

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 25, No. 14

July 13, 2001

Contents

Act	Reg. No.	Page
Agricultural Marshland Conservation Act		
Permit for Variance Regulations	80/2001	547
Apprenticeship and Trades Qualifications Act		
Ironworker Trade Regulations - Amendment	79/2001	546
Health Services and Insurance Act		
Pharmacare Tariff Regulations	78/2001	543
Healthcare Services Continuation (2001) Act		
Proclamation, S. 14, S.N.S. 2001, c. 27—except S. 3(1)(a), (c)-(d)	81/2001	549
Income Tax Act		
Nova Scotia Child Benefit Regulations - Amendment	70/2001	532
Municipal Government Act		
Municipal Accounting and Reporting Manual - Amendment	71/2001	534
<i>(Dispensed from publication by O.I.C. 2001-298)</i>		
Wildlife Act		
Bear Harvesting Regulations - Amendment	77/2001	542
Deer Hunting Regulations - Amendment	74/2001	537
Fur Harvesting Regulations - Amendment	76/2001	541
General Wildlife Regulations - Amendment	73/2001	536
Moose Hunting Regulations - Amendment	75/2001	540
Small Game Hunting Regulations - Amendment	72/2001	535

NOW AVAILABLE

The first issue for the 2001 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, is now available from the Office of the Registrar of Regulations. For information or subscriptions please call (902) 424-6723 or visit our website at www.gov.ns.ca/just/regulations/cd.

N.S. Reg. 70/2001

Made: June 15, 2001

Filed: June 22, 2001

Nova Scotia Child Benefit Regulations

Order in Council 2001-279 made June 15, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 80
of the *Income Tax Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated May 17, 2001, and pursuant to Section 80 of Chapter 217 of the Revised Statutes of Nova Scotia, 1989, the *Income Tax Act*, is pleased to amend the *Nova Scotia Child Benefit Regulations* made by the Governor in Council by Order in Council 1998-430 dated August 28, 1998, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 15, 2001.

Schedule "A"

**Amendments to the *Nova Scotia Child Benefit Regulations*
made by the Governor in Council pursuant to Section 80 of Chapter 217
of the Revised Statutes of Nova Scotia, 1989, the *Income Tax Act***

- 1 Section 2 of the *Nova Scotia Child Benefit Regulations* made by the Governor in Council by Order in Council 1998-430 dated August 28, 1998, is amended by
 - (a) adding "or common-law partner" immediately after "spouse" in clause (b);
 - (b) repealing clause (d) and substituting the following clause:
 - (d) "cohabiting spouse" of an individual means the person who at that time is the individual's spouse or common-law partner and who is not living separate and apart from the individual and, for the purpose of this definition, a person shall not be considered to be living separate and apart from an individual at any time unless they were living separate and apart at that time, because of a breakdown of their marriage or common-law partnership, for a period of at least 90 days that includes that time;
 - (c) adding "at that time" immediately after "means a person who" in clause (e); and
 - (d) repealing clause (h) and substituting the following clause:
 - (h) "qualified dependant" means a person who at that time,
 - (i) has not attained the age of 18 years,

- (ii) is not a person in respect of whom an amount was deducted under paragraph (a) of the description of B in subsection 118(1) of the Federal Act in computing the tax payable under Part I of the Federal Act by the person's spouse or common-law partner for the base taxation year in relation to the month that includes that time; and
 - (iii) is not a person in respect of whom a special allowance under the *Children's Special Allowances Act* is payable for the month that includes that time;
- 2 Section 3 of the regulations is amended by adding "or common-law partner" immediately after "spouse".
- 3 (1) Clause 5(4)(a) of the regulations is repealed and the following clause substituted:
 - (a) before the end of a particular month an eligible individual in respect of a qualified dependant begins to live separate and apart from the individual's cohabiting spouse or common-law partner, because of a breakdown of their marriage or common-law partnership, for a period of at least 90 days which includes a day in the particular month; and
- (2) Clause 5(5)(a) of the regulations is amended by adding "or common-law partner" immediately after "spouse".
- 4 The regulations are further amended by striking out "Part I" wherever it appears in Sections 3, 5, 7 and 12 and substituting "Part II".

