



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. 53/2023

Made: March 16, 2023

Filed: March 17, 2023

Cap-and-Trade Program Regulations—amendment

Order in Council 2023-79 dated March 16, 2023
Amendment to regulations made by the Governor in Council
pursuant to Section 112Q of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Climate Change dated March 2, 2023, and pursuant to Section 112Q of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to amend the *Cap-and-Trade Program Regulations*, N.S. Reg. 194/2018, made by the Governor in Council by Order in Council 2018-294 dated November 13, 2018, to address emission allowance shortages caused by the delay of the Muskrat Falls hydroelectricity project and clarify purchase limit rules for auctions, in the manner set forth in Schedule “A” attached to and forming a part [part] of the report and recommendation, effective on and after March 16, 2023.

Schedule “A”

**Amendment to the *Cap-and-Trade Program Regulations*
made by the Governor in Council under Section 112Q
of Chapter 1 of the Acts of 1994-95,
the *Environment Act***

- 1 Clause 17(1)(d) of the *Cap-and-Trade Program Regulations*, N.S. Reg. 194/2018, made by the Governor in Council by Order in Council 2018-294 dated November 13, 2018, is amended by adding “sale at auction,” immediately before “sale by agreement”.
- 2 The regulations are further amended by adding the following Section immediately after Section 38:
NSPI not eligible to transfer emission allowances
38A NSPI is not eligible to transfer emission allowances to another program participant under Section 38.
- 3 The regulations are further amended by adding the following subsection immediately after subsection 45(2):
 - (3) Despite subsection (2), the number of emission allowances created by the Minister for 2022 is increased by an additional 2 600 000 emission allowances.
- 4 (1) Section 46 of the regulations is redesignated as subsection 46(1).
 - (2) Section 46 of the regulations is further amended by adding the following subsection immediately after subsection (1):
 - (2) Despite subsection (1) and for the purposes of allocating the emission allowances created under subsection 45(3), on or before June 1, 2023, the Minister must record the emission allowances created under subsection 45(3) in the issuance account.
- 5 Section 47 of the regulations is amended by adding the following subsection immediately after subsection (2):

- (3) Despite subsection (1), this Section does not apply to the emission allowances created under subsection 45(3) and those emission allowances must not be transferred to the reserve account.
- 6 (1) Section 48 of the regulations is redesignated as subsection 48(1).
- (2) Subsection 48(1) of the regulations is amended by striking out “On or before” and substituting “Except as provided under subsection (2), on or before”.
- (3) Section 48 of the regulations is further amended by adding the following subsection immediately after subsection (1):
- (2) For emission allowances created under subsection 45(3), the Minister may complete the transfer of those emission allowances after January 1, but before June 1, 2023, in accordance with subsection (1).
- 7 Section 55 of the regulations is amended by adding the following subsections immediately after subsection (3):
- (4) Despite subsections (2) and (3), NSPI may be allocated without charge an additional 2 600 000 emission allowances for 2022.
- (5) The Minister must allocate 100% of the emission allowances to be allocated without charge to NSPI under subsection (4) on or before June 1, 2023, and transfer those emission allowances to NSPI’s compliance account.
- 8 Clause 66(2)(b) of the regulations is amended by striking out “80 days” and substituting “63 days”.
- 9 The regulations are further amended by adding the following Section immediately after Section 66:
- NSPI not eligible to sell emission allowances by consignment**
- 66A** NSPI is not eligible to sell emission allowances by consignment under Section 66.
- 10 (1) Subsection 73(1) of the regulations is amended by striking out “A program participant” and substituting “Except as may be permitted under Section 73A, a program participant”.
- (2) Subsection 73(2) of the regulations is amended by striking out “A program participant” and substituting “Except as may be permitted under Section 73A, a program participant”.
- (3) Subsection 73(3) of the regulations is amended by adding “Except as may be permitted under Section 73A,” immediately before “NSPI”.
- 11 The regulations are further amended by adding the following Section immediately after Section 73:
- Purchase of outstanding emission obligations at auctions**
- 73A (1)** Despite Section 73, for an auction held in 2023, a program participant, including NSPI with insufficient emission allowances to comply with their obligations under Section 112D of the Act and Section 14, may participate at the auction, subject to the following conditions and purchasing limits:
- (a) the participant at the time of the auction must have insufficient emission allowances to cover their obligations required under Section 112D of the Act;
- (b) the participant is permitted to purchase emission allowances only in an amount

equivalent to the required outstanding emission allowance obligations under clause (a).

- (2) Despite subsection (1), the purchase limits in this Section may be exceeded by the amount required to purchase a full lot of emission allowances, if purchasing a portion of the lot is within the program participant's purchase limits.

