



# **BILL NO. 55**

*Government Bill*

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

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## **An Act to Amend Chapter 8 of the Acts of 1995-96, the Internal Trade Agreement Implementation Act**

CHAPTER 19  
ACTS OF 2010

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

The Honourable Percy A. Paris  
*Minister of Economic and Rural Development*

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

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**An Act to Amend Chapter 8  
of the Acts of 1995-96,  
the Internal Trade Agreement  
Implementation Act**

Be it enacted by the Governor and Assembly as follows:

**1 Section 3 of Chapter 8 of the Acts of 1995-96, the *Internal Trade Agreement Implementation Act*, is amended by**

**(a) adding “, as amended from time to time by the written agreement of all the parties to the Agreement” immediately after “1994” in the fourth line of clause (a); and**

**(b) striking out “minister” in the first line of clause (b) and substituting “Minister”.**

**2 Subsection 7(1) of Chapter 8 is amended by striking out “responsible for the Nova Scotia Economic Renewal Agency, including Tourism Nova Scotia and the Nova Scotia Marketing Agency,” in the first, second and third lines and substituting “of Economic and Rural Development”.**

**3 Clause 10(b) of Chapter 8 is amended by**

**(a) striking out “government-to-government disputes pursuant to” in the second and third lines and substituting “accordance with”; and**

**(b) striking out “, Part A, Articles 1702 to 1710 of the Agreement” in the fourth line and substituting “of the Agreement by a presiding body as defined in that Chapter”.**

**4 Section 11 of Chapter 8 is repealed and the following Section substituted:**

11 (1) The Minister may, subject to the approval of the Governor in Council, appoint any person to either or both of the rosters provided for in paragraph (2) of Article 1704 of the Agreement.

(2) The Minister may appoint a panellist from a roster for the purpose of paragraph (3) of Article 1704 of the Agreement or, where there has been agreement to a Presiding Body being composed of one member, may agree on the panellist.

**5 Section 12 of Chapter 8 is amended by striking out “1713” in the third line and substituting “1712”.**

**6 Section 14 of Chapter 8 is repealed and the following Section substituted:**

14 The Minister may appoint any person to be a representative of the Province on

(a) a body referred to in clause 10(a); or

(b) any intergovernmental committee established for the purpose of the Agreement.

**7 (1) Subsection 15(1) of Chapter 8 is repealed and the following subsection substituted:**

(1) Where a presiding body in a government-to-government dispute has made an order against the Province in accordance with Chapter 17 (Dispute Resolution Procedure) of the Agreement that requires the Province to pay

(a) tariff costs awarded against the Province under Article 1706.1(4)(b) or (6) of the Agreement; or

(b) a penalty imposed on the Province under Article 1707(11)(b) of the Agreement,

the order has the same force and effect regarding payment as a proceeding against the Crown and as a certificate issued pursuant to Section 20 of the *Proceedings Against the Crown Act*.

**(2) Subsection 15(2) of Chapter 8 is amended by striking out “1718(3)” in the third line and substituting “1716(3)”.**

**8** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

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