

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. 85/2008

Made: February 5, 2008

Filed: February 21, 2008

Conferral of Crown Corporation Status on Nova Scotia Strategic
Opportunities Fund IncorporatedOrder in Council 2008-35 dated February 19, 2008
Regulations made by the Governor in Council
pursuant to Section 70 of the
Provincial Finance Act

The Governor in Council on the report and recommendation of the Minister of Finance dated January 23, 2008, and pursuant to Section 6 of Chapter 376 of the Revised Statutes of Nova Scotia, 1989, the *Public Service Act*, and to Sections 47, 59C(1), (1A) and (2), Sections 70 and 71, subsections 72(1), 72(3) and (5) of Chapter 365 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Finance Act*, is pleased to:

- (a) approve the participation by the Province in the federal immigrant investor program through Nova Scotia Strategic Opportunities Fund Incorporated;
- (b) confer the status of crown corporation on Nova Scotia Strategic Opportunities Fund Incorporated;
[N.S. Reg. 85/2008]
- (c) approve Nova Scotia Strategic Opportunities Fund Incorporated entering into the Fund Agreement and the Commission Agreement substantially in the forms attached as Schedules "A" and "B" to the report and recommendation;
- (d) approve the Province providing the Guarantee in favour of the immigrant investors substantially in the form attached as Schedule "C" to the report and recommendation;
- (e) approve the Province borrowing from the Nova Scotia Strategic Opportunities Fund Incorporated, from time to time and to evidence such borrowing by way of Promissory Notes in the form attached as Schedule "D" to the report and recommendation on such terms and conditions as approved by the Minister of Finance;
- (f) approve the Nova Scotia Strategic Opportunities Fund Incorporated borrowing from the Province for the purposes of conducting a loan program under the terms of the Fund Agreement as executed, from time to time on such terms and conditions as the Minister of Finance may approve;
- (g) approve the Minister of Finance lending funds to the Corporation, from time to time, under such terms and conditions as the Minister deems appropriate for each such loan; and
- (h) authorize the Minister of Finance to execute, on behalf of the Corporation and the Province, as the case may be, the Fund Agreement; the Commission Agreement, the Guarantee and such other documents as may be necessary to permit the Province to participate in the federal immigrant investor program; and to execute on behalf of the Province any and all Promissory Notes provided to Nova Scotia Strategic Opportunities Fund Incorporated by the Province.

N.S. Reg. 86/2008

Made: February 21, 2008

Filed: February 26, 2008

Prescribed Petroleum Products Prices

Order dated February 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 February 14, 2008, which prescribed prices February 15, 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 February 22, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on February 21, 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 February 22, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	68.5
Mid-grade unleaded gasoline	71.5
Premium unleaded gasoline	74.5
Ultra low-sulfur diesel oil	77.5

Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)									
		Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	100.3	4.0	5.5	4.0	999.9	117.9	119.6	117.9	999.9
Mid-Grade Unleaded	103.3	4.0	5.5	4.0	999.9	121.2	122.9	121.2	999.9
Premium Unleaded	106.3	4.0	5.5	4.0	999.9	124.6	126.3	124.6	999.9
Ultra Low-Sulfur Diesel	103.2	4.0	5.5	4.0	999.9	121.2	122.9	121.2	999.9
Zone 2									
Regular Unleaded	100.7	4.0	5.5	4.0	999.9	118.3	120.0	118.3	999.9
Mid-Grade Unleaded	103.7	4.0	5.5	4.0	999.9	121.7	123.4	121.7	999.9
Premium Unleaded	106.7	4.0	5.5	4.0	999.9	125.1	126.8	125.1	999.9
Ultra Low-Sulfur Diesel	103.6	4.0	5.5	4.0	999.9	121.6	123.3	121.6	999.9
Zone 3									
Regular Unleaded	101.2	4.0	5.5	4.0	999.9	118.9	120.6	118.9	999.9
Mid-Grade Unleaded	104.2	4.0	5.5	4.0	999.9	122.3	124.0	122.3	999.9
Premium Unleaded	107.2	4.0	5.5	4.0	999.9	125.7	127.4	125.7	999.9
Ultra Low-Sulfur Diesel	104.1	4.0	5.5	4.0	999.9	122.2	123.9	122.2	999.9
Zone 4									
Regular Unleaded	101.2	4.0	5.5	4.0	999.9	118.9	120.6	118.9	999.9
Mid-Grade Unleaded	104.2	4.0	5.5	4.0	999.9	122.3	124.0	122.3	999.9
Premium Unleaded	107.2	4.0	5.5	4.0	999.9	125.7	127.4	125.7	999.9
Ultra Low-Sulfur Diesel	104.1	4.0	5.5	4.0	999.9	122.2	123.9	122.2	999.9
Zone 5									
Regular Unleaded	101.2	4.0	5.5	4.0	999.9	118.9	120.6	118.9	999.9
Mid-Grade Unleaded	104.2	4.0	5.5	4.0	999.9	122.3	124.0	122.3	999.9
Premium Unleaded	107.2	4.0	5.5	4.0	999.9	125.7	127.4	125.7	999.9
Ultra Low-Sulfur Diesel	104.1	4.0	5.5	4.0	999.9	122.2	123.9	122.2	999.9

Zone 6									
Regular Unleaded	102.0	4.0	5.5	4.0	999.9	119.8	121.5	119.8	999.9
Mid-Grade Unleaded	105.0	4.0	5.5	4.0	999.9	123.2	124.9	123.2	999.9
Premium Unleaded	108.0	4.0	5.5	4.0	999.9	126.6	128.3	126.6	999.9
Ultra Low-Sulfur Diesel	104.9	4.0	5.5	4.0	999.9	123.1	124.8	123.1	999.9

N.S. Reg. 87/2008

Made: February 26, 2008

Filed: February 27, 2008

Proclamation, S. 4, S.N.S. 2007, c. 47

Order in Council 2008-63 dated February 26, 2008

Proclamation made by the Governor in Council

pursuant to Section 4 of

An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 5, 2008, and pursuant to Section 4 of Chapter 47 of the Acts of 2007, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, is pleased to order and declare by proclamation that Chapter 47 of the Acts of 2007, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, do come into force on and not before February 26, 2008, with effect on and after April 1, 2007.

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 4 of Chapter 47 of the Acts of 2007, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, it is enacted as follows:

- 4 This Act has effect on and after April 1, 2007, upon the Governor in Council so ordering and declaring by proclamation.

