

Royal



Gazette

Part II Regulations under the Regulations Act

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Halifax, Nova Scotia

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August 3, 2018

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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. 128/2018

Made: July 9, 2018

Filed: July 11, 2018

Summary Offence Tickets Regulations—amendment

Order dated July 9, 2018

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Section 8 of the *Summary Proceedings Act***Order****Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Mark Furey, Attorney General and Minister of Justice for the Province of Nova Scotia, under Sections 8 and 9 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this Order, hereby

- (a) amend Schedule 4A to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to reflect the repeal and replace of the *Commercial Vehicle Trip Inspection Regulations* made under Section 303 of the *Motor Vehicle Act*, in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount indicated by category letter in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made July 9, 2018 ~~2018~~, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Mark Furey*

Honourable Mark Furey

Attorney General and Minister of Justice

Schedule “A”**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to
Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

Schedule 4A to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, is amended by repealing the heading “Commercial Vehicle Trip Inspection and Records Regulations” and all items under it, and substituting the following heading and items:

Commercial Vehicle Trip Inspection Regulations

1	Carrier permitting commercial driver to operate uninspected or improperly inspected vehicle on highway	5(1)	B
2	Commercial driver operating uninspected or improperly inspected vehicle on highway	5(2)	B
3	Carrier permitting commercial driver to operate commercial vehicle on highway without driver possessing most recent inspection report (specify)	8(1)	B
4	Commercial driver operating commercial vehicle on highway without possessing most recent inspection report (specify)	8(2)	B
5	Failing to provide inspection report on demand of motor vehicle inspector	9	B
6	Designate or licensed technician (specify) failing to forward inspection report to carrier within 20 days of completing report	10(1)	B
7	Designate or licensed technician (specify) failing to report defects to carrier before next required inspection	11(1)	B
8	Designate or licensed technician (specify) failing to report major defects to carrier immediately	11(2)	B
9	Carrier permitting commercial driver to operate commercial vehicle with major defect on highway	13(1)	B
10	Commercial driver operating commercial vehicle with major defect on highway	13(2)	B
11	Carrier permitting commercial driver to operate commercial vehicle not cleared of debris, snow or ice on highway	14(1)	B
12	Commercial driver operating commercial vehicle not cleared of debris, snow or ice on highway	14(2)	B

N.S. Reg. 129/2018

Made: July 9, 2018

Filed: July 11, 2018

Summary Offence Tickets Regulations—amendment

Order dated July 9, 2018

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Section 8 of the *Summary Proceedings Act***Order****Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Mark Furey, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this order, hereby

- (a) amend the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the Municipality of the District of Lunenburg Solid Waste Collection and Disposal By-law as summary offence ticket offences in the manner set forth in the attached Schedule “A”; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made July 9, 2018, ~~2018~~ at Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Mark Furey*

Honourable Mark Furey

Attorney General and Minister of Justice

Schedule “A”**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to Section 8
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

The *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, are amended by adding the following Schedule immediately after Schedule M-33:

Schedule M-34
Municipality of the District of Lunenburg By-laws

Offence	Section	Out of Court Settlement
Solid Waste Collection and Disposal By-Law		
1 Owner failing to provide containers for solid waste storage	3.1(a)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
2 Owner failing to ensure waste to be collected is within 3 m (10 ft.) of curb	3.1(b)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
3 Owner failing to ensure waste to be collected does not interfere with pedestrian traffic or snow removal (specify)	3.1(b)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
4 Owner failing to maintain non-disposable container in good repair or sanitary condition	3.1(c)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
5 Owner placing waste container not meeting required type or standard (specify)	3.1(d)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
6 Placing or causing to be placed collectable clean-up waste on day not designated for collection	4.2(d)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
7 Placing or causing to be placed for clean-up collection non-packaged clean-up waste	4.2(d)(i)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
8 Placing or causing to be placed for clean-up collection wood waste not separated from other collection waste	4.2(d)(ii)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50
9 Placing or causing to be placed for clean-up collection wood waste exceeding 4 m ³	4.2(d)(iii)	
first offence		\$410.00
second offence		\$525.50
third or subsequent offence		\$697.50

10	Placing or causing to be placed for clean-up collection bulky waste or metal items exceeding 4 m ³	4.2(d)(iv)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
11	Placing or causing to be placed for clean-up collection individual package exceeding 140 kg	4.2(d)(v)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
12	Placing or causing to be placed for clean-up collection individual package exceeding 1.8 m in any dimension	4.2(d)(vi)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
13	Owner failing to use wheeled aerated cart for storage of compostable materials for collection	6.1(a)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
14	Owner failing to maintain wheeled aerated cart in good repair or sanitary condition	6.1(b)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
15	Owner failing to ensure wheeled aerated carts remain on property when property sold	6.1(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
16	Owner failing to provide one 140 L cart per single-unit dwelling	6.2(a)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
17	Owner failing to provide one 140 L cart per duplex dwelling	6.2(b)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
18	Owner failing to provide one 140 L cart per semi-detached dwelling	6.2(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
19	Owner failing to provide one 140 L cart per unit in dwelling of 3 to 6 units	6.2(d)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50

20	Owner failing to provide minimum cart per unit in dwelling of 6 or more units as determined by municipal engineer for dwelling	6.2(e)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
21	Placing or causing to be placed for collection more than 1 wheeled aerated cart per dwelling	7.1(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
22	Placing or causing to be placed for collection wheeled aerated cart with contents exceeding 120 kg	7.1(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
23	Placing or causing to be placed for collection more than 1 privacy bag per dwelling unit	7.1(d)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
24	Placing or causing to be placed for collection residual waste that is not in transparent bag	7.1(e)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
25	Placing or causing to be placed individual piece of clean-up waste exceeding 140 kg	7.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
26	Placing or causing to be placed individual piece of clean-up waste exceeding 1.8 m in any dimension	7.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
27	Placing or causing to be placed clean-up waste exceeding 4 m ³	7.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
28	Owner or occupant (specify) failing to ensure collectable waste or clean-up waste placed in accordance with by-law (specify)	9.1(a)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
29	Owner or occupant (specify) failing to clean up escaped solid waste	9.1(b)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50

30	Owner or occupant (specify) failing to store waste refrigerator or freezer inside enclosed and locked building or failing to remove door (specify)	9.1(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
31	Owner or occupant (specify) failing to ensure proper preparation of solid waste	9.1(d)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
32	Owner or occupant (specify) failing to abide by lawful directive regarding solid waste materials (specify)	9.1(e)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
33	Permitting rejected materials to remain at collection spot after 12:01 am on day after collection	10.3	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
34	Owner permitting solid waste to be placed for collection earlier than 5:00 pm on day before designated collection day	11.1	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
35	Owner permitting solid waste to remain curbside later than 12:01 am on day after collection	11.1	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
36	Placing or causing to be placed spring and or fall clean-up waste earlier than 4 calendar days before designated collection day	11.3	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
37	Owner or occupant (specify) failing to ensure commercial container is loaded uniformly	12.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
38	Owner or occupant (specify) failing to ensure no solid waste extends beyond internal volume of commercial container	12.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
39	Owner or occupant (specify) failing to place commercial container on surface that is hard, level and weather-resistant (specify)	12.3(a)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50

40	Owner or occupant (specify) failing to keep area surrounding commercial container free from waste	12.3(b)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
41	Owner or occupant (specify) failing to have commercial container emptied on regular basis	12.3(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
42	Private collection vehicle not maintained in good condition	13.2(a)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
43	Private collection vehicle not properly manned and equipped to ensure safe solid-waste collection	13.2(a)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
44	Private collection vehicle not designed to prevent contents from escaping vehicle when entering Lunenburg Regional Community Recycling Centre	13.2(c)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
45	Private collection vehicle not constructed to prevent cross-contamination between waste streams	13.2(d)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
46	Private collection vehicle not equipped with restraining device	13.2(e)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
47	Private collection vehicle used for solid waste transportation not closed in or equipped with cover device (specify)	13.2(e)	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
48	Private collection of solid waste not made directly to private collection vehicle from premises where generated	13.3	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
49	Solid waste delivered to Lunenburg Regional Community Recycling Centre contrary to Lunenburg Regional Community Recycling Centre regulations	13.4	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50

50	Operator of private collection vehicle failing to immediately clean up spillage	13.5	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
51	Placing designated electronic products out for collection	14.1	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
52	Owner or occupant (specify) failing to store household hazardous waste in safe and secure manner	15.1	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
53	Owner or occupant (specify) failing to deliver household hazardous waste to Lunenburg Regional Community Recycling Centre household hazardous waste depot as soon as reasonably possible	15.1	\$1272.50
54	Disposing or causing or permitting disposal of household hazardous waste at any location within Municipality	15.2	\$1272.50
55	Owner or occupant (specify) failing to deliver construction or demolition materials to the Lunenburg Regional Community Recycling Centre or approved C&D debris disposal site	16.1	\$1272.50
56	Disposing of construction or demolition materials by stockpiling, storing or other method	16.2	\$1272.50
57	Disposing or causing or permitting disposal of solid waste around or adjacent to the Lunenburg Regional Community Recycling Centre when not open and operational	17.3(a)	\$1272.50
58	Disposing or causing or permitting disposal of solid waste around or adjacent to the Lunenburg Regional Community Recycling Centre after waste refused	17.3(b)	\$1272.50
59	Disposing or causing or permitting disposal of waste at location or in manner contrary to by-law (specify)	18.1	\$1272.50
60	Disposing or causing or permitting disposal of solid waste in permanent solid waste storage container without permission of owner	18.2	\$1272.50
61	Disposing or causing or permitting disposal of unacceptable or rejected waste near permanent solid waste storage container for another owner or occupant	18.3	\$1272.50
62	Disposing or causing or permitting disposal of unacceptable or rejected waste at collection placement spot for another owner or occupant	18.3	\$1272.50
63	Disposing or causing or permitting disposal of construction materials at location other than Lunenburg Regional Community Recycling Centre or approved C&D facility	18.4	\$1272.50
64	Interfering with solid waste stored or placed out for collection	19.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50

