

Royal



Gazette

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. 288/2009

Made: September 24, 2009

Filed: September 30, 2009

Prescribed Petroleum Products Prices

Order dated September 24, 2009
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, Ramona Jennex, 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 September 17, 2009, which prescribed prices September 18, 2009; 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 September 25, 2009.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on September 24, 2009.

Sgd.: *Ramona Jennex*
Honourable Ramona Jennex
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 September 25, 2009**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	49.6
Mid-grade unleaded gasoline	52.6
Premium unleaded gasoline	55.6
Ultra-low-sulfur diesel oil	51.0

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
	Fixed Wholesale Price (excludes GST)	Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
		Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	81.4	4.0	5.5	4.0	999.9	96.5	98.2	96.5	999.9
Mid-Grade Unleaded	84.4	4.0	5.5	4.0	999.9	99.9	101.6	99.9	999.9
Premium Unleaded	87.4	4.0	5.5	4.0	999.9	103.3	105.0	103.3	999.9
Ultra-Low-Sulfur Diesel	76.7	4.0	5.5	4.0	999.9	91.2	92.9	91.2	999.9
Zone 2									
Regular Unleaded	81.8	4.0	5.5	4.0	999.9	97.0	98.6	97.0	999.9
Mid-Grade Unleaded	84.8	4.0	5.5	4.0	999.9	100.3	102.0	100.3	999.9
Premium Unleaded	87.8	4.0	5.5	4.0	999.9	103.7	105.4	103.7	999.9
Ultra-Low-Sulfur Diesel	77.1	4.0	5.5	4.0	999.9	91.6	93.3	91.6	999.9
Zone 3									
Regular Unleaded	82.3	4.0	5.5	4.0	999.9	97.5	99.2	97.5	999.9
Mid-Grade Unleaded	85.3	4.0	5.5	4.0	999.9	100.9	102.6	100.9	999.9
Premium Unleaded	88.3	4.0	5.5	4.0	999.9	104.3	106.0	104.3	999.9
Ultra-Low-Sulfur Diesel	77.6	4.0	5.5	4.0	999.9	92.2	93.9	92.2	999.9
Zone 4									
Regular Unleaded	82.3	4.0	5.5	4.0	999.9	97.5	99.2	97.5	999.9
Mid-Grade Unleaded	85.3	4.0	5.5	4.0	999.9	100.9	102.6	100.9	999.9
Premium Unleaded	88.3	4.0	5.5	4.0	999.9	104.3	106.0	104.3	999.9
Ultra-Low-Sulfur Diesel	77.6	4.0	5.5	4.0	999.9	92.2	93.9	92.2	999.9
Zone 5									
Regular Unleaded	82.3	4.0	5.5	4.0	999.9	97.5	99.2	97.5	999.9
Mid-Grade Unleaded	85.3	4.0	5.5	4.0	999.9	100.9	102.6	100.9	999.9
Premium Unleaded	88.3	4.0	5.5	4.0	999.9	104.3	106.0	104.3	999.9
Ultra-Low-Sulfur Diesel	77.6	4.0	5.5	4.0	999.9	92.2	93.9	92.2	999.9
Zone 6									
Regular Unleaded	83.1	4.0	5.5	4.0	999.9	98.4	100.1	98.4	999.9
Mid-Grade Unleaded	86.1	4.0	5.5	4.0	999.9	101.8	103.5	101.8	999.9
Premium Unleaded	89.1	4.0	5.5	4.0	999.9	105.2	106.9	105.2	999.9
Ultra-Low-Sulfur Diesel	78.4	4.0	5.5	4.0	999.9	93.1	94.8	93.1	999.9

N.S. Reg. 289/2009

Made: September 29, 2009

Filed: September 30, 2009

Sales Tax Act Regulations

Order in Council 2009-402 dated September 29, 2009
Amendment to regulations made by the Governor in Council
pursuant to Section 13 of the *Sales Tax Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated September 10, 2009, and pursuant to Section 13 of Chapter 31 of the Acts of 1996, the *Sales Tax Act*, is pleased to amend the *Sales Tax Act Regulations*, N.S. Reg. 33/97, made by the Governor in Council by Order in Council 97-208 dated April 1, 1997, to reinstate the household energy rebate on the non-heating component of residential electricity and base charges in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 1, 2009.

Schedule "A"

**Amendment to the *Sales Tax Act Regulations*
made by the Governor in Council under
Section 13 of Chapter 31 of the Acts of 1996,
the *Sales Tax Act***

- 1 Section 14 of the *Sales Tax Act Regulations*, N.S. Reg. 33/97, made by the Governor in Council by Order in Council 97-208 dated April 1, 1997, is amended by repealing clause (g) and substituting the following clause:
 - (g) "electricity cost" means only a base charge and a charge for the amount of electric current actually used, and does not include a charge for a service related to providing an electric current, including all of the following:
 - (i) an after-hour charge,
 - (ii) a collection visit charge,
 - (iii) a connect charge,
 - (iv) a seasonal disconnect fee,
 - (v) a street light charge,
 - (vi) the Cowie Hill surtax,
 - (vii) a late payment charge;
- 2 Subsection 18(1) of the regulations is repealed and the following subsection substituted:
 - (1) On behalf of Her Majesty in right of the Province, an electricity supplier shall pay or credit a point-of-sale rebate to a residential electricity customer in an amount equal to the tax on the electricity cost for a supply of electricity consumed on or after October 1, 2009.

- 3 Subsection 19(1) of the regulations is repealed and the following subsection substituted:
- (1) A commercial electricity customer who pays tax on an electricity cost and who meets all of the criteria in subsection (2) may apply to the Minister in accordance with Section 20 for a rebate, subject to subsection 21(2) with respect to a mixed use property, in an amount equal to the tax paid on a supply of electricity recorded by a bulk meter and invoiced to the commercial electricity customer on or after October 1, 2009.
- 4 Subsection 19(2) of the regulations is amended by striking out “January 1, 2007” and substituting “October 1, 2009”.
- 5 Subsection 21(2) of the regulations is repealed and the following subsection substituted:
- (2) A rebate in respect of a mixed use property applies only to the proportion of the mixed use property that comprises a residential complex or condominium complex, and must be calculated in accordance with the formula $R = (TRA \div TA) \times T$, in which
- (a) R is the rebate;
- (b) TRA is the area comprising the residential complex or condominium complex within the mixed use property;
- (c) TA is the total area of the mixed use property; and
- (d) T is the tax paid by the purchaser on the designated fuel cost, heating fuel cost or electricity cost to which the application applies.

N.S. Reg. 290/2009

Made: September 29, 2009

Filed: September 30, 2009

Government in Council Education Act Regulations

Order in Council 2009-405 dated September 29, 2009
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 9, 2009, 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 provide for the availability of funding for students with special needs in the Tuition Support Program for a fifth year in respect of the 2009-2010 school year, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 29, 2009.