AND WHEREAS it is deemed expedient that Chapter 47 of the Acts of 2007, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, do come into force on and not before February 26, 2008, with effect on and after April 1, 2007;

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 47 of the Acts of 2007, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, do come into force on and not before February 26, 2008, with effect on and after April 1, 2007, 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 26th day of February 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. 88/2008

Made: February 5, 2008

Filed: February 27, 2008

Financial Reporting and Accounting Manual

Order in Council 2008-64 dated February 26, 2008
Dispensation from publication made by the Governor in Council
pursuant to subsection 4(3) of the *Regulations Act* of an
Order dated February 5, 2008 (N.S. Reg. 88/2008)
made by the Minister of Service Nova Scotia and Municipal Relations
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 February 5, 2008, and 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, to Amend the Financial Reporting and Accounting Manual*, made by the Minister on February 5, 2008, and which regulation is set forth in Schedule "A" attached to and forming part of the report and recommendation.

N.S. Reg. 89/2008

Made: February 26, 2008

Filed: February 27, 2008

Blasting Safety Regulations

Order in Council 2008-65 dated February 26, 2008
Regulations made by the Governor in Council
pursuant to Section 82 of the *Occupational Health and Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 8, 2008, and pursuant to clause 18(1)(a) of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, and Section 82 of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, is pleased, effective April 1, 2008, to

- (a) revoke the appointment of Kevin Beaton of Port Hastings, Inverness County, as a member of the Board of Examiners for the Certification of Blasters, which appointment was made by Order in Council 2004-482 dated December 9, 2004;
- (b) revoke the appointment of David Clarke of Truro, Colchester County, as a member of the Board of Examiners for the Certification of Blasters, which appointment was made by Order in Council 2004-482 dated December 9, 2004;
- (c) revoke the appointment of Arthur Baxter of Donkin, Cape Breton Regional Municipality, as a member of the Board of Examiners for the Certification of Blasters, which appointment was made by Order in Council 2005-170 dated April 22, 2005;
- (d) revoke the appointment of Paul Caza of Upper Tantallon, Halifax Regional Municipality, as a member of the Board of Examiners for the Certification of Blasters, which appointment was made by Order in Council 2006-492 dated November 20, 2006;
- (e) revoke the appointment of Alan Miller of Newport, West Hants, as a member of the Board of Examiners for the Certification of Blasters, which appointment was made by Order in Council 2006-492 dated November 20, 2006;
- (f) repeal the *General Blasting Regulations*, N.S. Reg. 77/90, made by the Governor in Council by Order in Council 90-195 dated February 20, 1990; and
- (g) make new regulations respecting blasting safety in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Regulations Respecting Blasting Safety
made by the Governor in Council pursuant to
Section 82 of Chapter 7 of the Acts of 1996,
the *Occupational Health and Safety Act***

Citation

1 These regulations may be cited as the *Blasting Safety Regulations*.

Application

2 These regulations apply to every workplace to which the *Occupational Health and Safety Act* applies and at which blasting activity is conducted, other than a mine as defined in the *Underground Mining Regulations* made under the Act.

Definitions

3 In these regulations,

- (a) “Act” means the *Occupational Health and Safety Act*;
- (b) “blaster” means any of the following:
 - (i) a person who holds a blaster certificate,
 - (ii) a person who conducts a blast in a specialized blasting operation,
 - (iii) a person who conducts a special case blast, as defined in Section 23;
- (c) “blaster certificate” means a certificate of qualification in the blaster trade issued under the *Apprenticeship and Trades Qualifications Act*;
- (d) “blasting activity” includes all of the following:
 - (i) storing, handling, transporting, preparing and using explosives,
 - (ii) drilling at a blasting area or in combination with the use of explosives,
 - (iii) loading a hole with explosives;
- (e) “blasting area” means the zone extending 50 m in all directions from the place in which explosives are handled, prepared, used or loaded for firing, or in which misfired explosives exist or are believed to exist;
- (f) “blasting machine” means an electric or electro-mechanical device that provides electric energy for energizing electric detonators, but does not include batteries by themselves;
- (g) “blasting meter” means a test instrument, such as a blasting galvanometer, blasting ohmmeter, blasting voltmeter or blasting multimeter, that is used to check detonators and electric circuits for continuity, resistance, stray currents and other pertinent measurements;
- (h) “blasting operation” means the portion of a procedure involving explosives that begins when explosives are brought into the area to be blasted and ends when all explosives are removed from the area;
- (i) “blasting switch” means a device used to permit the firing of electric blasting circuits from power lines;
- (j) “burden” means the distance between the blast hole and the free face of the material being blasted;
- (k) “day box” means a portable unit used for storing explosives;
- (l) “detonator” means a device used to fire a charge;

- (m) “explosive” means a substance, including a detonator or primed explosive, that is manufactured or used to produce an explosion by detonation or deflagration and that is regulated by the *Explosives Act* (Canada), but does not include ammunition for weapons, fireworks or explosive-actuated tools;
- (n) “extraneous electricity” means unwanted electric current that is present at a blasting area and that could enter an electric blasting circuit, and includes stray current, static electricity, radio frequency energy and time-varying electric and magnetic fields;
- (o) “magazine” means a fixed unit used for storing explosives;
- (p) “misfired hole” means a charge of explosives in a hole or part of a hole that for any reason has failed to fire as planned, and includes an aborted charge under clause 85(d);
- (q) “prime a charge” means to position a detonator for use in firing a charge;
- (r) “primed explosive” means an explosive containing a detonator;
- (s) “specialized blasting” means blasting of any of the following types:
 - (i) blasting in a confined space,
 - (ii) blasting underwater,
 - (iii) blasting to demolish an above-ground building, stack or similar structure,
 - (iv) blasting ice,
 - (v) blasting in theatrical applications,
 - (vi) blasting in, at or near an oil or gas well.

General Duties and Responsibilities

Duties of parties

4 A duty imposed on an employer by these regulations is also imposed on a contractor, constructor, supplier, employee, owner or self-employed person, to the extent of the contractor’s, constructor’s, supplier’s, employee’s, owner’s or self-employed person’s authority and ability to discharge the duty in the circumstances.

Designations in writing

5 If an employer is required by these regulations to designate a person to perform a particular task or to carry out a particular responsibility, the designation must be made in writing and kept by the employer for at least 2 years after the date the designation ceases to be effective.

Blasting operation under direction and control of blaster

- 6 (1) An employer must ensure that a blasting operation is under the direction and control of a blaster.
- (2) If more than 1 blaster will be involved in a blasting operation, an employer must, before the blasting operation begins, designate 1 blaster as the blaster with direction and control of the blasting operation.

- (3) An employer must ensure that all persons in the blasting area are made aware of the identity of the blaster with direction and control of the blasting operation.

General duty to comply with the Act and these regulations

- 7 An employer and a blaster with direction and control of a blasting operation must ensure that the blasting operation is conducted in a manner that complies with the Act and these regulations.

Person participating in a blasting activity

- 8 An employer must ensure that no person participates in a blasting activity unless that person has been provided with the information, instruction, training, supervision and facilities necessary for the person to safely participate.

Coordination of activities in blasting area

- 9 An employer, a blaster with direction and control of the blasting operation and any supervisor directing work in a blasting area must ensure that all tasks in the blasting area are coordinated so that they may be performed safely.

