



BILL NO. 279

Government Bill

*1st Session, 64th General Assembly
Nova Scotia
1 Charles III, 2023*

An Act Respecting Certain Financial Measures

CHAPTER 2
ACTS OF 2023

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 12, 2023**

The Honourable Allan MacMaster
Minister of Finance and Treasury Board

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

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An Act Respecting Certain Financial Measures

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Financial Measures (2023) Act*.

PART I

CORPORATIONS REGISTRATION ACT

2 Subsections 12(4) and (5) of Chapter 101 of the Revised Statutes, 1989, the *Corporations Registration Act*, are repealed.

PART II

CREDIT UNION ACT

3 Section 3 of Chapter 4 of the Acts of 1994, the *Credit Union Act*, as amended by Chapter 11 of the Acts of 2004 and Chapter 49 of the Acts of 2010, is further amended by adding immediately after clause (ab) the following clause:

(aba) “prudential standards” means the principles and minimum requirements that contribute to sound and prudent operations of the Central to manage exposure to risk, including in relation to

- (i) capital reserves and the adequacy of such reserves,
- (ii) liquidity reserves, the adequacy of such reserves and the types of liquidity that are acceptable,
- (iii) the establishment of investment and lending policies and restrictions,
- (iv) the pledging of securities,
- (v) the use of derivatives and disclosure requirements, and the management of risk respecting derivatives,
- (vi) asset liability management, including management of interest rate risk,
- (vii) the management of operational risk,
- (viii) insurance and bonding requirements,
- (ix) the management of regulatory compliance,
- (x) stress-testing,
- (xi) corporate governance,
- (xii) strategic management,

- (xiii) internal controls and internal auditing,
- (xiv) the outsourcing of business activities, functions and processes,
- (xv) accounting conventions with respect to financial instruments, as well as reporting and auditing standards,
- (xvi) incorporating and investing in subsidiaries, and
- (xvii) any other matter that, in the opinion of the Corporation, affects or is likely to affect
 - (A) the financial resilience of the Central, or
 - (B) the ability of the Central to manage its business risks in a sustainable manner;

4 Section 156 of Chapter 4 is amended by

- (a) striking out “and” at the end of clause (c); and**
- (b) adding immediately after clause (c) the following clauses:**
 - (ca) to ensure the Central operates according to prudential standards;
 - (cb) to promote and otherwise contribute to the stability of and public confidence in the credit union system and the Central; and

5 Section 157 of Chapter 4, as amended by Chapter 11 of the Acts of 2004 and Chapter 13 of the Acts of 2019, is further amended by

- (a) striking out clause (e) and substituting the following clauses:**
 - (e) inquire into and examine the business and affairs of any credit union or the Central;
 - (ea) make inquiries of any person relating to
 - (i) any aspect of the business and affairs of a credit union or the Central, and
 - (ii) the compliance of a credit union or the Central with this Act or the regulations and any applicable sound business and financial policies and procedures, prudential standards, directives and by-laws;
- (b) adding immediately after clause (j) the following clause:**
 - (ja) in consultation with the Superintendent, issue directives to the Central, including directives in relation to prudential standards to be followed by the Central;
- (c) adding “or the Central” immediately after “unions” in the second line of clause (l); and**
- (d) adding “and the Central” immediately after “unions” in the first line of clause (p).**

6 Chapter 4 is further amended by adding immediately after Section 157A the following Sections:

157B (1) With the approval of the Superintendent, the Corporation shall issue prudential standards that apply to the Central.

(2) The Central shall act in accordance with the prudential standards that apply to it.

157C (1) The Corporation shall, at the end of each fiscal year, determine the total costs it incurred during that fiscal year in connection with the oversight it provided to the Central.

(2) The determination by the Corporation pursuant to subsection (1) is conclusive for the purpose of this Section.

(3) Subject to subsection (4), the Corporation may invoice the Central, either annually or on an interim basis, for the costs the Corporation incurred, as determined under subsection (1).

