

Royal



Gazette

Part II

Regulations under the Regulations Act

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N.S. Reg. 201/2000

Made: December 19, 2000

Filed: December 20, 2000

Hospitals Regulations

Order in Council 2000-639 made December 19, 2000
Amendment to regulations made by the Governor in Council
pursuant to Section 17
of the *Hospitals Act*

The Governor in Council on the report and recommendation of the Minister of Health dated November 30, 2000, and pursuant to Section 17 of Chapter 208 of the Revised Statutes of Nova Scotia, 1989, the *Hospitals Act*, is pleased to amend the regulations respecting hospitals made by the Governor in Council by Order in Council 79-72 dated January 23, 1979, by repealing Section 4D, effective on and after January 1, 2001.

N.S. Reg. 202/2000

Made: December 19, 2000

Filed: December 20, 2000

Designation of Hospitals and Replacement of Corporate and Medical Staff
By-laws Regulations

Order in Council 2000-640 made December 19, 2000

Regulations made by the Governor in Council

pursuant to Section 84

of the *Health Authorities Act*

The Governor in Council on the report and recommendation of the Minister of Health dated November 30, 2000, and pursuant to Section 84 of Chapter 6 of the Acts of 2000, the *Health Authorities Act*, is pleased to

- (a) designate the Cape Breton Regional Hospital, the Glace Bay Healthcare System Corporation, the New Waterford Consolidated Hospital Commission and the Northside Harbor View Hospital as hospitals for the purpose of the Act, and, for greater certainty, specify that District Health Authority 8 is the district health authority for the health district in which the designated hospitals are located for the purposes of Section 74 of the Act; and
- (b) in accordance with clause 84(1)(j) of the Act, revoke the corporate and medical staff by-laws made for the Cape Breton Regional Hospital, the Glace Bay Healthcare System Corporation, the New Waterford Consolidated Hospital Commission and the Northside Harbour View Hospital, and replace them with the corporate and medical staff by-laws of District Health Authority 8 made pursuant to Sections 22 to 24 of the Act,

effective on and after January 1, 2001.

N.S. Reg. 203/2000

Made: December 19, 2000

Filed: December 20, 2000

Liquor Commission Regulations

Order in Council 2000-642 made December 19, 2000
Amendment to regulations approved by the Governor in Council
pursuant to Section 15
of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister responsible for the administration of the *Liquor Control Act* dated November 8, 2000, and pursuant to Section 15 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to approve the making by the Nova Scotia Liquor Commission of an amendment to the regulations made by the Nova Scotia Liquor Commission and approved by the Governor in Council by Order in Council 91-214 dated February 12, 1991, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2001.

Schedule "A"

**Amendment to Regulations made by the Nova Scotia Liquor Commission
and approved by the Governor in Council pursuant to Section 15
of Chapter 260 of the Revised Statutes of Nova Scotia, 1989,
the *Liquor Control Act***

Subsection 25(2) of the regulations made by the Nova Scotia Liquor Commission on March 2, 1990, and approved by the Governor in Council by Order in Council 91-214 dated February 12, 1991, is amended by adding " , Commission approved credit card" immediately after "standard cheque".

N.S. Reg. 204/2000

Made: December 21, 2000

Filed: December 21, 2000

Ministerial Order re: Acadian Seaplants Limited, Louis Deveau
and Carl A. Holm

Order dated December 21, 2000
made under subsection 125(1) of the
Environment Act

00-13

IN THE MATTER OF Chapter 1 of the Statutes of Nova Scotia
1994-95, the *Environment Act*

- and -

IN THE MATTER OF a Ministerial Order issued pursuant to
the provisions of the *Environment Act* to **Acadian Seaplants
Limited**, a body corporate, located at or near Cornwallis Park, in
Annapolis County, Nova Scotia, **Louis Deveau**, Director, of
Dartmouth, Halifax County and **Carl A. Holm**, Secretary, of
Halifax County, Nova Scotia

MINISTERIAL ORDER

I. **WHEREAS** Acadian Seaplants Limited, Louis Deveau and Carl A. Holm, own, occupy, operate or are responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: a food and pharmaceutical plant which is located at or near Cornwallis Park, in the County of Annapolis, Province of Nova Scotia, hereafter called the "Site";

II. **AND WHEREAS** the Minister of Environment and Labour believes on reasonable and probable grounds that the persons named in this Ministerial Order have contravened subsection 67(2) the *Environment Act*;

Environment Act

67 (2) No person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, unless authorized by an approval or the regulations.