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***

Section 74 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 adding the following subsections immediately after subsection (5):

- (6) Despite subsection 74(2), a funding unit and a supplement may provide tuition support funding for a 5th year of funding for a funded student only in respect of the 2009-2010 school year.
- (7) A funded student must re-apply under Sections 70 and 73 for a funding unit and a supplement for a 5th year of funding under subsection (6).

N.S. Reg. 291/2009

Made: September 29, 2009

Filed: September 30, 2009

Occupational Health and Safety Administrative Penalties Regulations

Order in Council 2009-406 dated September 29, 2009
Regulations made by the Governor in Council
pursuant to subsection 82(1) of the *Occupational Health and Safety Act*

The Governor in Council on the report and recommendation of the Acting Minister of Labour and Workforce Development dated September 3, 2009, and pursuant to subsection 82(1) of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, is pleased to make regulations respecting a system of administrative penalties in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 15, 2010.

Schedule "A"

**Regulations Respecting a System of Administrative Penalties
made by the Governor in Council pursuant to subsection ~~86(1)~~ [82(1)] of Chapter 7
of the Acts of 1996, the *Occupational Health and Safety Act***

Citation

- 1 These regulations may be cited as the *Occupational Health and Safety Administrative Penalties Regulations*.

Definitions

- 2 In these regulations,

"Act" means the *Occupational Health and Safety Act*;

"administrative penalty" means an administrative penalty imposed by the Administrator under these regulations;

“Administrator” means the Administrator designated under Section 3;

“Department” means the Department of Labour and Workforce Development.

Administrator designated for regulations

3 The Minister may designate an employee of the Department as an Administrator to administer these regulations.

Notice of administrative penalty

4 (1) The Administrator may require a person who has contravened a provision of the Act or its regulations to pay an administrative penalty by serving a notice of administrative penalty on the person.

(2) A notice of administrative penalty must be in writing and must contain all of the following information:

- (a) the name of the person required to pay the administrative penalty;
- (b) the provision of the Act or regulations that was contravened;
- (c) the particulars of the contravention;
- (d) the amount of the administrative penalty;
- (e) when and how the administrative penalty must be paid;
- (f) the process for filing an appeal.

Amount of administrative penalty

5 Subject to any adjustments made under Sections 6 and 7, the amounts set for administrative penalties are as set out in the following table, in Column B for a contravention that resulted in injury or that the Administrator considers had the potential to result in immediate injury, and in Column A for any other contravention:

Class of Person	Administrative Penalty	
	Column A	Column B (for contravention with injury)
employer, contractor, constructor, supplier, provider of an occupational health or safety service, architect or professional engineer	\$500	\$1000
employee who has supervision responsibilities, owner or self-employed person	\$250	\$500
employee	\$100	\$200

Adjustment to administrative penalty by Administrator

6 (1) The Administrator may increase or decrease the administrative penalty in Section 5 based on the following factors:

- (a) the efforts to prevent the contravention from occurring;

- (b) whether or not the person on whom the administrative penalty is imposed derives any economic benefit from the contravention;
 - (c) the harm the contravention causes to any person.
- (2) Unless an administrative penalty is doubled under Section 7, the maximum administrative penalty that may be imposed is as set out in the following table:

Class of Person	Maximum Administrative Penalty
employer, contractor, constructor, supplier, provider of occupational health or safety service, architect or professional engineer	\$2000
employee who has supervision responsibilities, owner or self-employed person	\$1000
employee	\$500

Administrative penalty doubled for previous contravention

7 The administrative penalty in Sections 5 and 6 is doubled for a contravention if either of the following has occurred during the 3 years immediately before the contravention:

- (a) the person on whom the administrative penalty is to be imposed has had an administrative penalty imposed on them for a previous contravention of the Act or regulations;
- (b) the person on whom the administrative penalty is to be imposed has been convicted of an offence under Section 74 of the Act.

Administrative penalty imposed for each day

8 An Administrator may impose an administrative penalty for each day a contravention continues.

Payment of penalty

- 9 (1) Except as provided in subsection (2), a person who is served a notice of administrative penalty must pay the administrative penalty no later than 30 days after the date the notice is served.
- (2) An administrative penalty that is appealed under Section 11 is not required to be paid until an appeal panel decides the matter, but if the appeal panel decides that a penalty must be paid, it must be paid no later than 30 days after the appeal panel's decision.

Failure to pay administrative penalty

10 If an administrative penalty is not paid by the deadlines in Section 9, the amount of the administrative penalty is a debt due to the Crown in right of Nova Scotia.

Filing appeal

11 A person may appeal an administrative penalty by filing a notice of appeal with the Deputy Minister of the Department no later than 21 days after the person is served with a notice of administrative penalty.

Appeal panel

12 (1) The Minister must designate an appeal panel to hear an appeal.

- (2) An appeal panel designated under subsection (1) must be composed of 1 person from the list established by the Governor in Council under subsection 68(2) of the Act.

Conducting appeal

- 13 (1) An appeal panel may conduct an oral hearing or conduct a hearing through written submissions.
- (2) An appeal panel may revoke, decrease or confirm an administrative penalty.

Person who pays penalty not charged with offence

- 14 A person who pays an administrative penalty for a contravention cannot be charged with an offence for the same contravention.

N.S. Reg. 292/2009

Made: October 1, 2009

Filed: October 5, 2009

Prescribed Petroleum Products Prices

Order dated October 1, 2009
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*

Order

NSUARB-G-W-01

In the Matter of the *Petroleum Products Pricing Act*

- and -

In the Matter of Prescribing Prices for Petroleum Products pursuant to Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Before: Roland A. Deveau, LL.B., Member
Kulvinder S. Dhillon, P. Eng., Member
Roberta J. Clarke, Q.C., Member

Order

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the average of the average of the daily high and low report product prices (in Canadian cents) for the week ended September 30, 2009, are:

Grade 1 Regular gasoline	48.2¢ per litre
Ultra-low-sulfur diesel oil	50.1¢ per litre

And whereas the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply forward averaging corrections of:

Gasoline:	0.0¢ per litre
Ultra-low-sulfur diesel oil:	0.9¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	48.2¢ per litre
Grade 2	51.2¢ per litre
Grade 3	54.2¢ per litre
Ultra-low-sulfur diesel oil	51.0¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., October 2, 2009.

Dated at Halifax, Nova Scotia, this 1st day of October, 2009.

