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Contents

| Act | Reg. No. | Page |
|---|----------|------|
| Financial Measures (2003) Act | | |
| Proclamation, S. 31(8), S.N.S. 2003, c. 4 | 5/2004 | 42 |
| Forests Act | | |
| Forest Sustainability Regulations – amendment | 2/2004 | 22 |
| Registration and Statistical Returns Regulations | 3/2004 | 25 |
| Justice Administration Amendment (2002) Act | | |
| Proclamation, S. 50, S.N.S. 2002, c. 10 | 6/2004 | 43 |
| Municipal Government Act | | |
| Definition of “Prohibit” Regulations | 7/2004 | 44 |
| Halifax Regional Municipality Interim Planning Area Regulations | 8/2004 | 44 |
| Occupational Health and Safety Act | | |
| Occupational Safety General Regulations – amendment | 4/2004 | 41 |

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N.S. Reg. 2/2004

Made: January 16, 2004

Filed: January 19, 2004

Forest Sustainability Regulations

Order in Council 2004-5 dated January 16, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 40 of the *Forests Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated December 23, 2003, and pursuant to Section 40 of Chapter 179 of the Revised Statutes of Nova Scotia, 1989, the *Forests Act*, is pleased to amend the *Forest Sustainability Regulations* made by the Governor in Council and approved by Order in Council 2001-570 dated December 7, 2001, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 16, 2004.

Schedule "A"

**Amendments to the *Forest Sustainability Regulations*
made by the Governor in Council pursuant to Section 40 of Chapter 179
of the Revised Statutes of Nova Scotia, 1989, the *Forests Act***

- 1 Section 2 of the *Forest Sustainability Regulations* made by the Governor in Council by Order in Council 2001-570 dated December 7, 2001, is amended by
 - (a) striking out "that processes primary forest products" in clause (f);
 - (b) repealing clause (l) and substituting the following clause:
 - (l) "registered buyer" means a person who
 - (i) owns or operates a wood processing facility in the Province,
 - (ii) exports, or possesses for export, primary forest products,
 - (iii) imports primary forest products,
 - (iv) sells or acquires for sale more than 1000 m³ solid of primary forest products as a fuel, or
 - (v) acquires primary forest products for producing energy;
 - (c) adding the following clause immediately after clause (q):
 - (qa) "wood chips" means chips that are generated from a primary forest product by a wood processing facility and that are transferred to a registered buyer for use in secondary manufacturing or processing and reported pursuant to subclause 5(4)(a)(v) of the *RSR Regulations*;
- 2
 - (1) Clause 10(1)(a) of the regulations is amended by adding "plus the volume of softwood wood chips acquired from registered buyers, less the volume of softwood wood chips generated and transferred to other registered buyers, in the relevant calendar year and reported in Part VI of Form B of Schedule 1 to the *RSR Regulations*" immediately after "*RSR Regulations*".
 - (2) Clause 10(1)(c) of the regulations is amended by adding "plus the volume of hardwood wood chips acquired from registered buyers, less the volume of hardwood wood chips generated and transferred to other registered buyers, in the relevant calendar year and reported in Part VI of Form B of Schedule 1 to the *RSR Regulations*" immediately after "*RSR Regulations*".

3 The regulations are further amended by adding the following Section immediately after Section 19:

19A (1) A registered buyer who has submitted a plan for the calendar year 2003 shall carry out the program in adherence with the technical standards set out in Schedule 1 that were in force before January 1, 2004.

(2) The required value of a report to be submitted for the calendar year 2003 shall be calculated in accordance with Section 10, except that 70% of the volume of primary forest products acquired in the calendar year 2003 specified in clauses 10(1)(a) and (c) must be used for the values A and C.

4 The table “Technical Standard for Completed Silviculture” in Schedule 1 to the regulations is amended by

(a) striking out “6 m” and substituting “7 m” in the 3rd column headed “Maximum” corresponding with item 5 of the first column, “Density Control and Release in Natural Stands”;

(b) striking out “20 m²” and substituting “18 m²” in the 2nd column headed “Minimum” corresponding with item 6 of the first column, “Commercial Thinning”;

(c) striking out “150 per hectare” and substituting “125 per hectare” at “a) Crop trees released” in the 2nd column headed “Minimum” corresponding with item 7 of the first column, “Forest Quality Improvement”; and

(d) striking out “150 per hectare” and substituting “125 per hectare” at “b) Crop trees pruned” in the 2nd column headed “Minimum” corresponding with item 7 of the first column, “Forest Quality Improvement”.

5 Part II of Form C and Part II of Form D of Schedule 2 to the regulations are repealed and a new Part II of Form C and Part II of Form D are substituted in the forms attached.