N.S. Reg. 54/2023

Made: March 16, 2023

Filed: March 17, 2023

Prescribed Petroleum Products Prices

Order dated March 16, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 55/2023

Made: March 22, 2023

Filed: March 23, 2023

Private Career Colleges Operational Regulations—amendment

Order dated March 22, 2023
Amendment to regulations made by the Minister of Advanced Education
pursuant to Section 37 of the *Private Career Colleges Act*

**In the matter of Section 37 of Chapter 23 of the Acts of 1998,
the *Private Career Colleges Act***

-and-

**In the matter of an amendment to the
Private Career Colleges Operational Regulations
made by the Minister of Advanced Education**

Order

I, Brian Wong, Minister of Advanced Education for the Province of Nova Scotia, pursuant to Section 37 of Chapter 23 of the Acts of 1998, the *Private Career Colleges Act*, hereby amend the *Private Career Colleges Operational Regulations*, N.S. Reg. 96/2016, made by the Minister of Labour and Advanced Education by

order dated May 10, 2016, to exempt occupational training for an occupation from the application of the *Private Career Colleges Act*, in the manner set forth in the attached Schedule “A”, effective on and after the date of this order.

Dated and made March 22, 2023, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Brian Wong*
Honourable Brian Wong
Minister of Advanced Education

Schedule “A”

**Amendment to the *Private Career Colleges Operational Regulations*
made by the Minister of Advanced Education under Section 37
of Chapter 23 of the Acts of 1998,
the *Private Career Colleges Act***

Section 4 of the *Private Career Colleges Operational Regulations*, N.S. Reg. 96/2016, made by the Minister of Labour and Advanced Education by order dated May 10, 2016, is amended by

- (a) striking out the period at the end of clause (f) and substituting a semicolon; and
- (b) adding the following clause immediately after clause (f):
 - (g) medical laboratory technologist, if the course or series of courses making up the occupational training is delivered by the Michener Institute of Education at UHN.

N.S. Reg. 56/2023

Made: March 23, 2023

Filed: March 24, 2023

Prescribed Petroleum Products Prices

Order dated March 23, 2023
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board’s website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

N.S. Reg. 57/2023

Made: March 24, 2023

Filed: March 24, 2023

Spring Weight Restriction Regulations—amendment

Order dated March 24, 2023

Amendment to regulations made by the Acting Director of Operations Services,
Department of Public Works
pursuant to subsection 20(1) of the *Public Highways Act*

**In the matter of subsection 20(1) of
Chapter 371 of the Revised Statutes of Nova Scotia, 1989,
the *Public Highways Act***

Order

I, Darcey MacBain, Acting Director of Operations Services, Department of Public Works, as delegated by the Minister of Public Works under subsection 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, 1989, the *Public Highways Act*, hereby order that Schedule A of the *Spring Weight Restriction Regulations*, N.S. Reg. 31/2018, made by the Executive Director of Maintenance and Operations, Department of Public Works, on ~~March 24, 2023~~ [February 21, 2018], is amended by

(a) under the heading “Colchester County”, adding the following item immediately after item 5:

5A. **Trunk 2**, from Truro Town Line, southerly to Whidden Road[,] 7.3 km.

Dated and made at Halifax, Nova Scotia, on March 24, 2023.

sgd. *Darcey MacBain*

Darcey MacBain

A/Director of Operations Services

Department of Public Works

N.S. Reg. 58/2023

Made: March 28, 2023

Filed: March 28, 2023

Regulations Respecting Part-time Judges of the Provincial Court—amendment

Order in Council 2023-84 dated March 28, 2023

Amendment to regulations made by the Governor in Council
pursuant to subsection 6A(4) of the *Provincial Court Act*

The Governor in Council on the report and recommendation of the Attorney General and Minister of Justice dated March 21, 2023, and pursuant to subsection 6A(4) of Chapter 238 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Court Act*, is pleased to amend the *Regulations Respecting Part-time Judges of the Provincial Court*, N.S. Reg. 185/1991, made by the Governor in Council by Order in Council 91-936 dated August 15, 1991, to extend the term of office of a part-time judge appointed for the purpose of the Desmond Inquiry, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 28, 2023.

Schedule "A"

**Amendment to the *Regulations Respecting Part-time Judges of the Provincial Court*
made by the Governor in Council under subsection 6A(4)
of Chapter 238 of the Revised Statutes of Nova Scotia, 1989,
the *Provincial Court Act***

Subsection 3(2) of the *Regulations Respecting Part-time Judges of the Provincial Court*, N.S. Reg. 185/1991, made by the Governor in Council by Order in Council 91-936 dated August 15, 1991, is amended by striking out "March 31, 2023" and substituting "June 30, 2023".