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Contents

Act	Reg. No.	Page
Education Act		
Proclamation of amendments to Act, S. 2, S.N.S. 2006, c. 27	277/2008	589
Governor in Council Education Act Regulations—amendment	278/2008	590
–amendment	279/2008	591
–amendment	280/2008	592
–amendment	281/2008	593
Petroleum Products Pricing Act		
Prescribed Petroleum Products Prices	273/2008	582
Prescribed Petroleum Products Prices	274/2008	584
Provincial Parks Act		
West Mabou Beach Provincial Park Designation—amendment	276/2008	587
Off-Highway Vehicles Act		
Prohibition of Off-Highway Vehicle Use in Pockwock Lake Watershed Protected Water Area	275/2008	586

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. 273/2008

Made: May 15, 2008

Filed: May 16, 2008

Prescribed Petroleum Products Prices

Order dated May 15, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

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

- and -

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

- and -

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

Order

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

- (a) repeal the Order dated May 8, 2008, which prescribed prices May 9, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on May 16, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on May 15, 2008.

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

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on May 16, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	82.7
Mid-grade unleaded gasoline	85.7
Premium unleaded gasoline	88.7
Ultra low-sulfur diesel oil	101.2

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	114.5	4.0	5.5	4.0	999.9	133.9	135.6	133.9	999.9
Mid-Grade Unleaded	117.5	4.0	5.5	4.0	999.9	137.3	139.0	137.3	999.9
Premium Unleaded	120.5	4.0	5.5	4.0	999.9	140.7	142.4	140.7	999.9
Ultra Low-Sulfur Diesel	126.9	4.0	5.5	4.0	999.9	147.9	149.6	147.9	999.9
Zone 2									
Regular Unleaded	114.9	4.0	5.5	4.0	999.9	134.4	136.1	134.4	999.9
Mid-Grade Unleaded	117.9	4.0	5.5	4.0	999.9	137.7	139.4	137.7	999.9
Premium Unleaded	120.9	4.0	5.5	4.0	999.9	141.1	142.8	141.1	999.9
Ultra Low-Sulfur Diesel	127.3	4.0	5.5	4.0	999.9	148.4	150.1	148.4	999.9
Zone 3									
Regular Unleaded	115.4	4.0	5.5	4.0	999.9	134.9	136.6	134.9	999.9
Mid-Grade Unleaded	118.4	4.0	5.5	4.0	999.9	138.3	140.0	138.3	999.9
Premium Unleaded	121.4	4.0	5.5	4.0	999.9	141.7	143.4	141.7	999.9
Ultra Low-Sulfur Diesel	127.8	4.0	5.5	4.0	999.9	148.9	150.6	148.9	999.9
Zone 4									
Regular Unleaded	115.4	4.0	5.5	4.0	999.9	134.9	136.6	134.9	999.9
Mid-Grade Unleaded	118.4	4.0	5.5	4.0	999.9	138.3	140.0	138.3	999.9
Premium Unleaded	121.4	4.0	5.5	4.0	999.9	141.7	143.4	141.7	999.9
Ultra Low-Sulfur Diesel	127.8	4.0	5.5	4.0	999.9	148.9	150.6	148.9	999.9
Zone 5									
Regular Unleaded	115.4	4.0	5.5	4.0	999.9	134.9	136.6	134.9	999.9
Mid-Grade Unleaded	118.4	4.0	5.5	4.0	999.9	138.3	140.0	138.3	999.9
Premium Unleaded	121.4	4.0	5.5	4.0	999.9	141.7	143.4	141.7	999.9
Ultra Low-Sulfur Diesel	127.8	4.0	5.5	4.0	999.9	148.9	150.6	148.9	999.9

Zone 6									
Regular Unleaded	116.2	4.0	5.5	4.0	999.9	135.8	137.5	135.8	999.9
Mid-Grade Unleaded	119.2	4.0	5.5	4.0	999.9	139.2	140.9	139.2	999.9
Premium Unleaded	122.2	4.0	5.5	4.0	999.9	142.6	144.3	142.6	999.9
Ultra Low-Sulfur Diesel	128.6	4.0	5.5	4.0	999.9	149.8	151.5	149.8	999.9

N.S. Reg. 274/2008

Made: May 22, 2008

Filed: May 23, 2008

Prescribed Petroleum Products Prices

Order dated May 22, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

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

- and -

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

- and -

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

Order

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

- (a) repeal the Order dated May 15, 2008, which prescribed prices May 16, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on May 23, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on May 22, 2008.