(4) An invoice issued under subsection (3) must not exceed the amount, if any, prescribed by the regulations.

(5) The Central shall pay to the Corporation the full amount of any invoice issued under subsection (3).

7 Subsection 158(3) of Chapter 4 is repealed.

8 Subsection 165(2) of Chapter 4 is amended by striking out “The” in the first line and substituting “Subject to the approval of the Corporation, the”.

9 Subsection 189(2) of Chapter 4, as enacted by Chapter 13 of the Acts of 2019, is amended by striking out “Superintendent” in the second line and substituting “Corporation”.

10 Section 212 of Chapter 4 is amended by striking out “Superintendent” in the third line and substituting “Corporation”.

11 (1) Subsection 225(1) of Chapter 4 is repealed.

(2) Subsection 225(2) of Chapter 4, as amended by Chapter 13 of the Acts of 2019, is further amended by

(a) striking out clause (e);

(b) striking out “including directives with respect to the prudential standards of the Corporation;” in the first, second and third lines of clause (f) and substituting “; and”;

(c) striking out the semicolon at the end of clause (g) and substituting a period; and

(d) striking out clauses (h) and (i).

12 Section 236 of Chapter 4 is amended by

(a) striking out “, in the case of a credit union, the Corporation may, without leave” in the second and third lines of clause (a) and substituting “the Corporation may, with notice to each other”; and

(b) striking out “, in the case of a credit union, the Corporation may” in the second and third lines of clause (b) and substituting “the Corporation may, with notice to each other,”.

13 Section 241 of Chapter 4 is amended by striking out “not” in the second line.

14 Subsection 243(1) of Chapter 4 is amended by striking out clause (h) and substituting the following clause:

(h) amalgamate, dissolve, wind-up, liquidate or otherwise dispose of the business of the credit union or the Central;

15 (1) Subsection 247(1) of Chapter 4 is amended by

(a) striking out “Section 238” in the first line and substituting “Section 238 or 239”; and

(b) adding “or the Central” immediately after “union” in the fourth line.

(2) Subsection 247(3) of Chapter 4 is amended by

(a) adding “or the Central” immediately after “union” in the first line of clause (a); and

(b) striking out clause (b) and substituting the following clause:

(b) give notice to the credit union or the Central that it is declared to be under supervision pursuant to Section 238 or 239.

16 Subsection 257(1) of Chapter 4, as amended by Chapter 13 of the Acts of 2019, is further amended by adding immediately after clause (v) the following clause:

(va) prescribing the maximum amount for invoices issued pursuant to Section 157C;

PART III

NON-RESIDENT DEED TRANSFER AND PROPERTY TAXES ACT

17 The title of the Schedule to Chapter 4 of the Acts of 2022, the *Non-resident Deed Transfer and Property Taxes Act*, is amended by striking out “and a Property Tax” in the second line.

18 Section 1 of the Schedule is amended by striking out “*and Property Taxes*” in the first line and substituting “*Tax*”.

19 Section 2 of the Schedule is amended by**(a) striking out clauses (b), (j) and (k);****(b) striking out clause (o) and substituting the following clause:**

(o) “proof of Nova Scotia residence” means

(i) a Nova Scotia health card, or

(ii) both

(A) a Nova Scotia driver’s licence or a Nova Scotia identification card, and

(B) proof of residence acceptable to the Administrator;

(c) striking out clause (p); and**(d) striking out clauses (v) to (x) and substituting the following clauses:**

(v) “tax” means the deed transfer tax;

(w) “tax assessment” means a notice of tax made under this Act and includes a tax bill.

20 Section 4 of the Schedule is amended by**(a) adding “(1)” immediately after the Section number;****(b) adding “, and until July 1, 2023” immediately after “2022” in the first line;**
and**(c) adding the following subsection:**

(2) Every person who on or after July 1, 2023, tenders for registration in the Province a deed in respect of residential property that grants an ownership interest to one or more non-residents shall, before the deed is registered, pay to the Minister a deed transfer tax of five per cent of the greater of

(a) the sale price; and

(b) the assessed value of the residential property,

multiplied by the percentage ownership interest granted to each non-resident.