Form C - Wood Acquisition Plan: Proposal
Part II - Calculation of Estimated Required Value

| | |
|-------------------------------|--|
| Year: | |
| Registered buyer ID: | |
| Registered buyer name: | |

Calculation of Estimated Required Value Based on Primary Forest Products and Wood Chips Intended to be Acquired from within Nova Scotia

| <i>Primary forest products and wood chips to be acquired from within Nova Scotia</i> | | <i>Volume (m³ solid*)</i> | <i>Plus Volume Chips** Acquired (m³ solid)</i> | <i>Minus Volume Chips** Transferred (m³ solid)</i> | <i>Net Volume for Required Value (m³ solid)</i> | <i>Rate</i> | <i>Estimated Required Value</i> | |
|--|------------------|--------------------------------------|---|---|--|-------------|---------------------------------|--|
| Softwood | Industrial lands | | | | | \$3.00 | | |
| | Private lands | | | | | \$3.00 | | |
| Hardwood | Industrial lands | | | | | \$0.60 | | |
| | Private lands | | | | | \$0.60 | | |
| Total estimated required value | | | | | | | | |

* Volumes of Primary Forest Products (PFP) are to be converted to cubic meters solid from other units using conversion factors used under the *Registration and Statistical Returns Regulations*.

** Wood chips from *Registration and Statistical Returns Regulations*, Form B, Part VI

**Form D - Wood Acquisition Plan: Report
Part II - Calculation of Required Value**

| | |
|-------------------------------|--|
| Year: | |
| Registered buyer ID: | |
| Registered buyer name: | |

Calculation of Required Value Based on Primary Forest Products and Wood Chips Acquired from within Nova Scotia

| <i>Primary forest products and wood chips acquired from within Nova Scotia</i> | | <i>Volume PFP (m³ solid*)</i> | <i>Plus Vol. Chips** Acquired (m³ solid)</i> | <i>Minus Vol. Chips** Transferred (m³ solid)</i> | <i>Net Volume for Required Value (m³ solid)</i> | <i>Rate</i> | <i>Required Value</i> | |
|--|------------------|--|---|---|--|-------------|-----------------------|--|
| Softwood: | Industrial lands | | | | | \$3.00 | | |
| | Private lands | | | | | \$3.00 | | |
| Hardwood | Industrial lands | | | | | \$0.60 | | |
| | Private lands | | | | | \$0.60 | | |
| Total required Value | | | | | | | | |

* Volumes of Primary Forest Products (PFP) are to be converted to cubic meters solid from other units using conversion factors used under the *Registration and Statistical Returns Regulations*.

** Wood chips from *Registration and Statistical Returns Regulations*, Form B, Part VI

Adjustments to Required Value Using Credits/Deficiencies from Prior Year(s)

| <i>Credits Carried Forward</i> | | <i>Credits Available</i> | | | <i>Credits Applied Current Year</i> | <i>Remaining Credits Carried Forward</i> |
|--------------------------------|------------------|---|------------------------|--------------|-------------------------------------|--|
| | | <i>Carried Forward From Prior Years</i> | <i>From Monitoring</i> | <i>Total</i> | | |
| Softwood | Industrial lands | | | | | |
| | Private lands | | | | | |
| Hardwood | Industrial lands | | | | | |
| | Private lands | | | | | |

| <i>Deficiencies</i> | | <i>Deficiencies from Previous Year</i> | <i>Deficiencies from Monitoring</i> | <i>Total Deficiencies Applied</i> |
|---------------------|------------------|--|-------------------------------------|-----------------------------------|
| Softwood | Industrial lands | | | |
| | Private lands | | | |
| Hardwood | Industrial lands | | | |
| | Private lands | | | |
| Total deficiencies | | | | |

N.S. Reg. 3/2004

Made: January 16, 2004

Filed: January 19, 2004

Registration and Statistical Returns Regulations

Order in Council 2004-6 dated January 16, 2004
Regulations made by the Governor in Council
pursuant to Section 40 of the *Forests Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated December 23, 2003, and pursuant to Section 40 of Chapter 179 of the Revised Statutes of Nova Scotia, 1989, the *Forests Act*, is pleased to repeal the *Registration and Statistical Returns Regulations* made by the Governor in Council by Order in Council 98-7 dated January 13, 1998, and make new regulations respecting the registration of registered buyers and users of forest products and the filing of statistical returns concerning transactions involving forest products in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 16, 2004.

Schedule "A"

**Regulations Respecting the Registration of and Filing of
Statistical Returns by Buyers of Primary Forest Products
made by the Governor in Council pursuant to Section 40 of Chapter 179
of the Revised Statutes of Nova Scotia, 1989, the *Forests Act***

Citation

1 These regulations may be cited as the *Registration and Statistical Returns Regulations*.

Definitions

2 In these regulations,

- (a) "Act" means the *Forests Act*;
- (b) "Crown lands" means all or any part of land under the administration and control of the Minister;
- (c) "export" means export from the Province;
- (d) "exporter" means a registered buyer who possesses primary forest products for export;
- (e) "federal lands" means all or any part of land situate in the Province under the administration and control of Her Majesty the Queen in right of Canada;
- (f) "import" means import into the Province;
- (g) "industrial landowner" means a landowner who owns a wood processing facility;
- (h) "Minister" means the Minister of Natural Resources;
- (i) "primary forest products" means any of the commercially valuable raw materials obtained from a forest;
- (j) "private landowner" means a landowner who does not own a wood processing facility;
- (k) "registered buyer" means a person who
 - (i) owns or operates a wood processing facility in the Province,

- (ii) exports, or possesses for export, primary forest products,
 - (iii) imports primary forest products,
 - (iv) sells or acquires for sale more than 1000 m³ solid of primary forest products as a fuel, or
 - (v) acquires primary forest products for producing energy;
- (l) “secondary forest products” means goods produced or generated from primary forest products for purposes of sale and, without limiting the generality of the foregoing, includes wood pulp, paper, fibre and chip board, lumber and other sawn products and wood chips produced at a wood processing facility, but does not include the energy produced from combustion of forest products;
- (m) “species” means the individual taxonomic species or the species family grouping;
- (n) “species type” means either softwood or hardwood;
- (o) “wood chips” means chips that are generated from a primary forest product by a wood processing facility and that are transferred to a registered buyer for use in secondary manufacturing or processing and reported pursuant to subclause 5(4)(a)(v).