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

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on May 23, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	84.2
Mid-grade unleaded gasoline	87.2
Premium unleaded gasoline	90.2
Ultra low-sulfur diesel oil	106.7

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	116.0	4.0	5.5	4.0	999.9	135.6	137.3	135.6	999.9
Mid-Grade Unleaded	119.0	4.0	5.5	4.0	999.9	139.0	140.7	139.0	999.9
Premium Unleaded	122.0	4.0	5.5	4.0	999.9	142.4	144.1	142.4	999.9
Ultra Low-Sulfur Diesel	132.4	4.0	5.5	4.0	999.9	154.1	155.8	154.1	999.9
Zone 2									
Regular Unleaded	116.4	4.0	5.5	4.0	999.9	136.1	137.7	136.1	999.9
Mid-Grade Unleaded	119.4	4.0	5.5	4.0	999.9	139.4	141.1	139.4	999.9
Premium Unleaded	122.4	4.0	5.5	4.0	999.9	142.8	144.5	142.8	999.9
Ultra Low-Sulfur Diesel	132.8	4.0	5.5	4.0	999.9	154.6	156.3	154.6	999.9
Zone 3									
Regular Unleaded	116.9	4.0	5.5	4.0	999.9	136.6	138.3	136.6	999.9
Mid-Grade Unleaded	119.9	4.0	5.5	4.0	999.9	140.0	141.7	140.0	999.9
Premium Unleaded	122.9	4.0	5.5	4.0	999.9	143.4	145.1	143.4	999.9
Ultra Low-Sulfur Diesel	133.3	4.0	5.5	4.0	999.9	155.1	156.8	155.1	999.9
Zone 4									
Regular Unleaded	116.9	4.0	5.5	4.0	999.9	136.6	138.3	136.6	999.9
Mid-Grade Unleaded	119.9	4.0	5.5	4.0	999.9	140.0	141.7	140.0	999.9
Premium Unleaded	122.9	4.0	5.5	4.0	999.9	143.4	145.1	143.4	999.9
Ultra Low-Sulfur Diesel	133.3	4.0	5.5	4.0	999.9	155.1	156.8	155.1	999.9
Zone 5									
Regular Unleaded	116.9	4.0	5.5	4.0	999.9	136.6	138.3	136.6	999.9
Mid-Grade Unleaded	119.9	4.0	5.5	4.0	999.9	140.0	141.7	140.0	999.9
Premium Unleaded	122.9	4.0	5.5	4.0	999.9	143.4	145.1	143.4	999.9
Ultra Low-Sulfur Diesel	133.3	4.0	5.5	4.0	999.9	155.1	156.8	155.1	999.9

Zone 6									
Regular Unleaded	117.7	4.0	5.5	4.0	999.9	137.5	139.2	137.5	999.9
Mid-Grade Unleaded	120.7	4.0	5.5	4.0	999.9	140.9	142.6	140.9	999.9
Premium Unleaded	123.7	4.0	5.5	4.0	999.9	144.3	146.0	144.3	999.9
Ultra Low-Sulfur Diesel	134.1	4.0	5.5	4.0	999.9	156.1	157.7	156.1	999.9

N.S. Reg. 275/2008

Made: May 20, 2008

Filed: May 23, 2008

Prohibition of Off-Highway Vehicle Use in
Pockwock Lake Watershed Protected Water Area

Order dated May 20, 2008
made by the Minister of Environment
pursuant to Section 12F of the *Off-Highway Vehicles Act*

**In the matter of Section 12F of Chapter 323 of the Revised Statutes of
Nova Scotia, 1989, the *Off-Highway Vehicles Act***

- and -

In the matter of prohibition of off-highway vehicle use in a drinking-water supply area

