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Part II Regulations under the Regulations Act

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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. 282/2008

Made: May 28, 2008

Filed: May 29, 2008

Proclamation, S. 29, S.N.S. 2007, c. 45

Order in Council 2008-295 dated May 28, 2008

Proclamation made by the Governor in Council

pursuant to Section 29 of

An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 21, 2008, pursuant to Section 29 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that clause (b) of Section 1, Sections 4 to 6, 8 to 13, 17 and 18, clauses (b) and (c) of Section 20 and Sections 21 to 24, 27 and 28 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 1, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 29 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, it is enacted as follows:

- 29** 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 clause (b) of Section 1, Sections 4 to 6, 8 to 13, 17 and 18, clauses (b) and (c) of Section 20 and Sections 21 to 24, 27 and 28 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 1, 2008;

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 clause (b) of Section 1, Sections 4 to 6, 8 to 13, 17 and 18, clauses (b) and (c) of Section 20 and Sections 21 to 24, 27 and 28 of Chapter 45 of the Acts of 2007, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 1, 2008, 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 Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 28th day of May in the year of
Our Lord two thousand and eight and in the fifty-
seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 283/2008

Made: May 28, 2008

Filed: May 29, 2008

Definitions for Emergency Vehicles for Section 106B of the Act Regulations

Order in Council 2008-296 dated May 28, 2008
Regulations made by the Governor in Council
pursuant to subsection 106B(2) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 22, 2008, and pursuant to subsection 106B(2) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to make new regulations defining “emergency vehicle” and the area “in proximity to an emergency vehicle” for the purposes of Section 106B of the Act in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 1, 2008.

Schedule “A”

**Regulations Respecting Definitions for Emergency Vehicles
for Section 106B of the Act
made by [the] Governor in Council pursuant to subsection 106B(2) of Chapter 293
of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

Citation

1 These regulations may be cited as the *Definitions for Emergency Vehicles for Section 106B of the Act Regulations*.

Definition of emergency vehicle

2 In Section 106B of the *Motor Vehicle Act*, “emergency vehicle” means any of the following vehicles:

- (a) an ambulance;
- (b) a police vehicle;

- (c) a fire department vehicle or fire patrol vehicle, including a fire suppression or fire vehicle operated by the Department of Natural Resources;
- (d) a vehicle being used by the chief or deputy chief of a volunteer fire department when acting in an emergency arising from a fire or an accident;
- (e) a vehicle being used by a conservation officer appointed under an enactment when the conservation officer is performing their duties as a conservation officer.

Definition of “in proximity to” an emergency vehicle

3 In Section 106B of the *Motor Vehicle Act*, “in proximity to”, in reference to an emergency vehicle, means passing the emergency vehicle when it is either on the roadway or adjacent to the roadway that the passing vehicle is travelling along.

N.S. Reg. 284/2008

Made: May 28, 2008

Filed: May 29, 2008

Highway Racing Definitions Regulations

Order in Council 2008-297 dated May 28, 2008
Regulations made by the Governor in Council
pursuant to Section 163B of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 26, 2008, and pursuant to Section 163B of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to make new regulations defining “contest”, “race” and “stunt” for the purpose of subsection 163(1) of the *Motor Vehicle Act*, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 1, 2008.

Schedule “A”

**Regulations Respecting Racing on a Highway
made by the Governor in Council pursuant to Section 163B of Chapter 293
of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

Citation

1 These regulations may be cited as the *Highway Racing Definitions Regulations*.

Definition of “contest” and “race”

2 In subsection 163(1) of the *Motor Vehicle Act*, “contest” or “race” means a situation in which a person does any of the following:

- (a) drives a motor vehicle at a speed above the lawful rate of speed in a manner that indicates that the driver is engaged in a competition;
- (b) drives a motor vehicle in a manner that indicates the intent to chase another vehicle;

- (c) drives a motor vehicle at a speed above the lawful rate of speed to outdistance or attempt to outdistance 1 or more other vehicles;
- (d) drives a motor vehicle at a speed above the lawful rate of speed and repeatedly changes lanes in close proximity to 1 or more other vehicles.

Definition of “stunt”

3 In subsection 163(1) of the *Motor Vehicle Act*, “stunt” means any of the following actions:

- (a) attempting to lift all or some of a vehicle’s tires from the surface of the highway, other than when using lift axles on a commercial motor vehicle;
- (b) attempting to spin or circle a vehicle without maintaining control of the vehicle;
- (c) driving on the portion of the highway designated for use by oncoming traffic for longer than necessary to overtake 1 or more other vehicles;
- (d) driving with a person in the trunk of the vehicle;
- (e) driving from a position in a vehicle other than the designated driver’s seat;
- (f) driving 50 km/h or more above the lawful rate of speed;
- (g) driving without due care or attention, reasonable consideration for others on the highway or in a manner that may endanger other persons, including any of the following:
 - (i) driving in a manner that indicates an intention to prevent another vehicle from passing safely,
 - (ii) stopping or slowing in a manner that indicates an intention to interfere with the movement of another vehicle,
 - (iii) driving as close as possible to another vehicle, a pedestrian or a fixed object,
 - (iv) making a left turn at an intersection controlled by traffic control signals immediately after the signal facing the vehicle changes to solid green and before a vehicle that was stopped facing a red light in the opposite direction is able to proceed straight th[r]ough the intersection.

N.S. Reg. 285/2008

Made: May 28, 2008

Filed: May 29, 2008

Designation of Temporary Work Areas Regulations

Order in Council 2008-298 dated May 28, 2008
Regulations made by the Governor in Council
pursuant to subsection 106B(2) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 22, 2008, and pursuant to subsection 106B(2) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to make regulations defining a temporary work

area and its limits and the manner in which it is to be designated in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 1, 2008.

Schedule “A”

Regulations Respecting the Designation of Temporary Work Areas made by [the] Governor in Council pursuant to subsection 106B(2) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

Citation

1 These regulations may be cited as the *Designation of Temporary Work Areas Regulations*.

Definitions for Act and regulations

2 (1) In these regulations,

“Act” means the *Motor Vehicle Act*;

“temporary workplace” means an area of a roadway directly affected by construction, maintenance, or utility operations;

“*Temporary Workplace Traffic Control Manual*” means the latest edition of the *Temporary Workplace Traffic Control Manual* published by the Department;

“utility operations” means construction or maintenance work involving overhead lines or cables but no excavations, other than a hole bored in the ground for a utility pole where there is no risk of vehicle entry into the hole.

(2) In Section 106B of the Act and these regulations, “temporary work area” means the portion of a temporary workplace where the primary work is being done.

Designation of temporary work area

3 (1) Except as provided in subsection (2), a temporary work area must be designated by placing a TC-2 “Road Work” sign at the beginning of the temporary work area and a TC-4 “Construction Ends” sign at the end of the temporary work area.

