss.12,13,1978-79,c.4 S.14,1972,c.46;1975,c.33; 1977,c.36;1978-79,c.4 Ss.15-78,1978-79,c.4 S.79,1970-71,c.52;1978-79, c.4 S.81,1968,c.41;1970-71, c.52;1978-79,c.4 S.82,1970-71,c.52;1978-79, c.4 S.84,1978-79,c.4;1980,c.44 S.96A,1970,c.54 Ss.97A-97F,1980,c.44 S.98,1969,c.60;1975,c.33 S.99,1972,c.46 S.100,1980,c.44 S.103,1978-79,c.31 S.103A,1980,c.44 S.107,1973,c.44;1977,c.36</p>

Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
		<p>S.108,1980,c.44 S.112,1977,c.36;1978-79, c.31 S.118,1972,c.46;1980,c.44 S.127,1978-79,c.31 S.127A,1969,c.60 S.133,1968,c.41;1970,c.54; 1975,c.33;1978-79,c.31; 1980,c.44 Ss.133A,133B,1980,c.44 S.134,1969,c.60,c.61;1980, c.44 S.136,1968,c.41;1969,c.60; 1970-71,c.52;1974,c.43; 1977,c.36;1978-79,c.31; 1980,c.44;1981,c.36 S.136A,1976,c.3;1977,c.36; 1981,c.36 Ss.136B,1978,c.23;1978-79, c.31 S.139,1978-79,c.31 S.140,1978,c.23;1980,c.44 S.140A,1977,c.36 S.141,1972,c.46;1978,c.23; 1978-79,c.31;1980,c.44 S.142,1972,c.46 S.143,1976,c.3;1977,c.36 S.146,1970-71,c.52;1978, c.23 S.147,1978-79,c.31(Pro- claimed 12-6-79;in force 15-6-79) S.150,1980,c.44 Ss.152-169,1980,c.44 S.170,1978,c.23;1980,c.44 S.171,1968,c.41;1980,c.44 Ss.172,173,1978-79,c.31 Ss.174-187,1977,c.36 S.188,1980,c.44 Ss.190A,190B,1977,c.36</p>

Subject Matter	R.S. Chap.	Amendments to the Revised Statutes and to other Public Acts and new Acts enacted to June 25, 1981
		<p>S.191,1968,c.41;1969,c.60; 1970,c.54;1970-71,c.52; 1972,c.46;1973,c.44;1975, c.33;1976,c.3;1977,c.36; 1978-79,c.31;1980,c.44</p> <p>S.194,1976,c.3;1980,c.44</p> <p>S.195,1980,c.44</p> <p>S.196,1970,c.54;1976,c.3</p> <p>S.198,1976,c.3</p> <p>S.200,1972,c.46;1976,c.3; 1980,c.44</p> <p>Ss.202A-202F,1981,c.36</p> <p>S.203,1977,c.36;1978-79, c.31</p> <p>S.203A,1977,c.36;1978,c.23</p> <p>S.203B,1977,c.36</p> <p>S.203C,1977,c.36;1978,c.23; 1980,c.44</p> <p>S.203D,1981,c.36</p> <p>S.204,1970,c.54;1978,c.23</p> <p>S.209,1978-79,c.31</p> <p>S.225A,1980,c.44</p> <p>S.226,1970-71,c.52;1977, c.37</p> <p>S.228,1970-71,c.52;1978-79, c.31</p> <p>S.228A,1980,c.44</p> <p>S.230,1976,c.3</p> <p>S.231,1978-79,c.31</p> <p>S.235,1980,c.44</p> <p>Sch.1972,c.46;1975,c.33; 1978-79,c.4</p>
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Municipal Finance Corporation Act	1978-79,c.5(See Proclama- tions 31-7-79 and 11-12-79) S.2,1980,c.64;1981,c.65 S.10,1980,c.64

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Municipal Grants Act	1980,c.10 Ss.6,14,34,1981,c.66
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Nova Scotia Development Limited,Act to Incor- porate	1957,c.5(Not Proclaimed)
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Nova Scotia Economic Council(See Economic)		
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		<p>7-5-73);1973,c.54(Proclaimed 15-5-73);1975, c.62(Proclaimed 18-12-75);1977,c.2; 1978-79,c.35(See Proclamations 29-5-79 and 10-7-79)</p> <p>S.3,1969,c.70</p> <p>Ss.3A-3N,1978-79,c.77(Proclaimed 15-1-80;in force 1-2-80)</p> <p>Ss.11-13,1970-71,c.56 (Proclaimed 15-7-71)</p> <p>Ss.14-16,1973,c.54(Proclaimed 15-5-73)</p> <p>S.17,1970-71,c.56(Proclaimed 15-7-71);1977, c.47(Proclaimed 28-6-77)</p> <p>S.18,1970-71,c.56(Proclaimed 15-7-71)</p> <p>S.19,1978-79,c.35(Proclaimed 10-7-79)</p> <p>S.20,1970,c.63;1978-79, c.35(Proclaimed 10-7-79)</p> <p>Ss.26-28,1978-79,c.35(Proclaimed 10-7-79;in force 1-11-79)</p> <p>S.29,1980,c.46(Proclaimed 15-7-80;in force 1-10-80)</p> <p>S.31,1980,c.46(Proclaimed 15-7-80;in force 1-10-80)</p> <p>Ss.32-34,1977,c.2</p> <p>Ss.35-37,1980,c.46 (Proclaimed in force 22-7-80)</p> <p>Ss.40,41,1970-71,c.56 (Proclaimed 15-7-71)</p> <p>Ss.42,43,1973,c.54(Proclaimed 15-5-73)</p>

