

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 28, No. 19

September 17, 2004

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N.S. Reg. 195/2004

Made: August 26, 2004

Filed: August 30, 2004

Governor in Council Education Act Regulations

Order in Council 2004-334 dated August 26, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated August 4, 2004, is pleased, effective on and after August 26, 2004,

- (a) pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, to amend the *Governor in Council Education Act Regulations*, N.S. Reg. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, to define “commercial activity” for the purpose of Section 64A of the Act, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) pursuant to Section 64A of the *Education Act*, to approve of certain commercial activities respecting advertising posters, as set forth in Schedule “B” attached to and forming part of the report and recommendation. [Not filed as a regulation.]

Schedule “A”

**Amendments to the *Governor in Council Education Act Regulations*
made by the Governor in Council pursuant to Section 146
of Chapter 1 of the Acts of 1995-96, the *Education Act***

The *Governor in Council Education Act Regulations*, N.S. Reg. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, are amended by adding the following Section immediately after Section 85:

Definition of “commercial activity”

86 For the purpose of Section 64A of the Act, “commercial activity” of a school board includes entering into an agreement with a person to permit the person, for a fee, to place advertising posters in a school administered by the school board.

N.S. Reg. 196/2004

Made: August 26, 2004

Filed: August 30, 2004

Government Service Organization and Government Business Enterprise Designations Regulations

Order in Council 2004-335 dated August 26, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 80 of the *Provincial Finance Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated July 19, 2004, and pursuant to Section 80 of Chapter 365 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Finance*

Act, is pleased, effective on and after August 26, 2004, to amend the *Government Service Organization and Government Business Enterprise Designations Regulations*, N.S. Reg. 20/2002, made by the Governor in Council by Order in Council 2002-72 dated March 1, 2002, by

- (a) adding “South Shore Regional School Board - August 26, 2004” immediately after “South Shore District Health Authority - March 31, 2001” in subsection 2(1);
- (b) adding “Tri-County Regional School Board - August 26, 2004” immediately after “South West Nova District Health Authority - March 31, 2001” in subsection 2(1); and
- (c) adding “Southwest Regional School Board - August 26, 2004” immediately after “Nova Scotia Business Development Corporation - March 31, 2002” in subsection 3(1).

N.S. Reg. 197/2004

Made: August 26, 2004

Filed: August 30, 2004

Pharmacare Tariff Regulations

Order in Council 2004-338 dated August 26, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 13 and subsection 17(3) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated August 10, 2004, and pursuant to subsection 17(3) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased, effective on and after April 1, 2004, to

- (a) amend the *Pharmacare Tariff Regulations*, N.S. Reg 78/2001, made by the Governor in Council by Order in Council 2001-294 dated June 22, 2001, in accordance with the increased tariff amounts established by the Minister of Health under clause 13(1)(c) of the Act, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation; and
- (b) approve the authorization by the Minister of Health of payments in respect of the increased tariff amounts referred to in clause (a).

**In the matter of the *Pharmacare Tariff Regulations*
made pursuant to Section 13 and subsection 17(3) of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

-and-

**In the matter of a tariff of fees established by the Minister of Health
pursuant to clause 13(1)(c) of the *Health Services and Insurance Act*
with respect to pharmacare**

Order

I, Angus MacIsaac, Minister of Health for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act* do hereby establish

that the tariff of fees to be paid in respect of the pharmacare tariff shall be increased as set forth in Schedule "A" and I hereby authorize payments in respect of the tariff.

This Order is effective on and after the making by the Governor in Council of the regulations respecting the pharmacare tariff set forth in Schedule "A".

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, Aug. 10, 2004.

Sgd: *Angus MacIsaac*
Honourable Angus MacIsaac
Minister of Health

Schedule "A"

**Amendments to the *Pharmacare Tariff Regulations*
made by the Minister of Health and the Governor in Council
pursuant to Section 13 and subsection 17(3) of Chapter 197 of the
Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act***