Sgd: *Elaine Wagner*
Clerk of the Board

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 October 2, 2009**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre Effective October 2, 2009 at 12:01 a.m.					Self-Service Pump Price[s]		Full-Service Pump Prices	
					(Pump Prices includes 13% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min 4.0	Max 5.5	Min 4.0	Max
Zone 1								
Regular Unleaded	54.5	10.0	15.5	80.0	94.9	96.6	94.9	999.9
Mid-Grade Unleaded	57.5	10.0	15.5	83.0	98.3	100.0	98.3	999.9
Premium Unleaded	60.5	10.0	15.5	86.0	101.7	103.4	101.7	999.9
Ultra-Low-Sulphur Diesel	57.3	4.0	15.4	76.7	91.2	92.9	91.2	999.9
Zone 2								
Regular Unleaded	54.9	10.0	15.5	80.4	95.4	97.1	95.4	999.9
Mid-Grade Unleaded	57.9	10.0	15.5	83.4	98.8	100.5	98.8	999.9
Premium Unleaded	60.9	10.0	15.5	86.4	102.2	103.8	102.2	999.9
Ultra-Low-Sulphur Diesel	57.7	4.0	15.4	77.1	91.6	93.3	91.6	999.9
Zone 3								
Regular Unleaded	55.4	10.0	15.5	80.9	95.9	97.6	95.9	999.9
Mid-Grade Unleaded	58.4	10.0	15.5	83.9	99.3	101.0	99.3	999.9
Premium Unleaded	61.4	10.0	15.5	86.9	102.7	104.4	102.7	999.9
Ultra-Low-Sulphur Diesel	58.2	4.0	15.4	77.6	92.2	93.9	92.2	999.9

Zone 4								
Regular Unleaded	55.4	10.0	15.5	80.9	95.9	97.6	95.9	999.9
Mid-Grade Unleaded	58.4	10.0	15.5	83.9	99.3	101.0	99.3	999.9
Premium Unleaded	61.4	10.0	15.5	86.9	102.7	104.4	102.7	999.9
Ultra-Low-Sulphur Diesel	58.2	4.0	15.4	77.6	92.2	93.9	92.2	999.9
Zone 5								
Regular Unleaded	55.4	10.0	15.5	80.9	95.9	97.6	95.9	999.9
Mid-Grade Unleaded	58.4	10.0	15.5	83.9	99.3	101.0	99.3	999.9
Premium Unleaded	61.4	10.0	15.5	86.9	102.7	104.4	102.7	999.9
Ultra-Low-Sulphur Diesel	58.2	4.0	15.4	77.6	92.2	93.9	92.2	999.9
Zone 6								
Regular Unleaded	56.2	10.0	15.5	81.7	96.8	98.5	96.8	999.9
Mid-Grade Unleaded	59.2	10.0	15.5	84.7	100.2	101.9	100.2	999.9
Premium Unleaded	62.2	10.0	15.5	87.7	103.6	105.3	103.6	999.9
Ultra-Low-Sulphur Diesel	59.0	4.0	15.4	78.4	93.1	94.8	93.1	999.9

N.S. Reg. 293/2009

Made: October 6, 2009

Filed: October 8, 2009

Instrumentation and Control Technician Trade Regulations

Order in Council 2009-424 dated October 6, 2009

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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the industrial instrument mechanic trade, N.S. Reg. 6/68, made by the Governor in Council by Order in Council 68-641 dated July 30, 1968; and
- (b) make regulations respecting the instrumentation and control technician trade in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

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

Citation

1 These regulations may be cited as the *Instrumentation and Control Technician Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) “instrumentation and control technician trade” means the occupation of instrumentation and control technician, consisting of installing, adding, altering, calibrating, repairing, maintaining, conducting trials, testing and commissioning measuring and control devices, including digital, analog, mechanical, electrical, electronic, pneumatic, hydraulic and test instruments associated with process industries;
- (b) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the *Apprenticeship and Trades Qualifications Act*.
- (2) The definitions contained in the General Regulations apply to these regulations unless the context otherwise requires.

Term of apprenticeship

- 3 The term of apprenticeship for the instrumentation and control technician trade is 8000 hours of combined practical experience and technical training approved by the Director.

Wage schedule

- 4 (1) Subject to subsection (2), the minimum wage for each hour worked by an instrumentation and control technician apprentice is a percentage of the wage for a instrumentation and control technician journeyperson in the same place of employment, as set out in the following table:

Wages for Instrumentation and Control Technician Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0–1000	50%
1001–2000	55%
2001–3000	60%
3001–4000	65%
4001–5000	75%
5001–6000	80%
6001–7000	85%
7001–8000	90%

- (2) An employer must not employ an instrumentation and control technician apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 5 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the instrumentation and control technician trade.

Transition

- 6 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the industrial instrument mechanic trade, N.S. Reg. 6/68, made by the Governor in Council by Order in Council 68-641 dated July 30, 1968, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 294/2009

Made: October 6, 2009

Filed: October 8, 2009

Machinist Trade Regulations

Order in Council 2009-425 dated October 6, 2009
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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the machinist trade, N.S. Reg. 12/67, made by the Governor in Council by Order in Council 67-206 dated March 7, 1967; and
- (b) make regulations respecting the machinist trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

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

Citation

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

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Apprenticeship and Trades Qualifications Act*;
- (b) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;
- (c) “machinist trade” means the occupation of machinist, consisting of performing lay-out procedures, setting up and operating machines to cut or grind metal and similar materials into parts or product with precise dimensions.

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

Term of apprenticeship

3 The term of apprenticeship for the machinist trade is 8000 hours of combined practical experience and technical training approved by the Director, and may include a probationary period of no longer than 3 months.

Ratio of journeypersons to apprentices

- 4 An employer in the machinist trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by a machinist apprentice is a percentage of the wage for a machinist journeyperson in the same place of employment, as set out in the following table:

Wages for Machinist Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0-1000	45%
1001-2000	50%
2001-3000	55%
3001-4000	60%
4001-5000	65%
5001-6000	70%
6001-7000	80%
7001-8000	90%

- (2) An employer must not employ a machinist apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 6 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the machinist trade.

Transition

- 7 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the machinist trade, N.S. Reg. 12/67, made by the Governor in Council by Order in Council 67-206 dated March 7, 1967, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 295/2009

Made: October 6, 2009

Filed: October 8, 2009

Industrial Mechanic (Millwright) Trade Regulations

Order in Council 2009-426 dated October 6, 2009
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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the industrial mechanic (millwright) trade, N.S. Reg. 7/68, made by the Governor in Council by Order in Council 68-641 dated July 30, 1968; and
- (b) make regulations respecting the industrial mechanic (millwright) trade in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

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

Citation

1 These regulations may be cited as the *Industrial Mechanic (Millwright) Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) "Act" means the *Apprenticeship and Trades Qualifications Act*;
 - (b) "General Regulations" means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;
 - (c) "industrial mechanic (millwright) trade" means the occupation of industrial mechanic (millwright), consisting of installing, erecting, adding, altering, testing, troubleshooting, repairing and maintaining mechanical equipment and machinery used in manufacturing processes in industrial and manufacturing settings.
- (2) The definitions contained in the General Regulations apply to these regulations unless the context otherwise requires.