(2) Persons performing utility operations may substitute a TC-114(NS) “Overhead Utility Work” sign for the TC-2 “Road Work” sign required by subsection (1).

(3) A TC-2 “Road Work” sign, a TC-4 “Construction Ends” sign and a TC-114(NS) “Overhead Utility Work” sign must be

(a) in the form consistent with the descriptions in the *Temporary Workplace Traffic Control Manual*; and

(b) placed according to the latest *Temporary Workplace Traffic Control Manual*.

N.S. Reg. 286/2008

Made: May 28, 2008

Filed: May 29, 2008

Summary Offence Tickets Regulations

Order in Council 2008-299 dated May 28, 2008
Amendment to regulations made by the Minister of Justice and the Governor in Council
pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated May 8, 2008, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend Schedule 4 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to remove certain offences and to add new offences created by amendments to the *Motor Vehicle Act* as summary offence ticket offences and set the out-of-court settlement amounts for the offences, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 1, 2008.

Order

I, Cecil P. Clarke, Minister of Justice and Attorney General of Nova Scotia, hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of an offence set out in amendments to the Schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, as set forth in Schedule "A", is the amount of the out-of-court settlement set out opposite the description of that offence, and the out-of-court settlement amount includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

This Order is effective on and after the making by the Governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

Dated and made May 8, 2008, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Cecil P. Clarke*
Honourable Cecil P. Clarke
Minister of Justice and Attorney General of Nova Scotia

Schedule "A"

**Amendment to the *Summary Offence Tickets Regulations*
made by the Governor in Council pursuant to Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act***

1 Schedule 4 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by repealing items 130A, 131A, and 132A and adding the following items immediately after item 132:

132A. Exceeding speed limit by between 1 and 15 km/h, inclusive, in temporary work area or area in proximity to emergency vehicle exhibiting flashing light	106B(1)(a)	C (double)
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132B.	Exceeding speed limit by between 16 and 30 km/h, inclusive, in temporary work area or area in proximity to emergency vehicle exhibiting flashing light	106B(1)(b)	D (double)
132C.	Exceeding speed limit by 31 km/h or more in temporary work area or area in proximity to emergency vehicle exhibiting flashing light	106B(1)(c)	F (double)

2 Schedule 4 of the regulations is further amended by repealing items 189 to 192 and substituting the following items:

189.	Failing to yield to pedestrian in crosswalk or stopped facing crosswalk	125(1)	G
190.	Failing to yield to pedestrian in crosswalk or stopped facing crosswalk on roadway on which vehicle is travelling in roadway divided by median	125(2)	G
191.	Pedestrian moving into path of vehicle when impractical for vehicle to stop	125(3)	F
192.	Pedestrian leaving curb or other place of safety to cross roadway when pedestrian-activated beacon not activated	125(4)	F
192A.	Pedestrian crossing roadway outside of crosswalk zone failing to yield to traffic	125(5)	F
192B.	Crossing guard directing children across roadway outside of marked crosswalk	125A(1)	F
192C.	Crossing guard failing to display sign as required and ensure approaching vehicles have stopped before directing children across roadway	125A(2)	F
192D.	Failing to stop at least 5 m from crosswalk when crossing guard stop sign displayed as required	125A(3)	G
192E.	Failing to obey crossing guard directing children in a crosswalk	125A(4)	G

3 Schedule 4 of the regulations is further amended by repealing item 263 and substituting the following item:

263.	Operating motor vehicle on highway in race, in contest, while performing a stunt or on bet or wager	163(1)	K
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4 Schedule 4 of the regulations is further amended by adding the following item immediately after item 288:

288A.	Stopping, attempting to stop or approaching motor vehicle to offer, sell or provide commodity or service to or solicit person in motor vehicle	173A(1)	B
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N.S. Reg. 287/2008

Made: May 28, 2008

Filed: May 29, 2008

Proclamation, S. 25, S.N.S. 2003 (2nd Session), c. 2

Order in Council 2008-300 dated May 28, 2008
Proclamation made by the Governor in Council
pursuant to Section 25 of the
Court Jurisdiction and Proceedings Transfer Act

The Governor in Council on the report and recommendation of the Minister of Justice dated April 15, 2008, and pursuant to Section 25 of Chapter 2 of the Acts of 2003 (Second Session), the *Court Jurisdiction and Proceedings Transfer Act*, is pleased to order and declare by proclamation that Chapter 2 of the Acts of 2003 (Second Session), the *Court Jurisdiction and Proceedings Transfer Act*, do come into force on and not before June 1, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 25 of Chapter 2 of the Acts of 2003 (Second Session), the *Court Jurisdiction and Proceedings Transfer Act*, it is enacted as follows:

- 25** 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 2 of the Acts of 2003 (Second Session), the *Court Jurisdiction and Proceedings Transfer Act*, do come into force on and not before June 1, 2008;

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 2 of the Acts of 2003 (Second Session), the *Court Jurisdiction and Proceedings Transfer Act*, do come into force on and not before June 1, 2008, 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 Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 28th day of May in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 288/2008

Made: May 28, 2008

Filed: May 29, 2008

Proclamation, S. 44, S.N.S. 2007, c. 34

Order in Council 2008-301 dated May 28, 2008

Proclamation made by the Governor in Council
pursuant to Section 44 of

An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 26, 2008, and pursuant to Section 44 of Chapter 34 of the Acts of 2007, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, is pleased to order and declare by proclamation that Chapter 34 of the Acts of 2007, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, do come into force on and not before June 1, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 44 of Chapter 34 of the Acts of 2007, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, it is enacted as follows:

44 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 of Chapter 34 of the Acts of 2007, *An Act to Amend Chapter 81 of the Revised Statutes, 1989, the Companies Act*, do come into force on and not before June 1, 2008;

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 34 of the Acts of 2007, *An Act to Amend Chapter 81 of the Revised*

Statutes, 1989, the Companies Act, do come into force on and not before June 1, 2008, 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 Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 28th day of May in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 289/2008

Made: May 28, 2008

Filed: May 30, 2008

Electoral Districts and Number of Members Order
for the Cape Breton-Victoria Regional School Board

Order dated May 28, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act*

Order

NSUARB-SB-08-02

Nova Scotia Utility and Review Board

In the Matter of the *Education Act*

- and -

In the matter of an application by the **Cape Breton-Victoria Regional School Board** to determine the number of school board members and the boundaries of the electoral districts

Before: David J. Almon, Member

O r d e r

The Board, having heard this application on April 17, 2008, and subsequently rendered its written decision on May 28, 2008;

It is hereby ordered that the application is approved as follows:

1. The number of electoral districts for the Cape Breton-Victoria Regional School Board is set at seven,
2. The number of members for the Cape Breton-Victoria Regional School Board is set at 13;
3. Electoral Districts T, U, W, and X will each elect two members, Electoral District V will elect three members and Electoral Districts Y and Z will each elect one member;
4. The proposed boundaries of the electoral districts are approved; and
5. The descriptions of all electoral districts are set out in Schedule "A", attached to and forming part of this Order;

And it is further ordered that all provisions of the *Education Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of school board members in the year 2008 will be complied with as if the above-noted changes had been made on the first day of March 2008, but for all other purposes such changes shall take effect on the first day of the first meeting of the School Board after the election of school board members for the year 2008.