N.S. Reg. 71/2001

Made: June 22, 2001

Filed: June 25, 2001

Municipal Accounting and Reporting Manual

Order in Council 2001-298 made June 22, 2001
Dispensation from publication made by the Governor in Council
pursuant to subsection 4(3) of the *Regulations Act*
of an Order dated June 22, 2001 (N.S. Reg 71/2001),
made pursuant to Section 451 of the *Municipal Government Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated May 29, 2001, pursuant to subsection 4(3) of Chapter 393 of the Revised Statutes of Nova Scotia, 1989, the *Regulations Act*, is pleased to dispense with the publication in the Royal Gazette Part II of the *Regulation Made by the Minister of Service Nova Scotia and Municipal Relations Pursuant to Section 451 of Chapter 18 of the Statutes of Nova Scotia, 1998, the Municipal Government Act, Respecting Amendments to the Municipal Accounting and Reporting Manual*, made by the Minister on May 29, 2001, and which regulation is set forth in Schedule "A" attached to and forming part of the report and recommendation.

N.S. Reg. 72/2001

Made: June 22, 2001

Filed: June 25, 2001

Small Game Hunting Regulations

Order in Council 2001-284 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 113
of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 23, 2001, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Small Game Hunting Regulations* made by the Governor in Council by Order in Council 87-957 dated August 18, 1987, in the manner set out in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 22, 2001.

Schedule "A"

**Amendments to the *Small Game Hunting Regulations* made by the
Governor in Council pursuant to ~~Chapter 403~~ [Section 113 of Chapter 504]
of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 3 of the *Small Game Hunting Regulations* made by the Governor in Council by Order in Council 87-957 dated August 18, 1987, is amended by adding the following subsection immediately after subsection (6):
 - (7) A person who does not require a Migratory Game Bird Hunting Permit is exempt from the requirement to obtain a Small Game Hunting Licence pursuant to subsection (2) on the day designated as "Waterfowler Heritage Day" under the federal *Migratory Birds Regulations*.
- 2 Clause 5(2)(a) of the regulations is repealed and the following clause substituted:
 - (a) snowshoe hare All counties Nov. 1st to last day of Feb.
- 3 Section 5 of the regulations is further amended by adding the following subsection immediately after subsection (2):
 - (2A) Despite clause (2)(a), no person shall hunt snowshoe hare with a dog from November 1st to November 15th inclusive.

N.S. Reg. 73/2001

Made: June 22, 2001

Filed: June 25, 2001

General Wildlife Regulations

Order in Council 2001-285 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 113
of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 23, 2001, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend subsection 3B(1) of the *General Wildlife Regulations* made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, by striking out “equal to one-half the total cost of the licence being replaced or \$20.00, whichever is less” and substituting “of \$5.00”.

N.S. Reg. 74/2001

Made: June 22, 2001

Filed: June 25, 2001

Deer Hunting Regulations

Order in Council 2001-286 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 113
of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 23, 2001, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Deer Hunting Regulations* made by the Governor in Council by Order in Council 88-348 dated March 29, 1988, in the manner set forth Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 22, 2001.

Schedule "A"

Amendments to the *Deer Hunting Regulations* made by the Governor in Council pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*

- 1 Section 2 of the *Deer Hunting Regulations* made by the Governor in Council by Order in Council 88-348 dated March 29, 1988, is amended by adding the following clause immediately after clause (ba):
 - (bb) "Bonus Deer Hunting Stamp" means a stamp issued by the Department that when affixed to a Deer Hunting Licence, confers on the holder the privilege of hunting an additional antlered or antlerless deer in the specified Deer Management Zone.
- 2 Subsection 3(1) of the regulations is amended by adding the following clause immediately after clause (c):
 - (d) Bonus Deer Hunting Stamp - \$Nil
- 3 Subsection 4(5) of the regulations is amended by repealing clause (c) and substituting the following clause:
 - (c) a valid Antlerless Deer Hunting Stamp, a valid Bonus Deer Hunting Stamp or a valid Bowhunter Stamp, where required by these regulations.
- 4 Section 4A of the regulations is amended by repealing subsections (2), (3), (4), (5) and (6) and substituting the following subsections:
 - (2) For each Deer Management Zone, the Minister may determine, on an annual basis,
 - (a) that the hunting, taking or killing of deer in the Deer Management Zone shall be of
 - (i) antlered deer, and
 - (ii) antlerless deer, either by