Term of apprenticeship

3 The term of apprenticeship for the industrial mechanic (millwright) trade is 8000 hours of combined practical experience and technical training approved by the Director, and may include a probation period of no longer than 3 months.

Ratio of journeypersons to apprentices

- 4 An employer in the industrial mechanic (millwright) trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by an industrial mechanic (millwright) apprentice is a percentage of the wage for an industrial mechanic (millwright) journeyperson in the same place of employment, as set out in the following table:

Wages for Industrial Mechanic (Millwright) Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0–1000	50%
1001–2000	55%
2001–3000	60%
3001–4000	65%
4001–5000	75%
5001–6000	80%
6001–7000	85%
7001–8000	90%

- (2) An employer must not employ an industrial mechanic (millwright) apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 6 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the industrial mechanic (millwright) trade.

Transition

- 7 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the industrial mechanic (millwright) trade, N.S. Reg. 7/68, made by the Governor in Council by Order in Council 68-641 dated July 30, 1968, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 296/2009

Made: October 6, 2009

Filed: October 8, 2009

Industrial Electrician Trade Regulations

Order in Council 2009-427 dated October 6, 2009
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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the industrial electrician trade, N.S. Reg. 10/67, made by the Governor in Council by Order in Council 67-162 dated February 21, 1967; and
- (b) make regulations respecting the industrial electrician trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

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

Citation

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

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Apprenticeship and Trades Qualifications Act*;
 - (b) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act;
 - (c) “electrical equipment” means equipment such as motors, generators, pumps, heavy-duty machines, illumination systems and environmental regulating systems, including associated electrical and electronic controls;
 - (d) “industrial electrician trade” means the occupation of industrial electrician, consisting of installing, calibrating, troubleshooting, repairing, servicing, and carrying out preventive maintenance on electrical equipment in industrial establishments, including preparing reports.
- (2) The definitions contained in the General Regulations apply to these regulations unless the context otherwise requires.

Term of apprenticeship

3 The term of apprenticeship for the industrial electrician trade is 8000 hours of combined practical experience and technical training approved by the Director, and may include a probationary period of no longer than 3 months.

Ratio of journeypersons to apprentices

- 4 An employer in the industrial electrician trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by an industrial electrician apprentice is a percentage of the wage for an industrial electrician journeyperson in the same place of employment, as set out in the following table:

Wages for Industrial Electrician Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0-1000	50%
1001-2000	55%
2001-3000	60%
3001-4000	65%
4001-5000	75%
5001-6000	80%
6001-7000	85%
7001-8000	90%

- (2) An employer must not employ an industrial electrician apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 6 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the industrial electrician trade.

Transition

- 7 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the industrial electrician trade, N.S. Reg. 10/67, made by the Governor in Council by Order in Council 67-162, dated February 21, 1967, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 297/2009

Made: October 6, 2009

Filed: October 8, 2009

Floorcovering Installer Trade Regulations

Order in Council 2009-428 dated October 6, 2009
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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the floorcovering installer trade, N.S. Reg. 114/97, made by the Governor in Council by Order in Council 97-565 dated August 19, 1997; and
- (b) make regulations respecting the floorcovering installer trade in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

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

Citation

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

Definitions

2 (1) In these regulations,

- (a) "Act" means the *Apprenticeship and Trades Qualifications Act*;
- (b) "floorcovering installer trade" means the occupation of floorcovering installer, consisting of installing, applying, altering, repairing and servicing all types of cushion flooring, carpets, rugs, artificial turf, sheet goods, resilient tiles, specialty flooring, stair coverings, top-set base and other floorcovering or flooring products;
- (c) "General Regulations" means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act.

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

Term of apprenticeship

3 The term of apprenticeship for the floorcovering installer trade is 6000 hours of combined practical experience and technical training approved by the Director, and may include a probationary period of no longer than 3 months.

Ratio of journeypersons to apprentices

- 4 An employer in the floorcovering installer trade must maintain a minimum ratio of 1 journeyperson to every 2 apprentices, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by a floorcovering installer apprentice is a percentage of the wage for a floorcovering installer journeyperson in the same place of employment, as set out in the following table:

Wages for Floorcovering Installer Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0-1000	40%
1001-2000	45%
2001-3000	50%
3001-4000	60%
4001-5000	70%
5001-6000	80%

- (2) An employer must not employ a floorcovering installer apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 6 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 9000 hours is prescribed as the period of employment required for the floorcovering installer trade.

Transition

- 7 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the floorcovering installer trade, N.S. Reg. 114/97, made by the Governor in Council by Order in Council 97-565 dated August 19, 1997, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 298/2009

Made: October 6, 2009

Filed: October 8, 2009

Cook Trade Regulations

Order in Council 2009-429 dated October 6, 2009
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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the cook trade, N.S. Reg. 5/68, made by the Governor in Council by Order in Council 68-641 dated July 30, 1968; and
- (b) make regulations respecting the cook trade in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

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

Citation

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

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Apprenticeship and Trades Qualifications Act*;
- (b) “cook trade” means the occupation of cook, consisting of implementing the knowledge and skills necessary to prepare, cost, cook and serve food for public consumption using appropriate methods in accordance with industry standards, safety requirements, safe work practices and health regulations;
- (c) “General Regulations” means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act.

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

Term of apprenticeship

3 The term of apprenticeship for the cook trade is 6000 hours of combined practical experience and technical training approved by the Director, and may include a probationary period of no longer than 3 months.

Ratio of journeypersons to apprentices

- 4 An employer in the cook trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by a cook apprentice is a percentage of the wage for a cook journeyperson in the same place of employment, as set out in the following table:

Wages for Cook Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0–1000	60%
1001–2000	65%
2001–3000	70%
3001–4000	75%
4001–5000	80%
5001–6000	85%

- (2) An employer must not employ a cook apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 6 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 9000 hours is prescribed as the period of employment required for the cook trade.

Transition

- 7 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the cook trade, N.S. Reg. 5/68, made by the Governor in Council by Order in Council 68-641 dated July 30, 1968, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 299/2009

Made: October 6, 2009

Filed: October 8, 2009

Agricultural Equipment Technician Trade Regulations

Order in Council 2009-430 dated October 6, 2009
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 September 4, 2009, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased, effective on and after October 6, 2009, to

- (a) repeal the regulations respecting the farm equipment mechanic trade, N.S. Reg. 163/92, made by the Governor in Council by Order in Council 92-766 dated July 28, 1992; and
- (b) make regulations respecting the agricultural equipment technician trade in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

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

Citation

1 These regulations may be cited as the *Agricultural Equipment Technician Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) "Act" means the *Apprenticeship and Trades Qualifications Act*;
- (b) "agricultural equipment technician trade" means the occupation of agricultural equipment technician, consisting of setting up, performing pre-delivery work, servicing and repairing agricultural equipment, including tractors, machinery and attachments used in farm, nursery and landscape enterprises;
- (c) "General Regulations" means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act.

