

Royal



Gazette

Part II Regulations under the Regulations Act

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Please note: Publication of N.S. Reg. 213/2005 is dispensed with under subsection 4(3) of the *Regulations Act* by O.I.C. 2005-519, which will be published in Volume 29, Issue 23 dated December 9, 2005.

In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 212/2005

Made: November 4, 2005

Filed: November 7, 2005

Governor in Council Education Act Regulations

Order in Council 2005-491 dated November 4, 2005
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 September 19, 2005, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased 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 extend the deadline for applying for tuition support for students with special needs attending private schools, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 4, 2005.

Schedule "A"

**Amendment 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**

- 1 Subsection 70(1) of 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, is amended by striking out "January 31" and substituting "March 1".
- 2 Section 71 of the regulations is amended by
 - (a) renumbering Section 71 as subsection 71(1); and
 - (b) adding the following subsection immediately after subsection 71(1):
 - (2) Despite subsection (1), a student who previously submitted an application for a funding unit and, at the date of that application, met the eligibility criteria listed in clauses 71(1)(b)-(e) but did not meet clause 71(1)(a) is eligible to apply for a funding unit if the student
 - (a) is a student with special needs as required by clause 71(1)(a);
 - (b) is enrolled in a designated special education private school.
- 3 Clause 72(1)(c) of the regulations is amended by striking out "70(1)(d)" and substituting "70(1)(e)".
- 4 The regulations are further amended by adding the following subsection immediately after subsection 72(2):
 - (2A) Despite subsections (1) and (2), if a student submits an application to the Reviewer for the 2005-2006 school year after January 31, 2005, and on or before August 31, 2005, the Reviewer must grant a funding unit if the Reviewer is satisfied that
 - (a) the application includes all of the information required by Section 70;

- (b) the student meets the eligibility criteria set out in Section 71; and
 - (c) the Reviewer accepts the rationale provided under clause 70(1)(e),
- and must notify the student, school board and Minister accordingly in writing with reasons.

N.S. Reg. 214/2005 to 215/2005

Made: November 4, 2005

Filed: November 7, 2005

**Provincial Housing Emergency Repair Program Regulations
and Senior Citizens Assistance Program Regulations**

Order in Council 2005-496 dated November 4, 2005
Regulations made by the Governor in Council
pursuant to Section 26 of the *Housing Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated April 7, 2005, and pursuant to Section 26 of Chapter 211 of the Revised Statutes of Nova Scotia, 1989, the *Housing Act*, is pleased, effective November 4, 2005, to:

- (a) repeal the regulations respecting the Provincial Housing Emergency Repair Program, N.S. Reg. 177/93, made by Order in Council 93-945 dated December 14, 1993;
- (b) make regulations respecting the Provincial Housing Emergency Repair Program in the form set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (c) repeal the regulations respecting the Senior Citizens Assistance Program, N.S. Reg 341/90, made by Order in Council 90-1455 dated December 18, 1990; and
- (d) make regulations respecting the Senior Citizens Assistance Program in the form set forth in Schedule "B" attached to and forming part of the report and recommendation.

N.S. Reg. 214/2005

Provincial Housing Emergency Repair Program Regulations

Schedule "A"**Regulations Respecting the Provincial Housing Emergency Repair Program
made by the Governor in Council pursuant to Section 26 of
Chapter 211 of the Revised Statutes of Nova Scotia, 1989,
the *Housing Act*****Citation**

1 These regulations may be cited as the *Provincial Housing Emergency Repair Program Regulations*.

Purpose

2 The purpose of the Provincial Housing Emergency Repair Program is to assist low income homeowners with urgent repairs required to maintain their home as a habitable unit.

Definitions

3 In these regulations,

- (a) “Act” means the *Housing Act*;
- (b) “Program” means the Provincial Housing Emergency Repair Program;
- (c) “single family dwelling” includes a detached, semi-detached, row housing or mobile home;
- (d) “total household income” means the total gross income from all sources, including employment income, income from government programs, pension income, investment income and any other money income, for all persons in a household 15 years of age or over.

Grants not to exceed amount

- 4 (1) The Minister may make a grant under the Program to an eligible person of up to a maximum of \$5000.
- (2) The approval of a grant and the advancement of funds is at the discretion of the Minister.

Eligibility for grant

5 A person must meet all of the following conditions to be eligible for a grant under the Program:

- (a) own and occupy the single family dwelling to be repaired as their principal place of residence for a minimum of 1 year;
- (b) not have the financial resources to make the repairs;
- (c) have a total household income equal [to] or less than the applicable household income limit set out in the following table:

Location	1 bedroom	2 bedrooms	3+ bedrooms
Halifax area	\$23 000	\$28 000	\$35 000
Small towns	\$18 500	\$23 500	\$25 000
Rest of Province	\$19 000	\$23 000	\$30 500

Grants only for urgent repairs

- 6 (1) A grant provided under the Program may only be used to make urgent repairs to the physical structure of an existing single family dwelling.
- (2) For the purpose of subsection (1), an urgent repair must be both
- (a) permanent; and
 - (b) required so that the dwelling can be safely occupied.