65	Burning solid waste	19.4	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
66	Placing solid waste material generated outside municipality for collection at designated collection location	19.5	\$1272.50
67	Transporting solid waste material generated within municipality outside municipality other than as permitted by by-law	20.1	\$1272.50
68	Failing to ensure commercial container sturdily constructed of weatherproof material and watertight as required by clause 12.1(a)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
69	Failing to ensure commercial container inaccessible to animals as required by clause 12.1(b)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
70	Failing to ensure commercial equipped with positive closing device as required by clause 12.1(b)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
71	Failing to keep commercial container closed as required by clause 12.1(b)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
72	Failing to keep commercial container in clean manner as required by clause 12.1(c)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
73	Failing to keep commercial container in state of good repair as required by required by clause 12.1(d)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
74	Failing to display name or telephone number (specify) of owner on commercial container as required by clause 12.1(e)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
75	Failing to display type of material to be deposited in commercial container as required by clause 12.1(e)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50

76	Failing to display message “garbage” or “landfill” on commercial container as required by clause 12.1(f)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
77	Failing to display message “recyclables” on commercial container for storage of blue bag materials as required by clause 12.1(g)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
78	Failing to display message “paper or cardboard” on commercial contain[er] for storage of fibre recyclables as required by clause 12.1(h)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
79	Failing to display message “organics” on commercial container for storage of organic materials are required by clause 12.1(i)	21.2	
	first offence		\$410.00
	second offence		\$525.50
	third or subsequent offence		\$697.50
80	Obstructing or hindering person in performance of their duties under by-law	21.3	\$697.50

N.S. Reg. 130/2018

Made: July 12, 2018

Filed: July 13, 2018

Polling Districts and Number of Councillors Order:

Order dated July 12, 2018

Order made by the Nova Scotia Utility and Review Board
pursuant to Section 369 of the *Municipal Government Act***Order****M08583****Nova Scotia Utility and Review Board****In the Matter of the *Municipal Government Act*****- and -****In the matter of an application** by the **Municipality of the District of Clare** to confirm the number of councillors and to alter the boundaries of polling districts**Before:** Roland A. Deveau, Q.C., Vice Chair
David J. Almon, LL.B., Member
Murray E. Doehler, CPA, CA, P.Eng., Member

The Board having heard an application by the Municipality of the District of Clare pursuant to s. 369 of the

Municipal Government Act and the Board having issued its written decision on July 12, 2018;

It is hereby ordered that the application is approved as follows:

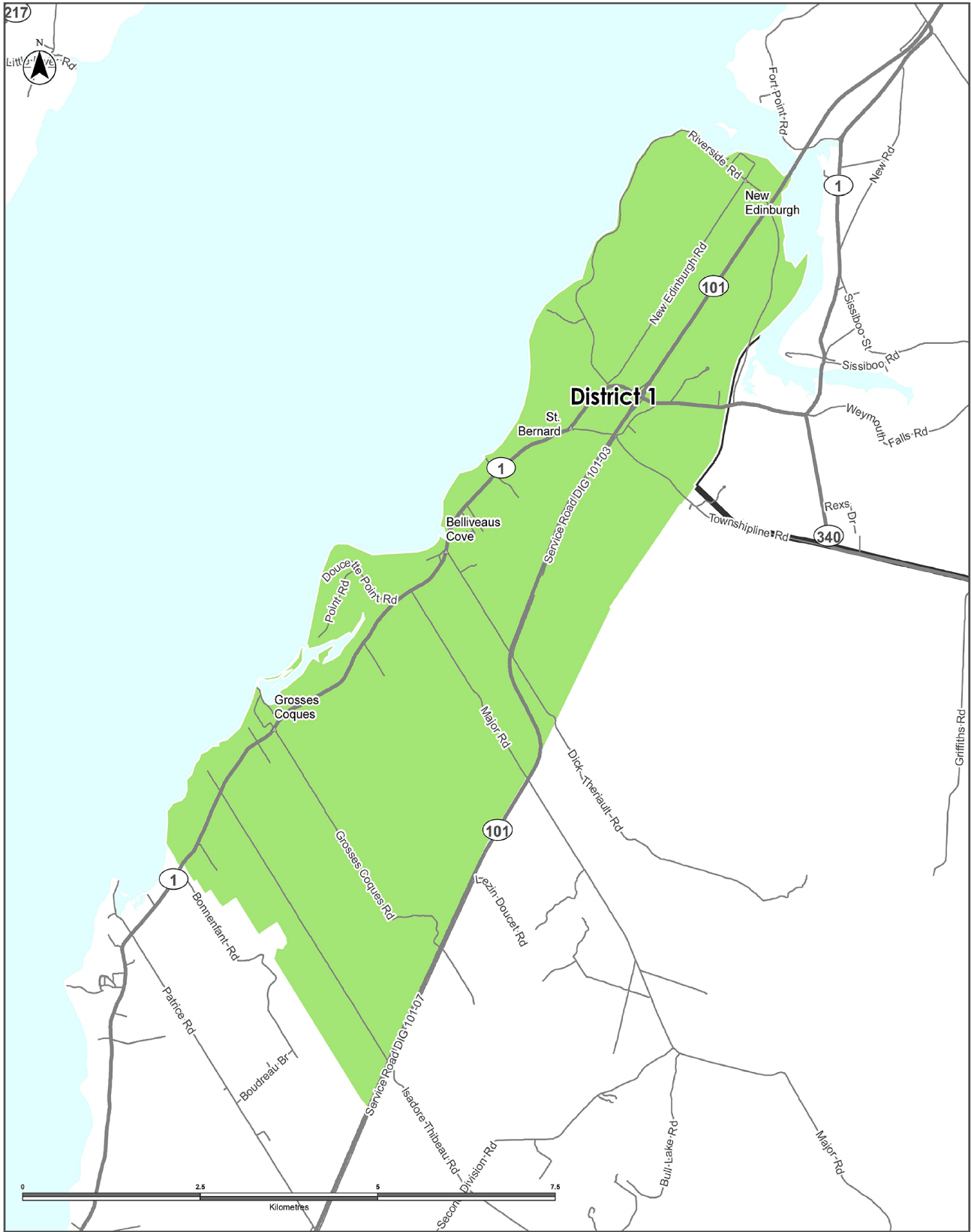
1. The number of polling districts for the Municipality of the District of Clare is confirmed at eight;
2. The number of councillors is confirmed at eight;
3. The boundaries of the polling districts are amended; and
4. The digital maps of the polling district boundaries are attached to this Order.

And it is further ordered that all provisions of the *Municipal Government Act* and the *Municipal Elections Act* and any other Acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2020 will be complied with as if the above-noted changes had been made on the first day of March, 2020, but for all other purposes, such changes shall take effect on the first day of the first meeting of the Council after the election of councillors for the year 2020.

Dated at Halifax, Nova Scotia this 12th day of July, 2018.