Dated at Halifax, Nova Scotia this 28th day of May, 2008.

Sgd.: *Elaine Wagner*
Clerk of the Board

Schedule "A"

Cape Breton-Victoria Regional School Board

Electoral District "T" is comprised of Polling Districts 1, 2 and 3 of the Cape Breton Regional Municipality.

Electoral District "U" is comprised of Polling Districts 4, 5 and 6 of the Cape Breton Regional Municipality.

Electoral District "V" is comprised of Polling Districts 7, 8, 9 and 10 of the Cape Breton Regional Municipality.

Electoral District "W" is comprised of Polling Districts 11, 12, and 13 of the Cape Breton Regional Municipality.

Electoral District "X" is comprised of Polling Districts 14, 15 and 16 of the Cape Breton Regional Municipality.

Electoral District "Y" is comprised of Polling Districts 1, 2, 3, 4 and 5 of the Municipality of the County of Victoria.

Electoral District "Z" is comprised of Polling Districts 6, 7 and 8 of the Municipality of the County of Victoria.

N.S. Reg. 290/2008

Made: May 30, 2008

Filed: May 30, 2008

Electoral Districts and Number of Members Order
for the Annapolis Valley Regional School BoardOrder dated May 30, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act***Order****NSUARB-SB-07-01****Nova Scotia Utility and Review Board****in the Matter of the *Education Act***

- and -

In the matter of an application by the **Annapolis Valley Regional School Board** to confirm the number of electoral districts at 13 and to amend the boundaries of electoral districts 1, 2 and 3**Before:** Roland A. Deveau, LL.B., Panel Chair
Murray E. Doehler, CA, P.Eng., Member**O r d e r**An application having been made by the Annapolis Valley Regional School Board pursuant to s. 43 of the *Education Act* and the Board having issued its decision on May 30, 2008;**It is hereby ordered** that the application is approved as follows:

1. The number of electoral districts for the Annapolis Valley Regional School Board is set at 13, each electing one member;
2. The number of members for the Annapolis Valley Regional School Board is set at 13;
3. The proposed boundaries of the electoral districts are approved; and
4. The descriptions of the all electoral districts are set out in Schedule "A", attached to and forming part of this Order;

And it is further ordered that all provisions of the *Education Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of school board members in the year 2008 will be complied with as if the above-noted changes had been made on the first day of March 2008, but for all other purposes such changes shall take effect on the first day of the first meeting of the School Board after the election of school board members for the year 2008.**Dated** at Halifax, Nova Scotia this 30th day of May, 2008.Sgd.: *Elaine Wagner*
Clerk of the Board

Schedule "A"**Annapolis Valley Regional School Board**

Electoral District "1" is comprised of the Town of Middleton and Polling Districts 1, 2, 9 and 11 of the Municipality of the County of Annapolis.

Electoral District "2" is comprised of the Town of Bridgetown and Polling Districts 3, 7 and 10 of the Municipality of the County of Annapolis.

Electoral District "3" is comprised of the Town of Annapolis Royal and Polling Districts 4, 5, 6 and 8 of the Municipality of the County of Annapolis.

Electoral District "4" is comprised of Polling Districts 1 and 2 of the Municipality of the County of Kings.

Electoral District "5" is comprised of the Town of Kentville and Polling District 3 of the Municipality of the County of Kings.

Electoral District "6" is comprised of Polling Districts 10 and 11 of the Municipality of the County of Kings.

Electoral District "7" is comprised of Polling Districts 5 and 8 of the Municipality of the County of Kings.

Electoral District "8" is comprised of the Town of Berwick and Polling Districts 4 and 9 of the Municipality of the County of Kings.

Electoral District "9" is comprised of Polling District 6 of the Municipality of the County of Kings.

Electoral District "10" is comprised of the Town of Wolfville and Polling District 12 of the Municipality of the County of Kings.

Electoral District "11" is comprised of Polling Districts 1, 2, 3 and 4 of the Municipality of the District of West Hants.

Electoral District "12" is comprised of the Town of Hantsport and Polling Districts 7, 8 and 9 of the Municipality of the District of West Hants.

Electoral District "13" is comprised of the Town of Windsor and Polling Districts 5 and 6 of the Municipality of the District of West Hants.

N.S. Reg. 291/2008

Made: May 30, 2008

Filed: May 30, 2008

Electoral Districts and Number of Members Order
for the Tri-County Regional School BoardOrder dated May 30, 2008
made by the Nova Scotia Utility and Review Board
pursuant to Section 44 of the *Education Act***Order****NSUARB-SB-07-03****Nova Scotia Utility and Review Board****In the Matter of the *Education Act***

- and -

In the matter of an application by the **Tri-County Regional School Board** to confirm the number and boundaries of electoral districts**Before:** Roland A. Deveau, LL.B., Panel Chair
Murray E. Doehler, CA, P.Eng., Member**O r d e r**An application having been made by the Tri-County Regional School Board pursuant to s. 43 of the *Education Act* and the Board having issued its decision on May 30, 2008;**It is hereby ordered** that the number of electoral districts for the Tri-County Regional School Board is confirmed at nine and the boundaries of the electoral districts are confirmed.**Dated** at Halifax, Nova Scotia this 30th day of May, 2008.Sgd.: *Elaine Wagner*
Clerk of the Board

N.S. Reg. 292/2008

Made: May 29, 2008

Filed: June 3, 2008

Prescribed Petroleum Products Prices

Order dated May 29, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

Order

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated May 22, 2008, which prescribed prices May 23, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on May 30, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on May 29, 2008.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on May 30, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	86.9
Mid-grade unleaded gasoline	89.9
Premium unleaded gasoline	92.9
Ultra low-sulfur diesel oil	104.5