- 1 Section 4 of the *Pharmacare Tariff Regulations* made by the Minister of Health and the Governor in Council by Order in Council by Order in Council 2001-294 dated June 22, 2001, is amended by
 - (a) striking out "April 1, 2001, to March 31, 2004," and substituting "April 1, 2004, to March 31, 2007,";
 - (b) adding the following subsection immediately after subsection (1):
 - (1A)** Effective March 31, 2007, the pharmacare tariff for prescription drug injectables, exclusive of immunization programs, is the lesser of
 - (a) the usual and customary charges to cash customers of the provider; and
 - (b) the AAC, plus up to a maximum of 10% of the AAC but no more than \$250, and the applicable professional fee in subclause (2)(a)(i), (b)(i) or (c)(i), regardless of the drug ingredient cost.
- 2 Section 4 of the regulations is further amended by repealing subsection (2) and substituting the following subsection:
 - (2)** The professional fee to be used in the calculations in subsection (1) shall be,
 - (a) effective April 1, 2004, to March 31, 2005,
 - (i) not more than \$9.83 for a prescription with a drug ingredient cost of up to \$135, and
 - (ii) not more than \$14.74 for a prescription with a drug ingredient cost of more than \$135;
 - (b) effective April 1, 2005, to March 31, 2006,
 - (i) not more than \$10.12 for a prescription with a drug ingredient cost of up to \$140, and

- (ii) not more than \$15.18 for a prescription with a drug ingredient cost of more than \$140; and
- (c) effective April 1, 2006, to March 31, 2007,
 - (i) not more than \$10.42 for a prescriptions with a drug ingredient cost of up to \$145, and
 - (ii) not more than \$15.64 for a prescription with a drug ingredient cost of more than \$145.

N.S. Reg. 198/2004

Made: August 26, 2004

Filed: August 30, 2004

Children and Family Services Regulations

Order in Council 2004-339 dated August 26, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 99 of the *Children and Family Services Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated July 29, 2004, and pursuant to Section 99 of Chapter 5 of the Acts of 1990, the *Children and Family Services Act*, is pleased to amend the *Children and Family Services Regulations* to remove outdated references, repeal Form IX and replace Form X in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 26, 2004.

Schedule "A"

**Amendments to the *Children and Family Services Regulations*
made by the Governor in Council pursuant to
Section 99 of Chapter 5 of the Acts of 1990,
the *Children and Family Services Act***

- 1 Section 19, subsections 20(2) and 22(2) and Section 31 of the *Children and Family Services Regulations* made by the Governor in Council by Order in Council 91-954 dated August 15, 1991, are amended by striking out "Director of Child and Adolescent Services" wherever it appears and substituting "Director of Child Welfare".
- 2 Section 56 and Form IX of the regulations are repealed.
- 3 Form X of the regulations is repealed and the following form substituted:

Form X

**Annual Permanent Care and Custody Report
(pursuant to subsection 48(11) of the *Children and Family Services Act*)**

**Child's Comprehensive Plan of Care
(Infants to 5 Years)**

Office: _____ **Date of meeting:** _____

Child: _____ **File #:** _____

Child's D.O.B. _____ **Worker:** _____

Child's NS Health #: _____ **Case ID:** _____

Child's care status: _____ **V7** _____ **V8** _____ **TCC** _____ **PCC** _____

Date of coming into care: _____

Names of birth parents: _____

Present placement: _____ **Date:** _____

Placement history: *(Attach printout showing placement history.)*

Date of the last plan of care meeting: _____

Case summary:
What is the plan for the child over the course of the next 12 months?
What are the long-term goals for the child?

A. Health
(Provide details about matters such as medical history while in care, health issues, diet, medication, immunizations, childhood diseases, family doctor, dentist, etc.)

B. Developmental/educational progress
(Provide details about matters such as preschool or daycare, progress, level, attitude, interaction with peers, routines, toys, independence, recreation or physical activities, etc.)

C. Identity

(Provide details about matters such as child's understanding of being in care, knowledge of birth family, religious and other origins, life book, self-esteem, etc.)

D. Family/social relationships

(Provide details about matters such as number of placements, others in current foster home, respite, affection, access to birth family, impact of visits, holidays, etc.)

E. Emotional/behavioural development

(Provide details about matters such as excessive behaviours, problems with others, concentration, eating, bedtime and sleeping routine, discipline, history of abuse, related therapy or medication.)

F. Self-care skills (answer relative to age)

(Provide details about matters such as toilet training, brushing of teeth and hair, dressing, bathing.)

G. Language development**(9 to 17 months)**

(Provide details about matters such as cooing noises, reaction to stimulation, babbling.)

(18 to 24 months)

(Provide details about matters such as vocabulary, imitation of sounds, sentences.)

(2 to 3 years)

(Provide details, such as repeating words and simple sentences produced by adults, speaks a lot about own actions, uses correct pronunciation for age, has basic understanding.)

(3 to 4 years)

(Provide details, such as sentences contain many words with plural endings, greater variety of emotions reflected in speech, easily repeats songs, expresses feelings, recognizes colours, etc.)