sgd: *Bruce A. Kiley*
Clerk of the Board

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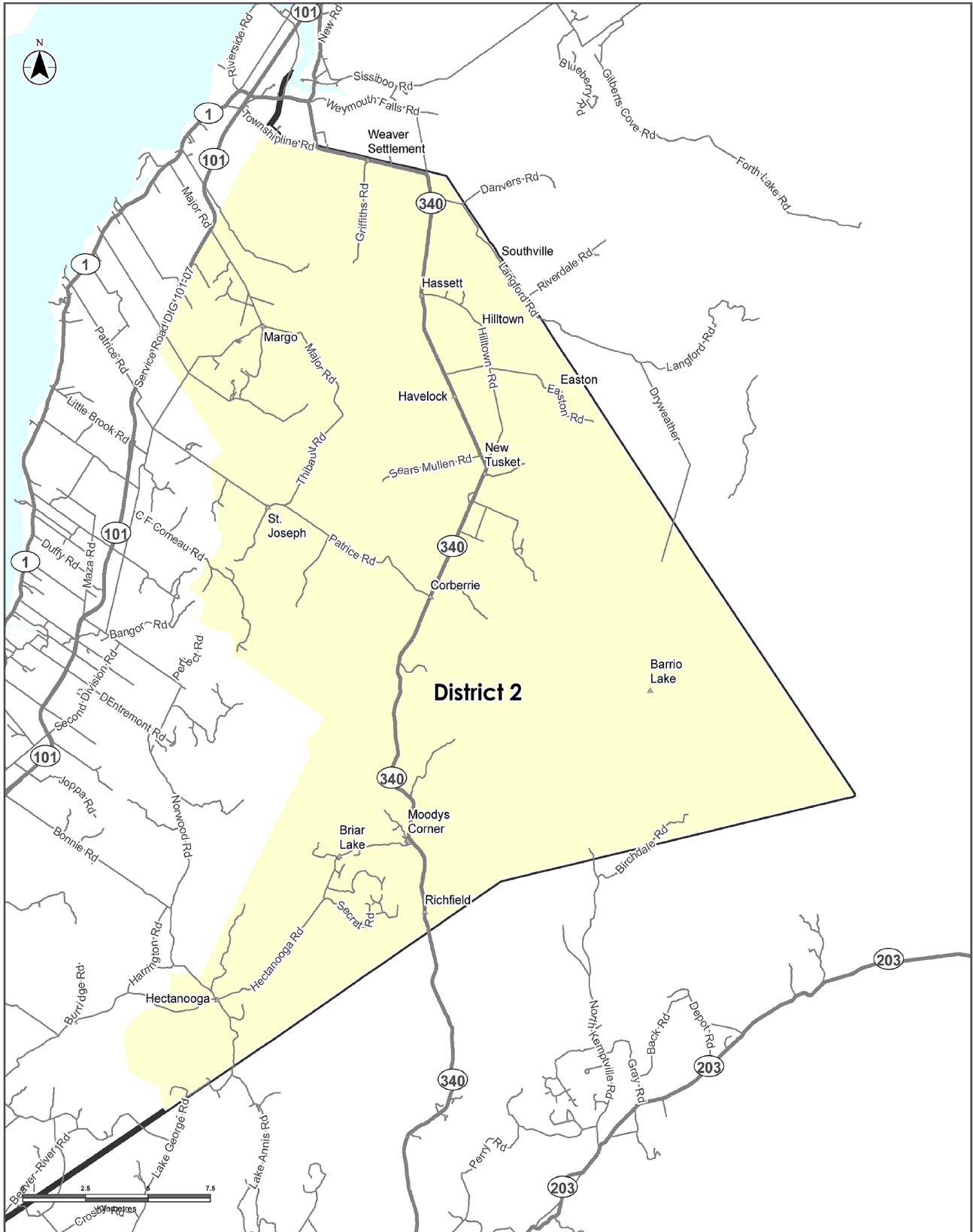


Sources: Voter information and polling districts provided by the Municipality of Clare; Base data provided by the Government of Nova Scotia

Disclaimer: This map is for illustrative purposes to support this Stantec project; questions can be directed to the issuing agency.

NAD 1983 CSRS UTM Zone 20N
133347991-008

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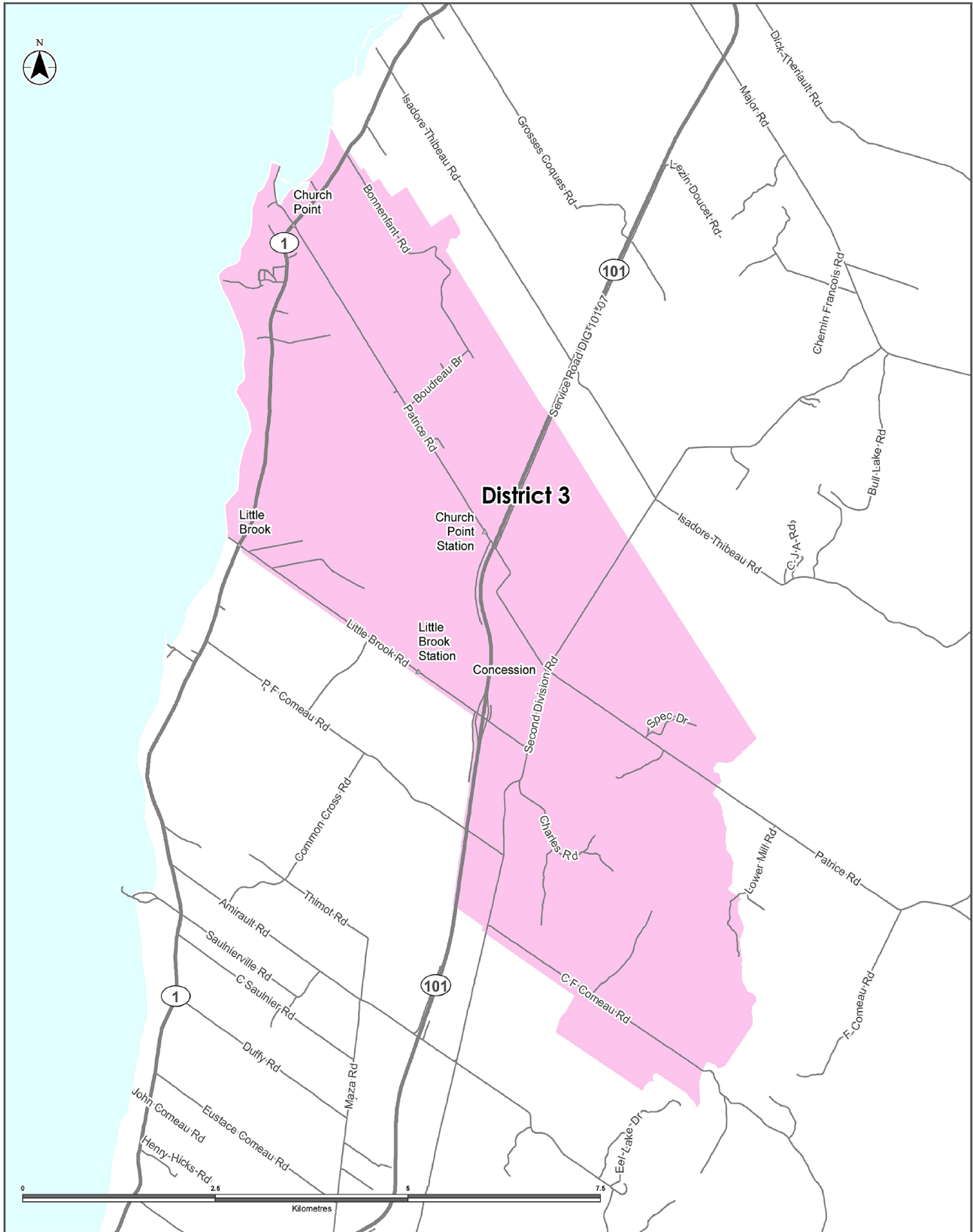


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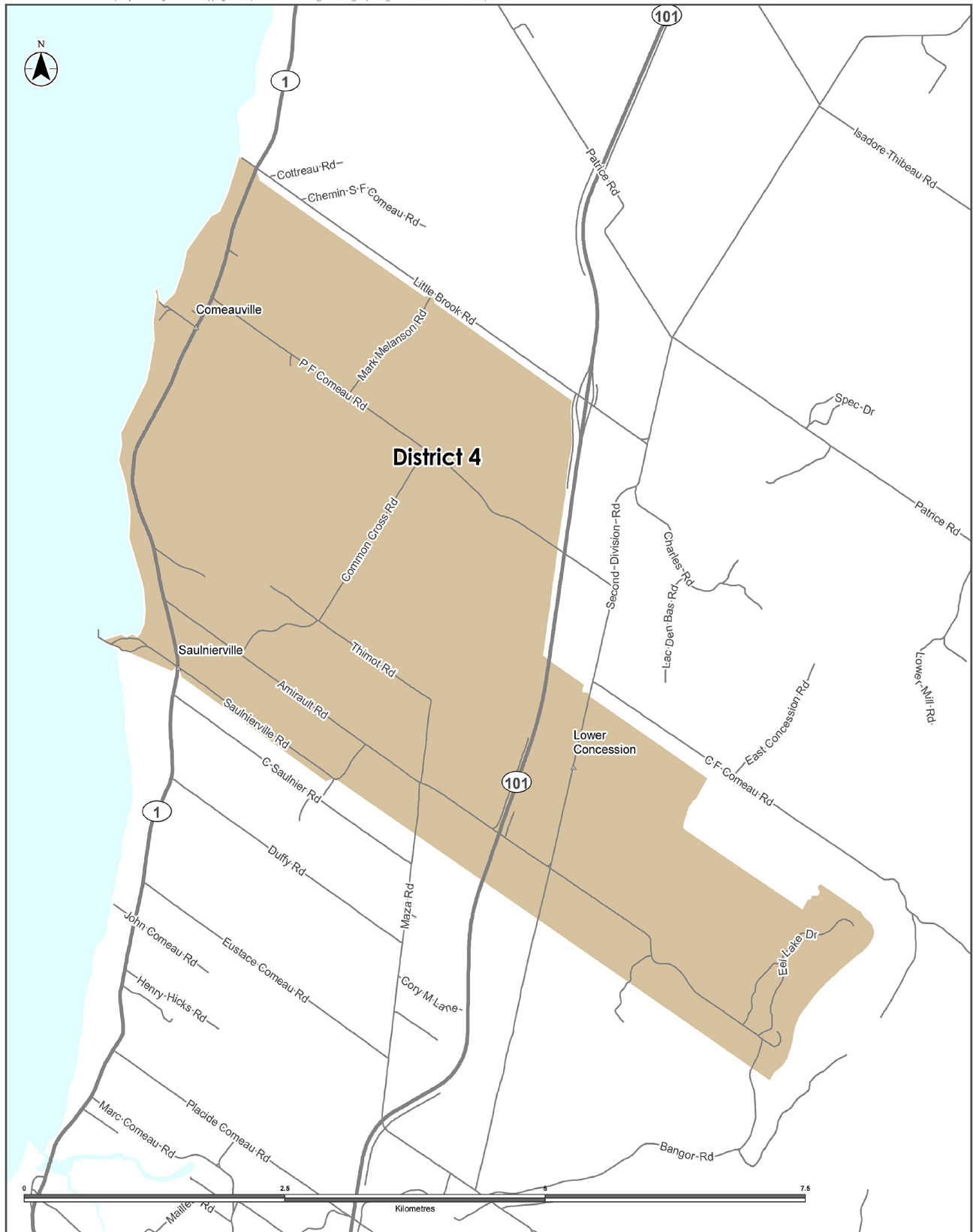