Persons designated to access explosives

- 10 (1) An employer must designate all persons who are authorized by the employer to have access to explosives.
- (2) An employer must ensure that only persons designated by the employer have access to explosives.

Report of theft or attempted theft

- 11 An employer must report any theft or attempted theft of explosives to the Director as soon as reasonably practicable.

Blasting incident reports

- 12 (1) In this Section,
- (a) “blast log” means a log made under Section 13;
 - (b) “blasting incident” means 1 of the following occurrences:
 - (i) a misfire or a suspected misfire,
 - (ii) the presence of any fire, heat or gas that creates a risk of an explosive detonating accidentally,
 - (iii) injury to any person or damage to property from flying material,
 - (iv) flying material leaving the workplace;
 - (c) “blasting incident report” means a report made in accordance with subsection (3).
- (2) If a blasting incident occurs, an employer, in consultation with a blaster, must do all of the following:
- (a) notify the Director in writing no later than 24 hours after the time of the blasting incident;
 - (b) submit a blasting incident report and a copy of the blast log to the Director as soon as reasonably practicable;

- (c) if 1 or more committees have been established at the workplace, give each committee a copy of the blasting incident report and a copy of the blast log as soon as reasonably practicable;
 - (d) if 1 or more representatives have been selected at the workplace, give each representative a copy of the blasting incident report and a copy of the blast log as soon as reasonably practicable;
 - (e) consult with the committee or committees and the representative or representatives, if any have been established or selected, about actions that may prevent a future blasting incident similar to the one that has occurred;
 - (f) take every precaution that is reasonable in the circumstances to prevent a future blasting incident similar to the one that has occurred.
- (3) A blasting incident report must include all of the following:
- (a) a summary of the blasting incident;
 - (b) the date and time of the blasting incident;
 - (c) the location of the blasting incident;
 - (d) if a supervisor was directing work in the blasting area, the name of the supervisor;
 - (e) the name of the blaster under whose direction and control the blasting operation was conducted;
 - (f) the names of all blasters involved in the blasting operation, together with their blaster certificate numbers;
 - (g) the name and telephone number of the person completing the blasting incident report;
 - (h) the names and addresses of all persons who witnessed the blasting incident;
 - (i) if any person was injured as a result of the blasting incident, the name and address of the person and a description of the injuries sustained;
 - (j) if any property damage occurred as a result of the blasting incident, a description of the property damage;
 - (k) a description of the weather at the time of the blasting incident;
 - (l) if the blasting incident occurred during or as a result of a blast, how the blast was initiated;
 - (m) the employer's assessment of the cause of the blasting incident;
 - (n) a description of actions that may prevent a future blasting incident similar to the one that is the subject of the blasting incident report.

Blast logs

- 13 (1)** A blaster with direction and control of a blasting operation must make a blast log for the blast.
- (2)** An employer must ensure that a blaster makes a blast log.

- (3) A blaster must give a copy of a completed blast log to their employer as soon as reasonably possible and, if reasonably practicable, before the end of the day on which the inspection conducted after the blast is concluded as required by Section 84.
- (4) An employer must keep the copy of a blast log received from a blaster for at least 3 years after the date of the blast.
- (5) A blast log must include all of the following information:
 - (a) the date and time of the blast;
 - (b) the location of the blast;
 - (c) the name, address and telephone number of the employer;
 - (d) the name, blaster certificate number and signature of the blaster who had direction and control of the blasting operation;
 - (e) the distance from the nearest house, residence, shop, church, school or other structure occupied in whole or in part by people;
 - (f) the distance from the nearest structure other than one referred to in clause (e);
 - (g) how the blast was initiated;
 - (h) the following drilling and loading characteristics for each hole or for each group of holes sharing the same characteristics:
 - (i) hole identifier number,
 - (ii) hole diameter,
 - (iii) hole depth,
 - (iv) burden,
 - (v) spacing,
 - (vi) quantity of explosives planned to be loaded in each hole, recorded in kilograms,
 - (vii) total quantity of explosives planned to be used for the blasting operation, recorded in kilograms,
 - (viii) type and length of stemming,
 - (ix) type and brand of explosive,
 - (x) type of detonator;
 - (i) a sketch of the loading pattern for the blast;
 - (j) the total quantity of explosives actually loaded into each hole, recorded in kilograms;

- (k) the maximum quantity of explosives per delay, recorded in kilograms;
- (l) the specifics of the delay pattern;
- (m) the number of detonators used in the blast;
- (n) the period numbers of the detonators used in the blast;
- (o) the resistance in the electric blasting circuit as tested under subsection 78(2), recorded in ohms;
- (p) the type of warning signal used;
- (q) whether blasting mats were used;
- (r) whether warning signs were posted on all public roads near the blasting area, leading to the blasting area and leading from the blasting area;
- (s) whether all roads and approaches were guarded or barricaded;
- (t) the results of the inspection of the blasting area conducted after the blast as required by Section 84;
- (u) whether a misfire occurred;
- (v) whether there was any injury to persons or damage to property resulting from the blast.

Warning signs on public roads

- 14 (1)** This Section does not apply to a temporary workplace as defined in the *Temporary Workplace Traffic Control Regulations* made under the Act.
- (2) During an electric blasting operation, the employer and the blaster with direction and control of the blasting operation must ensure that warning signs bearing the words “Blasting Operations, Turn Off Radio Transmitter” are posted on all public roads near or leading to the blasting area so as to be visible to persons approaching the blasting area.
 - (3) During a non-electric blasting operation, the employer and the blaster with direction and control of the blasting operation must ensure that warning signs bearing the words “Blasting Operation” are posted on all public roads near or leading to the blasting area so as to be visible to persons approaching the blasting area.
 - (4) A warning sign required by subsection (2) or (3) must be located at the following distance before the beginning of a blasting area:
 - (a) if the speed limit on the road is 50 km/h or lower, 100 m before the beginning of the blasting area;
 - (b) if the speed limit on the road is higher than 50 km/h, 300 m before the beginning of the blasting area.
 - (5) An employer and a blaster with direction and control of a blasting operation must ensure that signs bearing the words “End of Blasting” are posted on all public roads near or leading from a blasting area so as to be visible to persons leaving the blasting area.

- (6) A sign required by subsection (5) must be located at the following distance after the end of a blasting area:
 - (a) if the speed limit on the road is 50 km/h or lower, 100 m after the end of the blasting area;
 - (b) if the speed limit on the road is higher than 50 km/h, 300 m after the end of the blasting area.
- (7) A sign required by this Section must have letters that are at least 15 cm in height on a contrasting background, and must have total dimensions of at least 90 cm in width and at least 120 cm in height.
- (8) An employer and a blaster must ensure that signs required by this Section are removed or covered when the blasting operation ends.