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	118.7	4.0	5.5	4.0	999.9	138.7	140.3	138.7	999.9
Mid-Grade Unleaded	121.7	4.0	5.5	4.0	999.9	142.0	143.7	142.0	999.9
Premium Unleaded	124.7	4.0	5.5	4.0	999.9	145.4	147.1	145.4	999.9
Ultra Low-Sulfur Diesel	130.2	4.0	5.5	4.0	999.9	151.6	153.3	151.6	999.9
Zone 2									
Regular Unleaded	119.1	4.0	5.5	4.0	999.9	139.1	140.8	139.1	999.9
Mid-Grade Unleaded	122.1	4.0	5.5	4.0	999.9	142.5	144.2	142.5	999.9
Premium Unleaded	125.1	4.0	5.5	4.0	999.9	145.9	147.6	145.9	999.9
Ultra Low-Sulfur Diesel	130.6	4.0	5.5	4.0	999.9	152.1	153.8	152.1	999.9
Zone 3									
Regular Unleaded	119.6	4.0	5.5	4.0	999.9	139.7	141.4	139.7	999.9
Mid-Grade Unleaded	122.6	4.0	5.5	4.0	999.9	143.1	144.8	143.1	999.9
Premium Unleaded	125.6	4.0	5.5	4.0	999.9	146.4	148.1	146.4	999.9
Ultra Low-Sulfur Diesel	131.1	4.0	5.5	4.0	999.9	152.7	154.4	152.7	999.9
Zone 4									
Regular Unleaded	119.6	4.0	5.5	4.0	999.9	139.7	141.4	139.7	999.9
Mid-Grade Unleaded	122.6	4.0	5.5	4.0	999.9	143.1	144.8	143.1	999.9
Premium Unleaded	125.6	4.0	5.5	4.0	999.9	146.4	148.1	146.4	999.9
Ultra Low-Sulfur Diesel	131.1	4.0	5.5	4.0	999.9	152.7	154.4	152.7	999.9
Zone 5									
Regular Unleaded	119.6	4.0	5.5	4.0	999.9	139.7	141.4	139.7	999.9
Mid-Grade Unleaded	122.6	4.0	5.5	4.0	999.9	143.1	144.8	143.1	999.9
Premium Unleaded	125.6	4.0	5.5	4.0	999.9	146.4	148.1	146.4	999.9
Ultra Low-Sulfur Diesel	131.1	4.0	5.5	4.0	999.9	152.7	154.4	152.7	999.9

Zone 6									
Regular Unleaded	120.4	4.0	5.5	4.0	999.9	140.6	142.3	140.6	999.9
Mid-Grade Unleaded	123.4	4.0	5.5	4.0	999.9	144.0	145.7	144.0	999.9
Premium Unleaded	126.4	4.0	5.5	4.0	999.9	147.4	149.0	147.4	999.9
Ultra Low-Sulfur Diesel	131.9	4.0	5.5	4.0	999.9	153.6	155.3	153.6	999.9

N.S. Reg. 293/2008

Made: June 3, 2008

Filed: June 3, 2008

Designation of Human Rights Protection at Donkin Undersea Coal Mines Regulations

Order in Council 2008-302 dated June 3, 2008
 Regulations made by the Governor in Council
 pursuant to Section 43 of the *Human Rights Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Human Rights Act* dated May 7, 2008, and pursuant to Section 43 of Chapter 214 of the Revised Statutes of Nova Scotia, 1989, the *Human Rights Act*, as amended by Section 6 of Chapter 14 of the Acts of 2007, the *Undersea Coal Mines Regulation Act*, is pleased to make regulations designating human rights protection at Donkin undersea coal mines in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 1, 2008.

Schedule "A"

**Designation of Human Rights Protection at Donkin Undersea Coal Mines Regulations
 made under Section 43 of Chapter 214 of the Revised Statutes of Nova Scotia, 1989,
 the *Human Rights Act***

Citation

1 These regulations may be cited as the *Designation of Human Rights Protection at Donkin Undersea Coal Mines Regulations*.

Definitions

2 In these regulations,

- (a) "Act" means the *Human Rights Act*;
- (b) "Donkin coal block" means the Donkin coal block as defined in the *Donkin Coal Block Development Opportunity Act* (Canada).

Designation under Section 43 of Act

3 The following are designated under Section 43 of the Act:

- (a) the operation of a coal mine that is wholly or partially within the Donkin coal block; and
- (b) employment in or in connection with the operation of a coal mine that is wholly or partially within the Donkin coal block.

N.S. Reg. 294/2008

Made: June 3, 2008

Filed: June 3, 2008

Proclamation, S. 46, S.N.S. 2007, c. 28

Order in Council 2008-303 dated June 3, 2008
Proclamation made by the Governor in Council
pursuant to Section 46 of the
Class Proceedings Act

The Governor in Council on the report and recommendation of the Minister of Justice dated May 7, 2008, and pursuant to Section 46 of Chapter 28 of the Acts of 2007, the *Class Proceedings Act*, is pleased to order and declare by proclamation that Chapter 28 of the Acts of 2007, the *Class Proceedings Act*, do come into force on and not before June 3, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

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 46 of Chapter 28 of the Acts of 2007, the *Class Proceedings Act*, it is enacted as follows:

- 46** 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 28 of the Acts of 2007, the *Class Proceedings Act*, do come into force on and not before June 3, 2008;

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 28 of the Acts of 2007, the *Class Proceedings Act*, do come into force on and not before June 3, 2008, 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 Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 3rd day of June in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 295/2008

Made: June 3, 2008

Filed: June 3, 2008

Apprenticeship and Trades Qualifications Act General Regulations

Order in Council 2008-305 dated June 3, 2008
Amendment to 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 Labour and Workforce Development dated May 7, 2008, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to amend the *Apprenticeship and Trades Qualifications Act General Regulations*, N.S. Reg. 129/2003, made by the Governor in Council by Order in Council 2003-304 dated June 27, 2003, to add provisions for certificates of proficiency and update provisions about temporary permits, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 3, 2008.

Schedule "A"

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

- 1 The *Apprenticeship and Trades Qualifications Act General Regulations*, N.S. Reg. 129/2003, made by the Governor in Council by Order in Council 2003-304 dated June 27, 2003, are amended by adding the following Section immediately after Section 30:

Certificate of proficiency

30A (1) To be eligible for a certificate of proficiency under subsection 21(1A) of the Act, a person must have worked at least 20 000 hours in a designated trade and must meet at least 1 of the following criteria:

- (a) they experience cultural barriers, or barriers to literacy or education;
- (b) they speak some English and need time to develop functional English language skills;
- (c) they have unsuccessfully written the certification examination at least twice.

- (2) A person may apply for a certificate of proficiency in a manner approved by the Director, and an application must be accompanied by the fee prescribed in subsection 44(8A).
- (3) The Director may impose conditions on a certificate of proficiency to be fulfilled by the holder of the certificate to assist the holder of the certificate to prepare for the certification examination.
- (4) The Department must monitor a holder of a certificate of proficiency to ensure that the holder is fulfilling the conditions of the certificate.
- (5) A representative of the department must visit a holder of a certificate of proficiency at least once a year during the term of the certificate.
- (6) A certificate of proficiency is valid for a term of 5 years.
- (7) The Director may approve an application to renew a certificate of proficiency for a second 5-year term.