Exemption

3 These regulations do not apply to the production, export or sale of

- (a) Christmas trees, wreaths, boughs, branches or non-wood fibre resources obtained from a forest; or
- (b) remanufactured wood products.

Annual registration

4 (1) Every registered buyer must register annually by filing with the Minister, or the Minister’s designate, a registration form that contains the following information:

- (a) name;
 - (b) mailing address;
 - (c) geographic location where the registered buyer carries on business;
 - (d) if the registered buyer owns or operates a wood processing facility in the Province, including a portable processing unit, the geographic location of the wood processing facility;
 - (e) telephone number and, if applicable, facsimile number and e-mail address;
 - (f) if the registered buyer is a corporation or partnership, name and position description of an individual designated by the registered buyer as the person responsible for submitting the returns required by these regulations;
 - (g) indication of the primary business carried on by the registered buyer; and
 - (h) estimate by species type of the total volume of primary forest products acquired.
- (2) A registered buyer who owns or operates one or more wood processing facilities in the Province must file a separate registration form for each wood processing facility, in addition to any registration required by subsection (1).
- (3) A registration form required by subsections (1) and (2) must be in Form A of Schedule 1.

- (4) A registered buyer must register in accordance with subsections (1) and (2) on or before February 28 of each year.
- (5) A person who becomes a registered buyer must register in accordance with subsections (1) and (2) within 30 days of becoming a registered buyer.
- (6) Within 30 days of a change in any of the information filed pursuant to subsection (1) or (2), a registered buyer must notify the Minister or the Minister's designate of the change in writing.

Statistical returns

- 5 (1) A registered buyer must submit to the Minister, or a person designated by the Minister, an annual statistical return containing the following information:
 - (a) the total volume in cubic metres solid of primary forest products acquired for processing, exporting, importing or sale, listed by product and species type;
 - (b) for registered buyers acquiring more than 1000 m³ solid of primary forest products, the quantity of secondary forest products produced in the units used, listed by product and species type;
 - (c) for registered buyers acquiring less than or equal to 1000 m³ solid of primary forest products, the type of secondary forest product, listed by species type.
- (2) A registered buyer who owns or operates one or more wood processing facilities located in the Province must submit a separate annual statistical return for each wood processing facility, in addition to any return required by subsection (1).
- (3) An annual statistical return submitted by a registered buyer who processed, exported, imported, sold or acquired more than 1000 m³ solid, or equivalent, of primary forest products during a calendar year must include the following information:
 - (a) if, during that year, the registered buyer owned or operated a wood processing facility in the Province,
 - (i) the volume in cubic metres solid of each species type acquired for processing,
 - (ii) the volume in cubic metres solid of each species type acquired in
 - (A) each county in the Province,
 - (B) each province of Canada and each state of the United States, and
 - (C) each country outside Canada and the United States,
 - (iii) the volume in cubic metres solid of each species type acquired from private landowners, from industrial landowners, from Crown lands and from federal lands,
 - (iv) the quantity in units used of secondary forest products produced, listed by product and species type,
 - (v) the volume in cubic metres solid, and in species type and by tenure class, whether private or industrial, for each transaction of wood chips that were generated, acquired or transferred to another named registered buyer for use in other manufacturing processes,
 - (vi) the species of primary forest product acquired;
 - (b) if, during that year, the registered buyer exported wood grown in the Province,
 - (i) the volume in cubic metres solid of each species type acquired for export,

- (ii) the volume in cubic metres solid of each species type acquired in each county in the Province,
 - (iii) the volume in cubic metres solid of each species type acquired from private landowners, from industrial landowners, from Crown lands or from federal lands,
 - (iv) the volume in cubic metres solid of each species type exported to
 - (A) each province of Canada,
 - (B) each state of the United States, and
 - (C) each country outside Canada and the United States;
 - (v) the species of primary forest product acquired;
- (c) if, during that year, the registered buyer sold the primary forest products as a heating fuel,
- (i) the volume in cubic metres solid of each species type acquired for sale,
 - (ii) the volume in cubic metres solid of each species type acquired in
 - (A) each county in the Province,
 - (B) each province of Canada and each state of the United States, and
 - (C) each country outside Canada and the United States,
 - (iii) the volume in cubic metres solid of each species type acquired from private landowners, from industrial landowners, from Crown lands and from federal lands,
 - (iv) the volume in cubic metres solid of each species type of secondary forest products produced, listed by product and species,
 - (v) the species of primary forest product acquired;
- (d) if, during that year, the registered buyer acquired primary forest products for producing energy,
- (i) the volume in cubic metres solid of each species type acquired,
 - (ii) the volume in cubic metres solid of each species type acquired in
 - (A) each county in the Province,
 - (B) each province of Canada and each state of the United States, and
 - (C) each country outside Canada and the United States,
 - (iii) the volume in cubic metres solid of each species type acquired from private landowners, from industrial landowners, from Crown lands and from federal lands;
 - (iv) the species of primary forest product acquired;
- (e) if, during that year, the registered buyer acquired primary forest products not grown in the Province but for use in the Province, the volume in cubic metres solid by species type and by source in accordance with Form B.
- (4) An annual statistical return required by subsections (1), (2) and (3) must be in Form B of Schedule 1.
- (5) An annual statistical return required by this Section must be submitted for each calendar year on or before February 28 of the immediately following year.