Authority to Conduct and Supervise Blasting Activity

Application of blasting activity restrictions

15 Sections 16 to 21 do not apply to specialized blasting or to a special case blast as defined in subsection 23(1).

Definitions for Sections 17 to 20 and Section 22

16 In Sections 17 to 20, and Section 22,

- (a) “Blaster (1st Class)” means the holder of a Blaster (1st Class) blaster certificate;
- (b) “Blaster (2nd Class)” means the holder of a Blaster (2nd Class) blaster certificate;
- (c) “Blaster (3rd Class)” means the holder of a Blaster (3rd Class) blaster certificate;
- (d) “blaster apprentice” means a blaster apprentice as defined in the *Blaster Trade Regulations* made under the *Apprenticeship and Trades Qualifications Act*;
- (e) “blaster assistant” means an individual who
 - (i) holds a certificate as a blasting trainee issued under the *General Blasting Regulations*, N.S. Reg 77/90, made by the Governor in Council by Order in Council 90-195 dated February 20, 1990,
 - (ii) has successfully completed training in the safe handling of explosives through a course acceptable to the Director of Apprenticeship and Trades Qualification[s] under the *Apprenticeship and Trades Qualifications Act*,
 - (iii) has passed an examination in the safe handling of explosives acceptable to the Director of Apprenticeship and Trades Qualification[s] under the *Apprenticeship and Trades Qualifications Act*, or
 - (iv) has successfully completed training and has passed an examination in the safe handling of explosives through a course acceptable to the Director of Apprenticeship and Trades Qualification[s] under the *Apprenticeship and Trades Qualifications Act*.

Blasting activity to be conducted by or supervised by blaster

17 Only a blaster, a blaster apprentice working under the close visual supervision of a blaster, or a blaster assistant working under the close visual supervision of a blaster may do any of the following:

- (a) prime a charge;
- (b) make a connection that leads from a charge to a blasting machine, a blasting switch, a safety fuse, or a shock tube initiating system;
- (c) connect a delay or sequencing device for a blast;
- (d) program a delay for a blast;
- (e) fire a charge.

Blasting activity restricted to Blaster (1st Class)

18 Except as provided in subsection 20(1) and clause 20(2)(b), no person other than a Blaster (1st Class) may conduct or supervise a blast within 50 m of any structure that is occupied in whole or in part by people, including a house, residence, shop, church and school.

Blasting activity restricted to Blaster (1st Class) and Blaster (2nd Class)

19 Except as provided in subsection 20(2), no person other than a Blaster (1st Class) or a Blaster (2nd Class) may conduct or supervise any of the following:

- (a) a blast using more than 100 kg of explosives;
- (b) a blast within 300 m of any structure that is occupied in whole or in part by people, including a house, residence, shop, church and school;
- (c) a blast within 60 m of any structure other than one referred to in clause (b).

Blasting activity conducted by Blaster (2nd Class) and Blaster (3rd Class) under supervision

20 (1) A Blaster (2nd Class) may conduct any blasting activity that a Blaster (1st Class) may conduct, if supervised by a Blaster (1st Class) who remains at the blasting area.

(2) A Blaster (3rd Class) may

- (a) conduct any blasting activity that a Blaster (2nd Class) may conduct, if supervised by a Blaster (2nd Class) who remains at the blasting area; and
- (b) conduct any blasting activity that a Blaster (1st Class) may conduct, if supervised by a Blaster (1st Class) who remains at the blasting area.

Employer must ensure no prohibited blasting activity

21 An employer must ensure that no person conducts a blasting activity that the person is prohibited from conducting under Section 17, 18 or 19.

Proof of certification

22 Each Blaster (1st Class), Blaster (2nd Class), and Blaster (3rd Class) must keep proof of their blaster certificate at the workplace while conducting blasting activity.

Specialized Blasting and Blasting by Uncertified Persons**Work procedure for specialized blasting and blasting by uncertified persons**

23 (1) In this Section and in Sections 24 and 25, a “special case blast” means a blasting activity conducted only by persons who do not hold valid blaster certificates.

- (2) An employer or a person who proposes to conduct specialized blasting or a special case blast must prepare a written work procedure for using and handling explosives in the blasting operation and file it with the Director, subject to subsection (3), at least 30 days before the date the specialized blasting or the special case blast is proposed to be conducted.
- (3) The Director may approve a period shorter than 30 days within which a specialized blasting or special case blast work procedure must be filed.
- (4) A work procedure required by subsection (2) must include the following:
 - (a) the names and qualifications of all persons who will be conducting blasting activities in the blasting operation; and
 - (b) a detailed description of how the planned specialized blasting activity or special case blast will be safely performed.
- (5) An employer must ensure that each person involved in any blasting activity under this Section is
 - (a) qualified because of that person's knowledge, training and experience to do the assigned work in a manner that will ensure the health and safety of every person in the workplace; and
 - (b) knowledgeable about the provisions of the Act and regulations that apply to the assigned work and about potential or actual danger to health or safety associated with the assigned work.

Consulting committees and representatives

- 24 (1) If 1 or more committees have been established at the workplace, an employer must consult with each committee when preparing a work procedure for specialized blasting or for a special case blast.
- (2) If 1 or more representatives have been selected at the workplace, an employer must consult with each representative when preparing a work procedure for specialized blasting or for a special case blast.

Following work procedure

- 25 An employer must ensure that a work procedure for specialized blasting and for a special case blast is followed.

Handling and Storing Explosives

Handling explosives

- 26 (1) An employer and a blaster must ensure that explosives are handled in accordance with the manufacturer's instructions.
- (2) An employer and a blaster must ensure that explosives are protected from impact and rough handling.

Using equipment according to manufacturer's instructions

- 27 An employer and a blaster must ensure that any equipment used in connection with explosives is used in accordance with the manufacturer's instructions.

No priming charge where explosives are stored

- 28 (1) An employer must ensure that no person primes a charge in an area where explosives are stored.
- (2) A person must not prime a charge in an area where explosives are stored.

Tools used to open container of explosives

29 An employer must ensure that only tools made of non-sparking material are used to open a container of explosives.

No carrying explosive in clothing

30 (1) An employer must ensure that no person carries an explosive in clothing.

(2) A person must not carry an explosive in clothing.

Storing explosives

31 An employer must ensure that explosives are stored only in a magazine licensed under the *Explosives Act* (Canada) or in a day box.

Explosives must be attended

32 An employer must ensure that an explosive is attended by a designated person, except when it is stored in a locked magazine.

Storing detonators

33 (1) An employer must ensure that a detonator is not stored in the same day box or magazine as another type of explosive.

(2) An employer must ensure that a detonator is not placed in the same compartment of a vehicle as another type of explosive, unless the detonator is separated from the other type of explosive by using a day box.

Handling detonators

34 (1) An employer and a blaster must ensure that no person handles a detonator together with another type of explosive, except when priming a charge.