- (A) holders of Antlerless Deer Hunting Stamps only, or
 - (B) all holders of Deer Hunting Stamps; or
- (b) that no deer may be hunted, taken or killed in the Deer Management Zone.
- (3) Where no determination has been made for a Deer Management Zone pursuant to subsection (2), the hunting, taking or killing of deer in the Deer Management Zone shall be of antlered deer.
- (4) The Minister may determine on an annual basis the number of Antlerless Deer Hunting Stamps and Bonus Deer Hunting Stamps to be issued in each Deer Management Zone.
- (5) The Minister may issue Antlerless Deer Hunting Stamps and Bonus Deer Hunting Stamps to persons on a random basis from the total number of valid applications received for each stamp in each Deer Management Zone.
- 5 Section 5 of the regulations is repealed and the following Section substituted:
- 5 The bag limit for deer is one per calendar year, except for persons holding Bonus Deer Hunting Stamps.
- 6 The regulations are further amended by adding the following Section immediately after Section 5:
- 5A (1) No person shall take, hunt or kill or attempt to take, hunt or kill antlerless deer unless the person
- (a) holds a valid Antlerless Deer Hunting Stamp and is hunting in the Deer Management Zone specified on the Stamp; or
 - (b) holds a valid Bonus Deer Hunting Stamp and is hunting in the Deer Management Zone specified on the Stamp; or
 - (c) is hunting in a Deer Management Zone determined by the Minister in accordance with paragraph 4A(2)(a)(ii)(B).
- (2) A person who has taken an antlered deer shall ensure that the antlered head remains attached to at least one front quarter of the deer until the deer is processed for storage or consumption.
- 7 Subsection 8(4) of the regulations is amended by adding immediately after “that person” “unless the person has a valid Bonus Deer Hunting Stamp”.
- 8 Clause 10(1)(b) of the regulations is repealed and the following clause substituted:

- (b) the Deer Registration Certificate on the Deer Hunting Licence is completed in accordance with the *Deer Registration Station Regulations*.

9 Sections 14 and 15 of the regulations are repealed.

N.S. Reg. 75/2001

Made: June 22, 2001

Filed: June 25, 2001

Moose Hunting Regulations

Order in Council 2001-287 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 113
of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 23, 2001, and pursuant to subsection 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Moose Hunting Regulations* made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 22, 2001.

Schedule “A”

**Amendment to the *Moose Hunting Regulations* made by the Governor
in Council pursuant to subsection 113(1) of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 5(1) of the *Moose Hunting Regulations* made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, is amended by striking out “Thanksgiving Day Monday in October” and substituting “the last Monday in September”.

N.S. Reg. 76/2001

Made: June 22, 2001

Filed: June 25, 2001

Fur Harvesting Regulations

Order in Council 2001-288 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 113
of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 23, 2001, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Fur Harvesting Regulations* made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after June 22, 2001.

Schedule “A”

**Amendments to the *Fur Harvesting Regulations* made by the
Governor in Council pursuant to Section 113 of Chapter 504
of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 11(14) of the *Fur Harvesting Regulations* made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, is repealed and the following subsection substituted:

- (14) No person shall set a leg or foot hold trap to take a fur-bearing animal unless
- (a) the trap is set for beaver, otter, mink or muskrat and is attached to a device that is designed to submerge the animal and prevent it from resurfacing;
 - (b) the trap is set for muskrat or mink and is sufficiently heavy to submerge the mink or muskrat and prevent the animal from resurfacing;
 - (c) the trap is set for weasel, red squirrel or mink and is set in such a manner as to kill the animal immediately upon the springing of the trap;
 - (d) the trap is set for a raccoon and has jaws which are padded with rubber compound specifically designed to reduce injury to the animal or is an egg trap;
 - (e) the trap is set for fox; or
 - (f) the trap is set for bobcat, lynx or coyote and has been modified to improve humaneness by such means as laminating the jaws, off-setting the jaws, padding the jaws, using a trap that incorporates a snare, or other similarly effective means of improving humaneness.