Quantifying forest products

- 6 (1) In completing a registration form or an annual statistical return, a registered buyer must report in the following manner:
- (a) for primary forest products, in cubic metres solid by species type at the time the primary forest product is acquired, sold or exported;
 - (b) for secondary forest products other than wood chips, in units used by the registered buyer;
 - (c) for wood chips, in cubic metres solid.
- (2) A registered buyer must use the conversion factors in Schedule 2 to convert units of primary forest products to the standard measure of cubic metres solid required by subsection (1).

Required export document

- 7 (1) For each lading or carriage of primary forest products for export, an exporter must prepare a document that includes the following information:
- (a) the registered buyer's Registry Identification number;
 - (b) the registered buyer's name;
 - (c) the volume and the species type of the primary forest products for export; and
 - (d) the destination of the primary forest products,
- and must ensure that the document accompanies the lading or carriage.
- (2) A document required by subsection (1) must be produced for inspection upon the request of the Minister, a conservation officer, or a person designated by the Minister.

Availability of records

- 8 A registered buyer must make available to the Minister, a conservation officer, or a person designated by the Minister, upon reasonable notice, any records or documents that the Minister, officer or person requires for inspection, audit or examination for the purpose of ensuring compliance with these regulations.

Offences

- 9 In accordance with Section 36 of the Act, every person is guilty of an offence who
- (a) fails to file an annual registration form as required by Section 4, or files a false annual registration form;
 - (b) fails to submit an annual statistical return as required by Section 5, or submits a false annual statistical return; or
 - (c) fails to produce an export document as required by subsection 7(2), or produces a false document.

Schedule 1

Form A- Registered Buyer Registration Form
 (Pursuant to Section 4 of the *Registration and Statistical Returns Regulations*)

Registered Buyer

| |
|------------------|
| Registry ID: |
| Buyer Name: |
| Buyer Location: |
| Street/PO Box: |
| City/Town, Prov: |
| Postal Code: |

If the information on the left is incorrect, or incomplete, please add to the form below.

Registered Buyer Information Calendar Year :

| | | | |
|---------------------------------------|---|--------------------------------------|--|
| Registry ID | | | |
| Name | | | |
| Business Location | | | |
| Type of Business (circle only one) | 1. Sawmill 4. Energy Generation 7. Other (specify): | 2. Pulp/Paper Mill 5. Wood Export | 3. Fuel Chips Sales 6. Firewood Sales |

Mailing Address and Contact Information

| | | | |
|---------------------|--|----------|--|
| Street/P.O. Box/RR# | | | |
| City/Town | | Province | |
| Postal Code | | | |
| Contact Name | | | |
| Contact Title | | | |
| Telephone | | Fax | |
| E-Mail Address | | | |

Primary Forest Product Demand

If "none" enter "0"

| Estimate For Calendar Year: | Unit | Total Quantity Required (cubic metres solid) |
|-----------------------------|------|---|
| Softwood | | |
| Hardwood | | |
| | | |

Please sign and date form to verify that the information submitted is complete and accurate to the best of your knowledge.

| | |
|-----------|--|
| Signature | |
| Date | |

Total Number of Pages Submitted in Return:

| |
|--|
| |
|--|

Confidential

Form B - Statistical Return

(Pursuant to Section 5 of the *Registration and Statistical Returns Regulations*)

Part IV

Primary Forest Products Acquired for Export from Nova Scotia, Volume in Cubic Metres Solid