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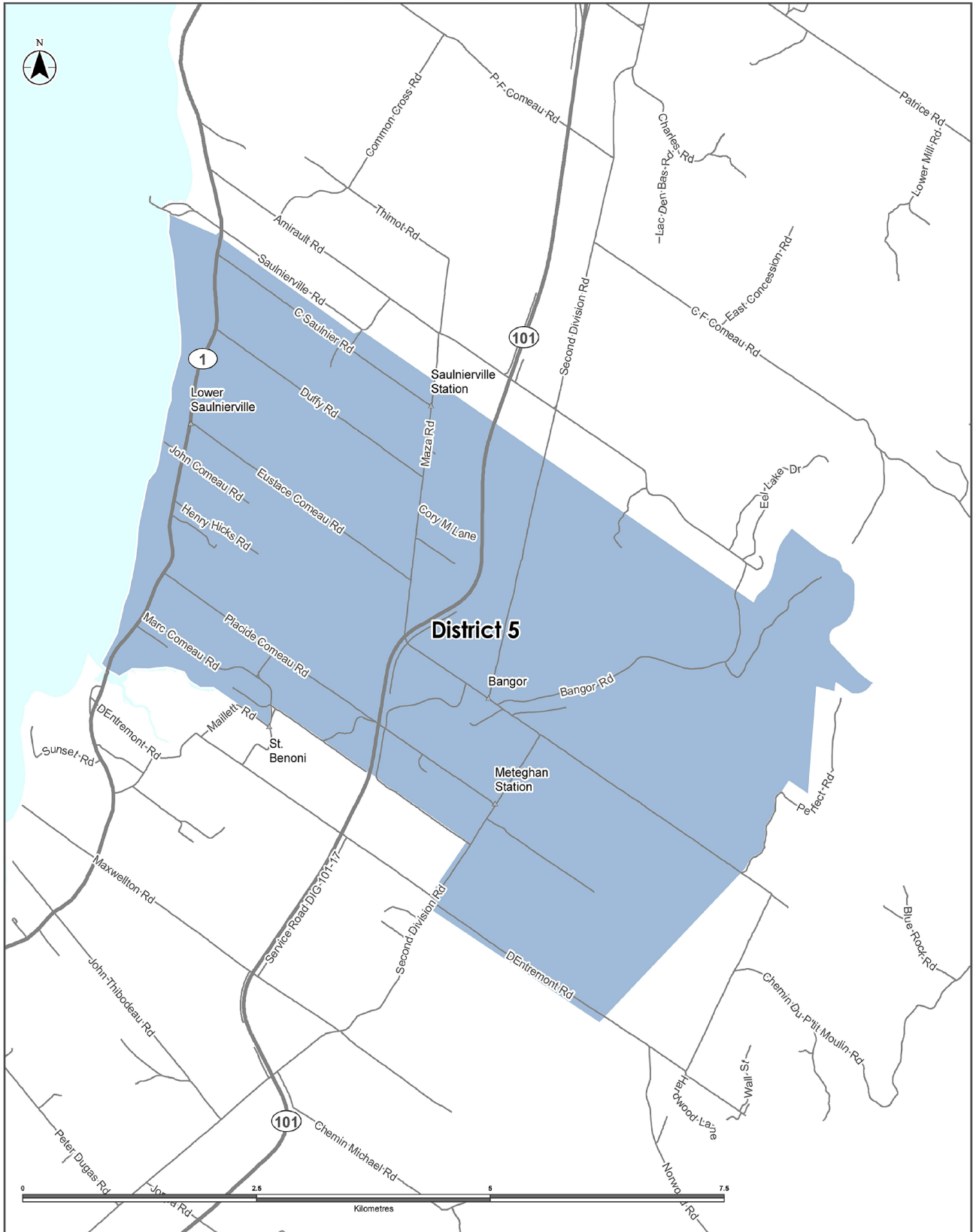


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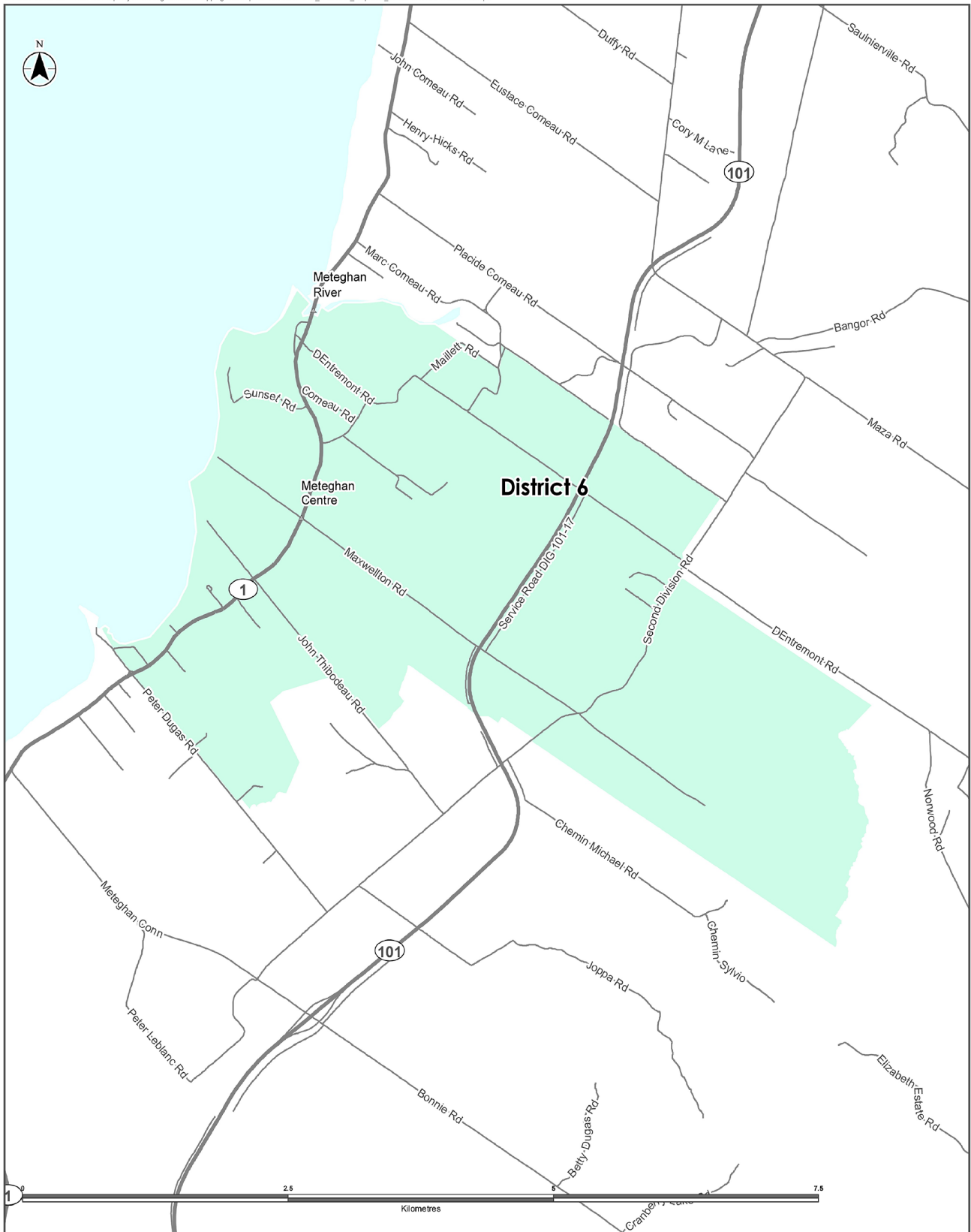


Sources: Voter information and polling districts provided by the Municipality of Clare; Base data provided by the Government of Nova Scotia

Disclaimer: This map is for illustrative purposes to support this Stantec project; questions can be directed to the issuing agency.