(2) A blaster must ensure that an electric detonator is kept shunted or short-circuited, except during the testing or use of the detonator.

Maintaining magazine

35 An employer must ensure all of the following:

- (a) that a magazine is kept in good repair;
- (b) that a magazine is kept clean;
- (c) that a magazine is decontaminated as necessary;
- (d) that a magazine is kept organized to allow explosives to be easily selected, issued and inventoried;
- (e) that uncovered boxes, loose cartridges, loose spools and loose detonators are not kept in a magazine;
- (f) that cases of explosives in a magazine are not piled higher than allowed by the magazine licence issued under the *Explosives Act* (Canada); and
- (g) that the quantity of explosives stored in a magazine does not exceed the amount allowed by the magazine licence issued under the *Explosives Act* (Canada).

Employee in charge of magazine

36 An employer must ensure that for every magazine, there is an employee designated as being in charge.

Magazine inventory

- 37** (1) An employer must ensure that an employee designated under Section 36 as being in charge of a magazine maintains a written inventory of the contents of the magazine.
- (2) A magazine inventory must include either
- (a) a record of detonators stored in the magazine, organized by period and legwire length; or
 - (b) a record of explosives other than detonators stored in the magazine, organized by type of explosive.
- (3) An employer must keep a magazine inventory for at least 2 years after the date that information is last entered into the magazine inventory.
- (4) An employer must keep a magazine inventory at the workplace.
- (5) An employer must not keep a magazine inventory in a magazine.

Repairing magazine

38 Before starting a repair to a magazine that creates a risk of an accidental explosion, an employer must ensure that explosives are removed from the magazine and that the magazine is decontaminated.

Construction and marking of day box

- 39** (1) An employer must ensure that a day box is made of non-sparking material or has wood or other non-sparking material covering all metal inside of the day box that could otherwise come into contact with explosives.
- (2) An employer must ensure that a day box is conspicuously marked on all sides with the word "EXPLOSIVES".

Certifying day box

40 An employer must ensure that a day box is certified by an engineer to be sufficient to protect a person from injury.

Storage in day box

41 An employer must ensure that an explosive is not stored in a day box for longer than 24 consecutive hours.

No combustibles around day box or magazine

42 An employer must ensure that the area within 10 m of a day box or magazine is kept clear of long grass, brush, and other readily combustible materials.

No hazardous items around explosive, day box or magazine

- 43** An employer must ensure that none of the following items are brought into a blasting area or within 10 m of an explosive, a day box or a magazine:
- (a) an open flame;
 - (b) an item that is likely to spontaneously combust;

- (c) an item that is likely to cause a fire;
- (d) an item, other than a detonator, that causes a risk of accidental explosion.

Smoking prohibition

- 44 (1)** An employer must ensure that no person smokes in a blasting area or within 10 m of an explosive, a day box or a magazine.
- (2)** A person must not smoke in a blasting area or within 10 m of an explosive, a day box or a magazine.

Destroying explosives

- 45 (1)** An employer must ensure that waste, deteriorated, damaged or time-expired explosives are destroyed promptly and in accordance with the manufacturer's instructions.
- (2)** An employer must ensure that explosives are destroyed by 1 of the following:
- (a) a blaster;
 - (b) a representative of the manufacturer of the explosive;
 - (c) a qualified member of the Royal Canadian Mounted Police, the Department of National Defence, or a local police force.

Nitroglycerine-based product

- 46** Except when necessary for the use of the explosive, a blaster must not remove the original wrapping from a nitroglycerine-based explosive.

Frozen explosives

- 47** An employer must ensure that frozen explosives are used, stored and handled only in accordance with the manufacturer's instructions.

Electrical storms

- 48** If an electrical storm is approaching or occurring in a blasting area, an employer and a blaster must ensure all of the following:
- (a) that all persons in a magazine leave it;
 - (b) that all persons move to a location where there is no danger from an accidental explosion;
 - (c) that no person handles explosives.

Drilling**Drilling in previously blasted area**

- 49** An employer must ensure that no drilling is done in a previously blasted area until a blaster has visually examined the area for misfired holes and any misfired hole identified has been treated as required by Section 89.

Drilling near hole containing an explosive

- 50 (1)** An employer must ensure that no drilling is done closer to the following minimum distances from any part of a hole containing an explosive:

- (a) if the hole being drilled is more than 12 m deep, a distance equal to half the total depth of the hole being drilled;
 - (b) if the hole being drilled is 12 m deep or less, a distance of 6 m.
- (2) If an application for a deviation from this Section is made under subsection 83(1) of the Act, a decision by the Director must not be made until at least 24 hours after the time the application is received by the Director.

Drill hole size

51 An employer must ensure that a drill hole is big enough to allow explosives to be inserted to the end without ramming, pounding or using excessive pressure.

No excessive pressure when tamping or stemming

52 A blaster must ensure that no ramming, pounding or excessive pressure is used when tamping explosives or stemming.

Loading and Preparing for Firing**Hole must not be loaded until reasonably necessary**

53 An employer and a blaster must ensure that

- (a) a hole is not loaded with an explosive sooner than is reasonably necessary; and
- (b) once an explosive is primed, it is put in a hole or it is put in its intended location as soon as it is safe to do so.

Tamping rods

54 An employer must ensure that tamping rods are made of non-sparking material.

No slit or tamped primed explosives

55 A blaster must ensure that a primed explosive is not slit or tamped.

Stemming

56 When explosives are loaded in a hole, a blaster must ensure that a sufficient amount of stemming is used and that the stemming is made from a suitable material.

Unplanned movement of equipment

57 An employer must ensure that sufficient precautions are taken to prevent toppling, sliding or other unplanned movement of equipment in a blasting area.

Pneumatic loading of ammonium nitrate and fuel oil

58 In conducting pneumatic loading of ammonium nitrate and fuel oil,

- (a) an employer must ensure that only a semiconductive hose designed for that purpose is used;
- (b) an employer and a blaster must ensure that the pneumatic loader is effectively grounded; and
- (c) a blaster must ensure that the bottom priming of drill holes is done with non-electric initiation.

Identifying loaded holes

59 An employer and a blaster must ensure that the location of loaded holes is identified by at least 1 of the following methods:

- (a) placing individual markers at each hole;
- (b) marking off the perimeter of the area containing loaded holes with warning tape or another highly visible indicator.

Security measures for area where loaded holes are present

60 An employer and a blaster must ensure that sufficient security measures are used to prevent any unauthorized person from entering an area where loaded holes are present.

Driving or moving over loaded hole, explosive or blasting accessory

- 61** (1) In this Section, “blasting accessory” means any device used in a blasting activity other than an explosive.
- (2) An employer and a blaster must ensure that no vehicle is driven over a loaded hole, an explosive or a blasting accessory.
 - (3) An employer and a blaster must ensure that no electric cable or other equipment is moved over a loaded hole, an explosive or a blasting accessory.