21 (1) Subsection 5(9) of the Schedule is amended by striking out “of greater than 50%” in the second line.**(2) Subsection 5(10) of the Schedule is amended by****(a) striking out “notice of the” in the second line and substituting “tax”;**
and**(b) striking out “notice of” in the third line and substituting “tax”.****22 The heading immediately before Section 7 and Sections 7 to 15 of the Schedule are repealed.**

- 23 (1) Subsection 16(1) of the Schedule is amended by
- (a) striking out “All taxes levied by the Minister under this Act are” in the first line and substituting “The tax levied by the Minister under this Act is”; and
 - (b) striking out “shown on the notice of assessment” in the second line.
- (2) Subsection 16(2) of the Schedule is amended by
- (a) striking out “taxes are” in the first line and substituting “the tax is”; and
 - (b) striking out “taxes” in the first line of clause (a) and substituting “tax”.
- (3) Subsection 16(3) of the Schedule is amended by striking out “taxes” in the second line and substituting “tax”.
- (4) Subsection 16(4) of the Schedule is amended by striking out “taxes” in the first line and substituting “the tax”.
- 24 (1) Clause 23(1)(a) of the Schedule is amended by striking out “, 12(5) and (6) and 14(4) and (5)” in the first line.
- (2) Subsection 23(2) of the Schedule is amended by striking out “notice of” in the second line and substituting “tax”.
- 25 Subsection 25(1) of the Schedule is amended by striking out “notice of” in the first line and substituting “tax”.
- 26 Subsection 27(2) of the Schedule is amended by
- (a) striking out “taxes” in the second line of clause (c) and substituting “the tax”;
 - (b) striking out “taxes” in the second line of clause (e) and substituting “tax”;
 - (c) striking out clause (f); and
 - (d) striking out “taxes” wherever it appears in clauses (h), (i), (l), (m), (n) and (o) and substituting in each case “the tax”.
- 27 Section 4 of Chapter 23 of the Revised Statutes, 1989, the *Assessment Act*, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by striking out “provincial and” in the third line.
- 28 Subsection 62(2) of Chapter 23, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by striking out “, the Administer appointed under the *Non-resident Deed Transfer and Property Taxes Act*” in the first line.
- 29 Clause 3(aya) of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, is repealed.

30 Subclause 149(6)(e)(ii) of Chapter 39, as enacted by the Schedule to Chapter 4 of the Acts of 2022, is amended by striking out “and any provincial property taxes” in the second and third lines.

31 Subsection 151(3) of Chapter 39 is repealed.

32 Subsections 158(2) and (2A) of Chapter 39 are repealed and the following subsection substituted:

(2) Where no bid is received for land sufficient to satisfy the full amount of the taxes, interest and expenses due in respect of the land, the Treasurer may bid the amount of the taxes, interest and expenses and purchase the land for the Municipality.

33 Subsection 161(1) of Chapter 39, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by

- (a) adding “and” immediately after clause (a);
- (b) striking out clause (aa); and
- (c) striking out “thirdly” in the first line of clause (b) and substituting “secondly”.

34 Subsection 170(1) of Chapter 39, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by striking out “any unpaid provincial property taxes and” in the second line.

35 Clause 3(bba) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, is repealed.

36 (1) Subclause 135(6)(e)(ii) of Chapter 18, as enacted by the Schedule to Chapter 4 of the Acts of 2022, is amended by striking out “and any provincial property taxes” in the second and third lines.

(2) Subsection 135(8) of Chapter 18, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by striking out “and any provincial property taxes” in the ninth line.

37 Subsection 137(3) of Chapter 18 is repealed.

38 Subsections 143(2) and (2A) of Chapter 18 are repealed and the following subsection substituted:

(2) Where no bid is received for land sufficient to satisfy the full amount of the taxes, interest and expenses due in respect of the land, the treasurer may bid the amount of the taxes, interest and expenses and purchase the land for the municipality.