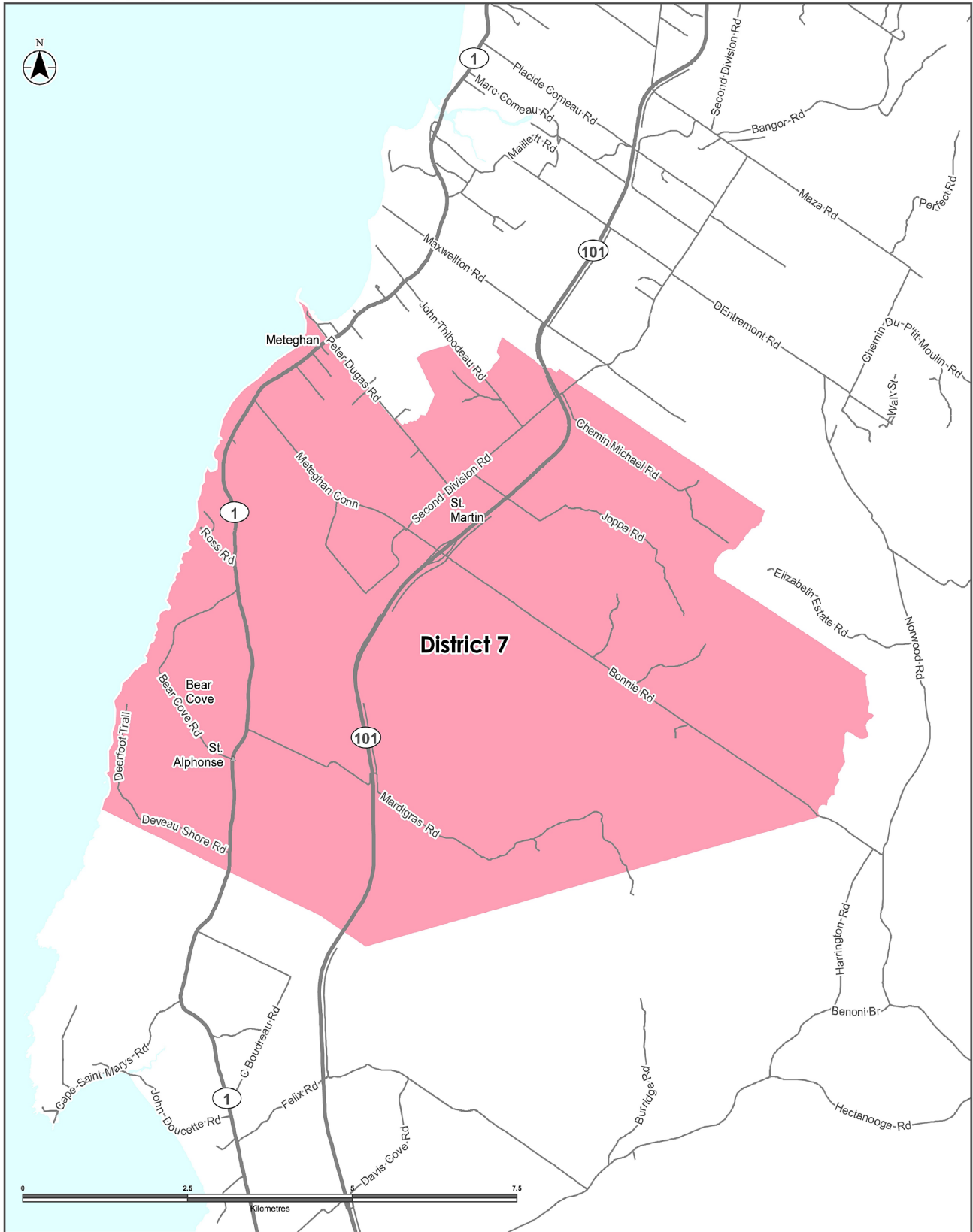
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Sources: Voter information and polling districts provided by the Municipality of Clare; Base data provided by the Government of Nova Scotia
 Disclaimer: This map is for illustrative purposes to support this Stantec project; questions can be directed to the issuing agency.
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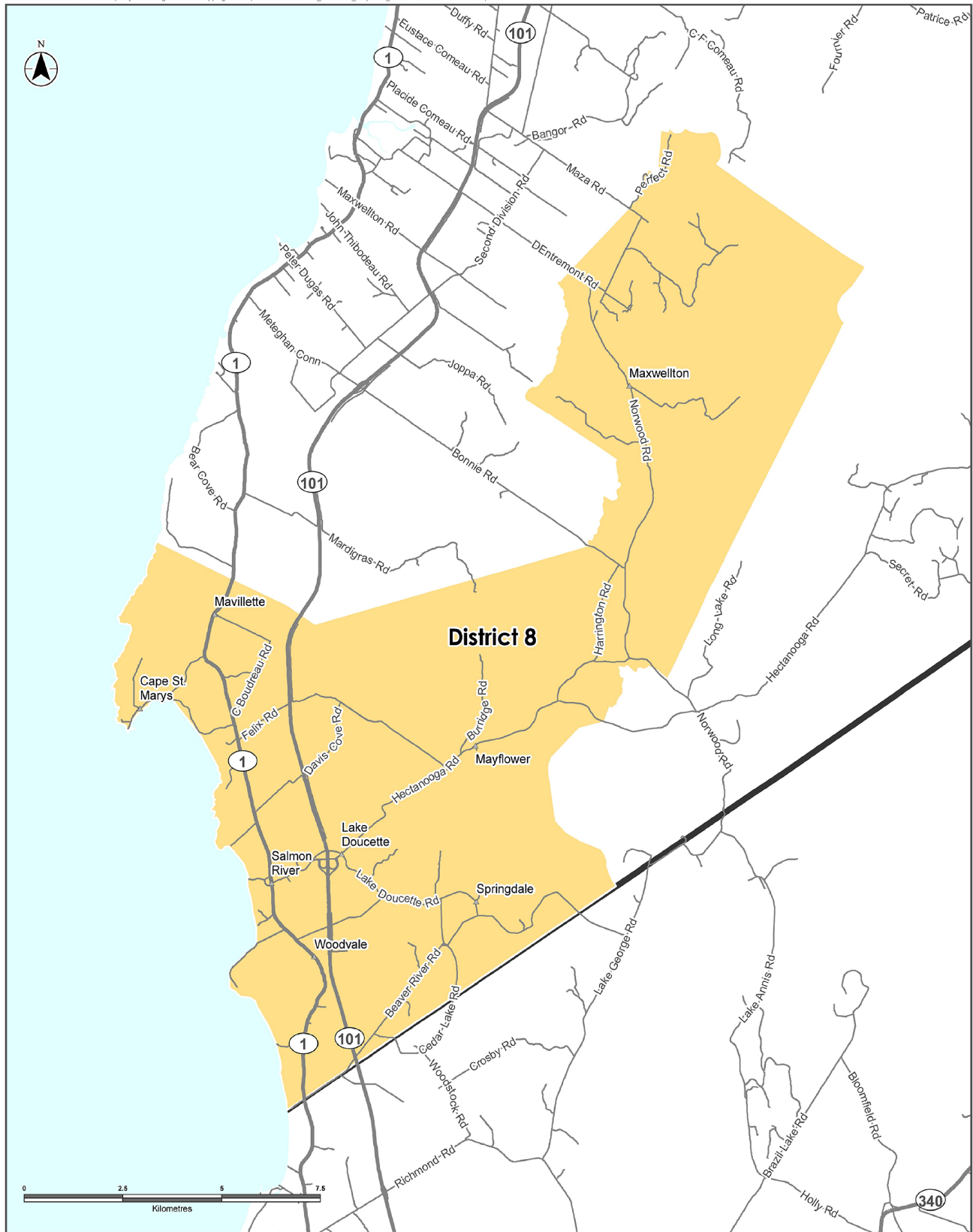


Sources: Voter information and polling districts provided by the Municipality of Clare; Base data provided by the Government of Nova Scotia

Disclaimer: This map is for illustrative purposes to support this Stantec project; questions can be directed to the issuing agency.

NAD 1983 CRS UTM Zone 20N
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Sources: Voter information and polling districts provided by the Municipality of Clare; Base data provided by the Government of Nova Scotia

Disclaimer: This map is for illustrative purposes to support this Stantec project; questions can be directed to the issuing agency.

NAD 1983 CSRS UTM Zone 20N
133347991-008

N.S. Reg. 131/2018

Made: July 12, 2018

Filed: July 13, 2018

Prescribed Petroleum Products Prices

Order dated July 12, 2018
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**M08803****In the matter of the *Petroleum Products Pricing Act*****- and -****In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Peter W. Gurnham, Q.C., Chair
Stephen T. McGrath, LL.B., Member

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

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

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended July 11, 2018, are:

Grade 1 Regular gasoline	72.7¢ per litre
Ultra-low-sulfur diesel oil	75.2¢ per litre

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

Gasoline:	
Grade 1	72.7¢ per litre
Grade 2	75.7¢ per litre
Grade 3	78.7¢ per litre
Ultra-low-sulfur diesel oil	75.2¢ per litre

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

Gasoline:	nil¢ per litre
Ultra-low-sulfur diesel oil:	nil¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule "A" effective on and after 12:01 a.m., July 13, 2018.

