



# **BILL NO. 10**

*Government Bill*

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*1st Session, 62nd General Assembly  
Nova Scotia  
62 Elizabeth II, 2013*

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## **An Act to Amend Chapter 9 of the Acts of 2012, the Maritime Link Act**

CHAPTER 40  
ACTS OF 2013

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
DECEMBER 12, 2013**

The Honourable Andrew Younger  
*Minister of Energy*

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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 9  
of the Acts of 2012,  
the Maritime Link Act**

Be it enacted by the Governor and Assembly as follows:

**1** The title of Chapter 9 of the Acts of 2012, the *Maritime Link Act*, is amended by striking out “*to Ensure Regulatory Review of*” and substituting “*Respecting*”.

**2** Section 2 of Chapter 9 is amended by

(a) striking out “who” in the first line of clause (a) and substituting “that”; and

(b) adding immediately after clause (a) the following clause:

(aa) “approved applicant” means an applicant that has received an approval for the Maritime Link Project pursuant to the regulations;

**3** Chapter 9 is further amended by adding immediately after Section 4 the following Sections:

4A The Review Board has all the powers and authority provided to it under the *Utility and Review Board Act* and the *Public Utilities Act* to carry out its duties under this Act and the regulations.

4B For greater certainty, the powers and authority of the Review Board include the power and authority to ensure compliance with any term, condition or requirement set out in a decision of the Review Board made under this Act or the regulations, including those set out in the decisions made with respect to the Maritime Link Project, dated July 22, 2013, and November 29, 2013.

**4** Section 5 of Chapter 9 is amended by adding immediately after subsection (2) the following subsection:

(2A) Section 74 of the *Public Utilities Act* does not apply to an approved applicant.

**5** Chapter 9 is further amended by adding immediately after Section 5 the following Sections:

5A For the purpose of taxation by a municipality, other than deed transfer tax, the property of an approved applicant is deemed to be the property of Nova Scotia Power Incorporated and subject to Section 18 of the *Nova Scotia Power Privatization Act*.

5B (1) An approved applicant may expropriate any land that the approved applicant considers necessary or useful for the Maritime Link Project.

(2) Upon a plan and description of the land being expropriated, signed by a person with legal capacity to sign for the approved applicant, being filed or regis-

tered in the registry of deeds for the registration district in which the land is located, the land is vested in the approved applicant.

(3) The *Expropriation Act* applies to an expropriation under this Section and the approved applicant is deemed to be the expropriating authority for the purpose of that Act.

(4) Notwithstanding the *Expropriation Act*, the Governor in Council is the approving authority for the purpose of that Act in respect of land expropriated pursuant to this Section.

(5) Notwithstanding the *Expropriation Act*, lands of an approved applicant may be expropriated by another expropriating authority only with the approval of the Governor in Council.

5C Section 22 of the *Nova Scotia Power Privatization Act* applies *mutatis mutandis* to an approved applicant with respect to the Maritime Link.

5D Section 23 of the *Nova Scotia Power Privatization Act* applies *mutatis mutandis* with respect to any contract for the supplying of electricity by an approved applicant as if the approved applicant were Nova Scotia Power Incorporated.

5E Nova Scotia Power Incorporated is entitled to recover through its rates an assessment against it that is approved by the Review Board for an approved applicant.

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