III. **AND WHEREAS** the Minister is of the opinion that it is in the public interest to do all things and take all steps necessary to comply with the *Environment Act* or to repair any injury or damage, or to control, eliminate or manage an adverse effect;

IT IS HEREBY ORDERED:

That pursuant to subsection 125(1) of the *Environment Act*, the persons named in this Ministerial Order shall, at their own cost, comply with the terms and conditions, including compliance times, set forth in Schedule “A” attached to and forming part of this Ministerial Order.

AND TAKE NOTICE if the persons to whom this Ministerial Order is directed fail to comply with the Ministerial Order, or any part thereof, the Minister, pursuant to subsection 132(2) of the *Environment Act*, may take whatever action the Minister considers necessary to carry out the terms of the Ministerial Order and may recover any reasonable costs, expenses and charges incurred by the Minister pursuant to Section 132 of the *Environment Act*.

AND FURTHER TAKE NOTICE that the appeal provisions respecting the issuance of a Ministerial Order are more fully outlined in Section 138 of the *Environment Act*, including a 30 day time period from the date of the issuance of the Ministerial Order to file an appeal.

DATED at Halifax, in the Halifax Regional Municipality, Province of Nova Scotia, this 21st day of December, 2000.

Angus MacIsaac
The Honourable Angus MacIsaac
[Acting] Minister of Environment and Labour

SCHEDULE “A”
TERMS AND CONDITIONS
Acadian Seaplants Limited, Louis Deveau, Carl A. Holm

1. Acadian Seaplants Limited shall retain the services of a qualified consultant to investigate and determine the cause of odourous emissions from the plant and provide a written report outlining measures to mitigate odours. This report shall be submitted to the Nova Scotia Department of Environment and Labour, Middleton District Office, no later than 60 days from the date of service of this order. The report shall include a schedule, including timelines, for the implementation of mitigative measures as well as a monitoring program to evaluate the effectiveness of such measures.
2. Upon written acceptance of the report and schedule by the Nova Scotia Department of Environment and Labour, Acadian Seaplants Limited shall implement any and all measures outlined in the report. All measures are to be completed within the timelines set out in the schedule to the consultant’s report.

3. If the persons named in this Ministerial Order submit a written request to the Nova Scotia Department of Environment and Labour for an extension of time, together with reasons for the extension, the Minister or the contact person may grant the request.
4. Unless otherwise notified in writing by the Minister, the contact person in the Nova Scotia Department of Environment and Labour is:

Mr. Kim MacNeil
District Manager
Middleton District Office
P.O. Box 1240
Middleton, N.S.
B0S 1P0
(902) 825-2123 - phone
(902) 825-4471 - fax

N.S. Reg. 205/2000
Made: December 15, 2000
Filed: December 21, 2000
Building Code Regulations

Order dated December 15, 2000
Amendment to regulations made under Section 4 of the
Building Code Act

Prescription of the Nova Scotia Building Code Regulations made under Section 4 of the Building Code Act, R.S.N.S.1989, c.46.

I, Angus MacIsaac, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia do hereby prescribe the attached regulations pursuant to Section 4 of the Building Code Act, R.S.N.S.1989, c.46. These regulations shall come into force on, from and after January 19, 2001.

Dated at Halifax Regional Municipality, Province of Nova Scotia this 15th day of December, 2000.

Angus MacIsaac
Angus MacIsaac
Minister of Service Nova Scotia
and Municipal Relations

Nova Scotia Building Code Regulations

Amendments to the Nova Scotia *Building Code Regulations* made under Section 4 of the Nova Scotia *Building Code Act*, R.S.N.S. 1989, c. 46.

The Nova Scotia *Building Code Regulations* prescribed by the Minister of Housing and Municipal Affairs on April 30, 1997, are amended as follows:

1. The National Building Code of Canada 1995: First Revisions and Errata published July 1998 and Second Revisions and Errata published November 1999, both of which were issued by the Canadian Commission on Building and Fire Codes are hereby adopted and incorporated into the Nova Scotia Building Code Regulations.
2. Article 1.1.1.2. is repealed and the following substituted:
"1.1.1.2. Repeals and Effective Date of Regulations.