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

Term of apprenticeship

3 The term of apprenticeship for the agricultural equipment technician trade is 8000 hours of combined practical experience and technical training approved by the Director, and may include a probationary period of no longer than 3 months.

Ratio of journeypersons to apprentices

- 4 An employer in the agricultural equipment technician trade must maintain a minimum ratio of 1 journeyperson to each apprentice, unless the Director permits the ratio to be varied in accordance with Section 24 of the General Regulations.

Wage schedule

- 5 (1) Subject to subsection (2), the minimum wage for each hour worked by an agricultural equipment technician apprentice is a percentage of the wage for an agricultural equipment technician journeyperson in the same place of employment, as set out in the following table:

Wages for Agricultural Equipment Technician Apprentice	
Hours in Term of Apprenticeship	Minimum Wage (% of journeyperson's wage)
0–1000	50%
1001–2000	55%
2001–3000	60%
3001–4000	65%
4001–5000	75%
5001–6000	80%
6001–7000	85%
7001–8000	90%

- (2) An employer must not employ an agricultural equipment technician apprentice at a wage for actual hours worked that is lower than the wage that would be paid at the minimum wage rate prescribed in the *Minimum Wage Order (General)* made under the *Labour Standards Code*.

Certificate through trade qualification

- 6 For the purpose of Section 30 of the General Regulations, which authorizes the Director to issue a certificate of qualification in a designated trade to a person who does not hold a certificate of apprenticeship in the trade if the person applies and meets certain requirements, 12 000 hours is prescribed as the period of employment required for the agricultural equipment technician trade.

Transition

- 7 A person who on the coming into force of these regulations is an apprentice in an apprenticeship program under the regulations respecting the farm equipment mechanic trade, N.S. Reg. 163/92, made by the Governor in Council by Order in Council 92-766 dated July 28, 1992, continues as an apprentice in that apprenticeship program under these regulations.

N.S. Reg. 300/2009

Made: October 6, 2009

Filed: October 8, 2009

Summary Offence Tickets Regulations

Order in Council 2009-431 dated October 6, 2009

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 July 22, 2009, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia 1989, the *Summary Proceedings Act*, is pleased to amend 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, by replacing Schedule 19 to reflect recent amendments to the Halifax-Dartmouth Bridge Commission by-laws, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 6, 2009.

Order

I, Ross Landry, 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 July 22, 2009, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Ross Landry*

Honourable Ross Landry

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***

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, are amended by repealing Schedule 19 and substituting the following Schedule:

Schedule 19
Halifax-Dartmouth Bridge Commission Act

Offence	Section	Out of Court Settlement
Rules and Regulations:		
1. Failing to pay approved rate, toll or charge, for first offence second offence third or subsequent offence	1	\$279.50 \$452.00 \$797.00
Halifax-Dartmouth Bridge Commission By-law:		
2. Roller skating or skateboarding on Commission property, for first offence second offence third or subsequent offence	26(a)	\$135.75 \$164.50 \$222.00
3. Parking or leaving vehicle on Commission property, for first offence second offence third or subsequent offence	26(b)	\$82.00* \$132.00* \$232.00*
*The amount to be paid for out of court settlement of a parking offence is reduced by \$32 if it is paid during the first 60 days after the ticket is issued.		
4. Damaging Commission property, for first offence second offence third or subsequent offence	26(c)	\$394.50 \$682.00 \$1257.00
5. Throwing material, substance or thing from Commission property or depositing or leaving material, substance or thing on Commission property, for first offence second offence third or subsequent offence	26(d)	\$394.50 \$682.00 \$1257.00
6. Throwing thing other than 25¢, \$1 or \$2 coin into fare hopper, for first offence second offence third or subsequent offence	26(e)	\$164.50 \$222.00 \$337.00
7. Climbing or travelling on Commission property other than vehicular roadbed, sidewalk or bicycle lane (specify), for first offence second offence third or subsequent offence	26(f)	\$279.50 \$452.00 \$797.00
8. Wilfully driving or operating vehicle on bridge at speed slower than 20 km/hr, for first offence second offence third or subsequent offence	26(g)(A)	\$279.50 \$452.00 \$797.00

	Offence	Section	Out of Court Settlement
9.	Wilfully driving or operating vehicle on bridge at speed slower than 30 km/hr between 6 a.m. and 9 a.m. or 3 p.m. and 6 p.m. on day other than Saturday, Sunday or public holiday, for first offence second offence third or subsequent offence	26(g)(B)	\$279.50 \$452.00 \$797.00
10.	Riding bicycle on bridge other than on bicycle lane of Angus L. Macdonald Bridge, for first offence second offence third or subsequent offence	26(h)	\$135.75 \$164.50 \$222.00
11.	Walking bicycle on bicycle lane of Angus L. Macdonald Bridge when safe to ride, for first offence second offence third or subsequent offence	26(i)	\$135.75 \$164.50 \$222.00
12.	Operating vehicle other than bicycle on bicycle lane on Angus L. Macdonald Bridge, for first offence second offence third or subsequent offence	26(j)	\$279.50 \$452.00 \$797.00
13.	Pedestrian using or entering on portion of Angus L. Macdonald Bridge other than sidewalk, for first offence second offence third or subsequent offence	26(k)	\$279.50 \$452.00 \$797.00
14.	Pedestrian using A. Murray MacKay Bridge, for first offence second offence third or subsequent offence	26(l)	\$279.50 \$452.00 \$797.00
15.	Driving vehicle weighing over 3200 kg on Angus L. Macdonald Bridge, for first offence second offence third or subsequent offence	26(m)	\$222.00 \$337.00 \$567.00
16.	Operating vehicle or combination of vehicles on A. Murray MacKay Bridge that exceeds axle weight, gross vehicle weight or maximum weight for axle assembly permitted for Schedule "C" highway as of October 31, 2008, by <i>Weights and Dimensions of Vehicles Regulations</i> under <i>Motor Vehicle Act</i> , or that does not otherwise comply with those regulations + Refer to the additional excess weight penalty table at the end of Schedule 4A	26(n)	\$164.50+
17.	Using Emergency Telecommunications Facility other than for communication relating to accident or emergency, for first offence second offence third or subsequent offence	26(o)	\$135.75 \$164.50 \$222.00