2 The regulations are further amended by adding the following Section immediately after Section 35:

Suspension or cancellation of certificate of proficiency

35A The Director may suspend or cancel a certificate of proficiency if the holder fails to comply with the conditions of the certificate.

3 The regulations are further amended by repealing subsection 37(1) and substituting the following subsection:

- 37 (1)** If the Director is satisfied that the student, person or youth apprentice will receive direct supervision in a safe working environment, the Director may issue a temporary permit in a compulsory certified trade to any of the following persons:
- (a) a student of the trade who is enrolled in a training institution or working in the trade while awaiting return to a training institution to continue training;
 - (b) a person in the trade who is serving a probationary period;
 - (c) a youth apprentice in the trade;
 - (d) a person who has applied for a certificate of proficiency in the trade;
 - (e) a person who holds a certificate of qualification from another jurisdiction in the trade or who holds documentation issued by another jurisdiction that the Director considers to be equivalent to a certificate of qualification.

4 The regulations are further amended by adding the following subsection immediately after subsection 44(8):

- (8A)** The fee for a certificate of proficiency application under subsection 30A(2) or renewal application under subsection 30A(7) is \$115.90.

N.S. Reg. 296/2008

Made: June 3, 2008

Filed: June 3, 2008

Underground Mining Regulations

Order in Council 2008-306 dated June 3, 2008
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 Labour and Workforce Development dated May 23, 2008, is pleased to

- (a) pursuant to Section 82 of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, effective on and after August 1, 2008,
 - (i) repeal the *Underground Mining Regulations*, N.S. Reg. 153/2003, made by the Governor in Council by Order in Council 2003-355 dated August 11, 2003, and
 - (ii) make new regulations respecting underground mining in the form set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) pursuant to subsection 4(3) of Chapter 393 of the Revised Statutes of Nova Scotia, 1989, the *Regulations Act*, dispense with the publication in the *Royal Gazette, Part II*, of the regulations respecting underground mining as set forth in Schedule "A" because of their length.

[Please note: The regulations referred to in subclause (a)(ii) of this Order in Council have been filed with the Registrar of Regulations. The regulations may be inspected and copies obtained at the Office of the Registrar of Regulations.]

N.S. Reg. 297/2008

Made: June 3, 2008

Filed: June 3, 2008

Governor in Council Education Act Regulations

Order in Council 2008-308 dated June 3, 2008
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 May 13, 2008, 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 define eligibility for no-cost lunch time supervision of students at public schools, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 1, 2008.

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**

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 2:

Definition of lunch program

- 2A (1)** In Section 64D of the Act, "lunch program provided by a public school" means a program of supervision for students provided by a school board during the lunch break for all of the following categories of students:
- (a) students who are conveyed to and from a public school by a school board under clause 64(2)(g) of the Act;
 - (b) students who have been assigned to a public school that is more than 3.6 kms from their residence in order to receive instruction in any of the programs referred to in subsection 50(1) of the *Ministerial Education Act Regulations* made under the Act or for other educational purposes determined by a school board;
 - (c) students who, a school board determines, are unable to return to their public school within the time established by the principal for the lunch break.
- (2)** This Section is effective on and after September 1, 2008, and ceases to have effect on and after August 31, 2009.

N.S. Reg. 298/2008

Made: June 3, 2008

Filed: June 3, 2008

Alcohol Ignition Interlock Program Regulations

Order in Council 2008-309 dated June 3, 2008
Regulations made by the Governor in Council
pursuant to subsection 67(13) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure renewal dated May 14, 2008, and pursuant to subsection 67(13) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to make new regulations respecting the Alcohol Ignition Interlock Program in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 1, 2008.

Schedule "A"

**Regulations Respecting the Alcohol Ignition Interlock Program
made under subsection 67(13) of Chapter 293 of the Revised Statutes
of Nova Scotia, 1989, the *Motor Vehicle Act***

Citation

1 These regulations may be cited as the *Alcohol Ignition Interlock Program Regulations*.

Definitions

2 In these regulations,

- (a) "Act" means the *Motor Vehicle Act*;
- (b) "Addiction Services" means an Addiction Services office operated by a District Health Authority as defined in the *Health Authorities Act*;
- (c) "alcohol rehabilitation program" means a program as defined in Section 2 of the *Alcohol Rehabilitation Programs Regulations* made under the Act, or an equivalent program from another jurisdiction recognized by the Registrar;
- (d) "alcohol interlock device" means a breath alcohol screening device installed in a vehicle and intended to prevent the starting of the vehicle motor if it detects a blood alcohol concentration over a pre-set limit;
- (e) "applicant" means a person who is applying to participate in the Program or be released from the Program;
- (f) "approval sticker" means a sticker attached to an alcohol interlock device by an authorized person to identify the device as an approved device;
- (g) "approved device" means an alcohol interlock device approved by the Registrar for use in the Program;
- (h) "authorized person" means a person authorized by the Registrar to install, maintain, monitor and remove approved devices;
- (i) "authorized service provider" means an entity approved by the Minister to provide approved devices, authorized persons and Program support;
- (j) "*Criminal Code*" means the *Criminal Code* (Canada);
- (k) "equipped vehicle" means a motor vehicle that is equipped with an approved device under the Program;
- (l) "high-risk first offender" means a person whose driver's license or privilege of obtaining a driver's license has been revoked for the first time under subsection 67(6A) of the Act and who is considered to be high risk when assessed under an alcohol rehabilitation program;
- (m) "interlock license" means a driver's license issued by the Registrar to operate an equipped vehicle under the Program;

- (n) “participant” means a person who has been accepted or ordered into the Program and issued an interlock license;
- (o) “Program” means the Alcohol Ignition Interlock Program established under Section 3;
- (p) “regular license”, except in the definition of “interlock license”, means a driver’s license other than an interlock license, or the privilege of obtaining a driver’s license other than an interlock license;
- (q) “revocation period” means the applicable mandatory period set under subsection 67(5) of the Act during which a person’s regular license is revoked;
- (r) “second revocation” means second revocation as defined in subsections 67(6A) or (7A) of the Act;
- (s) “third revocation” means a subsequent revocation as defined in subsections 67(6A) or (7A) of the Act in which their driver’s license or privilege of obtaining a driver’s license is being revoked for the third time.

Alcohol ignition interlock program established

3 The Alcohol Ignition Interlock Program administered by the Registrar is established as an ignition interlock program for the purposes of subsection 67(13) and Section 280A of the Act, and provides for eligible persons to operate equipped vehicles under the conditions of an interlock license, the Program, and these regulations while their regular license is revoked for an alcohol-related offence under the *Criminal Code* or when ordered to participate in the Program.

