



# **BILL NO. 106**

*Private Member's Bill*

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*1st Session, 60th General Assembly  
Nova Scotia  
55 Elizabeth II, 2006*

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## **An Act to Respecting Fees Collected by the Government of Nova Scotia**

CHAPTER 8  
ACTS OF 2007

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
APRIL 13, 2007**

Diana Whalen  
*Halifax Clayton Park*

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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 Respecting Fees Collected by the Government of Nova Scotia**

Be it enacted by the Governor and Assembly as follows:

- 1 This Act may be cited as the *Fees Act*.
- 2 In this Act,
  - (a) “department” means a department established by or pursuant to the Public Service Act;
  - (b) “fee” means a charge, or a series of charges, levied by a department or office to individuals, companies, organizations or jurisdictions external to the Government of the Province for specific regulatory applications, licences, permits, approvals, renewals, amendments, registrations, certifications, filings, administration fees and inspections, but does not include charges
    - (i) charged by one department or office to another department or office or to another government,
    - (ii) for the lease or use of Government facilities or assets,
    - (iii) for easements and right of ways,
    - (iv) for the utilization of Crown land, assets and natural resources,
    - (v) for the purchase of commercial products,
    - (vi) for premiums in relation to Government-provided insurance programs,
    - (vii) for interest in relation to Government loan programs,
    - (viii) for incidental administrative services, or
    - (ix) if the amount of the charges is provided for in a statute;
  - (c) “minister” means a member of the Executive Council and includes any official authorized to act on the minister’s behalf or in the minister’s stead;
  - (d) “office” means an office established by or pursuant to the *Public Service Act*.
- 3 This Act binds Her Majesty in right of the Province.
- 4 Neither the Governor in Council, nor any minister nor any other official designated under any enactment as having the authority to increase a fee charged by a department or office may increase the fee unless the minister responsible for the department or office has
  - (a) presented notice of the increase in the fee to the House of Assembly if the House is then sitting or, if it is not then sitting, to the Clerk of the Assembly; and
  - (b) provided details of the fees to be collected, including
    - (i) the purpose and amount of the fee,
    - (ii) the total revenue expected from the fee, and

(iii) whether the fee is designed to recover the full or partial costs of administering a regulatory scheme or providing a service, or to generate revenue in excess of the cost of providing the service.

**5 (1)** The Governor in Council may make regulations

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

(b) the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

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

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

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