Offence	Section	Out of Court Settlement
18. Riding horse or other animal or driving vehicle drawn by horse or other animal on bridge without permit, for first offence second offence third or subsequent offence	27(a)	\$135.75 \$164.50 \$222.00
19. Driving vehicle more than 2.6 m wide on bridge without permit, for first offence second offence third or subsequent offence	27(b)	\$164.50 \$222.00 \$337.00
20. Driving road roller, tracked equipment or other heavy equipment on bridge without permit, for first offence second offence third or subsequent offence	27(c)	\$279.50 \$452.00 \$797.00
21. Bringing dangerous material on bridge without permit, for first offence second offence third or subsequent offence	27(d)	\$452.00 \$797.00 \$1487.00
22. Driving crane, backhoe, wheel loader, grader, asphalt spreader, forklift, tractor or other vehicle other than car or truck on Angus L. Macdonald Bridge without permit, for first offence second offence third or subsequent offence	27(e)	\$279.50 \$452.00 \$797.00
23. Driving crane, backhoe, wheel loader, grader, asphalt spreader, forklift, tractor or other vehicle other than car or truck between 6 a.m. and 7 p.m. on A. Murray MacKay Bridge without permit, for first offence second offence third or subsequent offence	27(e)	\$279.50 \$452.00 \$797.00

N.S. Reg. 301/2009

Approved: October 6, 2009

Filed: October 8, 2009

Professional Engineers By-laws

Order in Council 2009-432 dated October 6, 2009

Amendment to by-laws made by the Association of Professional Engineers of the Province of Nova Scotia
and approved by the Governor in Council
pursuant to clause 6(l) and Section 32 of the *Engineering Profession Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated September 16, 2009, and pursuant to clause 6(l) and Section 32 of Chapter 148 of the Revised Statutes of Nova Scotia, 1989, the *Engineering Profession Act*, is pleased to approve an amendment made by the Association of Professional Engineers of the Province of Nova Scotia to the by-laws of the Association of Professional Engineers of the Province of Nova Scotia, N.S. Reg. 8/46, approved by the Governor in Council by Order in Council dated May 29, 1946, to increase the administrative fee to \$200.00, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 6, 2009.

Schedule "A"

I certify that the members of Engineers Nova Scotia (formerly the Association of Professional Engineers of Nova Scotia) passed a resolution to amend the By-laws of the Association of Professional Engineers of Nova Scotia, N.S. Reg. 8/46, approved by the Governor in Council by Order in Council dated May 29, 1946, to increase the administrative fee, in the manner set forth in the attached, effective on and after the date they are approved by the Governor in Council.

I further certify that these amendments were duly passed by a majority of over 2/3 of the valid ballots in accordance with Section 32 of Chapter 148 of the Revised Statutes of Nova Scotia, the *Engineering Profession Act*.

Signed at Halifax, in ~~Nova Scotia~~, Nova Scotia, on August 19, 2009.

Association of Professional Engineers of Nova Scotia

Sgd.: *Paul Amyotte*
President

Sgd.: *Len White*
Secretary

**Amendment to the By-Laws of the Association of Professional Engineers
of the Province of Nova Scotia made pursuant to clause 6(l) and Section 32
of Chapter 148 of the Revised Statutes of Nova Scotia, 1989,
the *Engineering Profession Act***

Subsection 13B(3) of the by-laws of the Association of Professional Engineers of the Province of Nova Scotia, N.S. Reg. 8/46, approved by the Governor in Council by Order in Council dated May 29, 1946, is amended by striking out "\$50.00" and substituting "\$200.00".

N.S. Reg. 302/2009

Approved: October 6, 2009

Filed: October 8, 2009

Halifax-Dartmouth Bridge Commission By-law No. 2007-1

Order in Council 2009-423 dated October 6, 2009
By-laws made by the Halifax-Dartmouth Bridge Commission
and approved by the Governor in Council
pursuant to subsection 7(2) of the *Halifax-Dartmouth Bridge Commission Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated September 13, 2009, and pursuant to subsection 7(2) of Chapter 7 of the Acts of 2005, the *Halifax-Dartmouth Bridge Commission Act*, is pleased to:

- (a) approve the repeal by the Halifax-Dartmouth Bridge Commission of the Halifax-Dartmouth Bridge Commission By-laws No. 1, 2 and 3 effective October 6, 2009; and
- (b) approve the making of By-law No. 2007-1 by the Halifax-Dartmouth Bridge Commission in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 6, 2009.

Schedule “A”**By-law of the Halifax-Dartmouth Bridge Commission****By-law No. 2007 – 1****Definitions**

1. In this By-law unless the context otherwise requires, words defined in the Act have the meaning therein given to them and:

“Act” means the *Halifax-Dartmouth Bridge Commission Act*, being Chapter 7 of the Statutes of Nova Scotia, 2005, as amended from time to time;

“authorized” means granted permission, either orally or in writing, to act in a manner contrary to a provision of Part Two of this By-law by the General Manager, a Traffic Officer or a person designated to do so by the General Manager, and for greater certainty a person to whom a Permit has been issued has been authorized to take the actions described in the Permit;

“Commission Property” means the real property and structures which from time to time are either owned by the Commission or by agreement with Halifax Regional Municipality or the Province are maintained or controlled by the Commission, including those located at the east and west end of each Bridge, and for greater certainty include:

- i. in respect of the Angus L. Macdonald Bridge:
 - A the bikeway entrance-exit ramp adjacent to the east-bound exit road leading to Barrington Street, and
 - B the Dartmouth-bound entrance ramp from Barrington Street, and
- ii. in respect of the A. Murray MacKay Bridge:
 - A *in Halifax*: the approach ramps from their respective junctions with Barrington, Robie and Windsor Streets, and

- B *in Dartmouth*: Highway 111 to the eastern boundary of the Victoria Road interchange and the entire area occupied by the Victoria Road interchange as defined by the Nova Scotia Department of Transportation and Infrastructure Renewal;

“Chair” means the Chair of the Commission appointed in accordance with the Act;

“Emergency Telecommunication Facility” means any telecommunication equipment installed by the Commission on a Bridge or other property of the Commission for the purpose of permitting users of the Bridge to report to and communicate with the Commission in the event that an accident or other emergency occurs.