Dated at Halifax, Nova Scotia, this 12th day of July, 2018.

sgd: *Doreen Friis*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 13, 2018**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	79.9	10.0	15.5	105.4	127.1	129.3	127.1	999.9
Mid-Grade Unleaded	82.9	10.0	15.5	108.4	130.5	132.7	130.5	999.9
Premium Unleaded	85.9	10.0	15.5	111.4	134.0	136.2	134.0	999.9
Ultra-Low-Sulfur Diesel	82.4	4.0	15.4	101.8	122.9	125.1	122.9	999.9
Zone 2								
Regular Unleaded	80.4	10.0	15.5	105.9	127.6	129.8	127.6	999.9
Mid-Grade Unleaded	83.4	10.0	15.5	108.9	131.1	133.3	131.1	999.9
Premium Unleaded	86.4	10.0	15.5	111.9	134.6	136.7	134.6	999.9
Ultra-Low-Sulfur Diesel	82.9	4.0	15.4	102.3	123.5	125.7	123.5	999.9
Zone 3								
Regular Unleaded	80.8	10.0	15.5	106.3	128.1	130.3	128.1	999.9
Mid-Grade Unleaded	83.8	10.0	15.5	109.3	131.6	133.7	131.6	999.9
Premium Unleaded	86.8	10.0	15.5	112.3	135.0	137.2	135.0	999.9
Ultra-Low-Sulfur Diesel	83.3	4.0	15.4	102.7	124.0	126.2	124.0	999.9
Zone 4								
Regular Unleaded	80.9	10.0	15.5	106.4	128.2	130.4	128.2	999.9
Mid-Grade Unleaded	83.9	10.0	15.5	109.4	131.7	133.9	131.7	999.9
Premium Unleaded	86.9	10.0	15.5	112.4	135.1	137.3	135.1	999.9
Ultra-Low-Sulfur Diesel	83.4	4.0	15.4	102.8	124.1	126.3	124.1	999.9
Zone 5								
Regular Unleaded	80.9	10.0	15.5	106.4	128.2	130.4	128.2	999.9
Mid-Grade Unleaded	83.9	10.0	15.5	109.4	131.7	133.9	131.7	999.9
Premium Unleaded	86.9	10.0	15.5	112.4	135.1	137.3	135.1	999.9
Ultra-Low-Sulfur Diesel	83.4	4.0	15.4	102.8	124.1	126.3	124.1	999.9
Zone 6								
Regular Unleaded	81.6	10.0	15.5	107.1	129.0	131.2	129.0	999.9
Mid-Grade Unleaded	84.6	10.0	15.5	110.1	132.5	134.7	132.5	999.9
Premium Unleaded	87.6	10.0	15.5	113.1	135.9	138.1	135.9	999.9
Ultra-Low-Sulfur Diesel	84.1	4.0	15.4	103.5	124.9	127.1	124.9	999.9

N.S. Reg. 132/2018 to 133/2018

Made: July 17, 2018

Filed: July 18, 2018

Personal Health Information Regulations—amendment

Order in Council 2018-196 dated July 17, 2018
Amendment to regulations made by the Governor in Council
pursuant to Section 110 of the *Personal Health Information Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated June 28, 2018, and pursuant to Section 110 of Chapter 41 of the Acts of 2010, the *Personal Health Information Act*, is pleased to amend the *Personal Health Information Regulations*, N.S. Reg. 217/2012, made by the Governor in Council by Order in Council 2012-371 dated December 4, 2012, to

(a) designate Annapolis Valley First Nation, Eskasoni First Nation, Glooscap First Nation, Membertou First Nation, Pictou Landing First Nation, Potlotek First Nation, Sipekne'katik First Nation, Wagmatcook First Nation, and We'koqma'q First Nation as custodians under the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 1, 2018; and

(b) designate Millbrook First Nation as a custodian under the Act, in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation, effective on and after February 1, 2019.

N.S. Reg. 132/2018

Personal Health Information Regulations—amendment

Schedule "A"

**Amendment to the *Personal Health Information Regulations*
made by the Governor in Council under Section 110 of
Chapter 41 of the Acts of 2010, the *Personal Health Information Act***

1 Section 3 of the *Personal Health Information Regulations*, N.S. Reg. 217/2012, made by the Governor in Council by Order in Council 2012-371 dated December 4, 2012, is amended by

- (a) striking out the period at the end of clause (c) and substituting a semicolon; and
- (b) adding the following clause immediately after clause (c):
 - (d) each of the following Mi'kmaw First Nation bands in the Province:
 - (i) Annapolis Valley First Nation,
 - (ii) Eskasoni First Nation,
 - (iii) Glooscap First Nation,
 - (iv) Membertou First Nation,
 - (v) Pictou Landing First Nation,

- (vi) Potlotek First Nation,
- (vii) Sipekne'katik First Nation,
- (viii) Wagmatcook First Nation,
- (ix) We'koqma'q First Nation.

2 The regulations are further amended by repealing clause 6(1)(e) and substituting the following clause:

- (e) each of the following Mi'kmaw First Nation bands in the Province, to contribute to and maintain the Nova Scotia First Nations Client Linkage Registry:
 - (i) Acadia First Nation,
 - (ii) Bear River First Nation,
 - (iii) Paq'tnkek First Nation,
 - (iv) Millbrook First Nation.

N.S. Reg. 133/2018

Personal Health Information Regulations—amendment

Schedule “B”

**Amendment to the *Personal Health Information Regulations*
made by the Governor in Council under Section 110 of
Chapter 41 of the Acts of 2010, the *Personal Health Information Act***

- 1 Clause 3(d) of the *Personal Health Information Regulations*, N.S. Reg. 217/2012, made by the Governor in Council by Order in Council 2012-371 dated December 4, 2012, is amended by
 - (a) striking out the period at the end of subclause (ix) and substituting a comma; and
 - (b) adding the following subclause immediately after clause (ix):
 - (x) Millbrook First Nation.
- 2 Clause 6(1)(e) of the regulations is amended by
 - (a) striking out the comma at the end of subclause (iii) and substituting a period; and
 - (b) repealing subclause (iv).

N.S. Reg. 134/2018

Made: July 19, 2018

Filed: July 20, 2018

Prescribed Petroleum Products Prices

Order dated July 19, 2018
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**M08807****In the matter of the *Petroleum Products Pricing Act*****- and -****In the matter of prescribing prices for petroleum products pursuant to Section 14 of the *Petroleum Products Pricing Act* and Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roberta J. Clarke, Q.C., Member
Jennifer L. Nicholson, CPA, CA, Member

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

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

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended July 18, 2018, are:

Grade 1 Regular gasoline	70.4¢ per litre
Ultra-low-sulfur diesel oil	72.7¢ per litre

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

Gasoline:	
Grade 1	70.4¢ per litre
Grade 2	73.4¢ per litre
Grade 3	76.4¢ per litre
Ultra-low-sulfur diesel oil	72.7¢ per litre

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

Gasoline:	minus 0.4¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.5¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., July 20, 2018.

Dated at Halifax, Nova Scotia, this 19th day of July, 2018.

sgd: *Lisa Wallace*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 20, 2018**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	77.3	10.0	15.5	102.8	124.1	126.3	124.1	999.9
Mid-Grade Unleaded	80.3	10.0	15.5	105.8	127.5	129.7	127.5	999.9
Premium Unleaded	83.3	10.0	15.5	108.8	131.0	133.2	131.0	999.9
Ultra-Low-Sulfur Diesel	79.4	4.0	15.4	98.8	119.5	121.7	119.5	999.9
Zone 2								
Regular Unleaded	77.8	10.0	15.5	103.3	124.7	126.8	124.7	999.9
Mid-Grade Unleaded	80.8	10.0	15.5	106.3	128.1	130.3	128.1	999.9
Premium Unleaded	83.8	10.0	15.5	109.3	131.6	133.7	131.6	999.9
Ultra-Low-Sulfur Diesel	79.9	4.0	15.4	99.3	120.1	122.2	120.1	999.9
Zone 3								
Regular Unleaded	78.2	10.0	15.5	103.7	125.1	127.3	125.1	999.9
Mid-Grade Unleaded	81.2	10.0	15.5	106.7	128.6	130.8	128.6	999.9
Premium Unleaded	84.2	10.0	15.5	109.7	132.0	134.2	132.0	999.9
Ultra-Low-Sulfur Diesel	80.3	4.0	15.4	99.7	120.5	122.7	120.5	999.9
Zone 4								
Regular Unleaded	78.3	10.0	15.5	103.8	125.2	127.4	125.2	999.9
Mid-Grade Unleaded	81.3	10.0	15.5	106.8	128.7	130.9	128.7	999.9
Premium Unleaded	84.3	10.0	15.5	109.8	132.1	134.3	132.1	999.9
Ultra-Low-Sulfur Diesel	80.4	4.0	15.4	99.8	120.6	122.8	120.6	999.9
Zone 5								
Regular Unleaded	78.3	10.0	15.5	103.8	125.2	127.4	125.2	999.9
Mid-Grade Unleaded	81.3	10.0	15.5	106.8	128.7	130.9	128.7	999.9
Premium Unleaded	84.3	10.0	15.5	109.8	132.1	134.3	132.1	999.9
Ultra-Low-Sulfur Diesel	80.4	4.0	15.4	99.8	120.6	122.8	120.6	999.9
Zone 6								
Regular Unleaded	79.0	10.0	15.5	104.5	126.0	128.2	126.0	999.9
Mid-Grade Unleaded	82.0	10.0	15.5	107.5	129.5	131.7	129.5	999.9
Premium Unleaded	85.0	10.0	15.5	110.5	132.9	135.1	132.9	999.9
Ultra-Low-Sulfur Diesel	81.1	4.0	15.4	100.5	121.4	123.6	121.4	999.9

N.S. Reg. 135/2018

Made: June 27, 2018

Approved: July 19, 2018

Filed: July 23, 2018

Bulk Haulage Regulations—amendment

Order dated July 19, 2018
Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia**Amendment to the *Bulk Haulage Regulations*
made under the *Dairy Industry Act***

I certify that on June 27, 2018, the Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, in the manner set forth in the attached Schedule “A”, effective on and after August 1, 2018.