Costs covered

7 A grant may only be used for

- (a) the cost of labour by qualified persons at rates not exceeding standard industry rates plus applicable taxes; and

- (b) the cost of materials used by qualified persons at rates not exceeding standard industry rates for the materials plus applicable taxes.

N.S. Reg. 215/2005

Senior Citizens Assistance Program Regulations

Schedule "B"

**Regulations Respecting the Senior Citizens Assistance Program
made by the Governor in Council pursuant to Section 26 of
Chapter 211 of the Revised Statutes of Nova Scotia, 1989,
the *Housing Act***

Citation

- 1 These regulations may be cited as the *Senior Citizens Assistance Program Regulations*.

Purpose

- 2 The purpose of the Senior Citizens Assistance Program is to assist low income seniors who own their homes with urgent repairs required to maintain their home as a habitable unit.

Definitions

- 3 In these regulations

- (a) "Act" means the *Housing Act*;
- (b) "Program" means the Senior Citizens Assistance Program;
- (c) "single family dwelling" means a detached, semi-detached, row housing or mobile home;
- (d) "total household income" means the total gross income from all sources, including employment income, income from government programs, pension income, investment income and any other money income, for all persons in a household 15 years of age or over.

Grants not to exceed amount

- 4 (1) The Minister may make a grant under the Program to an eligible person of up to a maximum of \$5000.
- (2) The approval of a grant and the advancement of funds is at the discretion of the Minister.

Eligibility for grant

- 5 A person must meet all of the following conditions to be eligible for a grant under the Program:

- (a) be 65 years of age or older;
- (b) own and occupy the single family dwelling to be repaired as their principal place of residence for a minimum of 1 year;
- (c) not have the financial resources to make the repairs;
- (d) have a total household income that is equal to or less than the applicable household income limit set out in the following table:

Location	1 bedroom	2 bedrooms	3+ bedrooms
Halifax area	\$23 000	\$28 000	\$35 000
Small towns	\$22 000	\$23 500	\$25 000
Rest of Province	\$22 000	\$23 000	\$30 500

Grant only for urgent repairs

- 6 (1) A grant provided under the Program may only be used to make urgent repairs to the physical structure of an existing single family dwelling.
- (2) For the purpose of subsection (1), an urgent repair must be both
- (a) permanent; and
 - (b) required so that the dwelling can be safely occupied.

Costs covered

- 7 A grant may only be used for
- (a) the cost of labour by qualified persons at rates not exceeding standard industry rates plus applicable taxes; and
 - (b) the cost of materials used by qualified persons at rates not exceeding standard industry rates for the materials plus applicable taxes.

N.S. Reg. 216/2005

Made: November 7, 2005

Filed: November 9, 2005

Winter Parking Regulations

Order dated November 7, 2005
made by the Deputy Provincial Traffic Authority for the Province of Nova Scotia
pursuant to Section 202 of the *Motor Vehicle Act*

Winter Parking Regulations
Effective December 12, 2005

Regulations made by the
Deputy Provincial Traffic Authority
Pursuant to Section 202 of the *Motor Vehicle Act*
R.S.N.S. 1989 Chapter 293

Whereas due to the congestion on the streets and highways in the communities as listed on Schedule “A”, caused by vehicular and pedestrian traffic and the limitation on the free use of the streets liable to be caused by the presence of snow and ice thereon, I am of the opinion that special conditions exist and I do so declare.

Therefore under the authority of Section 202 of the *Motor Vehicle Act*, as Deputy Provincial Traffic Authority for the Province of Nova Scotia, I make the following temporary regulations:

- 1 These regulations may be cited as the *Winter Parking Regulations*.
- 2 (1) Notwithstanding that certain traffic signs have been erected in the communities as listed on Schedule "A" prohibiting or permitting vehicles to park or stand upon sections of highway during the hours stated thereon:
 - (a) no person shall park upon any highway or street in the communities as listed on Schedule "A" between the hours of one o'clock in the forenoon and the hour of seven o'clock in the forenoon of the same day;
 - (b) no owner, driver or person having control or custody of any vehicle shall park the vehicle if it is unattended by a person authorized to move and capable of operating the same, upon any highway or streets in the communities as listed on Schedule "A", in such a manner as to hinder, inconvenience or prevent the proper removal of snow or ice from such highway or street;
 - (c) no owner, driver or person having control or custody of any vehicle shall during the period from one hour after any snow storm has commenced to two hours after such snow storm has stopped, park the vehicle if it is unattended by a person authorized to move and capable of operating the same, upon any highway or street of the communities as listed on Schedule "A".
- (2) The provision of subsection (1) shall not apply to:
 - (a) a motor vehicle of a physician or surgeon parked reasonably near their office or residence and immediately available for professional calls;
 - (b) a motor vehicle parked by a physician or surgeon who is actually engaged in their professional occupation and reasonably near where he is so engaged;
 - (c) a motor vehicle parked by an operator who is actually engaged in discharging their duties as a police constable or a member of the police or the armed services;
 - (d) a motor vehicle parked by an operator who is actually engaged in discharging their duties as a member of a fire department;
 - (e) a commercial vehicle parked by an operator for the purpose of loading or unloading merchandise;
 - (f) a motor vehicle belonging to a public utility company or corporation parked reasonably near the residence of an operator and immediately available for emergency calls.
- 3 No owner or person having control or custody of any vehicle which has been parked contrary to these regulations shall leave the same standing or parked upon any highway, street or community as listed on Schedule "A".
- 4 The time referred to shall be the time which is from time to time legally in effect in the Province of Nova Scotia.
- 5 It shall be an offence for any person to fail to comply with these regulations and such person will be liable to a penalty as provided by Section 292 of the *Motor Vehicle Act*.

- 6 These regulations shall be in full force and effect from Monday, the 12th day of December, A.D. 2005 up to and including Friday, the 31st day of March, A.D. 2006.

Dated at Halifax, Nova Scotia, this 7th day of November, 2005.

Sgd: *B. Clancey*
Bernie Clancey, P. Eng.
Deputy Provincial Traffic Authority for the
Province of Nova Scotia

**Winter Parking Regulations
Effective December 12, 2005**

11/03/05

**Regulations made by the
Deputy Provincial Traffic Authority
Pursuant to Section 202 of the *Motor Vehicle Act*
R.S.N.S. 1989 Chapter 293**

Schedule "A"

Annapolis County

Aaron Park Subdivision	Orchard Drive
Baptist Church Subdivision	Paradise (Trunk 1)
Bonaventure Subdivision	Pleasant Heights Subdivision
Bonavista Subdivision	Poplar Grove Subdivision
Bridgetown/Carleton Corner (Route 201)	Shady Rest Subdivision
Brookside Dr/Pine Grove Crescent	South Street
Clementsport Road	Springfield (Trunk 10)
Forest View Subdivision	Streets in Granville Ferry
Hidden Valley Subdivision	Taylor Road
Jefferson Subdivision	Torbrook Road
Nictaux Flats Subdivision	Village of Bear River
Nictaux (Route 201)	Village of Lawrencetown
Nictaux Falls (Trunk 10)	Ward Estates Subdivision
Nictaux Falls Road	Welton Lane
Nictaux Road	Whispering Pines Subdivision
Nictaux (Trunk 10)	

Antigonish County

Annies Bluff	MacIsaacs Lane
Appleseed Drive	Market Street
Arbor Drive Extension	Mountainview Drive
Brierly Way	Old Highway 245 (Sylvan Valley)
Brookside Way	Pine Ridge Road
Celtic Drive	Ponderosa Drive
Coady Court	Pottery Lane
Crockett Court	Shieling Court
Chisholm Drive	Silver Birch Drive
Church Street Extension	Sylvan Valley Lane
Elliott Lane	Sylvan Valley Road
Grandview Drive	Tamara Drive
Greenwold Avenue	Townsend Street
Harbour View Drive	Trinity Lane
Harbour View Court	Trotters Lane
Heritage Drive	Village Lane
Highland Drive Extension	Vincent's Way
Linden Drive	West River Cross Road
Lorraine Lane	Whisper Avenue
MacInnis Way	Wild Horse Drive

Colchester County

Barnhill Subdivision	Parks Subdivision
Brookfield	Princeton Heights Subdivision
Granville Drive, Onslow	Salmon River
Hilden	Sinclair Subdivision
Londonderry	Townsend Subdivision
Lower Truro	Truro Heights
MacKenzie Subdivision	Village of Tatamagouche
Old Halifax Road	Village of Bible Hill

Cumberland County

Athol Road	Maccan
Biggs Drive, East Amherst	Village of Pugwash
D'Orsay Subdivision, East Amherst	Village of River Hebert
Joggins	Wallace

Digby County

Church Point (Trunk 1)	Village of Bear River
Comeauville (Trunk 1)	Village of Freeport
Francis Drive	Village of Weymouth
Meteghan (Trunk 1)	Village of Sandy Cove
Point Prim Road	Village of Westport
Saulnierville (Trunk 1)	

Guysborough County

Village of Guysborough	Village of Sherbrooke
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Halifax Regional Municipality