Order

Whereas Section 12F of the Revised Statutes of Nova Scotia, 1989, the *Off-Highway Vehicles Act* provides:

- 12F (1) At the request of the water works operator for a drinking-water supply area, the Minister of Environment and Labour may, for the protection of water quality in the supply area, make an order, consistent with any applicable source-water protection plan, controlling, prohibiting or regulating off-highway vehicle use in the supply area.
- (2) No person shall operate an off-highway vehicle in a drinking-water supply area contrary to an order made pursuant to subsection (1). ~~2005, c. 56, s. 7.~~

And whereas the Halifax Regional Water Commission (the "Commission") is the waterworks operator responsible for ensuring that Halifax and surrounding areas have sustainable, safe drinking-water supplies. As part of the waterworks operator's long-term drinking-water supply plan for the Pockwock Watershed, it was designated pursuant to Nova Scotia Reg. 12/1995 [N.S. Reg. 12/95], December 21, 1994 as a protected water area.

And whereas the Commission has requested that the Minister of Environment prohibit off-highway vehicle use in the Pockwock Lake Watershed Protected Water Area.

Therefore, I, Mark Parent, Minister of Environment for the Province of Nova Scotia, pursuant to Section 12F of the Revised Statutes of Nova Scotia, [1989,] the *Off-Highway Vehicles Act*, do hereby make the following Order:

No person shall operate an off-highway vehicle on or through the Pockwock Lake Watershed Protected Water Area as designated by N.S. Reg. 12/95, December, 21, 1994,

without the written permission of the Commission. For the purpose of this Order “written permission” has the same meaning as provided for in clause 1A(1)(b) of the *Off-Highway Vehicles General Regulations*, N.S. Reg. 13/88. This Order does not apply to peace officers, as defined in the *Off-Highway Vehicles Act*, in the performance of their duties.

Dated and made at Halifax, Nova Scotia, 20 May, 2008.