Signed at Truro, in the County of Colchester, Nova Scotia on July 19, 2018

Dairy Farmers of Nova Scotia

per: sgd: *Kimberly Harrison*
Kimberly Harrison
Assistant General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on July 19, 2018.

Natural Products Marketing Council

per: sgd: *E.A. Crouse*
Elizabeth A. Crouse, P.Ag.
Director

Schedule “A”**Amendment to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Section 7 of the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, is amended by repealing clause (a) and substituting the following clause:

(a) for farm pick-up:

Transporter	Maximum Rate/100 L
Agropur Cooperative	\$2.15
Agropur Scotsburn Division (Agropur Cooperative)	\$2.88
Fisher Transport Limited	\$1.69
Winterthur Farm–Rudolph Burghardt	\$5.29

N.S. Reg. 136/2018

Made: July 17, 2018

Filed: July 23, 2018

Summary Offence Tickets Regulations–amendment

Order dated July 17, 2018

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Section 8 of the *Summary Proceedings Act*

Order

**Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Mark Furey, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this order, hereby

- (a) amend Schedule M-17 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by Order of the Attorney General and Minister of Justice dated October 4, 2011, to repeal and replace all offences under the Town of Bridgewater Taxi By-law in the manner set forth in the attached Schedule “A”;
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by Order of the Attorney General and Minister of Justice dated October 4, 2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made July 17, 2018 at Halifax Regional Municipality, Province of Nova Scotia.

sgd: *Mark Furey*

Honourable Mark Furey

Attorney General and Minister of Justice

Schedule "A"

**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to Section 8
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

Schedule M-17 to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by Order of the Attorney General and Minister of Justice dated October 4, 2011, is amended by repealing all items under the heading "Taxi By-law" and substituting the following items:

1	Operating taxi or limousine (specify) without valid taxi or limousine owner's license (specify)	5.1	\$237.50
2	Owner operating or allowing to be operated (specify) taxi or limousine (specify) without valid taxi or limousine owner's license (specify)	5.2	\$237.50
3	Owner changing business name without notifying Licensing Authority in writing at least 7 clear days before change	5.9	\$237.50
4	Owner permitting person to operate taxi or limousine (specify) to transport passengers or goods or seek employment as taxi or limousine driver (specify) without valid taxi or limousine driver's license (specify)	5.10	\$237.50
5	Owner failing to cover roof sign or light when taxi or limousine (specify) not for hire	5.11	\$237.50
6	Person not licensed by municipal government of Province picking up or dropping off taxi fare within town limits	6.1	\$237.50
7	Seeking employment as taxi or limousine (specify) driver in public place without valid taxi or limousine driver's license (specify) displayed	6.2(a)	\$237.50
8	Waiting in public or private place to obtain employment as taxi or limousine (specify) driver without valid taxi or limousine driver's license (specify) displayed	6.2(b)	\$237.50
9	Owner failing to collect operator log within 7 days of driver's shift	8.1	\$237.50
10	Owner failing to retain operator logs for 12 months after collection	8.4	\$237.50
11	Owner failing to provide operator logs to Licensing Authority on demand	8.4	\$237.50
12	Driver failing to produce operator log on request of officer	8.5	\$237.50
13	Owner or driver (specify) preventing Licensing Authority from entering vehicle for inspection	9.2	\$237.50
14	Driver or owner (specify) taking fare in amount other than as permitted by by-law	10.4	\$237.50
15	Failing to display fare card so readily visible to passengers	10.6	\$237.50
16	Owner or driver (specify) of licensed taxi or limousine (specify) smoking or permitting smoking (specify) in vehicle	11.1	\$237.50
17	Driver in control of licensed taxi or limousine (specify) failing to display identification card so easily visible to passengers	12.1(a)	\$237.50
18	Driver in control of a licensed taxi or limousine (specify) picking up other passengers while already engaged, contrary to by-law	12.1(b)	\$237.50
19	Driver in control of licensed taxi or limousine (specify) failing to transport passenger's personal luggage	12.1(c)	\$237.50
20	Driver in control of licensed taxi or limousine (specify) failing to take passenger's personal luggage in and out of vehicle on request	12.1(c)	\$237.50

21	Driver in control of licensed taxi or limousine (specify) using abusive or insulting language	12.1(d)	\$237.50
22	Driver in control of licensed taxi or limousine (specify) failing to conduct themselves in orderly manner	12.1(e)	\$237.50
23	Driver in control of licensed taxi or limousine (specify) failing to be respectful of passengers	12.1(e)	\$237.50
24	Driver in control of licensed taxi or limousine (specify) consuming alcoholic beverage or impairing substance	12.1(f)	\$237.50
25	Driver in control of licensed taxi or limousine (specify) failing to maintain high standard of personal hygiene	12.1(g)	\$237.50
26	Owner or driver (specify) operating or permitting to be operated (specify) taxi or limousine (specify) with damaged or unsightly body	12.2(a)	\$237.50
27	Owner or driver (specify) operating or permitting to be operated (specify) taxi or limousine (specify) with visible body fill, rust, primer paint, accident damage or other defect (specify)	12.2(b)	\$237.50
28	Owner or driver (specify) operating or permitting to be operated (specify) taxi or limousine (specify) that is not of uniform colour	12.2(c)	\$237.50
29	Owner or driver (specify) operating or permitting to be operated (specify) taxi or limousine (specify) that is not clean and in good repair	12.2(d)	\$237.50
30	Owner failing to notify Licensing Authority of taxi's or limousine's (specify) involvement in accident	13.1	\$237.50
31	Owner failing to deliver taxi or limousine (specify) to Licensing Authority by 3:00 p.m. on working day following accident	13.1	\$237.50

N.S. Reg. 137/2018

Made: July 24, 2018

Filed: July 24, 2018

Day Care Regulations—amendment

Order in Council 2018-200 dated July 24, 2018

Amendment to regulations made by the Governor in Council
pursuant to Section 15 of the *Day Care Act*

The Governor in Council on the report and recommendation of the Minister of Education and Early Childhood Development dated June 27, 2018, and pursuant to Section 15 of Chapter 120 of the Revised Statutes of Nova Scotia, 1989, the *Day Care Act*, is pleased to amend the *Day Care Regulations*, N.S. Reg. 193/2010, made by the Governor in Council by Order in Council 2010-456 dated December 20, 2010, to update requirements for staff training and qualifications and to enable licensees to offer care to pre-primary children, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 1, 2018.

Schedule “A”

**Amendment to the *Day Care Regulations*
made by the Governor in Council under Section 15 of
Chapter 120 of the Revised Statutes of Nova Scotia, 1989,
the *Day Care Act***

- 1 Subsection 2(1) of the *Day Care Regulations*, N.S. Reg. 193/2010, made by the Governor in Council by Order in Council 2010-456 dated December 20, 2010, is amended by
 - (a) striking out “under the *Pre-primary Education Act*” in the definition of “attending school”;
 - (b) repealing the definition of “Competency Based Assessment Program”;
 - (c) striking out “department presided over by the Minister” in the definition of “Department” and substituting “Department of Education and Early Childhood Development”;
 - (d) striking out “subsection 37(2)” in the definition of “level 1 classification” and substituting “Section 37C”;
 - (e) striking out “subsection 37(3)” in the definition of “level 2 classification” and substituting “Section 37D”;
 - (f) striking out “subsection 37(4)” in the definition of “level 3 classification” and substituting “Section 37E”;
 - (g) adding the following definition immediately after the definition of “operate”:
“orientation training” means orientation training for facility staff that is approved by the Minister;
 - (h) adding the following definition immediately after the definition of “pre-primary program”:
“pre-primary child” means a child who is attending a pre-primary program;
 - (i) adding the following definition immediately after the definition of “public school”:
“recognition of prior learning program” means the assessment process approved by the Minister for a person to demonstrate the professional competencies required to obtain level 2 classification;
 - (j) adding “or a pre-primary program” immediately after “who is attending school” in the definition of “school-age program”; [and]
 - (k) striking out “approved by the Minister under subsection 37(5)” in the definition of “school-age training approval” and substituting “granted by the Minister under Section 37F”.
- 2 Clause 3(2)(g) of the regulations is amended by striking out “a school board” and substituting “an education entity”.
- 3 Subsection 4(2) of the regulations is amended by
 - (a) adding “closures,” immediately after “school” in clause (c); and
 - (b) striking out the period at the end of clause (c) and adding the following clause immediately after clause (c):
 - (d) if the program includes any pre-primary children,
 - (i) before the pre-primary program begins in the morning and after the pre-primary program ends in the afternoon,

(ii) during pre-primary program closures, holidays or in-service days.

4 Subsection 15A(3) of the regulations is amended by striking out “school age” and substituting “school-age” wherever it appears.

5 Clause 22(3)(b) of the regulations is amended by striking out “age group” and substituting “group category”.

6 (1) Subsection 34(1) of the regulations is amended by striking out “subsection (2)” and substituting “subsections (2) and (2A)”.

(2) The table in subsection 34(1) of the regulations is amended by

(a) striking out the heading “Age Range of Children” in the 1st column of the 2nd row and substituting “Category of Children in Group”;

(b) under the heading “School-Age Program”,

(i) striking out “School age” in the 1st column of the 1st row and substituting “School-age only”, and

(ii) adding the following rows immediately below the 1st row:

School-age and fewer than 8 pre-primary children	1 to 15
School-age and 8 or more pre-primary children	1 to 12
Pre-primary children only	1 to 12

(c) under the heading “Family Home Day Care Program”, striking out “School age” in the 1st column of the 3rd row and substituting “School-age only”.