N.S. Reg. 77/2001

Made: June 22, 2001

Filed: June 25, 2001

Bear Harvesting Regulations

Order in Council 2001-289 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 113
of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 23, 2001, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Bear Harvesting Regulations* made by the Governor in Council by Order in Council 88-349 dated March 29, 1988, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 22, 2001.

Schedule "A"

**Amendments to the *Bear Harvesting Regulations* made by the
Governor in Council pursuant to Section 113 of Chapter 504
of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Clause 10(2)(b) of the *Bear Hunting Regulations* made by the Governor in Council by Order in Council 88-349 dated March 29, 1988, is amended by striking out ", a registered master guide".
- 2 Clause 10(2)(f) of the regulations is repealed and the following clause substituted:
 - (f) No person shall hunt for bear except at a bait site, the location of which has been identified, approved and registered with the Department for the purpose of hunting, and
 - (i) unless the person is the registrant of the bait site, or
 - (ii) if the person is not the registrant of the bait site, unless the person carries the written approval of the registrant on their person while using the bait site.
- 3 Section 11 of the regulations is repealed and the following Section substituted:
 - 11** The holder of a Bear Hunting Licence or a Resident Bear Snaring Licence shall, not later than 2 weeks after the end of the season for which the licence was issued,
 - (a) complete and return to an area office of the Department an information return as required by the Minister; and
 - (b) where the licence holder has killed a bear, submit the lower jawbone or skull of the bear to an area office of the Department for extraction of a pre-molar tooth together with the completed information return required under clause (a).

N.S. Reg. 78/2001

Made: June 22, 2001

Filed: June 25, 2001

Pharmacare Tariff Regulations

Order in Council 2001-294 made June 22, 2001
Regulations approved by the Governor in Council
pursuant to Section 13
of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated June 13, 2001, and pursuant to Section 13 of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased, effective on and after April 1, 2001, to:

- (a) repeal the Pharmacare Tariff Regulations made by the Minister of Health and approved by the Governor in Council by Order in Council 1998-543 dated October 28, 1998;
- (b) approve of new regulations made by the Minister of Health respecting a pharmacare tariff in the form set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (c) approve the authorization by the Minister of Health of payments in respect of the tariff approved by this Order.

Schedule "A"

**Regulations Respecting a Pharmacare Tariff
made pursuant to Section 13 of Chapter 197 of the
Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act***

Citation

1 These regulations may be cited as the *Pharmacare Tariff Regulations*.

Interpretation

2 In these regulations,

- (a) "AAC" means the actual acquisition cost of a prescription drug, determined in accordance with Section 3;
 - (b) "Act" means the *Health Services and Insurance Act*;
 - (c) "MAC" means the maximum allowable drug cost in an interchangeable drug category established pursuant to the Insured Prescription Drug Plan.
- 3 (1) The AAC of a prescription drug shall be determined by deducting the total value of rebates, allowances and free products received by a provider in respect of the purchase of the prescription drug, from the cost of the prescription drug to the provider.
- (2) The cost of a prescription drug to a provider shall be determined by averaging the price that the provider paid for it over the period in respect of which the provider is making a claim, regardless of whether the current price for the drug is different than the price in effect when the drug was dispensed.

- (3) Despite subsection (1), an incentive for payment within 15 days, up to a maximum of 2%, shall not be included in the calculation of the AAC.
- (4) No mark-up or buying profit shall be included in the calculation of the AAC.