Sgd.: *Mark Parent*
Hon. Mark Parent
Minister of Environment

N.S. Reg. 276/2008

Made: May 27, 2008

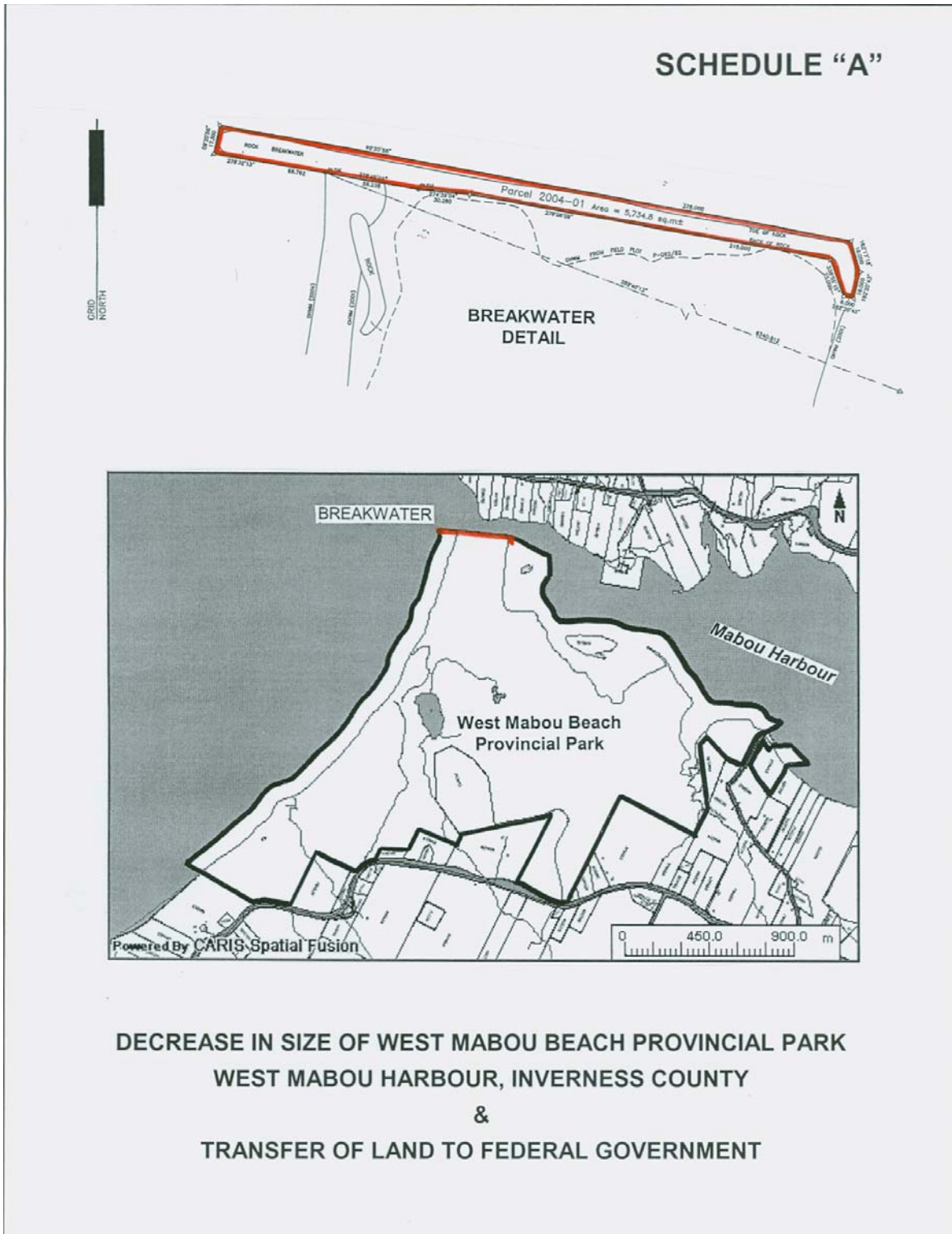
Filed: May 27, 2008

West Mabou Beach Provincial Park Designation

Order in Council 2008-277 dated May 27, 2008
Amendment to designation made by the Governor in Council
pursuant to Section 8 of the *Provincial Parks Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated May 7, 2008, is pleased, effective on and after May 27, 2008:

- (a) pursuant to Section 8 of Chapter 367 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Parks Act*, to decrease the size of West Mabou Beach Provincial Park, designated by Order in Council 2001-415 dated August 23, 2001, by removing approximately 5734.8 square metres of land as shown outlined in red on the plan marked Schedule “A” attached to and forming part of the report and recommendation; and [N.S. Reg. 276/2008.]
- (b) pursuant to clause 16(1)(c) of Chapter 114 of the Revised Statutes of Nova Scotia, 1989, the *Crown Lands Act*, to approve the transfer of the administration and control of the land shown outlined in red on the plan marked Schedule “A” attached to and forming part of the report and recommendation to Her Majesty the Queen in right of Canada for the consideration of \$1.00, and to authorize the Minister of Natural Resources to execute such documents as may be necessary to achieve the purposes of this Order. [Clause (b) not filed as a regulation.]



N.S. Reg. 277/2008

Made: May 27, 2008

Filed: May 27, 2008

Proclamation, S. 2, S.N.S. 2006, c. 27

Order in Council 2008-278 dated May 27, 2008

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act

The Governor in Council on the report and recommendation of the Minister of Education dated March 25, 2008, and pursuant to Section 2 of Chapter 27 of the Acts of 2006, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, is pleased to order and declare by proclamation that Chapter 27 of the Acts of 2006, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, do come into force on and not before May 27, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 2 of Chapter 27 of the Acts of 2006, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 27 of the Acts of 2006, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, do come into force on and not before May 27, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 27 of the Acts of 2006, *An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act*, do come into force on and not before May 27, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

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

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 27th day of May in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

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

N.S. Reg. 278/2008

Made: May 27, 2008

Filed: May 27, 2008

Governor in Council Education Act Regulations

Order in Council 2008-279 dated May 27, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated May 6, 2008, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 2007, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on or after May 27, 2008.