(3) Subsection 34(2) of the regulations is amended by striking out “age group” and substituting “group”.

(4) Section 34 of the regulations is further amended by adding the following subsection immediately after subsection (2):

(2A) If there are any pre-primary children in attendance in a school-age program being offered during a school or pre-primary program closure, holiday or in-service day, the staff-to-children ratio for the school-age program must be 1 to 10.

(5) The table in subsection 34(3) of the regulations is amended by

(a) striking out the heading “Age Range of Children in Group” in the 1st column of the 2nd row and substituting “Category of Children in Group”;

(b) under the heading “Full-Day Program”, adding the following row immediately below the row starting with “Preschooler”:

Mixed ages	maximum group size applying to youngest child
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- (c) under the heading “School-Age Program”,
- (i) striking out “School age” in the 1st column of the 1st row and substituting “School-age only”, and
- (ii) adding the following rows immediately below the 1st row:

School-age and pre-primary children	30
Pre-primary children only	30

- (6) Subsection 34(4) of the regulations is repealed and the following subsection substituted:

- (4)** If there are groups of children from more than 1 category set out in the tables in subsections (1) and (3) in a single room in a facility, then the ratio and group size for all children in the room must not exceed the staff-to-children ratio and maximum group size applicable to the youngest child in the room.

- 7 (1) Subsection 35(2) of the regulations is amended by striking out “act as the facility director” and substituting “serve as an acting facility director”.
- (2) Subsection 35(3) of the regulations is amended by striking out “a person designated under subsection (2) must be in attendance” and substituting “acting facility director must be present”.
- 8 (1) Subsection 36(3) of the regulations is repealed.
- (2) Subsection 36(4) of the regulations is amended by
- (a) striking out “A facility must” and substituting “Except as provided in subsection (6), a facility must”; and
- (b) striking out “, or be working on completing the Competency Based Assessment Program” in clauses (a) and (b).
- (3) Section 36 of the regulations is further amended by adding the following subsections immediately after subsection (5):
- (6)** The Minister may approve temporary facility staffing that is different to the requirements in subsection (4) on the condition that the licensee demonstrates all of the following to the satisfaction of the Minister:
- (a) the licensee is unable to hire staff who have the qualifications needed for the licensee to meet the requirements of subsection (4);
- (b) the licensee has hired staff who are working towards completing the required training or qualifications and the licensee has established, in a form approved by the Minister, a temporary staffing plan that includes a timeline and conditions for the staff to complete the training or qualifications;
- (c) the facility staffing approved will not adversely affect the safety of children in the

program or the quality of the services and program.

- (7) The Minister may amend or revoke an approval made under subsection (6) if, in the Minister's opinion, any of the conditions set out in subsection (6) are not being met.

9 Section 37 of the regulations is repealed and the following Sections substituted:

Orientation training

37 (1) A facility staff person who works directly with children must complete 1 of the following and provide proof of completion to the Minister:

- (a) the orientation training;
- (b) post-secondary courses in early childhood education that, in the opinion of the Minister, are comparable to the orientation training.

(2) A facility staff person who has not met the requirements of subsection (1) on their date of employment must complete, and provide proof of completion of, the orientation training by the following applicable date:

- (a) for staff hired on or before August 31, 2018, no later than 1 year from their date of employment;
- (b) for staff hired on or after September 1, 2018, no later than 6 months after their date of employment.

Application for classification or school-age training approval

37A A person seeking an entry level, level 1, level 2 or level 3 classification or school-age training approval must apply to the Minister.

Entry level classification

37B The Minister may issue an entry level classification to a facility staff person who meets the requirements of subsection 37(1).

Level 1 classification

37C The Minister may issue a level 1 classification to an applicant who meets 1 of the following qualifications:

- (a) they meet the requirements in subsection 37(1) and have completed any course work and workplace training specified in standards set by the Minister;
- (b) they hold a 1-year certificate in early childhood development or early childhood education from a training program recognized by the Director.

Level 2 classification

37D The Minister may issue a level 2 classification to an applicant who meets 1 of the following qualifications:

- (a) they hold a diploma in early childhood education from a program approved by the Director;
- (b) they hold a 1-year early childhood education certificate obtained before May 31, 2000, on completion of a training program in early childhood education, as defined in the

former regulations;

- (c) they have successfully completed the recognition of prior learning program.

Level 3 classification

37E The Minister may issue a level 3 classification to an applicant who meets 1 of the following qualifications:

- (a) they hold a bachelor's degree from a post-secondary institution approved by the Director in any of the following:
- (i) early childhood education,
 - (ii) an area of study that qualifies a person to plan and deliver early childhood education programming for children from birth to 12 years of age;
- (b) they meet the qualifications in clause 37D(a) and hold a bachelor's degree in any discipline from a post-secondary institution recognized by the Director.

School-age training approval

37F (1) The Minister may grant approval of school-age training to a person who meets all of the following qualifications:

- (a) they have completed 1 of the following:
- (i) a bachelor's degree in early [childhood] or elementary education from a post-secondary institution recognized by the Director,
 - (ii) a program at a post-secondary institution recognized by the Director, that qualifies a person to plan and deliver developmentally appropriate programming for school-age children;
- (b) they meet the requirements in subsection 37(1).
- (2)** Despite subsection (1) the Minister may grant a 6-month conditional approval of school-age training to a person if the Minister determines that the person meets the requirements in clause (1)(a), on the condition that they meet the requirements in clause (1)(b) no later than 6 months after the date the conditional approval is granted.
- (3)** A conditional approval granted under subsection (2) expires the earlier of the following dates:
- (a) 6 months after the date the conditional approval is granted;
 - (b) the date the person is granted approval of school-age training, having met the qualifications in clause (1)(b).
- (4)** A person granted a conditional approval under subsection (2) may reapply to the Minister for a further 6-month conditional approval if they are not able to meet the qualifications in clause (1)(b) within 6 months from the date the conditional approval was granted.
- (5)** The Minister may, at the Minister's sole discretion, grant a further 6-month conditional approval to a person who reapplies under subsection (4).

- (6) For the purposes of the facility staffing requirement in clause 36(4)(b), a person granted a conditional approval under this Section is deemed to hold school-age training approval for the duration of their conditional approval.
- 10 Section 38 of the regulations is amended by striking out “holds a classification or school-age training approval under Section 37” and substituting “is issued a classification or granted school-age training approval under these regulations”.
- 11 Section 40 of the regulations is amended by
- (a) striking out “as provided in subsection (2) and (3), a facility director or a person designated as an acting facility director under subsection 35(2) must have the following qualification” and substituting “as otherwise provided in this Section, a facility director must have the following qualifications”;
 - (b) adding “at least” immediately after “must have” in subsection 40(2); [and]
 - (c) repealing subsection (3) and substituting the following subsections:
 - (3) An acting facility director designated to cover an absence by the facility director of fewer than 3 consecutive weeks must have the following qualifications:
 - (a) for a facility that offers programming for all ages, a level 1, level 2 or level 3 classification;
 - (b) for a facility that offers only school-age programming, a level 1, level 2 or level 3 classification or school-age training approval.
 - (4) An acting facility director designated to cover an absence by the facility director of 3 or more consecutive weeks must meet 1 of the following:
 - (a) the qualifications required for a facility director in subsection (1);
 - (b) a level 1 classification obtained before May 1, 2012;
 - (c) approval from the Minister to be designated as the acting facility director.
- 12 (1) The regulations are further amended by repealing the heading immediately before Section 43 and substituting “Record checks”.
- (2) Subsection 43(1) of the regulations is amended by
- (a) repealing the definition of “criminal record check”; and
 - (b) striking out “a criminal record check,” in the definition of “record check”.
- (3) Subsection 43(2) of the regulations is repealed.
- (4) Subsection 43(3) of the regulations is repealed and the following subsection substituted:
- (3) A vulnerable sector check is required in accordance with this Section for a person who is 18 years or older in any of the following circumstances:

- (a) the person has or will have contact with children attending a licensed day care program or approved family home day care program, including volunteers;
 - (b) the person lives in a home where there is a licensed facility or that is a family day care home.
- (5) Subsection 43(4) of the regulations is amended by
 - (a) striking out “Child abuse register checks are” and substituting “A child abuse register check is”;
 - (b) striking out “any person” and substituting “a person”; and
 - (c) striking out “and who otherwise meets the description in clause (2)(a) or (b)” and substituting “in any of the circumstances set out in clauses (3)(a) to (c)”.
- (6) Subsection 43(5) of the regulations is amended by adding “of the record check” immediately after “results”.
- (7) Subsection 43(6) of the regulations is amended by striking out “no earlier than” and substituting “less than”.
- (8) Subsection 43(7) of the regulations is amended by striking out “Subject to subsection (8), a person who requires a criminal record check or vulnerable sector check under this Section must obtain a new criminal record or vulnerable sector check” and substituting “A person who requires a vulnerable sector check under this Section must obtain a new vulnerable sector check”.
- (9) Subsection 43(8) of the regulations is repealed.
- (10) Subsection 43(10) of the regulations is amended by striking out “enrolled in” and substituting “attending”.