| Registry ID # | Source | Registered Buyer Name: | | | | | | | | | | Calendar Year: | | | | | |
|---------------|----------------|------------------------|----------|------------------|----------|------------------------|----------|---------------|----------|----------|----------|----------------|----------|--|--|--|--|
| | | Private Lands | | Industrial Lands | | Provincial Crown Lands | | Federal Lands | | Totals | | Softwood | Hardwood | | | | |
| | | Softwood | Hardwood | Softwood | Hardwood | Softwood | Hardwood | Softwood | Hardwood | Softwood | Hardwood | | | | | | |
| | Annapolis | | | | | | | | | | | | | | | | |
| | Antigonish | | | | | | | | | | | | | | | | |
| | Cape Breton Co | | | | | | | | | | | | | | | | |
| | Colchester | | | | | | | | | | | | | | | | |
| | Cumberland | | | | | | | | | | | | | | | | |
| | Digby | | | | | | | | | | | | | | | | |
| | Guysborough | | | | | | | | | | | | | | | | |
| | Halifax | | | | | | | | | | | | | | | | |
| | Hants | | | | | | | | | | | | | | | | |
| | Inverness | | | | | | | | | | | | | | | | |
| | Kings | | | | | | | | | | | | | | | | |
| | Lunenburg | | | | | | | | | | | | | | | | |
| | Pictou | | | | | | | | | | | | | | | | |
| | Queens | | | | | | | | | | | | | | | | |
| | Richmond | | | | | | | | | | | | | | | | |
| | Shelburne | | | | | | | | | | | | | | | | |
| | Victoria | | | | | | | | | | | | | | | | |
| | Yarmouth | | | | | | | | | | | | | | | | |
| | Totals | | | | | | | | | | | | | | | | |

Note: Report only primary forest products acquired from within Nova Scotia for export in this Part.

To convert volumes to solid cubic metres use conversion factors in Schedule 2.

Confidential

Form B - Statistical Return

(Pursuant to Section 5 of the Registration and Statistical Returns Regulations)

Part VI

Quantity of Secondary Forest Products Generated, Listed by Product Type

(If the total volume of wood acquired during the year was less than 1000 cubic metres solid, only indicate the type of product generated, volume is not required)

| Registry ID # | Registered Buyer Name: | | | | Calendar Year: | | | | | |
|-------------------|------------------------|-------|----------|----------|----------------|------------------------------|-------|----------|----------|-------|
| | Product | Units | Softwood | Hardwood | Mixed | Product | Units | Softwood | Hardwood | Mixed |
| Lumber | | | | | | Fence posts | | | | |
| Wood chips | | | | | | Baskets | | | | |
| Hogged wood | | | | | | Fuel chips | | | | |
| Slabwood | | | | | | Bark mulch | | | | |
| Sawdust | | | | | | Fuel pellets | | | | |
| Shavings | | | | | | Components | | | | |
| Wood pulp | | | | | | Moulding | | | | |
| Paper | | | | | | Fence rails | | | | |
| Hardboard | | | | | | Export pulpwood | | | | |
| Firewood | | | | | | Export oriented strand board | | | | |
| Laths | | | | | | Export studwood | | | | |
| Mine packs | | | | | | Export veneer | | | | |
| Poles and pilings | | | | | | Export pulp chips | | | | |
| Shingles | | | | | | Barrel staves | | | | |
| Railway ties | | | | | | Flooring | | | | |
| House logs | | | | | | Export sawlog | | | | |
| Other () | | | | | | Other () | | | | |

Confidential

Form B - Statistical Return

(Pursuant to Section 5 of the *Registration and Statistical Returns Regulations*)

Part VII

Volume of Wood Chips Acquired/Generated and Transferred for Use in Other Manufacturing Process

(Use Additional Forms as Required)

| Registry ID# | Registered Buyer Name: | | | | Calendar Year: | | | | |
|---|--|--|----------|----------|-------------------------------|-------------------------------|----------|--|----------|
| | Volume of Wood Chips Generated and Transferred | | | | Volume of Wood Chips Acquired | | | | |
| Destination of Wood Chips Generated and Transferred | | Volume of Wood Chips In Cubic Metres Solid | | | | Source of Wood Chips Acquired | | Volume of Wood Chips In Cubic Metres Solid | |
| RB # | Registered Buyer Name | Industrial | | Private | | Registered Buyer Name | | Private | |
| | | Softwood | Hardwood | Softwood | Hardwood | Softwood | Hardwood | Softwood | Hardwood |
| | | | | | | | | | |
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| | | | | | | | | | |
| Totals | | | | | | | | | |

Note: "Industrial" and "Private" refer to the source of the primary forest products from which the wood chips were generated.

Schedule 2
Primary Wood Products Conversion Factors

| Softwood | | | | | |
|--|---------------------------------|---------------------|--------------------------|-----------------------------|--|
| Product | Original Unit of Measure | Multiply (x) | Conversion Factor | Volume m³ | Basis of Factors |
| Cut to length sawlogs SPF | ¹ mfbm | x | 5.663 | | Based on 200 cu.ft./mfbm (87 mill studies from 1988-1999 average 203 cu.ft./mfbm) approx. 8700 pcs. |
| | fbm | x | 0.005 663 | | |
| | ² tonnes | x | 1.0 | | Based on data obtained at Scott Paper 1989-94. Sample of over 900 loads 13700 pcs. RS, WS, BS, BF 0.857 t/m ³ |
| | | x | 1.167 | | |
| Tree length sawlogs | ² tonnes | x | 1.167 | | |
| Tree length pulpwood or fuelwood | ² tonnes | x | 1.167 | | |
| Studwood 2.44 m + trim (8' + trim) | cords | x | 2.322 | | Based on 82 cu.ft./cord |
| | ² tonnes | x | 1.167 | | |
| | stacked cubic metres | x | 0.641 | | Based on 82 cu.ft./cord or 64.1% solid wood |
| Studwood 3.1 m + trim (10' + trim) | cords | x | 2.265 | | Based on 80 cu.ft./cord |
| | ² tonnes | x | 1.167 | | |
| | stacked cubic metres | x | 0.625 | | Based on 80 cu.ft./cord or 62.5% solid wood |
| Pulpwood Fuelwood 2.44 (8') | cords | x | 2.209 | | Based on 78 cu.ft./cord Stora Enso Data |
| | ² tonnes | x | 1.167 | | |
| | stacked cubic metres | x | 0.609 | | 60.9% solid wood |
| 1.22 m (4') Pulpwood Lath wood Fuelwood | cords | x | 2.407 | | Based on 85 cu.ft./cord |
| | ² tonnes | x | 1.167 | | |
| | m ³ (stacked) | x | 0.664 | | Based on 66.4% solid wood content |