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Falt, Tammy Louise and Arthur Warren, Act to Alter Birth Registrations	1977	c. 110
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Freemasons' Home, Nova Scotia, Act to Incorporate Board of Trustees (1948, c.129); amended	1973	c. 151
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Gillis, John Edward, Act to Alter Birth Registration	1968	c. 102
Glace Bay Pensioners' Union, Act to Incorporate	1970-71	c. 106
Glace Bay, Town of, Act relating to (1911, c.62); repealed	1968	c. 83
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Act to Enable, to Make Contribution to Glace Bay Miners' Forum Company Limited (1969, c.110); repealed	1980	c. 65
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Glooscap Lumber and Building Supply Association, Act to Incorporate	1974	c. 102
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Grist, Katherine Isabel and Cynthia Ann, Act to Change Names	1973	c. 125
Guardian Angel, Act Relating to House of, and Act in reference to (1891, c.136); repealed	1978	c. 67
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1969, c.92 repealed (Proc. 23-11-78; in force 29-11-78)	1970-71	c. 84
Halifax, County of, Act to Incorporate District 23 Ratepayers Association (See Upper Musquodoboit Ratepayers Association)		
Halifax County Deed Transfer Tax Act (1960, c.85); amended	1970	c. 124
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Halifax Court House (1961, c.88); amended .	1969	c. 93
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Act to Confirm Title of Nova Scotia Barristers' Society to Paintings and Other Objects	1970	c. 145
Halifax-Dartmouth Bridge Commission, Act to Authorize, to Issue Bonds (1952, c.81); repealed	1976	c. 19
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Act to Authorize, to Issue Bonds and Debentures and Borrow Money (1965, c.78); amended	1968	c. 73
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Halifax-Dartmouth Bridge Commission Act (1950, c.7); amended	1969	c. 20
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Halifax Housing Authority Act (1963, c.54); amended	1970-71	c. 82
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Halifax Industrial Commission Act.....	1970	c. 92
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Halifax Infirmary, Act to Incorporate (1960, c.105); amended	1973	c. 18
Halifax Metro Centre Commission Act (Proc. 20-6-77)	1977	c. 81
Halifax Musical Festival Association, Act to Change Name and Act to Incorporate (1947, c. 99); amended	1980	c. 93
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Halifax, Municipality of, Act relating to	1968	c. 91
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Halifax Protestant Infants Foundation, Act Respecting (1961, c.96); amended	1977	c. 131

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Halifax Recreation and Playgrounds Commission Act (1952, c.89); repealed	1970-71	c. 80
Halifax Relief Commission Dissolution Act .	1976	c. 10
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Halifax Special Tax Provisions Act (1963, c.56); amended	1968	c. 71
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Halifax Superannuation Act (1966, c.90); amended	1968	c. 72
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Halifax Transit Corporation Act	1970	c. 94
Halifax Trust Company, Act to Incorporate .	1978	c. 63
Hants Community Hospital (1903, c.128); amended (Proc. 22-6-76)	1974	c. 118
further amended	1977	c. 124
Hantsport Memorial Community Centre, Act to Incorporate (1948, c.120); amended	1976	c. 56
Hantsport, Town of, Act to Authorize, to make Grant to Hantsport Memorial Community Centre (1970, c.107); repealed .	1978-79	c. 53
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Harbor View Hospital Board, Sydney Mines, County of Cape Breton, Act to incorporate (1908, c.179); amended.....	1981	c. 112
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Harris, Dylan James, Act to Alter Birth Registration	1977	c. 111
Hebert, Margaret Jane, and Rhonda Denise Corbett, An Act to Alter Birth Registration	1975	c. 127
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Henwood, Charles Arthur Paul, Act to Alter Birth Registration.....	1974	c. 104
Higgins, (Female), Act to Alter Birth Registration	1972	c. 104
Highland View Regional Hospital, Act to Incorporate	1973	c. 126
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Hoey,Carolynn Marie, Act to Alter Birth Registration	1974	c. 105
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Inverness County Arena Commission, Act to Exempt Property from Taxation	1973	c. 113
Inverness County Memorial Hospital, Act to Incorporate (1923, c.129); amended	1972	c. 123
Inverness, Municipality of, Act Respecting Exemption of Mary's Hill Home for Mentally Disabled from Taxation	1973	c. 115
Act to Exempt from Taxation Mabou and District Athletic Club	1973	c. 114
Act to Exempt from Taxation Property of Port Hood and District Recreation Commission	1973	c. 116
Act to Exempt from Taxation the Acadian Centre	1974	c. 82
Act to Exempt from Property Taxes the Port Hood Island Recreation Committee	1975	c. 105
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James, Deborah Therese Pierre and Tracy Priscilla Agnes, Act to Alter Birth Registrations	1977	c. 113
Jewers, Veronica Frances, Act to Alter Birth Registration	1972	c. 106
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Johnston, Ronda Budia, and Scott Eugene, Act to Alter Birth Registrations	1974	c. 107
Jordan, Robert Douglas, Act to Change Name	1977	c. 114
Justin, Suneel Kenneth, Act to Alter Birth Registration	1976	c. 77