39 Clause 146(1)(ba) of Chapter 18 is repealed.

40 Subsection 155(1) of Chapter 18, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by striking out “any unpaid provincial property taxes and” in the second line.

41 (1) Subsection 42(1) of Chapter 19 of the Acts of 2006, the *Property Valuation Services Corporation Act*, as amended by the Schedule to Chapter 4 of the Acts of 2022, is further amended by striking out “*Provincial Non-resident Deed Transfer and Property Taxes Act*” in the third line and substituting “*Non-resident Deed Transfer Tax Act*”.

(2) Subsection 42(2A) of Chapter 19, as enacted by the Schedule to Chapter 4 of the Acts of 2022, is amended by striking out “*Provincial Non-resident Deed Transfer and Property Taxes Act*” in the third and fourth lines and substituting “*Non-resident Deed Transfer Tax Act*”.

PART IV

REVENUE ACT

42 Chapter 17 of the Acts of 1995-96, the *Revenue Act*, is amended by adding immediately after Section 31C the following Part:

PART IIB

PARI-MUTUEL BETTING TAX

31D In this Part,

(a) “bettor” means a person who places a bet at a race track using pari-mutuel betting;

(b) “pari-mutuel betting” means a method of betting on the outcome of a horse race or harness race in which all bets for a race are pooled and held for distribution of the total amount to the winning bettors;

(c) “race track” means a place in which horse racing or harness racing is conducted and pari-mutuel betting is permitted;

(d) “track operator” means a person who owns or operates a race track in the Province and who conducts, operates or manages pari-mutuel betting in connection with the operation of the race track.

31E Every bettor shall pay to His Majesty a tax at the rate of eleven per cent of the money deposited with the track operator in connection with the bet.

31F Every track operator shall

(a) collect the tax imposed by Section 31E from each bettor at the time the bet is placed by deducting the amount of the tax from the money deposited before recording or applying the remainder to the bet; and

(b) keep such records and make such reports in connection with pari-mutuel betting as are prescribed by the regulations.

31G (1) The Governor in Council may make regulations

(a) respecting the tax imposed by this Part;

- (b) prescribing the records and reports required under this Part;
- (c) defining any word or expression used in this Part and not defined in this Part;
- (d) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Part.

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

43 Section 46A of Chapter 17, as enacted by Chapter 2 of the Acts of 2020, is amended by adding immediately after clause (j) the following clause:

(ja) “vaping product taxation agreement” means an agreement implementing a coordinated framework for the taxation of vaping products among the Government of Canada and the governments of participating provinces of Canada, together with any amendments made pursuant to this Act;

44 Chapter 17 is further amended by adding immediately after Section 46B the following Section:

46BA(1) The Minister, on behalf of His Majesty, may enter into a vaping product taxation agreement.

(2) The Minister, on behalf of His Majesty, may enter into an agreement with the Minister of Finance for Canada on behalf of the Government of Canada to amend a vaping product taxation agreement.

45 Section 47 of Chapter 17, as amended by Chapter 31 of the Acts of 1996, is further amended by adding “, IIB” immediately after “IIA” in the second line.

46 Sections 9 to 12 of Chapter 466 of the Revised Statutes, 1989, the *Theatres and Amusements Act*, are repealed.

47 Clause 13(1)(c) of Chapter 31 of the Acts of 1996, the *Sales Tax Act*, is repealed.

PART V

SCHOONER BLUENOSE FOUNDATION ACT

48 Chapter 414 of the Revised Statutes, 1989, the *Schooner Bluenose Foundation Act*, is repealed.

PART VI

EFFECTIVE DATES

49 (1) Sections 3 to 6, 8 to 16, 42 and 45 to 48 come into force on such day as the Governor in Council orders and declares by proclamation.

(2) Subsection 21(1) has effect on and after July 1, 2023.