Firing**Time between connecting charges and firing**

62 An employer and a blaster must ensure that once charges are connected to one another or to a means of firing, the firing takes place as soon as it is safe to do so.

Placement of charge and other blast features

63 An employer must ensure that a charge is not fired until a blaster has ensured that the placement of the charge and all other features of the blast are sufficient to minimize risk of injury to persons and damage to property.

Airblast, ground vibrations and fumes

64 An employer and a blaster must ensure that sufficient precautions are taken to prevent injury to persons or damage to property from any of the following:

- (a) airblast resulting from a blast;
- (b) ground vibrations resulting from a blast;
- (c) fumes resulting from a blast.

Flying material

- 65** (1) An employer and a blaster must ensure that sufficient precautions are taken to prevent injury to persons or damage to property from flying material resulting from a blast.
- (2) Precautions to prevent injury or damage from flying material may include any of the following:
 - (a) using blasting mats of appropriate size and strength to minimize the amount of flying material;
 - (b) using a sufficient amount of burden to minimize the amount of flying material;
 - (c) removing persons and property from an area where flying material may create a hazard;
 - (d) providing shelter sufficient to protect persons and property from flying material.

Guarding or barricading approaches

66 Before a blast, an employer and a blaster must ensure that all roads and approaches to and from the blasting area are guarded or barricaded sufficiently to prevent a person from entering an area where the blast may create a hazard.

Warning signals

- 67 (1) A blaster must ensure that no charge is fired until sufficient audible and visual warning signals are given to all persons in or near an area where the blast may create a hazard.
- (2) At a surface mine or quarry, an employer must ensure that a warning procedure and a warning signal code are posted in a prominent place in the workplace capable of being easily accessed by the employees.

Protecting persons

- 68 (1) An employer and a blaster must ensure that no charge is fired unless all persons are in a shelter sufficient to protect them from injury or are at a safe distance from the blast.
- (2) For a seismic blasting operation, the minimum safe distance referred to in subsection (1) is 30 m.

Protecting property

- 69 (1) If reasonably practicable, a blaster must ensure that no charge is fired unless all property, including machinery and equipment, is located at a safe distance from the blast.
- (2) Subsection (1) does not apply to property that is intended to be demolished.

Returning unused explosives to day box or magazine

70 A blaster must ensure that no charge is fired unless unused explosives and unused detonators that were in the blasting area have been returned to a day box or magazine.

Returning explosives to magazine

71 An employer must ensure that unused explosives are inspected by a blaster to determine if they can be stored safely before the explosives are returned to a magazine.

Removing containers

72 A blaster must ensure that no charge is fired unless empty explosives containers have been removed from the blasting area.

Burning empty containers

73 An employer must ensure that any empty explosives containers are burned.

Safety fuse assemblies

- 74 (1) An employer and a blaster must ensure that no safety fuse assembly other than a safety fuse assembly authorized under the *Explosives Act* (Canada) is used to fire a charge.
- (2) An employer and a blaster must ensure that no safety fuse is capped.
- (3) An employer and a blaster must ensure that a safety fuse assembly is at least 1 m long.
- (4) If it is necessary to fire more than 1 safety fuse assembly at one time, an employer and a blaster must ensure that only 1 igniter cord is lit.

- (5) An employer must ensure that a blaster lighting a safety fuse or igniter cord is accompanied by another employee.

Extraneous electricity

- 75 An employer must ensure that an electric detonator is not used if extraneous electricity at the blasting area exceeds 50 mA.

Minimum distances from radio frequency transmitters

- 76 (1) During electric blasting, an employer and a blaster must ensure minimum distances from radio frequency transmitters are maintained as detailed in the *Institute of Makers of Explosives Safety Guide for the Prevention of Radio Frequency Radiation Hazards in the Use of Commercial Electric Detonators (Blasting Caps)* Safety Library Publication No. 20, 2001, as amended.
- (2) If the required minimum distance of electric blasting circuits from radio frequency transmitters has not otherwise been determined, the following minimum distances must be maintained:
- (a) 100 m from a citizens' band radio, cellular telephone, satellite telephone or other mobile or portable radio frequency transmitter; and
- (b) 1000 m from a TV transmitter or an AM, FM or other radio frequency transmitter.

Testing continuity

- 77 A blaster must ensure that the continuity of each hole containing an electric detonator is tested with a blasting meter before firing.

Electric blasting circuit

- 78 (1) A blaster must ensure that the last connection made in an electric blasting circuit is the connection of the lead wires to the blasting machine or blasting switch.
- (2) Before the last connection is made in an electric blasting circuit, a blaster must test the resistance in the circuit with a blasting meter to ensure that readings are consistent with the values calculated in the blast design.
- (3) An employer and a blaster must ensure that an electric blasting circuit is fired only with a blasting machine or blasting switch.

Blasting meters

- 79 An employer must ensure that only blasting meters designed for use with explosives are used in a blasting operation.

Blasting machines

- 80 An employer must ensure that only blasting machines designed for use with explosives are used in a blasting operation.

Inspecting blasting machine

- 81 (1) An employer must ensure that a blasting machine is inspected at least once every 12 months and that the inspection is conducted in accordance with the manufacturer's instructions.
- (2) An employer must keep a record of each inspection required by subsection (1) for at least 2 years.

Firing in presence of power line

82 If electric blasting initiation is done near a power line, an employer and a blaster must ensure that any cables used to fire the blast are anchored securely so that they are not thrown into contact with the power line.

Firing from a power line

- 83** (1) An employer and a blaster must ensure that an electric blasting circuit is not fired from a power line unless
- (a) the blast is conducted in underground tunnelling; and
 - (b) the blast is conducted using a blasting switch that is designed for the purpose and is constructed so the blasting switch can be locked only in the "OFF" position.
- (2) An employer and a blaster who intends to use a blasting switch to fire an electric blasting circuit from a power line must ensure that the blasting switch is kept locked and made inaccessible to anyone other than the blaster until it is time to fire the charge.

After Firing**Inspecting blasting area after blast**

84 After a blast, an employer and a blaster must ensure that no person enters or moves about the blasting area until a blaster has thoroughly inspected the blasting area for misfired holes and other hazards and has given permission for work to proceed.

Waiting period after blast with misfired hole

- 85** If it is known or suspected that there is a misfired hole, a blaster must wait until the following applicable waiting period has passed before inspecting the blasting area in accordance with Section 84:
- (a) if the charge was fired using a safety fuse assembly, the required waiting period is 30 minutes from the time the last charge was due to explode;
 - (b) if the charge was fired using an electric detonator, the required waiting period is 30 minutes from the time the last charge was due to explode or the waiting period recommended by the detonator's manufacturer, whichever is longer;
 - (c) if the charge was fired using a method of initiation other than a safety fuse assembly or an electric detonator, the required waiting period is 10 minutes from the time the last charge was due to explode;
 - (d) if a charge that was meant to be fired using an electric detonator is aborted, the required waiting period is 30 minutes from the time the last charge was due to explode or the waiting period recommended by the detonator's manufacturer, whichever is longer, and all other manufacturer's instructions concerning aborted fires must be followed.