Antrim	Harrietsfield	Porters Lake
Bayside	Hatchet Lake	Port Dufferin
Bear Cove	Head of Chezzetcook	Portuguese Cove
Beaverbank	Head Jeddore	Preston
Black Point	Head of St. Margarets Bay	Prospect
Blind Bay	Herring Cove	Prospect Bay
Boutilliers Point	Hubbards	Queensland
Brookside	Indian Harbour	Salmon River Bridge
Carrolls Corner	Ingramport	Sambro
Chaswood	Ketch Harbour	Seabright
Chezzetcook	Lake Echo	Seaforth
Conrad Settlement	Lake Egmont	Shad Bay
Cooks Brook	Lake Charlotte	Sheet Harbour
Dean	Lantz	Sheldrake Lake
Dutch Settlement	Lawrencetown	Ship Harbour
East Chezzetcook	Lewis Lake	Smith Settlement
East Dover	Lower East Chezzetcook	Stillwater Lake
East Jeddore	Lower Prospect	Tangier
East Lawrencetown	Lower Tantallon	Tantallon
East Pennant	Lower Three Fathom Harbour	Terence Bay
East Petpeswick	Lower West Jeddore	Three Fathom Harbour
East Preston	McGraths Cove	Upper Lakeville
East Ship Harbour	Meaghers Grant	Upper Lawrencetown
Elderbank	Middle Musquodoboit	Upper Musquodoboit
Elmsdale	Middle Porters Lake	Upper Sackville
Elmsvale	Middle Village	Upper Tantallon
Fall River	Mineville	Watt Section
Five Island Lake	Moser River	Wellington
French Village	Musquodoboit Harbour	West Chezzetcook
Gaetz Brook	Myers Point	West Dover
Glen Haven	New Road	West Jeddore
Glen Margaret	Oakfield	West Lawrencetown
Goodwood	Oldham	West Pennant
Grand Desert	Ostrea Lake	West Petpeswick
Grand Lake	Peggys Cove	Whites Lake
Hacketts Cove	Pleasant Point	Williamswood
Halibut Bay	Pockwock	Yankeetown
Hammonds Plains		

Hants County

Brooklyn	Lantz
Currys Corner	Lower Nine Mile River
East Uniacke	Martock
Ellershous	Milford
Elmsdale	Mt. Uniacke
Enfield	Newport Station
Etter Settlement	St. Croix
Falmouth	Shubenacadie
Five Mile Plains	South Uniacke
Garlands Crossing	Three Mile Plains

Inverness County

Charles MacLean Road
 Cheticamp
 Church Street
 Hilltop Estates
 Kings Road

Lovers Lane
 Mabou
 Village of Inverness
 Village of Port Hastings

Kings County

Albert McPhee's Subdivision
 Aldershot
 Auburn
 B. Morton Subdivision
 Blomidon View Subdivision
 Brookside Acres Subdivision
 Cambridge
 Canard Acres Subdivision
 Centreville
 Coldbrook
 Eagle Crest Subdivision
 Foley Park Subdivision
 Fox Hill Subdivision
 Fred Thomas Road from Rt. 341 north 0.5 km
 Grand Pre
 Greenwich
 Hants Border

Harry Balsor Subdivision
 Kingsport
 Lamont Park Subdivision
 Lunns Subdivision
 North Alton
 North Kentville
 Pinevale Subdivision
 Riverside Park Subdivision
 Silver Lake Subdivision
 Village Green Subdivision
 Village of Aylesford
 Village of Canning
 Village of Cornwallis Square
 Village of Greenwood
 Village of Kingston
 Village of New Minas
 Village of Port Williams

Lunenburg

Village of Chester
 Western Shore
 Village of New Germany

Queens County

Village of Brooklyn

Richmond County

Village of St. Peter's

Victoria County

Village of Baddeck

N.S. Reg. 217/2005

Made: November 10, 2005

Filed: November 14, 2005

Proclamation, S. 8, S.N.S. 2005, c. 15

Order in Council 2005-497 dated November 10, 2005

Proclamation made by the Governor in Council

pursuant to Section 8

of An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act

The Governor in Council on the report and recommendation of the Minister of Community Services dated October 13, 2005, pursuant to Section 8 of Chapter 15 of the Acts of 2005, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, is pleased to order and declare by proclamation that Chapter 15 of the Acts of 2005, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, come into force on and not before November 30, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

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 8 of Chapter 15 of the Acts of 2005, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 15 of the Acts of 2005, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, come into force on and not before November 30, 2005;

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 Chapter 15 of the Acts of 2005, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, come into force on and not before November 30, 2005, 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of November in the year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

BY COMMAND:

Sgd: Ernest L. Fage
Acting Provincial Secretary
Acting Minister of Justice and Attorney General