Schedule "A"

**Amendment to the Governor in Council Education Act Regulations
made pursuant to subsection 146(e) of Chapter 1 of the
Acts of 1995-96, the Education Act**

Section 20 of the *Governor in Council Education Act Regulations*, N.S. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, is amended by repealing subsections (2) to (4) and substituting the following subsections:

- (2) The Minister may, for cause, take any of the following actions respecting a certificate or permit:
- (a) issue a letter of caution to the holder of a certificate or permit;
 - (b) issue a letter of reprimand to the holder of a certificate or permit;
 - (c) suspend a certificate or permit with or without restrictions or conditions on the reinstatement of the certificate or permit;
 - (d) cancel a certificate or permit.

- (3) The Minister shall send the holder of a certificate or permit a copy of the investigation report prepared by the Department at least 30 days before taking any of the actions listed in subsection (2), and the holder of the certificate or permit may provide a written response to the investigation report.
 - (4) An investigation report sent under subsection (3) shall state the reasons for the Minister's decision to take any of the actions listed in subsection (2) and no other reason may be added later.
 - (5) If the Minister does not take any of the actions listed in subsection (2) after an investigation, the Minister shall send a notice in writing of the decision to the holder of the certificate or permit no later than 30 days after the date of the Minister's decision.
 - (6) The Minister shall immediately report any suspension or cancellation of a certificate or permit made under this Section, including any restrictions or conditions on the certificate or permit to all of the following:
 - (a) all school boards in the Province;
 - (b) all teacher certification authorities within Canada;
 - (c) any teacher certification authorities outside of Canada the Minister considers appropriate.
 - (7) The Minister may disclose information obtained in the course of an investigation that results in a certificate or permit being suspended or cancelled under this Section to any teaching authority that requests the information, and may include details relating to any restrictions or conditions on the reinstatement of the certificate or permit.
 - (8) The Minister may, in the Minister's absolute discretion, reinstate a certificate or permit that has been suspended or cancelled under this Section.
 - (9) A holder of a certificate or permit may voluntarily surrender their certificate or permit to the Minister.
-

N.S. Reg. 279/2008

Made: May 27, 2008

Filed: May 27, 2008

Governor in Council Education Act Regulations

Order in Council 2008-280 dated May 27, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated May 6, 2008, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on or after May 27, 2008.

Schedule "A"**Amendment to the *Governor in Council Education Act Regulations*
made pursuant to Section 146 of Chapter 1 of the
Acts of 1995-96, the *Education Act***

Section 30 of the *Governor in Council Education Act Regulations*, N.S. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, is amended by repealing subclause 30S(2)(d)(ii) and substituting the following subclause:

- (ii) an approved program of professional studies completed in another jurisdiction that consists of a minimum of 30 semester hours of course work, including practicum.

N.S. Reg. 280/2008

Made: May 27, 2008

Filed: May 27, 2008

Governor in Council Education Act Regulations

Order in Council 2008-281 dated May 27, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated May 6, 2008, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on or after May 27, 2008.

Schedule "A"**Amendment to the *Governor in Council Education Act Regulations*
made by the Governor in Council pursuant to clause 146(1)(e) of
Chapter 1 of the Acts of 1995-96, the *Education Act***

Section 16 of the *Governor in Council Education Act Regulations*, N.S. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, is amended by repealing subsection (2) and substituting the following subsections:

- (2) The Minister shall appoint a Certification Appeals Committee composed of three persons, one of whom shall be nominated by the Nova Scotia Teachers' Union, one of whom shall be nominated by the Minister, and one of whom shall be a person chosen from among the regional education officers who is acceptable to the two parties and who shall be chair.
- (3) Each member of the Certification Appeals Committee holds office during the term, not exceeding three years, prescribed in their appointment and may be reappointed.