Tariff

- 4 (1) The pharmacare tariff for prescription drugs effective April 1, 2001, to March 31, 2004, is the lesser of
- (a) the usual and customary charges to cash customers of the provider; and
 - (b) with respect to
 - (i) insured compounds, the AAC plus a professional fee of 1.5 times the applicable professional fee in subsection (2),
 - (ii) insulin, the AAC plus the applicable professional fee in subsection (2),
 - (iii) diabetic supplies, the AAC plus the applicable professional fee in subsection (2),
 - (iv) oral contraceptives, the AAC plus the applicable professional fee in subsection (2),
 - (v) over-the-counter drugs, the AAC plus the applicable professional fee in subsection (2),
 - (vi) ostomy supplies, the AAC plus 10%, plus the applicable professional fee in subclause (2)(a)(i), (b)(i) or (c)(i), regardless of the drug ingredient cost;
 - (vii) injectables, exclusive of immunization programs, the AAC plus 10%, plus the applicable professional fee in subclause (2)(a)(i), (b)(i) or (c)(i), regardless of the drug ingredient cost; and
 - (viii) all other prescription drugs, the AAC plus the applicable professional fee in subsection (2).
- (2) The professional fee to be used in the calculations in subsection (1) shall be,
- (a) effective April 1, 2001, to March 31, 2002,
 - (i) not more than \$9.17 for a prescription with a drug ingredient cost of up to \$120, and
 - (ii) not more than \$13.75 for a prescription with a drug ingredient cost of more than \$120;
 - (b) effective April 1, 2002, to March 31, 2003,
 - (i) not more than \$9.35 for a prescription with a drug ingredient cost of up to \$125, and

- (ii) not more than \$14.02 for a prescription with a drug ingredient cost of more than \$125;
and
- (c) effective April 1, 2003, to March 31, 2004,
 - (i) not more than \$9.54 for a prescription with a drug ingredient cost of up to \$130, and
 - (ii) not more than \$14.31 for a prescription with a drug ingredient cost of more than \$130.
- (3) Despite subclause 4(1)(b)(viii), where an MAC has been established, it shall be substituted for the AAC.

Ministerial authorization

5 The Minister may authorize payments in respect of the tariff as set out in these regulations.

N.S. Reg. 79/2001

Made: June 22, 2001

Filed: June 25, 2001

Ironworker Trade Regulations

Order in Council 2001-296 made June 22, 2001
Amendment to regulations made by the Governor in Council
pursuant to Section 41
of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Education dated May 23, 2001, and pursuant to Section 41 of Chapter 17 of the Revised Statutes of Nova Scotia, 1989, the *Apprenticeship and Trades Qualifications Act*, is pleased to amend the *Ironworker Trade Regulations* made by the Governor in Council by Order in Council 1999-149 dated April 7, 1999, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 22, 2001.

Schedule "A"

**Amendments to the *Ironworker Trade Regulations*
made by the Governor in Council pursuant to Section 41
of Chapter 17 of the Revised Statutes of Nova Scotia, 1989,
the *Apprenticeship and Trades Qualifications Act***

- 1 Subsection 4(1) of the *Ironworker Trade Regulations* made by the Governor in Council by Order in Council 1999-149 dated April 7, 1999, is amended by striking out "8000" and substituting "6000".
- 2 Subsection 9(2) of the regulations is amended by
 - (a) striking out "85% of the journeyperson's rate in place of employment;" and substituting "90% of the journeyperson's rate in place of employment."; and
 - (b) striking out the last two lines.
- 3 Subclause 11(a)(i) of the regulations is amended by striking out "12 000" and substituting "9000".
- 4 Subclause 11(a)(ii) of the regulations is amended by striking out "10 000" and substituting "8000".

N.S. Reg. 80/2001

Made: June 25, 2001

Filed: June 27, 2001

Permit for Variance Regulations

Order dated June 25, 2001
Regulations made under clause 51(1)(d) of the
Agricultural Marshland Conservation Act

ORDER

IN THE MATTER OF CLAUSE 51(1)(d) OF CHAPTER 22 OF THE ACTS OF 2000, THE *AGRICULTURAL MARSHLAND CONSERVATION ACT*

I, Ernest L. Fage, Minister, Agriculture and Fisheries for the Province of Nova Scotia, pursuant to clause 51(1)(d) of Chapter 22 of the Acts of 2000, the *Agricultural Marshland Conservation Act*, do hereby make regulations pursuant to clause 51(1)(d) in the form set forth in Schedule "A" attached.