¹ mfbm or fbm conversion based on scale by the New Brunswick Log Rule

² tonnes to m³ based on inside bark volume and outside bark mas (weight)

³ tonnes to m³ based on debarked wood

| Softwood | | | | | |
|--------------------------------------|--|------------------|----------------------------------|-----------------------|--|
| Product | Original Unit of Measure | Multiply (x) | Conversion Factor | Volume m ³ | Basis of Factors |
| Random length Pulpwood Fuelwood | ² tonnes | x | 1.167 | | |
| Veneer | ¹ mfbm fbm m ³ | x x x | 5.663 0.005 663 1.0 | | Based on 200 cu.ft./mfbm |
| Pulp chips Road-side chipping | ³ tonnes | x | 1.2690 | | Based on 0.788 t/m ³ (-8% for bark) |
| Whole tree chips (fuel) | tonnes | x | 0.817 | | Based on 0.857 t/m ³ and 70% stem wood = 1.224 t/m ³ |
| Poles & pilings (Red pine) | cubic feet ¹ mfbm m ³ ² tonnes | x x x x | 0.028 3 5.663 1.0 0.968 | | 35.3147 cu.ft./m ³ 200 cu.ft./Mfbm Based on 1.033 t/m ³ Studies completed at Stella Jones |
| Fence fails | number of pieces | x | 0.022 7 | | Based on 3.5" mid length diameter 12' long |
| Fence posts 2.0 m (6.5') 2.44 m (8') | number of pieces | x x | 0.022 2 0.032 1 | | 12 cm (4.7") average diam. 13 cm (5.1") average diam. |
| Landscape ties 2.44 m (8') | number of pieces | x | 0.032 1 | | 13 cm (5.1") average diam. |
| Hemlock | ² tonnes | x | 1.026 | | 0.975 t/m ³ Studies at Scott Paper |
| Larch | ² tonnes | x | 1.033 | | 0.968 t/m ³ Studies at Scott Paper |
| White pine | ² tonnes | x | 1.110 | | 0.901 t/m ³ Studies at Scott Paper |
| All products | | | | | |

¹ mfbm or fbm conversion based on scale by the New Brunswick Log Rule

² tonnes to m³ based on inside bark volume and outside bark mas (weight)

³ tonnes to m³ based on debarked wood

| Hardwood | | | | | |
|---------------------------------------|--------------------------|---|-----------|--|---|
| Cut to length sawlogs | ¹ mfbm | x | 5.663 | | Based on 200 cu.ft./mfbm Based on approx. 200 loads 15 pcs./load = 1.038 t/m ³ |
| | fbm | x | 0.005 663 | | |
| | m ³ | x | 1.0 | | |
| | ² tonnes | x | 0.963 | | |
| Tree length pulpwood or fuelwood | ² tonnes | x | 0.9630 | | |
| Pallet wood 2.44 m (8') | ¹ mfbm | x | 5.663 | | Based on 200 cu.ft./mfbm Based on 78 cu.ft./cord Based on 60.9% solid wood |
| | fbm | x | 0.005 663 | | |
| | cords | x | 2.209 | | |
| | m ³ (stacked) | x | 0.609 | | |
| | ² tonnes | x | 0.963 | | |
| Pulpwood Fuelwood 2.44 m (8') | cords | x | 1.926 | | Based on 68 cu.ft./cord Based on 53.1% solid wood |
| | m ³ (stacked) | x | 0.531 | | |
| | ² tonnes | x | 0.963 | | |
| Pulpwood Fuelwood Random length | ² tonnes | x | 0.9630 | | |
| Boltwood Spoolwood 1.22 m (4') | cords | x | 2.407 | | Based on 85 cu.ft./cord Based on 66.4% solid wood |
| | m ³ (stacked) | x | 0.664 | | |
| | ² tonnes | x | 0.963 | | |
| Pulp chips Road-side chipping | ³ tonnes | x | 1.0700 | | Based on 0.934 t/m ³ (-10% for bark) |
| Whole tree chips (fuel) | tonnes | x | 0.6740 | | Based on 1.038 t/m ³ and 70% stem wood = 1.484 t/m ³ |
| Veneer | ¹ mfbm | x | 5.663 | | Based on 200 cu.ft./mfbm |
| | fbm | x | 0.005 663 | | |
| | m ³ | x | 1.0 | | |
| | ² tonnes | x | 0.963 | | |
| Aspen All products | ² tonnes | x | 1.0950 | | Based on 0.913 t/m ³ Studies at Scott Paper |

¹ mfbm or fbm conversion based on scale by the New Brunswick Log Rule

² tonnes to m³ based on inside bark volume and outside bark mas (weight)

³ tonnes to m³ based on debarked wood

N.S. Reg. 4/2004

Made: January 23, 2004

Filed: January 28, 2004

Occupational Safety General Regulations

Order in Council 2004-14 dated January 23, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 82 of the *Occupational Health and Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated October 30, 2003, and pursuant to Section 82 of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, is pleased to amend the *Occupational Safety General Regulations* made by the Governor in Council by Order in Council 1999-195 dated April 28, 1999, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 23, 2004.