Mandatory and voluntary participation in Program

- 4** (1) A person whose regular license is revoked for the first time for a violation of section 253 or subsection 254(5) of the *Criminal Code* may apply to participate in the Program.
- (2) The following persons must participate in the Program before they can apply to have their regular license restored:
- (a) a high-risk first offender;
 - (b) a person who has had a second revocation or third revocation of their driver’s license or privilege of obtaining a driver’s license for a violation of any of the following provisions of the *Criminal Code*:
 - (i) section 253,
 - (ii) subsection 254(5), or
 - (iii) subsection 259(4), if the disqualification, as defined in subsection 259(5) of the *Criminal Code*, was for an alcohol-related offence;
 - (c) a person whose driver’s license or privilege of obtaining a driver’s license is revoked for a violation of section 253 of the *Criminal Code* causing bodily harm or death as a result of operating a motor vehicle resulting in a conviction under subsection 255(2) or (3) of the *Criminal Code*;
 - (d) a person ordered to participate in the Program under Section 280A of the Act.

Eligibility for Program

- 5 (1) A person described in Section 4 may apply to the Registrar to participate in the Program during their revocation period if they meet all of the following criteria:
- (a) they are no longer prohibited from operating a motor vehicle under section 259 of the *Criminal Code* because 1 of the following applies:
 - (i) the court-ordered prohibition period under subsection 259(1) of the *Criminal Code* has expired,
 - (ii) they are authorized by the court under subsection 259(1.1) of the *Criminal Code* to operate an equipped vehicle during the court-ordered prohibition period and the mandatory prohibition period fixed by the court under subsection 259(1.2) of the *Criminal Code* has expired;
 - (b) they are not otherwise prohibited or otherwise disqualified from driving under another provision of the Act or a law of another jurisdiction;
 - (c) they meet all other criteria for issuance of a regular license under the Act and regulations made under the Act.
- (2) A person is not eligible to apply to participate in the Program until after their revocation period has expired if the person's driver's license or privilege of obtaining a driver's license was revoked for a violation of section 253 of the *Criminal Code* causing bodily harm or death as a result of operating a motor vehicle resulting in a conviction under subsection 255(2) or 255(3) of the *Criminal Code*.

Form of application for participation

- 6 An application for participation in the Program may be made by submitting all of the following to the Registrar in the manner required by the Registrar:
- (a) a completed Program participation application form prescribed by the Registrar;
 - (b) the interlock license fee set by the Minister;
 - (c) documentation demonstrating satisfactory participation in an alcohol rehabilitation program.

Review of application by Registrar

- 7 (1) The Registrar may consider any applicant for participation in the Program who meets the eligibility requirements in Section 5 and who submits an application in accordance with Section 6.
- (2) The Registrar must review each application for participation and must consider the following factors when deciding whether to accept an applicant into the Program:
- (a) the applicant's driving history, especially in relation to incidents of alcohol-related driving, whether or not those incidents led to convictions for violations of the *Criminal Code*;
 - (b) any information that has been made available to the Registrar from Addiction Services or through the applicant's participation in an alcohol rehabilitation program;
 - (c) any medical information that the Registrar considers relevant to the person's ability to operate a motor vehicle and participate in the Program;

- (d) any factors the Registrar considers relevant to the person's ability to operate a motor vehicle and participate in the Program.

Registrar's letter of acceptance into Program

- 8** (1) On accepting an applicant for participation in the Program, the Registrar must issue a letter of acceptance to the applicant that approves the installation of an approved device for use by the applicant and identifies the applicant as having been accepted into the Program.
- (2) An applicant must present the Registrar's letter of acceptance to an authorized person for installation of an approved device.

Installation of approved device

- 9** (1) An applicant who holds a letter of acceptance into the Program from the Registrar may have an approved device installed in a motor vehicle at their expense.
- (2) An applicant who has an approved device installed in a motor vehicle must execute the agreement required by the authorized service provider.
- (3) An applicant who has an approved device installed in a motor vehicle that is owned by another person must provide the authorized person with written authorization from the vehicle owner giving the applicant permission to have the approved device installed in the vehicle.
- (4) A motor vehicle owner who authorizes the installation of an approved device in their vehicle under subsection (3) may revoke the authorization at any time for any reason by providing the Registrar with the revocation in writing, and the participant must ensure that the approved device is removed promptly by an authorized person at the participant's expense.

Issuance of interlock license

- 10** (1) Once an applicant has an approved device installed in accordance with Section 9, the Registrar may issue the applicant an interlock license that identifies the driver as a participant in the Program under the condition that the participant is restricted to driving a specific equipped vehicle or equipped vehicles in accordance with the Program and these regulations.
- (2) The issuance of an interlock license does not affect the revocation or suspension of a participant's regular license and their regular license remains revoked or suspended for the full period required by law regardless of their participation in the Program.

Participant's duties

- 11** A participant in the Program must do all of the following as a condition of their continued participation in the Program:
- (a) have any equipped vehicle and approved devices inspected as required by Section 13;
 - (b) meet with a counsellor at Addiction Services as required under Section 14;
 - (c) pay all expenses associated with participation in the Program.

Monitoring participants in Program

- 12** (1) All data from an approved device is deemed to be that of the participant assigned to that device.
- (2) The Registrar must review, or may direct another person to review, the reports generated by an authorized person or authorized service provider under Section 31.

Inspection and maintenance of approved device

- 13** (1) Except as provided in subsection (2), a participant must bring the equipped vehicle and the approved device back to the authorized person that installed the device, or to a facility designated by the authorized person, for inspection, maintenance and reporting at least once every 60 days.
- (2) For an approved device in an equipped vehicle that is designed to be inspected and maintained by removing a component from it, a participant must do all of the following at least once every 60 days:
- (a) ensure that the component is removed, in accordance with the instructions of the authorized person that installed the device, and bring it back to the authorized person that installed the device, or to a facility designated by the authorized person, for inspection and maintenance;
 - (b) ensure that the replacement component provided to the participant by the authorized person is installed back into the approved device in accordance with the instructions of the authorized person.

Counselling by Addiction Services

- 14** (1) A participant must meet with a counsellor at Addiction Services no later than 10 days after the inspection required by Section 13 and, unless otherwise directed under subsection (3), on a bi-monthly basis after the initial meeting.
- (2) A counsellor at Addiction Services may recommend any of the following to the Registrar:
- (a) that a participant meet with a counsellor less frequently than required by subsection (1), if the counsellor believes that the participant has demonstrated positive and sustained behaviour change in relation to their use of alcohol;
 - (b) that a participant meet with a counsellor more frequently than required by subsection (1), if the counsellor believes that the participant has not demonstrated an improvement in behaviour.
- (3) Based on the recommendation of a counsellor under subsection (2), the Registrar may require a participant to meet with a counsellor at Addiction Service at specified intervals, no longer than a minimum of every 6 months.
- (4) If a participant fails to meet with a counsellor at Addiction Services as required under this Section, Addiction Services must notify the Registrar no later than 10 days after the missed appointment.