- (4) A member of the Certification Appeals Committee whose term expires continues to hold office until reappointed or a successor is appointed.
 - (5) If the term of office of a member of the Certification Appeals Committee expires during the course of a review being conducted by the Committee, that member must remain part of the Committee until the review is concluded.
 - (6) The Minister shall fill any vacancy on the Certification Appeals Committee by appointing a person in accordance with subsection (2) to fill the former member's unexpired term.
 - (7) On the recommendation of the Certification Appeals Committee, the Minister may revoke the appointment of any member of the Certification Appeals Committee who misses three consecutive meetings.
-

N.S. Reg. 281/2008

Made: May 27, 2008

Filed: May 27, 2008

Governor in Council Education Act Regulations

Order in Council 2008-282 dated May 27, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated May 6, 2008, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on or after May 27, 2008.

Schedule "A"

**Amendment to the *Governor in Council Education Act Regulations*
made by the Governor in Council pursuant to clause 146(1)(e) of Chapter 1 of the
Acts of 1995-96, the *Education Act***

Section 17 of the *Governor in Council Education Act Regulations*, N.S. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, is repealed and the following Section substituted:

- 17 (1)** In this Section,
- (a) "applicant" means a person who applies to the Minister for any class of teacher's certificate; and
 - (b) "review" means a review by the Certification Appeals Committee of a decision by the Minister to refuse an application for a class of teacher's certificate.

- (2) The Minister may refuse to grant a class of teacher's certificate an applicant has applied for if the Minister has reasonable grounds to believe that the applicant does not fulfill the requirements specified in these regulations for the granting of the certificate.
- (3) If the Minister refuses an application for a class of teacher's certificate, the Minister shall notify the applicant in writing of the refusal and the reasons for the refusal by ordinary mail no later than 45 days after the date the Minister received the application.
- (4) Subsection (3) does not apply if the Minister refuses to grant a class of teacher's certificate an applicant has applied for by reason that the applicant's teacher's certificate is suspended or cancelled.
- (5) A notice under subsection (3) shall state that the applicant may request a review in accordance with subsection (6) and shall specify any written submissions that the Certification Appeals Committee requires for the review.
- (6) A request for review must be
 - (a) in writing;
 - (b) accompanied by any written submissions required by the Certification Appeals Committee, as specified in the notice to the applicant in accordance with subsection (5); and
 - (c) received by the Minister no later than 180 days after the date of the notice to the applicant under subsection (3).
- (7) Except as provided in subsection (8), and subject to subsection (10), if an applicant requests a review, the Certification Appeals Committee must conduct a review.
- (8) The Certification Appeals Committee may refuse to conduct a review if in its opinion the request for review is frivolous, vexatious, an abuse of process, not submitted in accordance with this Section, or outside the jurisdiction of the Committee.
- (9) At an applicant's request, the Certification Appeals Committee may extend the time prescribed in clause (6)(c) for requesting a review if it is satisfied that there are apparent grounds for recommending relief and that there are reasonable grounds to grant the extension.
- (10) The Certification Appeals Committee shall ensure that both an applicant who requests a review and the Minister are given at least 14 days in which to examine and to make submissions on any document that the Committee intends to consider when it conducts the review.
- (11) The Certification Appeals Committee shall schedule a date for a review on being satisfied of all of the following:
 - (a) the applicant has complied with the requirements of this Section in requesting the review;
 - (b) both the applicant and the Minister have had at least 14 days in which to examine all the documents in accordance with subsection (10);
 - (c) the review is one that should proceed according to this Section.
- (12) An applicant for whom a review is conducted may attend the review, may be accompanied by another person at the review, or may be represented by another person at the review.

- (13) On completing a review, and no later than 10 days after the date the Certification Appeals Committee makes its final decision, the Committee must make a recommendation in writing to the Minister, including its reasons for the recommendation, to do one of the following:
- (a) grant the class of teacher's certificate applied for;
 - (b) grant the class of teacher's certificate applied for after the applicant fulfills conditions specified by the Committee, including certain of the requirements specified in these regulations for the granting of the class of certificate applied for;
 - (c) refuse to grant the class of teacher's certificate applied for.
- (14) The Minister shall consider the recommendation of the Certification Appeals Committee and advise the Committee of the decision of the Minister.
- (15) The chair of the Certification Appeals Committee shall notify the applicant of the decision of the Minister by providing the applicant with a copy of the Committee's recommendation and the Minister's decision no later than 30 days after the date the Committee makes its recommendation to the Minister.