“General Manager” means the employee of the Commission from time to time appointed by the Commission to be the General Manager and Chief Executive Officer of the Commission and includes a person designated to act as such in the absence or temporary inability to act of the General Manager;

“Member” means a member of the Commission appointed in accordance with the Act and includes the Chair and Vice-chair of the Commission;

“Officers” means the Chair, the Vice-chair and the General Manager of the Commission;

“Permit” means a written document concerning travel on a Bridge issued on behalf of the Commission by the General Manager or a person designated by him to do so;

“Roller Skates” includes traditional roller skates, in-line roller skates, Rollerblades, roller skis and similar devices, other than prosthetic devices, equipped with rollers, wheels or other friction reducing contrivance and intended to be worn or affixed to the person;

“Skateboard” includes any device, other than a wheelchair, a baby carriage or an infant stroller, equipped with rollers, wheels or other friction reducing contrivance and intended to be ridden upon without the same being worn or affixed to the person;

“telecommunication” means any transmission, emission or reception of signs, signals, writing, images or sounds or intelligence of any nature by wire, radio, visual or other electromagnetic system;

“Traffic Officer” means a police officer of Halifax Regional Municipality, a member of the Royal Canadian Mounted Police, or any person appointed by the Commission as a traffic officer; and

“Vice-chair” means the Vice-chair of the Commission appointed in accordance with the Act.

Part One - Governance

Meetings

2. The Commission shall meet from time to time as required for the transaction of business.
3. Whenever so directed by the Chair, the General Manager shall call a meeting of the Commission by giving to each Member written notice of the time and place of such meeting at least twenty-four hours before the meeting is to be held. The General Manager shall send [a] copy of the agenda of the meeting with such notice.

4. The General Manager shall call a meeting of the Commission in the manner prescribed in Section 3 of this By-law whenever requested to do so by at least five Members.
5. The Notice referred to in Section 3 of this By-law may be waived and the Commission may, with the consent of the Members, meet and exercise any of its powers or authority without the notice referred to in Section 3 having been given. Such waiver and consent may be given by a Member who does not attend such meeting. Such consent shall be recorded by the signature of each Member to one or more counterparts of the minutes of such meeting and such signature shall be conclusive evidence that each Member so signing has waived notice as herein provided and has consented to the transaction of the business and matters referred to in the minutes to which such signature is appended.
6. A Member may, if all the Members present consent, participate in a meeting of the Commission or of a committee of the Commission by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting. A Member participating in such a meeting by such means is deemed for the purposes of this By-law to be personally present at that meeting.
7. Five Members personally present shall constitute a quorum for the transaction of business at a meeting of the Commission.
8. A resolution in writing, signed by all the Members entitled to vote on that resolution at a meeting of the Commission or committee of the Commission, is as valid as if it had been passed at a meeting of the Commission or committee of the Commission. A copy of every resolution referred to in the preceding sentence shall be kept with the minutes of the proceedings of the Commission or committee of the Commission.
9. Except as provided by Section 10 of this By-law, the Chair shall preside at all meetings of the Commission.
10. If the Chair is ill, absent or for any other reason unable to act, the Vice-chair shall preside at meetings of the Commission; if both the Chair and Vice-chair are ill, absent or for any other reason unable to act, the Members present at any meeting may elect a temporary Chair for such meeting.
11. Except as otherwise provided by the Act or this By-law, the rules of order and procedure set out in the book *Bourinot's Rules of Order* shall govern the conduct of meetings of the Commission and any committee established by the Commission, provided:
 - (a) that the Commission shall be considered as a committee of the whole; and
 - (b) at any meeting of the Commission only items of business shown on the agenda shall be dealt with unless otherwise resolved by a majority of all Members of the Commission.
12. In respect of any motion coming before a meeting of the Commission, each Member, except the Chair, shall have one vote.
13. In the event of a tie the Chair shall have the deciding vote.
14. Unless a ballot is demanded, an entry in the minutes of a meeting to the effect that the Chair of the meeting declared a resolution to be carried or defeated is, in the absence of evidence to the contrary, proof of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

Committees

15. (a) The Commission from time to time may by resolution establish committees, determine their respective mandates and number and terms of service of members thereof and appoint their respective chairs (or provide that a committee shall appoint its own chair), and may similarly terminate any committee so established by it.
- (b) Where the Commission has established a committee and a vacancy exists in the membership, the Chair shall make a recommendation to the Commission as to the identities of the Members (and non-Members where the committee includes one or more persons who are not Members of the Commission) who should be appointed to such committee and the Commission shall have regard to the Chair's recommendation in deciding who to appoint to the committee.
- (c) The Chair and the Vice-chair shall each be, *ex-officio*, a member of all committees.
- (d) The quorum for a meeting of any Committee shall be a simple majority of the members of that Committee.
- (e) Meetings of any Committee shall be held at such times and places as may be decided by the chair of that Committee.

Annual Budgets

16. The Commission shall each year adopt an operating budget and a capital budget for the ensuing fiscal year, and may from time to time vary either of such budgets as circumstances may require. It is the responsibility of the General Manager to operate the activities of the Commission in accordance with each such budget and he shall have authority to do so.

Execution of Documents

17. (a) Except as otherwise provided in the Act, the Commission may by resolution from time to time determine who shall be entitled to sign on its behalf bills, notes, receipts, acceptances, endorsements, cheques, releases, contracts and documents.
- (b) Such resolution may be general or may be restricted to certain of the documents mentioned in paragraph (a) hereof or may be restricted as to the period for which it will remain in force.

General Manager and CEO

18. The Commission shall from time to time appoint an employee of the Commission to be General Manager and Chief Executive Officer of the Commission and may determine the period for which he is to hold office; the General Manager shall have general supervision of the activities of the Commission and shall perform such duties as may be assigned to him by the Commission from time to time.
19. (a) Whenever the General Manager anticipates that he will be absent from Nova Scotia or for any reason temporarily unable to perform the functions of his office, he shall, by notice to the Chair, designate a person to act as General Manager during such absence or inability.
- (b) If the General Manager is absent from Nova Scotia or for any reason temporarily unable to perform the functions of his office, and he has not designated a person to act as General Manager during such absence or inability, or such designated person is also absent from Nova Scotia or for any reason unable to perform the functions of the office, the Chair shall designate a person to act as General Manager during such absence or inability. Within three months of any such designation, the Chair shall report such designation to the Commission, which shall confirm the designation, or designate another person as acting General Manager, or appoint a new General Manager.

Issue of Authorizations and Permits

20. The General Manager and persons from time to time designated by him to do so may
- (a) authorize a person to act in a manner contrary to a provision of Part Two of these By-laws, or
 - (b) issue a Permit.

Recording of Proceedings

21. The General Manager shall arrange for recording of minutes of all meetings of the Commission and each committee established by the Commission; the person from time to time responsible for such recording shall report to and be under the authority of the Chair.

Books and Records; Seal

22. The General Manager shall arrange for the safe custody of the books and records of the Commission and of its corporate seal.