Schedule "A"

**Amendments to the *Occupational Safety General Regulations*
made by the Governor in Council pursuant to Section 82 of
Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act***

- 1 Subsection 80(9) of the *Occupational Safety General Regulations* made by the Governor in Council by Order in Council 1999-195 dated April 28, 1999, is amended by striking out ", (6) or" and substituting "and".
- 2 (1) Section 113 of the regulations is amended by adding the following subsection immediately after subsection (1):

(1A) Where a welding or allied process is performed on a natural gas pipeline or a liquids pipeline associated with a natural gas pipeline, an employer shall ensure that an engineer certifies that the written work procedure required under subsection (1) is in accordance with American Petroleum Institute standard API Recommended Practice 2201, "Procedures for Welding or Hot Tapping on Equipment in Service", Fourth Edition, September 1995.
- (2) Subsection 113(2) of the regulations is amended by
 - (a) adding "holds or" immediately before "may have held"; and
 - (b) adding "and subsection (1A) does not apply," immediately after "an explosive, flammable or other hazardous substance,".
- 3 Section 192 of the regulations is amended by striking out "and rescue".
- 4 Section 195 of the regulations is amended by
 - (a) striking out "or rescue" in subsection (1);
 - (b) striking out "or rescue" in subsection (2); and
 - (c) striking out "or rescue" in subsection (3).

N.S. Reg. 5/2004

Made: January 23, 2004

Filed: January 28, 2004

Proclamation, S. 31(8), S.N.S. 2003, c. 4

Order in Council 2004-25 made January 23, 2004
Proclamation made by the Governor in Council
pursuant to subsection 31(8)
of the *Financial Measures (2003) Act*

The Governor in Council on the report and recommendation of the Minister of Finance and the Minister of Justice dated January 6, 2004, pursuant to subsection 31(8) of Chapter 4 of the Acts of 2003, the *Financial Measures (2003) Act*, is pleased to order and declare by proclamation that Sections 29 and 30 of Chapter 4 of the Acts of 2003, the *Financial Measures (2003) Act*, come into force on and not before February 1, 2004.

PROVINCE OF NOVA SCOTIA

Sgd: *C. R. Glube*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by subsection 31(8) of Chapter 4 of the Acts of 2003, the *Financial Measures (2003) Act*, it is enacted as follows:

- 31 (8)** Sections 29 and 30 come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 29 and 30 of Chapter 4 of the Acts of 2003, the *Financial Measures (2003) Act*, come into force on and not before February 1, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 29 and 30 of Chapter 4 of the Acts of 2003, the *Financial Measures (2003) Act*, come into force on and not before February 1, 2004, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Constance R. Glube,
Administrator of the Government of the
Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 23rd day of January, in the year
of Our Lord two thousand and four and in the
fifty-second year of Our Reign.

BY COMMAND:

Sgd: *M. G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 6/2004

Made: January 23, 2004

Filed: January 28, 2004

Proclamation, S. 50, S.N.S. 2002, c. 10

Order in Council 2004-26 made January 23, 2004
Proclamation made by the Governor in Council
pursuant to Section 50
of the *Justice Administration Amendment (2002) Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated December 23, 2003, pursuant to Section 50 of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 44 in Part IX of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment [(2002)] Act*, come into force on and not before February 1, 2004.

PROVINCE OF NOVA SCOTIA

Sgd: C. R. Glube

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 50 of Chapter 10 of the Acts of 2002, the *Justice Administration Amendment (2002) Act*, it is enacted as follows:

- 50** Parts V, VII, VIII and IX come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 44 in Part IX of Chapter 10 of the Acts of 2002, the *Justice Administration [Amendment (2002)] Act*, come into force on and not before February 1, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Section 44 in Part IX of Chapter 10 of the Acts of 2002, the *Justice Administration [Amendment (2002)] Act*, come into force on and not before February 1, 2004, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Constance R. Glube,
Administrator of the Government of the
Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 23rd day of January, in the year
of Our Lord two thousand and four and in the
fifty-second year of Our Reign.