H. Motor development**(Birth to 8 months)**

(Provide details, such as kicks, lifts and turns head, waves arms, lifts chin when lying on stomach, shakes objects when held, rolls from back to stomach, stands with help, crawls, picks up small objects, etc.)

(9-17 months)

(Provide details, such as stands holding onto furniture, sits up easily, pulls up to stand, walks a few steps, stands alone.)

(18-24 months)

(Provide details, such as runs awkwardly, pulls/pushes toys, throws a ball, holds glass in one hand, scribbles, walks up and down stairs, builds towers of 6-7 blocks, turns book pages singly.)

(2-3 years)

(Provide details, such as places marks on paper, uses scribbles (vertical and circular) to cover all or part of a page, tries to make the basic shapes (triangles, circles, squares), scribbles to make designs, uses circles with circles, can jump down from a low chair or a step, can pedal a tricycle.)

(3-4 years)

(Provide details, such as rides tricycle, hops with both feet, runs smoothly, buttons and unbuttons, catches a ball, walks up and down stairs with one foot on each step, scribbles to make designs.)

Child's Comprehensive Plan of Care
(Six Years and Over)

Office: _____ **Date of meeting:** _____

Child: _____ **File #:** _____

Child's D.O.B _____ **Worker:** _____

Child's NS Health #: _____ **Case ID:** _____

Child's care status: _____ **V7** _____ **V8** _____ **TCC** _____ **PCC** _____

Date of coming into care: _____

Names of birth parents: _____

Present placement: _____ **Date:** _____

Placement history: *(Attach printout showing placement history.)*

Date of the last plan of care meeting: _____

Case summary:
What is the plan for the child over the course of the next 12 months?
What are the long-term goals for the child?

A. Health

(Provide details about matters such as date of last medical exam, last dental exam, eye exam, acute or chronic health issues, diet, medications, immunizations, smoking, drugs, sexuality, etc.)

B. Education

(Provide details about matters such as schools attended, grade, resource, tutoring, educational assessment, performance, attitude, homework, other activities, etc.)

C. Identity

(Provide details about matters such as understanding of reasons he/she is in care, information on birth family, life book, religion, culture, self-esteem, goals.)

D. Family/social relationships

(Provide details about matters such as number of placements, success of placements, respite, affection, access to birth family, confidence, friends, etc.)

E. Social presentation (answer relative to age and development)

(Provide details about matters such as personal hygiene, clothing, communication, etc.)

F. Emotional/behavioural development

(Provide details about matters such as defiant or disruptive behaviours in school or at home, shy, over-friendly, suspicious of others, getting into fights, demanding, impatient, angry, trouble with concentration, impulse control, worry, sleep and eating, discipline, therapy, medication, physical or sexual abuse, legal issues.)

G. Self-care skills (answer relative to age and development)

(Provide details, such as does he/she have the skills to live independently, e.g. able to cook, clean, do laundry, shop for food and household items, personal care items, make his/her own personal appointments, etc.)

N.S. Reg. 199/2004

Made: August 26, 2004

Filed: August 30, 2004

Pipeline Regulations (Nova Scotia)

Order in Council 2004-346 dated August 26, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 44 of the *Pipeline Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated August 4, 2004, and pursuant to Section 44 of Chapter 345 of the Revised Statutes of Nova Scotia, 1989, the *Pipeline Act*, is pleased to amend the *Pipeline Regulations (Nova Scotia)*, N.S. Reg. 66/98, made by the Governor in Council by Order in Council 1998-452 dated September 16, 1998, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 26, 2004.

Schedule "A"

**Amendments to the *Pipeline Regulations (Nova Scotia)*
made by the Governor in Council pursuant
to Section 44 of Chapter 345
of the Revised Statutes of Nova Scotia, 1989,
the *Pipeline Act***

1 Subsection 2(2) of the *Pipeline Regulations (Nova Scotia)*, N.S. Reg. 66/98, made by the Governor in Council by Order in Council 1998-452 dated September 16, 1998, is amended by

(a) adding " , as amended" immediately after "Inspectors" in clause (k);