Protection and Indemnity

23. Every Member of the Commission and its duly appointed Officers shall be indemnified by the Commission against, and it shall be the duty of the Commission out of the funds of the Commission to pay, all costs, losses and expenses which any such Member or Officer may incur or become liable to by reason of any contract entered into, or act or thing done by such Member or Officer, or in any way in the discharge of their duties, including travelling expenses.
24. The Commission has authority to purchase insurance in respect of the indemnification of its Members and its duly appointed Officers as herein set out.
25. No Member or Officer of the Commission shall be liable for the acts, receipts, neglect or defaults of any other Member or for joining in any receipt or other act for conformity, or for any loss or expense happening to the Commission through the insufficiency or deficiency of title to any property acquired by order of the Members for or on behalf of the Commission or through the insufficiency or deficiency of any security in or upon which any of the monies of the Commission shall be invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person with whom any money, securities or effects shall be deposited, or for any loss occasioned by error of judgement or oversight on their part, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of their office or in relation thereto unless same happened through their own dishonesty.

Part Two - Use of Commission Property

26. Except for a person authorized by the Commission:
- (a) No person upon Roller Skates or a Skateboard shall use or enter upon any portion of a Bridge or any other Commission Property;
 - (b) No person shall park or leave a vehicle upon Commission Property;
 - (c) No person shall damage Commission Property or any part thereof;
 - (d) No person shall throw from or deposit or leave on Commission Property any material, substance or thing;
 - (e) No person shall throw or otherwise deposit or cause to be thrown or deposited into a fare hopper anything other than Canadian 25 cent, 50 cent, \$1.00 or \$2.00 coins;

- (f) No person shall climb or travel upon any portion of Commission Property other than the vehicular roadbed, or the sidewalk for pedestrians or the bicycle lane for cyclists;
- (g) Unless directed so to do by a Traffic Officer or by a traffic signal, no person shall wilfully drive or operate a vehicle upon a Bridge:
 - (A) at any time at a speed slower than twenty (20) kilometres per hour,
 - (B) on any day that is not a Saturday, Sunday or public holiday in Halifax Regional Municipality, between the hours of 6:00 a.m. and 9:00 a.m. and 3:00 p.m. and 6:00 p.m., at a speed slower than thirty (30) kilometres per hour;
- (h) No person shall ride a bicycle on a Bridge other than on the bike lane on the Angus L. Macdonald Bridge;
- (i) No person shall walk a bicycle on the bike lane of the Angus L. Macdonald Bridge unless it is unsafe to do otherwise;
- (j) No person shall operate a vehicle, other than a bicycle, on the bike lane of the Angus L. Macdonald Bridge;
- (k) No pedestrian shall use or enter upon any portion of the Angus L. Macdonald Bridge other than the sidewalk;
- (l) No person shall use or enter upon any portion of the A. Murray MacKay Bridge unless he or she is a driver of or a passenger in a motor vehicle;
- (m) No person shall drive a motor truck or other vehicle designed to carry freight or merchandise that has a gross vehicle weight of more than 3200 kilograms on the Angus L. Macdonald Bridge;
- (n) No person shall operate upon the A. Murray MacKay Bridge a vehicle or combination of vehicles, either unladen or with load that
 - (i) exceeds the (x) axle weight, (y) gross vehicle weight or (z) maximum weight for an axle assembly permitted on October 31, 2008 for vehicles operating on a Schedule "C" highway specified in Schedule "A" to the *Weights and Dimensions of Vehicles Regulations* (the "Regulations") under Section 191 of the *Motor Vehicle Act* (Nova Scotia); or
 - (ii) otherwise does not comply with the Regulations.

For certainty, words which are defined in the Regulations shall have the same meaning in this section as they respectively are given in the Regulations; and

- (o) No person shall use any Emergency Telecommunication Facility except for the purpose of reporting to the Commission the occurrence of an accident or the existence of an emergency or otherwise communicating with the Commission in respect of such an accident or emergency.

27. Without a Permit:

- (a) No person shall ride a horse or other animal or drive a vehicle drawn by a horse or other animal upon a Bridge;

- (b) No person shall drive a vehicle upon a Bridge which has a total outside width, including any load thereon, greater than 2.6 meters;
 - (c) No person shall drive a road roller, tracked equipment or similar heavy equipment upon a Bridge;
 - (d) No person shall bring upon a Bridge any dynamite or other explosive or dangerous material;
 - (e) No person shall
 - (i) at any time on the Angus L. Macdonald Bridge or
 - (ii) between the hours of 6:00 a.m. and 7:00 p.m. on the A. Murray MacKay Bridge,
drive a crane, backhoe, wheel loader, grader, asphalt spreader, forklift, tractor or other vehicle which is not a car or a truck, that the Commission in its discretion believes likely to impede the normal flow of traffic.
28. The Commission may determine the terms and conditions upon which a Permit may be issued other than those terms and conditions that in any manner relate to the Commission's schedule of rates, tolls and charges, and may designate the Officers or employees of the Commission who may issue a Permit. The Commission may prescribe the form of Permit to be used by the Commission.
29. The Commission has authority to establish policies for the guidance of its staff in exercising the authority of the Commission under Section 26 of the Act to suspend all traffic or restrict traffic or classes of traffic upon a Bridge and stop or prevent violations of the rules, regulations and By-laws of the Commission.
30. This By-law comes into force on the date that it is approved by the Governor in Council, whereupon all By-laws heretofore adopted by the Commission and approved by the Governor in Council are repealed.
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N.S. Reg. 303/2009

Made: October 6, 2009

Filed: October 14, 2009

Renewable Energy Standard Regulations

Order in Council 2009-437 dated October 6, 2009
Amendment to regulations made by the Governor in Council
pursuant to Section 5 of the *Electricity Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated September 29, 2009, and pursuant to Section 5 of Chapter 25 of the Acts of 2004, the *Electricity Act*, is pleased to amend the *Renewable Energy Standard Regulations*, N.S. Reg. 35/2007, made by the Governor in Council by Order in Council 2007-42 dated January 22, 2007, to change the year of commencement of the renewable low impact electricity standard from 2010 to 2011, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 6, 2009.

Schedule "A"**Amendment to the *Renewable Energy Standard Regulations*
made by the Governor in Council under Section 5 of
Chapter 25 of the Acts of 2004,
the *Electricity Act***

- 1 Clause 2(d) of the *Renewable Energy Standard Regulations*, N.S. Reg. 35/2007, made by the Governor in Council by Order in Council 2007-42 dated January 22, 2007, is amended by striking out "Board" and substituting "Administrator".
- 2 The regulations are further amended by repealing the heading immediately before Section 5 and subsection 5(1) and substituting the following heading and subsection:

Renewable energy standard 2011

- 5 (1)** In each of the calendar years 2011 and 2012, each load serving entity must supply its customers with renewable low impact electricity in an amount equal to or greater than 5% of its total sales for that year.
- 3 Clause 6(3)(a) of the regulations is amended by striking out "2010" and substituting "2011".