BY COMMAND:

Sgd: *M. G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 7/2004

Made: January 22, 2004

Filed: January 28, 2004

Definition of "Prohibit" Regulations

Order dated January 22, 2004
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 520 of the *Municipal Government Act*

**Regulations prescribing a Definition of "Prohibit"
made pursuant to Section 520 of Chapter 18 of the
Acts of 1998, the *Municipal Government Act***

I hereby prescribe the following definition, pursuant to Section 520 of Chapter 18 of the Acts of 1998, the *Municipal Government Act*:

In Section 198, subsection 220(3), clause 220(5)(n), Section 250 and Section 252 of the *Municipal Government Act*, "prohibit" includes prohibit in part, limit, limit in number, control or regulate.

sgd: *Barry Barnet*
Barry Barnet
Minister of Service Nova Scotia and Municipal Relations

January 22, 2004

N.S. Reg. 8/2004

Made: January 22, 2004

Filed: January 28, 2004

Halifax Regional Municipality Interim Planning Area Regulations

Order dated January 22, 2004
regulations made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 198 of the *Municipal Government Act*

**Ministerial Order Establishing an Interim Planning Area
in Halifax Regional Municipality Pursuant to
Section 198 of the *Municipal Government Act***

Whereas the Province in its *Statements of Provincial Interest* enacted as Schedule B of the *Municipal Government Act* has identified as a provincial interest that there be the efficient use of municipal water supply and wastewater disposal systems;

And whereas the basis of the provincial interest is that all levels of government have made significant investment in providing water supply and wastewater disposal infrastructure systems and that unplanned and uncoordinated development increases the demand for costly conventional infrastructure;

And whereas Halifax Regional Municipality is in the process of preparing a Regional Plan;

And whereas I am informed by Halifax Regional Municipality that the Regional Planning process has highlighted the fact that the Municipality cannot sustain large-scale developments on individual on-site services, approved without the benefit of broad-based assessments of groundwater, soils and watercourses, that environmental and public health risks are created by such developments with insufficient quantity and quality of water and this creates pressure for extension of central water or sewer services in areas where it cannot be carried out in a cost effective manner to residents;

And whereas while the Regional Plan is being **prepared**, development that is inconsistent with the provincial interest that there be the efficient use of municipal water supply and wastewater disposal systems might occur in certain unserved areas of Halifax Regional Municipality unless Halifax Regional Municipality is given time to adopt interim measures to prevent this from happening;

And whereas Halifax Regional Council has passed a resolution requesting that I assist by establishing an interim planning area;

And whereas I am satisfied that there are necessary and compelling reasons to establish an interim planning area to protect the provincial interest, to discourage development from leapfrogging over areas served by municipal infrastructure to unserved areas and to encourage maximum use of existing infrastructure, to give Halifax Regional Municipality time to adopt interim measures to address these issues, while the Regional Plan is being prepared and put in place by Halifax Regional Municipality;

Now therefor[e], by this Order, I establish an interim planning area within Halifax Regional Municipality as shown on the map in Schedule A attached to and forming part of this Order, to protect the provincial interest that there be the efficient use of municipal water supply and wastewater disposal systems. For greater certainty, the interim planning area does not include any land located within a serviceable area or service boundary according to planning documents adopted by Halifax Regional Municipality prior to the date of this Order.

And whereas, pursuant to Section 198 of the *Municipal Government Act*, within an interim planning area, development, or certain classes of development, may be regulated or prohibited, as necessary, to protect the provincial interest, and no permit or approval of any kind that is contrary to the Order may be issued;

Now therefor[e] I hereby prescribe that while this Order is in effect, no development that is contrary to the terms of this Order, as stated below, may occur, and no development permit may be issued by Halifax Regional Municipality in respect to such development, on land within the interim planning area.

No new development which would contain a residential use is permitted on land within the interim planning area.

This Order does not apply to a development which would contain a residential use which would be on

- (a) an area of land as it existed on the day prior to the date of this Order;
- (b) a lot of land which has received final subdivision approval prior to the date of this Order;
- (c) a lot of land for which a completed application for final subdivision that is in accordance with the municipal subdivision by-law has been filed with Halifax Regional Municipality, prior to the date of this Order, if final approval is obtained;
- (d) a lot of land that is subdivided from the land described in (a), (b) or (c) above on or after the date of this Order, if the new lot has frontage on a private road or public street that is in existence and approved by the government having jurisdiction prior to the date of this Order, and if the development would be the only development on the area or lot of land as described in (a), (b) or (c) above for which a development permit is issued during the duration of this Order;
- (e) an area of land that is subject to a development agreement approved by Halifax Regional Council prior to the date of this Order;

- (f) an area of land that is subject to a subdivision agreement made pursuant to Halifax Regional Municipality's Subdivision By-law that has been executed prior to the date of this Order; or
- (g) an area of land for which a plan of subdivision involving private roads has received tentative approval from Halifax Regional Municipality prior to the date of this Order, if construction of the private roads within the area of land has commenced prior to the date of this Order.

For purposes of this Order "area of land" means a parcel of land that legally exists as one lot of land prior to the date of this Order.

This Order has effect on January 22, 2004, and continues in effect until April 20, 2004, or until it is amended or revoked.

sgd: *Barry Barnet*
Barry Barnet
Minister of Service Nova Scotia and Municipal Relations

January 22, 2004

[Pursuant to clause 3(5)(a) of the *Regulations Act*, the Registrar of Regulations has dispensed with publication of the map attached as Schedule "A". A copy of the map is on file at the Registry of Regulations.]