Participant to pay costs of counselling

- 15** A participant must pay an amount set by the Registrar to Addiction Services for each counselling session they have scheduled with Addiction Services to cover the cost of the sessions.

Dismissal from Program

- 16** (1) The Registrar may dismiss a person from the Program at any time for any reason and must communicate any dismissal in writing to the dismissed person by registered mail.
- (2) When the Registrar dismisses a participant from the Program, the participant's interlock license is automatically revoked.
- (3) A person who is dismissed from the Program must ensure that all approved devices are removed at their expense from all equipped vehicles specified on their interlock license.

Re-admission into Program

- 17 (1) A person for whom participation in the Program is a condition of reinstatement of their regular license who is dismissed from the Program must re-apply for admission to the Program in accordance with Section 6.
- (2) An application for re-admission into the Program cannot be made until 90 days after the date the person was dismissed from the Program.

Duration of Program

- 18 (1) A participant participating in the Program during their revocation period must continue in the Program for the full period of their revocation period under Section 67 of the Act, and nothing in this Section shortens their revocation period.
- (2) A participant's participation in the Program begins on the date that they are issued an interlock license.
- (3) A person whose license has been revoked for a violation of section 253, subsection 254(5) or subsection 259(4) of the *Criminal Code*, if the disqualification, as defined in subsection 259(5) of the *Criminal Code*, was for an alcohol-related offence, must participate in the Program for the following applicable minimum period:
- (a) for a first revocation, a minimum continuous period equal to the amount of time remaining in the 1-year revocation period required by clause 67(5)(ba) of the Act;
 - (b) for a high-risk first offender, a minimum continuous period of 1 year;
 - (c) for a second revocation, a minimum continuous period of 2 years;
 - (d) for a third revocation, a minimum continuous period of 3 years.
- (4) A person whose license has been revoked for a violation of section 253 of the *Criminal Code* causing bodily harm or death as a result of operating a motor vehicle resulting in a conviction under subsection 255(2) or 255(3) of the *Criminal Code* must participate in the Program for the following applicable minimum period:
- (a) for a first revocation, a minimum continuous period of 2 years after the minimum revocation period in the Act;
 - (b) for a second revocation, a minimum period of 5 years after the minimum revocation period in the Act.
- (5) A person ordered into the Program under Section 280A of the Act must participate in the Program for a minimum period set by the Registrar.
- (6) If a person who is dismissed from the Program successfully re-applies to participate in the Program again, unless otherwise directed by the Registrar, the applicable time period in subsection (2), (3), (4) or (5) restarts and no time previously spent in the Program is deducted from the required minimum duration of the Program.

Extending duration of Program

- 19 (1) The Registrar may extend a participant's participation in the Program based on the factors set out in Section 21, or for a violation of these regulations in accordance with Section 28 and shall notify the participant by registered mail.

- (2) A participant whose participation in the Program is extended must participate in the Program for a further continuous period set by the Registrar.

Application for release from Program

- 20** (1) Once a participant has completed the required participation period under Section 18 or 19, a participant must apply to the Registrar to be released from the Program.
- (2) An application for release from the Program may be made by submitting all of the following to the Registrar in the manner prescribed by the Registrar:
 - (a) a completed Program release application form prescribed by the Registrar;
 - (b) the application fee set by the Minister;
 - (c) a recommendation from Addiction Services supporting the application.

Factors for determining release from Program

- 21** The Registrar must consider the following factors when deciding whether to release an applicant from the Program:
- (a) the results of reports generated by an authorized service provider under Section 31;
 - (b) the regularity with which the equipped vehicle was driven by the participant during their participation in the Program;
 - (c) any incidents or reports of alcohol-related driving involving the participant, whether or not those incidents led to convictions for violations of the *Criminal Code*;
 - (d) any relevant information made available to the Registrar by Addiction Services;
 - (e) any factors the Registrar considers relevant to the participant's readiness to be released from the Program.

No application for restoration of regular license until released from Program

- 22** A participant is not eligible to apply for restoration of their regular license until the Registrar has released them from the Program under Section 23.

Registrar's decision on application for release from Program

- 23** (1) The Registrar may approve or deny an application for release from the Program.
- (2) If the Registrar releases a participant from the Program, the participant must do all of the following, at their own expense:
 - (a) have the approved device removed from the equipped vehicle or vehicles specified in their interlock license;
 - (b) attend a follow-up counselling session with Addiction Services 6 months after all approved devices are removed.
 - (3) If the Registrar rejects an application for release from the Program, the Registrar may extend the Program and must notify the applicant in writing by registered mail and indicate a date after which the participant may re-apply for release from the Program.

Offences

- 24 (1)** A person who holds an interlock license who does any of the following is guilty of an offence and is liable to the applicable penalty set out in Section 26:
- (a) tampers with an approved device or operates an equipped vehicle that has been tampered with;
 - (b) fails to take equipped vehicles or approved devices for scheduled inspections as required by Section 13;
 - (c) solicits a breath sample from another person to assist them to do any of the following while the interlock license holder is in control of an equipped vehicle:
 - (i) start the equipped vehicle,
 - (ii) keep the equipped vehicle in motion.
- (2)** A person who knowingly assists a person who holds an interlock license to do any of the following is guilty of an offence and is liable to the applicable penalty set out in Section 26:
- (a) start an equipped vehicle while the interlock license holder is in control of the equipped vehicle;
 - (b) keep an equipped vehicle in motion while the interlock license holder is in control of the equipped vehicle;
 - (c) tamper with an approved device.
- (3)** A person who allows a person who holds an interlock license to operate a motor vehicle other than an equipped vehicle specified in their interlock license is guilty of an offence and liable to the applicable penalty in Section 26.

Owner of vehicle deemed guilty of offence

- 25** If the person who committed an offence involving a motor vehicle under subsection 24(1), (2) or (3) cannot be determined, the owner of the motor vehicle involved is guilty of the offence.

Penalties

- 26 (1)** Any person who violates any of the provisions of Section 24 involving a passenger vehicle is guilty of an offence and liable on summary conviction to the penalties provided for a Category G offence in the *Summary Proceedings Act*.
- (2)** Any person who violates any of the provisions of Section 24 involving a commercial vehicle is guilty of an offence and liable on summary conviction to the penalties provided for a Category J offence in the *Summary Proceedings Act*.

Peace officer may inspect equipped vehicle

- 27 (1)** A peace officer may inspect an equipped vehicle at any time to determine whether the driver and the equipped vehicle are in compliance with these regulations and to determine whether the approved device is functioning properly.
- (2)** A peace officer may order that the equipped vehicle be taken to an authorized person for an inspection of the vehicle and the approved device.