- (b) adding “, as amended” immediately after “*Formations*” in clause (l);
 - (c) adding “, as amended” immediately after “*Systems*” in clause (m); and
 - (d) adding “, as amended” immediately after “*Industry*” in clause (n).
- 2 Section 20 of the regulations is amended by
- (a) striking out “pipeline” and substituting “transmission line” in subsection (4); and
 - (b) adding the following subsection immediately after subsection (4):
 - (5) When a company conducts joining on a distribution line, the company shall, where applicable, examine the joints as required by CSA Z662.
- 3 Subsection 21(1) of the regulations is amended by
- (a) repealing clause (c); and
 - (b) striking out “is not being conducted in accordance with the construction safety manual referred to in Section 23 or” in clause (d).
- 4 Section 55 of the regulations is amended by
- (a) striking out “a contractor independent of any construction contractor” in subsection (1) and substituting “the company or an agent independent of any construction contractor”; and
 - (b) repealing subsection (2) and substituting the following subsection:
 - (2) An inspection under subsection (1) shall be performed by a person who has sufficient expertise, knowledge and training to competently carry out the inspection.

N.S. Reg. 200/2004

Made: August 26, 2004

Filed: August 30, 2004

Welder Trade Regulations

Order in Council 2004-347 dated August 26, 2004
Regulations made by the Governor in Council
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Education dated July 21, 2004, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after August 26, 2004, to

- (a) repeal the regulations respecting the welder trade made by the Governor in Council by Order in Council 89-1040 dated September 12, 1989; and

- (b) make regulations respecting the welder trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting the Welder Trade
made by the Governor in Council pursuant to
Section 29 of Chapter 1 of the Acts of 2003,
the *Apprenticeship and Trades Qualifications Act***

Citation

1 These regulations may be cited as the *Welder Trade Regulations*.

Definitions

2 (1) In these regulations,

(a) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations*; and

(b) “welder trade” means the occupation of a welder, which consists of laying out, fabricating, repairing, installing and modifying metal assemblies, and includes the use of plastic materials to carry out these undertakings.

(2) The definitions contained in the General Regulations apply to these regulations unless the context otherwise requires.

Term of apprenticeship

3 (1) The term of apprenticeship for completing the apprenticeship program, which for greater certainty is defined in the General Regulations as comprising the practical experience, technical training and certification examination, for the welder trade is 6000 hours.

(2) The term of apprenticeship for the welder trade includes a probation period of not less than 3 months and not more than 6 months.

Wage schedule

4 The wage rate for an apprentice in the welder trade must not be less than

(a) from 0 to 2000 hours of the term of apprenticeship, 65% of the journeyperson’s rate in the place of employment;

(b) from 2001 to 4000 hours of the term of apprenticeship, 75% of the journeyperson’s rate in the place of employment;

(c) from 4001 to 6000 hours of the term of apprenticeship, 90% of the journeyperson’s rate in the place of employment.

Certificate through trade qualification

5 For the purpose of Section 30 of the General Regulations, under which the Director may issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship if the person applies and meets certain requirements,

- (a) the period of employment in the welder trade is 7200 hours; and
- (b) demonstration of competence in the tasks of the welder trade must include
 - (i) proof that the person holds current or expired tickets issued by a recognized licensing body in the shielded metal arc welding (SMAW) process for the vertical, flat, horizontal and overhead positions,
 - (ii) documentation of the person's experience in one of the following processes:
 - (A) gas tungsten arc welding (GTAW) for the vertical, flat, horizontal and overhead positions,
 - (B) gas metal arc welding (GMAW) for the vertical, flat, horizontal and overhead positions, or
 - (C) flux cored arc welding (FCAW) for the vertical, flat and horizontal positions,
 - (iii) documentation of the person's experience in high pressure pipe welding using the shielded metal arc welding (SMAW) process, and
 - (iv) proof that the person has had acceptable technical training, such as CWB 47.1/59 Standards training provided by the Welding Institute of Canada.

Transition

- 6** (1) In this Section, "previous welder trade regulations" means the regulations respecting the welder trade made by the Governor in Council by Order in Council 89-1040 dated September 12, 1989.
- (2) A person who, immediately before the coming into force of these regulations, was an apprentice in an apprenticeship program under the previous welder trade regulations
- (a) to become a Class "C" welder or a Class "B" welder may continue in that apprenticeship program for not more than 2 years from the date on which these regulations come into force; or
 - (b) to become a Class "C" welder, Class "B" welder or Class "A" welder may continue as an apprentice in the apprenticeship program in accordance with these regulations.
- (3) The Director may issue a welder's Class "C" or Class "B" certificate of qualification to a person referred to in clause (2)(a) who completes the apprenticeship program under the previous welder trade regulations within the 2-year limit prescribed in clause (2)(a).
- (4) The Director may grant credits to a person referred to in clause (2)(b) for their training and experience in the apprenticeship program under the previous welder trade regulations.