Removal of loose rocks

86 An employer must ensure that loose rocks are scaled off the faces of excavations after a blasting operation ends and before other work is started or resumed in the blasting area.

Blast fired electrically

- 87** Immediately after a blast that was fired electrically, a blaster must do both of the following:
- (a) disconnect the lead wires from the blasting machine or blasting switch;

- (b) shunt or short-circuit the lead wires.

Blast fired using blasting switch

88 If a blasting switch is used, immediately after the requirements of Section 87 have been met, a blaster must pull out and lock the blasting switch.

Misfires**Treating misfired hole**

- 89** (1) An employer and a blaster must ensure that a misfired hole is treated to ensure the removal of all hazards from the misfired hole in a manner that complies with these regulations.
- (2) While a misfired hole is being treated, an employer must ensure all of the following:
- (a) that the blasting area is fully illuminated;
 - (b) that the work is directly and constantly supervised by a blaster;
 - (c) that the cause of the misfire is investigated;
 - (d) that precautions are taken to prevent an accidental explosion.
- (3) An employer and a blaster must ensure that a misfired hole is treated at a safe and suitable time and in accordance with any instructions provided by the manufacturer of the detonator.
- (4) Before treating a misfired hole, a blaster must inform all supervisors of all employees in the blasting area of the means that will be used to treat the misfired hole.

No metallic equipment after misfire

90 If it is known or suspected that a misfire has occurred, a person must not use metallic equipment in the blasting area until a blaster has authorized the use of metallic equipment.

Checking burden after misfire

91 If it is known or suspected that a misfire has occurred and if the method for treating the misfire is reblasting, an employer must ensure that there is sufficient burden before reblasting.

N.S. Reg. 90/2008

Made: February 26, 2008

Filed: February 27, 2008

Blaster Trade Regulations

Order in Council 2008-66 dated February 26, 2008
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 Education dated February 1, 2008, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to make regulations respecting the blaster trade in the form set forth in Schedule "A" attached to and forming part of the report and recommendation effective April 1, 2008.

Schedule "A"

**Regulations Respecting the Blaster 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 *Blaster Trade Regulations*.

Definitions

2 (1) In these regulations,

- (a) "Act" means the *Apprenticeship and Trades Qualifications Act*;
- (b) "blaster apprentice" means a person who has entered into an apprenticeship agreement with an employer in the blaster trade;
- (c) "blaster journeyman" means a person who holds a certificate of qualification in the blaster trade;
- (d) "blaster trade" means the occupation that consists of conducting and supervising blasting activity as defined in the *Blasting Safety Regulations*;
- (e) "*Blasting Safety Regulations*" means the *Blasting Safety Regulations* made under the *Occupational Health and Safety Act*;
- (f) "former blasting regulations" means the *General Blasting Regulations*, N.S. Reg. 77/90, made by the Governor in Council by Order in Council 90-195 dated February 20, 1990, under the *Occupational Health and Safety Act*;
- (g) "General Regulations" means the *Apprenticeship and Trades Qualifications Act General Regulations* made under the Act.

(2) The definitions in the General Regulations and the *Blasting Safety Regulations* apply to these regulations unless the context otherwise requires.

Classes of certification

- 3 (1)** The following are the classes of certification in the blaster trade:
- (a) Blaster (3rd Class);
 - (b) Blaster (2nd Class);
 - (c) Blaster (1st Class).
- (2)** A person who holds a blaster certificate is authorized to conduct and supervise blasting activity specified in the *Blasting Safety Regulations* for the class of blaster certificate held.

Terms of apprenticeship

- 4 (1)** The term of apprenticeship for a Blaster (3rd Class) is as follows:
- (a) 1000 hours of combined practical experience and technical training approved by the Director; and
 - (b) a minimum of 4 supervised blasts.
- (2)** The term of apprenticeship for a Blaster (2nd Class) is as follows:
- (a) 2500 hours of combined practical experience and technical training approved by the Director, 1500 hours of which must be obtained after obtaining a Blaster (3rd Class) blaster certificate; and
 - (b) a minimum of 12 supervised blasts, 8 of which must be performed after obtaining a Blaster (3rd Class) blaster certificate.
- (3)** The term of apprenticeship for a Blaster (1st Class) is as follows:
- (a) 4000 hours of combined practical experience and technical training approved by the Director, 1500 hours of which must be obtained after obtaining a Blaster (2nd Class) blaster certificate; and
 - (b) a minimum of 12 supervised blasts within 50 m of a structure that is normally occupied in whole or in part by people, including a house, residence, shop, church and school.

Wage schedules

- 5 (1)** Subject to subsection (2), the minimum wage rate for each hour worked by a blaster apprentice is as follows:
- (a) for a Blaster (3rd Class) apprentice, 60% of the Blaster (1st Class) rate in the place of employment;
 - (b) for a Blaster (2nd Class) apprentice, 70% of the Blaster (1st Class) rate in the place of employment;
 - (c) for a Blaster (1st Class) apprentice, 80% of the Blaster (1st Class) rate in the place of employment.

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

Ratio of blaster apprentices to blaster journeypersons

- 6 An employer in the blaster trade may employ no more than 2 blaster apprentices for each blaster journeyperson in the employer's employ.

Blaster certificate through trade qualification

- 7 For the purpose of Section 30 of the General Regulations, under which the Director may 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, competence in the tasks of the blaster trade must be demonstrated to the approval of the Director by meeting the following requirements:

- (a) for a Blaster (3rd Class),
 - (i) 1500 hours of practical experience approved by the Director, and
 - (ii) a minimum of 4 blasts;
- (b) for a Blaster (2nd Class),
 - (i) 3750 hours of practical experience approved by the Director, and
 - (ii) a minimum of 12 blasts;
- (c) for a Blaster (1st Class),
 - (i) 6000 hours of practical experience approved by the Director, and
 - (ii) a minimum of 24 blasts, 12 of which must be within 50 m of a structure that is normally occupied in whole or in part by people, including a house, residence, shop, church and school.

Blaster certificate term and renewal

- 8 (1) A blaster certificate is valid for 5 years from the date of its issue or renewal.
- (2) An application for renewal of a blaster certificate must be made to the Director before the end of its 5-year period of validity.
- (3) Approval of an application to renew a blaster certificate is subject to the satisfactory completion of any training or examination, or combination of both, relevant to the blasting trade that the Director requires.

Proof of blaster trade status

- 9 A blaster apprentice and a blaster journeyperson must produce a valid identity card bearing proof of their status in the blaster trade on the request of any of the following:

- (a) the Director;
- (b) a person authorized by the Minister or the Director;

- (c) a person with authority under any Act to inspect the work being performed by the blaster apprentice or the blaster journeyman;
- (d) a person authorized by the employer who has hired the blaster apprentice or the blaster journeyman.