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Kinsmen Club of Liverpool, Act to Inco- porate (1947, c.102); amended	1977	c. 128
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Kinsmen Club, Mulgrave, Act to Authorize Town of Mulgrave to Exempt from Pro- perty Taxes	1980	c. 70
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Lawrencetown and District Fire Department, Act to Incorporate (1961, c.91); amended	1974	c. 126
LeBlanc, Melanie Marie, Act to Alter Birth Registration	1976	c. 78
Lee, Kar Yu, Act to Change Name	1973 (2nd Sess.)	c. 10
Leopold, Esther Faye, Act to Alter Birth Registration	1975	c. 130
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Lewis, Dean William, Act to Alter Birth Registration, and to change Name of Annette Emilie Lewis	1973	c. 129
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Liverpool United Baptist Church Cemetery, Act to Incorporate	1973	c. 131
Lockeport, Certain Spent Statutes; repealed	1978	c. 43
Lohnes, Mary Ellen, Act to Alter Birth Registration	1973	c. 132
Louisbourg, Town of, Certain Spent Statutes (1902-1944); repealed	1980	c. 65
Louisdale Lions Club, Richmond Municipality, Act to Exempt from Property Taxes ..	1975	c. 111
Lower River Hebert Cemetery Company of Lower River Hebert, in the County of Cumberland, Act to Incorporate (1924, c.143); amended	1974	c. 121
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Lunenburg Hospital Society, Act to Change Title of, and Act to Incorporate (1934, c.99); amended	1977	c. 126
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Lunenburg Municipality, Act to Enable, to Provide Electric Street Lighting for New Germany (1931, c.125); repealed	1977	c. 19
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MacPhee, Helen Theresa, Act to Alter Birth Registration	1976	c. 79
Mahone Bay Cemetery Commission, Act to Incorporate	1968	c. 94
Mahone Bay, Town of, Certain Spent Statutes (1903-1957); repealed	1980	c. 65
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Margaretville Water Supply and Electric Light Act (1917, c.152); repealed	1976	c. 17
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Maritime Foundation for Blind, Act to Incorporate (1928, c.156); amended	1968	c. 120

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Maritime Hospital Service Association (1943, c.65); amended	1969	c. 135
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	(2nd Sess.)	
Maritime Life Assurance Company (1967, c.139); amended	1969	c. 136
Maritime Telegraph and Telephone Comp- any, Limited, Act to Incorporate (1910, c.156); amended	1966	c. 5
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further amended	1978	c. 68
Mary's Hill, Home for Mentally Disabled, Act to Incorporate	1972	c. 110
Act Respecting Exemption from Taxation.	1973	c. 115
Maxner, Kelvin Alex, Act to Change Name .	1975	c. 131
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McIsaac, Kevin Joseph, Act to Alter Birth Registration	1970	c. 139
McKinnon, Francis, Act to Alter Birth Registration	1972	c. 109
McLaughlin, June Gail, Act to Alter Birth Registration	1975	c. 133
McLeannan, Edith Leaware, Act to Alter Birth Registration	1977	c. 116
McLellan, Claude William, Act to Alter Birth Registration	1968	c. 107
McLeod, Donald, Act to Alter Birth Registration	1973	c. 134
Medical Society of Nova Scotia, Act to Incorporate (1861, c.69); amended	1970	c. 140
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Millard Gift Cemetery Corporation, Act to Incorporate	1975	c. 134
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Morine, Graham Douglas, Act to Alter Birth Registration	1974	c. 108
Morley, Shirley Irene, Act to Alter Birth Registration	1973	c. 135
Mount Saint Vincent University Act, 1966; amended	1968	c. 128
Mount Saint Vincent University Student Union, Act to Incorporate	1970	c. 141
Mount William Cemetery Company, Act to Incorporate	1977	c. 103
Mulgrave, Town of, Act to Authorize, to Exempt from Property Taxes Property of Kinsmen Club	1980	c. 70
Multicultural Council of the Halifax- Dartmouth Metropolitan Area, Act to Incorporate	1974	c. 109
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Robar, Teresa Marie, Act to Alter Birth Registration	1975	c. 141
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Sydney, City of, Act to incorporate (1903, c.174); amended	1968	c. 75
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Sydney Mines, Town of, Act to Enable, to Make a Grant to Sydney Mines and District Recreation Association (1973, c.103); repealed	1980	c. 65
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