



BILL NO. 10

Government Bill

*2nd Session, 61st General Assembly
Nova Scotia
59 Elizabeth II, 2010*

An Act to Amend Chapter 63 of the Acts of 2005, the Cape Breton Island Marketing Levy Act

CHAPTER 11
ACTS OF 2010

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 11, 2010**

The Honourable Percy A. Paris
Minister of Tourism, Culture and Heritage

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

This page is intentionally blank.

**An Act to Amend Chapter 63
of the Acts of 2005,
the Cape Breton Island Marketing Levy Act**

Be it enacted by the Governor and Assembly as follows:

1 Clauses 2(a) and (b) of Chapter 63 of the Acts of 2005, the *Cape Breton Island Marketing Levy Act*, are repealed and the following clause substituted:

- (a) “accommodation” means a commercial property that
 - (i) is a building or part of a building that is a hotel, motel, inn or other accommodation providing rental units, or
 - (ii) is a cottage or cabin used mainly for accommodation of the traveling or vacationing public,

and consists of ten or more rental units or rooms;

2 (1) Subsection 3(1) of Chapter 63 is amended by

- (a) striking out “Effective on and after April 1, 2006 each” in the first line and substituting “Each”;
- (b) striking out “shall” in the first line and substituting “may”; and
- (c) adding “or weekly” immediately after “daily” in the second line.

(2) Subsection 3(4) of Chapter 63 is amended by striking out “Association” each time it appears in the second line and substituting in each case “municipality”.

(3) Section 3 of Chapter 63 is further amended by adding immediately after subsection (4) the following subsection:

(4A) Notwithstanding subsection (4) or any other enactment, the council may pay such portion of the levy collected as determined by the council to any organization formed to promote the municipality as a tourist destination, whether such organization is non-profit or otherwise.

(4) Subsection 3(5) of Chapter 63 is amended by striking out “Association” in the third and in the fourth lines and substituting in each case “municipality”.

(5) Subsection 3(7) of Chapter 63 is amended by adding immediately after clause (a) the following clauses:

(aa) the levy not applying to the purchaser of accommodations based on the purchase price of the accommodation, the number of rental units or rooms for rent, the location of the facility or any other criteria prescribed by the council;

(ab) an exemption for medical-related stays;

3 Section 4 of Chapter 63 is repealed and the following Section substituted:

4 (1) Notwithstanding Section 3, the Governor in Council may make regulations requiring all levies collected to be remitted to a single organization formed to promote Cape Breton Island as a tourist destination.

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