Transition

- 10 (1)** A person who on the coming into force of these regulations holds a valid First Class Certificate under the former blasting regulations is deemed to be the holder of a Blaster (1st Class) blaster certificate under these regulations that is valid for 2 years after the expiry date of the First Class Certificate.
- (2)** A person who on the coming into force of these regulations holds a valid Second Class Certificate under the former blasting regulations is deemed to be the holder of a Blaster (2nd Class) blaster certificate under these regulations that is valid for 2 years after the expiry date of the Second Class Certificate.
- (3)** A person who on the coming into force of these regulations holds a valid Third Class Certificate under the former blasting regulations is deemed to be the holder of a Blaster (3rd Class) blaster certificate under these regulations that is valid for 2 years after the expiry date of the Third Class Certificate.

N.S. Reg. 91/2008

Made: February 28, 2008

Filed: February 29, 2008

Prescribed Petroleum Products Prices

Order dated February 28, 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 February 21, 2008, which prescribed prices February 22, 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 February 29, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on February 28, 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 February 29, 2008**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	66.6
Mid-grade unleaded gasoline	69.6
Premium unleaded gasoline	72.6
Ultra low-sulfur diesel oil	78.0

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	98.4	4.0	5.5	4.0	999.9	115.7	117.4	115.7	999.9
Mid-Grade Unleaded	101.4	4.0	5.5	4.0	999.9	119.1	120.8	119.1	999.9
Premium Unleaded	104.4	4.0	5.5	4.0	999.9	122.5	124.2	122.5	999.9
Ultra Low-Sulfur Diesel	103.7	4.0	5.5	4.0	999.9	121.7	123.4	121.7	999.9
Zone 2									
Regular Unleaded	98.8	4.0	5.5	4.0	999.9	116.2	117.9	116.2	999.9
Mid-Grade Unleaded	101.8	4.0	5.5	4.0	999.9	119.6	121.2	119.6	999.9
Premium Unleaded	104.8	4.0	5.5	4.0	999.9	122.9	124.6	122.9	999.9
Ultra Low-Sulfur Diesel	104.1	4.0	5.5	4.0	999.9	122.2	123.8	122.2	999.9

Zone 3									
Regular Unleaded	99.3	4.0	5.5	4.0	999.9	116.7	118.4	116.7	999.9
Mid-Grade Unleaded	102.3	4.0	5.5	4.0	999.9	120.1	121.8	120.1	999.9
Premium Unleaded	105.3	4.0	5.5	4.0	999.9	123.5	125.2	123.5	999.9
Ultra Low-Sulfur Diesel	104.6	4.0	5.5	4.0	999.9	122.7	124.4	122.7	999.9
Zone 4									
Regular Unleaded	99.3	4.0	5.5	4.0	999.9	116.7	118.4	116.7	999.9
Mid-Grade Unleaded	102.3	4.0	5.5	4.0	999.9	120.1	121.8	120.1	999.9
Premium Unleaded	105.3	4.0	5.5	4.0	999.9	123.5	125.2	123.5	999.9
Ultra Low-Sulfur Diesel	104.6	4.0	5.5	4.0	999.9	122.7	124.4	122.7	999.9
Zone 5									
Regular Unleaded	99.3	4.0	5.5	4.0	999.9	116.7	118.4	116.7	999.9
Mid-Grade Unleaded	102.3	4.0	5.5	4.0	999.9	120.1	121.8	120.1	999.9
Premium Unleaded	105.3	4.0	5.5	4.0	999.9	123.5	125.2	123.5	999.9
Ultra Low-Sulfur Diesel	104.6	4.0	5.5	4.0	999.9	122.7	124.4	122.7	999.9
Zone 6									
Regular Unleaded	100.1	4.0	5.5	4.0	999.9	117.6	119.3	117.6	999.9
Mid-Grade Unleaded	103.1	4.0	5.5	4.0	999.9	121.0	122.7	121.0	999.9
Premium Unleaded	106.1	4.0	5.5	4.0	999.9	124.4	126.1	124.4	999.9
Ultra Low-Sulfur Diesel	105.4	4.0	5.5	4.0	999.9	123.6	125.3	123.6	999.9

N.S. Reg. 92/2008

Made: February 29, 2008

Filed: March 4, 2008

Governor in Council Education Act Regulations

Order in Council 2008-79 dated February 29, 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 February 12, 2008, and pursuant to Section 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, to permit the holders of a TC4 certification to upgrade to a TC5 certification pursuant to the requirements of the pre-August 1, 2000, regulations, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 29, 2008.

Schedule "A"

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

- 1 (1) Subsection 30I(2) 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
- (a) striking out "or" at the end of clause (a);
 - (b) re-lettering clause (b) as clause (c); and

- (c) adding the following clause immediately after clause (a):
 - (b) Section 30JA; or
 - (2) Subsection 30I(3) of the regulations is amended by adding “Section 30JA or” immediately before “subsection 30K(3)”.
- 2 The regulations are further amended by adding the following heading and Section immediately after Section 30J:

Certain Class 4 certificate holders subject to pre-August 1, 2000 certification system

30JA (1) A person who holds a Teacher’s Certificate Class 4 granted pursuant to the pre-August 1, 2000 certification system and

- (a) has, on or after August 1, 2001, for the purpose of obtaining a Teacher’s Certificate Class 5, pursuant to the pre-August 1, 2000 certification system,
 - (i) registered in an approved upgrading program, or
 - (ii) applied for a change in classification; and
- (b) has received confirmation from the Minister that the registration pursuant to subclause (a)(i) or the application pursuant to subclause (a)(ii), as the case may be, was received by the Minister on or after August 1, 2001,

may

- (c) complete the upgrading program referred to in subclause (a)(i) pursuant to the pre-August 1, 2000 certification system;
- (d) satisfy the requirements prescribed pursuant to the pre-August 1, 2000 certification system for the change in classification referred to in subclause (a)(ii); and
- (e) subject to satisfying the requirements for the class of teacher’s certificate applied for, receive the
 - (i) change in the teacher certification classification, and
 - (ii) Teacher’s Certificate Class 5pursuant to the pre-August 1, 2000 certification system.

(2) A person referred to in subsection (1) includes a person who has been granted a teacher’s certificate pursuant to subsection 30A(2), and subsection (1) applies to the person for the purpose of applying to change their teacher certification classification.

- 3 Subsection 30K(2) of the regulations is amended by striking out “A person who holds a Teacher’s Certificate Class 1 to 4” and substituting “A person who holds a Teacher’s Certificate Class 1 to 3”.
- 4 Clause 30L(a) of the regulations is amended by striking out “Class 1 to 4” and substituting “Class 1 to 3”.