Administrative sanctions by Registrar

- 28 (1)** The Registrar may take any of the following actions based on data from an approved device indicating that any of the things specified in subsection 24(1) have occurred, or if the Registrar reasonably believes that any of the things specified in subsection 24(1) have occurred:
- (a) dismiss the participant from the Program;
 - (b) require the participant to undergo additional assessment by Addiction Services;
 - (c) extend the duration of the participant's required participation in the Program in accordance with Section 19.
- (2)** The Registrar may reverse or alter any action taken under subsection (1) if evidence to the contrary that is satisfactory to the Registrar is provided.

Written authorization to install approved devices

- 29 (1)** The Registrar may authorize any person to install, maintain and remove approved devices.
- (2)** The Registrar's authorization under subsection (1) must be in writing.

Attaching approval sticker when approved device installed

- 30** An authorized person must attach an approval sticker to an approved device once a person requests the installation of the device and provides the authorized person with a letter of acceptance from the Registrar indicating that they have been accepted into the Program.

Records

- 31 (1)** An authorized service provider must keep a record of each approved device installed, inspected, maintained or removed that includes all of the following information:
- (a) the name, residential address, date of birth and driver's license number of the participant;
 - (b) the make, model, vehicle identification number, and plate number of the motor vehicle into which the approved device was installed;
 - (c) the results of each inspection, including any data or other information obtained from the approved device.
- (3)*** An authorized service provider must notify the Registrar immediately if an inspection of an approved device shows that the device has been tampered with.
- (4)*** An authorized service provider must submit the records kept under this Section to the Registrar when requested.
- (5)*** An authorized service provider must keep a record made under this Section for at least 10 years from the date the record was created.

[*Note: numbering as in original.]

N.S. Reg. 299/2008

Made: June 5, 2008

Filed: June 9, 2008

Prescribed Petroleum Products Prices

Order dated June 5, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

Order

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated May 29, 2008, which prescribed prices May 30, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on June 6, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on June 5, 2008.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on June 6, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	84.2
Mid-grade unleaded gasoline	87.2
Premium unleaded gasoline	90.2
Ultra low-sulfur diesel oil	100.1

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	116.0	4.0	5.5	4.0	999.9	135.6	137.3	135.6	999.9
Mid-Grade Unleaded	119.0	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Premium Unleaded	122.0	4.0	5.5	4.0	999.9	142.4	144.1	142.4	999.9
Ultra Low-Sulfur Diesel	125.8	4.0	5.5	4.0	999.9	146.7	148.4	146.7	999.9
Zone 2									
Regular Unleaded	116.4	4.0	5.5	4.0	999.9	136.1	137.7	136.1	999.9
Mid-Grade Unleaded	119.4	4.0	5.5	4.0	999.9	139.4	141.1	139.4	999.9
Premium Unleaded	122.4	4.0	5.5	4.0	999.9	142.8	144.5	142.8	999.9
Ultra Low-Sulfur Diesel	126.2	4.0	5.5	4.0	999.9	147.2	148.9	147.2	999.9
Zone 3									
Regular Unleaded	116.9	4.0	5.5	4.0	999.9	136.6	138.3	136.6	999.9
Mid-Grade Unleaded	119.9	4.0	5.5	4.0	999.9	140.0	141.7	140.0	999.9
Premium Unleaded	122.9	4.0	5.5	4.0	999.9	143.4	145.1	143.4	999.9
Ultra Low-Sulfur Diesel	126.7	4.0	5.5	4.0	999.9	147.7	149.4	147.7	999.9
Zone 4									
Regular Unleaded	116.9	4.0	5.5	4.0	999.9	136.6	138.3	136.6	999.9
Mid-Grade Unleaded	119.9	4.0	5.5	4.0	999.9	140.0	141.7	140.0	999.9
Premium Unleaded	122.9	4.0	5.5	4.0	999.9	143.4	145.1	143.4	999.9
Ultra Low-Sulfur Diesel	126.7	4.0	5.5	4.0	999.9	147.7	149.4	147.7	999.9
Zone 5									
Regular Unleaded	116.9	4.0	5.5	4.0	999.9	136.6	138.3	136.6	999.9
Mid-Grade Unleaded	119.9	4.0	5.5	4.0	999.9	140.0	141.7	140.0	999.9
Premium Unleaded	122.9	4.0	5.5	4.0	999.9	143.4	145.1	143.4	999.9
Ultra Low-Sulfur Diesel	126.7	4.0	5.5	4.0	999.9	147.7	149.4	147.7	999.9

Zone 6									
Regular Unleaded	117.7	4.0	5.5	4.0	999.9	137.5	139.2	137.5	999.9
Mid-Grade Unleaded	120.7	4.0	5.5	4.0	999.9	140.9	142.6	140.9	999.9
Premium Unleaded	123.7	4.0	5.5	4.0	999.9	144.3	146.0	144.3	999.9
Ultra Low-Sulfur Diesel	127.5	4.0	5.5	4.0	999.9	148.6	150.3	148.6	999.9

N.S. Reg. 300/2008

Made: June 10, 2008

Filed: June 10, 2008

Proclamation, S. 2, S.N.S. 2008, c. 12

Order in Council 2008-318 dated June 10, 2008

Proclamation made by the Governor in Council

pursuant to Section 2 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 Justice dated June 3, 2008, pursuant to Section 2 of Chapter 12 of the Acts of 2008, *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 12 of the Acts of 2008, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, do come into force on and not before June 10, 2008.

PROVINCE OF NOVA SCOTIA

sgd: **J. Michael MacDonald**

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 2 of Chapter 12 of the Acts of 2008, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, it is enacted as follows:

- 2** 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 12 of the Acts of 2008, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, do come into force on and not before June 10, 2008;

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 12 of the Acts of 2008, *An Act to Amend Chapter 5 of the Acts of 1990, the Children and Family Services Act*, do come into force on and not before June 10, 2008, 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 His Honour
the Honourable J. Michael MacDonald,
Administrator of the Government of the Province
of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 10th day of June in the year of
Our Lord two thousand and eight and in the fifty-
seventh year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Acting Provincial Secretary
Acting Minister of Justice and Attorney General

N.S. Reg. 301/2008

Made: June 10, 2008

Filed: June 10, 2008

Proclamation, S. 12, S.N.S. 2008, c. 21

Order in Council 2008-320 dated June 10, 2008
Proclamation made by the Governor in Council
pursuant to Section 12 of

An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

The Governor in Council on the report and recommendation of the Minister of Transportation and Infrastructure Renewal dated May 29, 2008, pursuant to Section 12 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 1, 2, and 8 to 11 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 10, 2008.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

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 12 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, it is enacted as follows:

- 12** 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 Sections 1, 2, and 8 to 11 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 10, 2008;

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 1, 2, and 8 to 11 of Chapter 21 of the Acts of 2008, *An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 10, 2008, 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 His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 10th day of June in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Acting Provincial Secretary
Acting Minister of Justice and Attorney General