Halifax, Nova Scotia
June 25, 2001

(Signed) *Ernest L. Fage*
Ernest L. Fage, Minister
Agriculture and Fisheries

Regulations Respecting Permits for Variance made pursuant to clause 51(1)(d) of Chapter 22 of the Acts of 2000, the [*Agricultural*] *Marshland Conservation Act*

- 1 These regulations may be cited as the *Permit for Variance Regulations*.
- 2 In these regulations,
 - (a) "Act" means the [*Agricultural*] *Marshland Conservation Act*;
 - (b) "permit for variance" means a permit issued by the Marshland Administrator pursuant to Section 41 of the Act for development in a marshland section.
- 3 An application for a permit for variance shall be in a form specified by the Marshland Administrator and shall be submitted to the Marshland Administrator together with
 - (a) a letter from the municipal development officer for the municipality in which the proposed development is to occur, indicating that the proposed development is permitted under the land-use by-laws of the municipality;
 - (b) where there is a marsh body incorporated for the marshland section in which the proposed development is to occur, a letter from the marsh body executive committee indicating that the proposed development is permitted under the rules of the marsh body; and
 - (c) a map showing the location of the proposed development.

- 4 (1)** Subject to Section 5, where an applicant has properly completed an application and submitted it with accompanying documents pursuant to Section 3, the Marshland Administrator shall issue a permit for variance if the lot where proposed development is to occur
- (a) existed prior to November 7, 2000, and is less than 0.5 ha in area; and
 - (b) is within 50 m of a lot to which subsection 41(6) of the Act applies.
- (2)** Despite clause (1)(a), a lot that is greater than 0.5 ha in area may be considered for a permit for variance, in the discretion of the Marshland Administrator.
- 5** The Marshland Administrator shall not issue a permit for variance to an applicant if the development proposed by the applicant
- (a) substantially interferes with drainage or other works in a way that negatively impacts on the existing agricultural activity or the agricultural potential of the marshland section;
 - (b) consists of removing topsoil from the marshland section; or
 - (c) is contrary to any applicable municipal land-use by-law or rules of a marsh body.
- 6** Where an applicant is granted a permit for variance, the Administrator shall give notice in writing to the clerk of the municipality in which the proposed development is to occur and, where applicable, to the secretary of the relevant marsh body's executive committee, of the final decision to grant the permit for variance.

N.S. Reg. 81/2001

Made: June 27, 2001

Filed: June 29, 2001

Proclamation, S. 14, S.N.S. 2001, c. 27

Order in Council 2001-303 made June 27, 2001
Proclamation made by the Governor in Council
pursuant to Section 14
of the *Healthcare Services Continuation (2001) Act*

The Governor in Council on the report and recommendation of the Minister of Health dated June 27, 2001, pursuant to Section 14 of Chapter 27 of the Acts of 2001, the *Healthcare Services Continuation (2001) 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 Chapter 27 of the Acts of 2001, the *Healthcare Services Continuation (2001) Act*, except clauses (a), (c) and (d) of subsection (1) of Section 3, come into force on and not before June 27, 2001.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 14 of Chapter 27 of the Acts of 2001, the *Healthcare Services Continuation (2001) Act*, it is enacted as follows:

- 14 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 27 of the Acts of 2001, the *Healthcare Services Continuation (2001) Act*, except clauses (a), (c) and (d) of subsection (1) of Section 3, come into force on and not before June 27, 2001;

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 27 of the Acts of 2001, the *Healthcare Services Continuation (2001) Act*, except clauses (a), (c) and (d) of subsection (1) of Section 3, come into force on and not before June 27, 2001, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 27th day of June, in the year
of Our Lord two thousand and one and in the
50th year of Our Reign.

BY COMMAND:

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