These Nova Scotia *Building Code Regulations* made by the Minister of Housing and Municipal Affairs on April 8, 1997 (N.S. Reg. 38/97) and came into force on, from and after April 30, 1997. Amendments to these *regulations* including those contained in the First and Second Revisions and Errata published July 1998 and November 1999 shall come into force on, from and after January 19, 2001."

3. Article 1.1.2.1. is repealed and the following substituted:
“**1.1.2.1. Nova Scotia *Building Code*.**”

The National *Building Code* of Canada, 1995, was adopted by *regulations* effective April 30, 1997, including amendments contained in Section 1.3 and Part 3 of these *regulations*. The First Revisions and Errata published July 1998 and the Second Revisions and Errata published November 1999, both of which are issued by the Canadian Commission on Building and Fire Codes and further amendments contained in Part 3 of these *regulations* are adopted as amendments to these *regulations* and shall come into force on, from and after January 19, 2001. Together the *regulations* shall be known as the “Nova Scotia *Building Code*” and may be referred to as the “*Code*”.

4. Article 3.1.1.11. is repealed.
5. Article 3.1.1.12. is repealed.
6. The effective date of these amendments to the *regulations* is on, from and after January 19, 2001.

N.S. Reg. 206/2000

Made: December 21, 2000

Filed: December 22, 2000

Proclamation, S. 127, S.N.S. 2000, c. 6

Order in Council 2000-649 made December 21, 2000

Proclamation made by the Governor in Council

pursuant to Section 127

of the *Health Authorities Act*

and subsection 3(7)

of the *Interpretation Act*

The Governor in Council on the report and recommendation of the Minister of Health dated December 19, 2000, and pursuant to Section 127 of Chapter 6 of the Acts of 2000, the *Health Authorities Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that

- (a) Chapter 6 of the Acts of 2000, the *Health Authorities Act*, except Sections 21, 31, 54 to 59, 69 and 114 thereof, do come into force on and not before January 1, 2001; and
- (b) Sections 21, 31, 54 to 59, 69 and 114 of Chapter 6 of the Acts of 2000, the *Health Authorities Act*, do come into force on and not before April 1, 2001.

PROVINCE OF NOVA SCOTIA

Sgd: *M. A. Freeman*

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 127 of Chapter 6 of the Acts of 2000, the *Health Authorities Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that:

- (a) Chapter 6 of the Acts of 2000, the *Health Authorities Act*, except Sections 21, 31, 54 to 59, 69 and 114 thereof, come into force on January 1, 2001; and
- (b) Sections 21, 31, 54 to 59, 69 and 114 of Chapter 6 of the Acts of 2000, the *Health Authorities Act*, come into force on April 1, 2001;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that:

- (a) Chapter 6 of the Acts of 2000, the *Health Authorities Act*, except Sections 21, 31, 54 to 59, 69 and 114 thereof, come into force on January 1, 2001; and
- (b) Sections 21, 31, 54 to 59, 69 and 114 of Chapter 6 of the Acts of 2000, the *Health Authorities Act*, come into force on April 1, 2001;

of which all persons concerned are to take notice and govern themselves accordingly.

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

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

AT Our Government House in the Halifax Regional
Municipality, this 21st day of December, in
the year of Our Lord two thousand and in
the forty-ninth year of Our Reign.

BY COMMAND:

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

N.S. Reg. 207/2000

Made: December 21, 2000

Filed: December 22, 2000

Chartered Accountants By-laws

Order in Council 2000-650 made December 21, 2001
Amendment to by-laws approved by the Governor in Council
pursuant to Section 25
of the *Chartered Accountants Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated December 1, 2000, and pursuant to Section 25 of Chapter 154 of the Acts of 1900, the *Chartered Accountants Act*, is pleased to approve the making by the Institute of Chartered Accountants of Nova Scotia of amendments to the By-laws of the Institute approved by Order in Council dated November 23, 1964, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 21, 2000.

Schedule "A"
Amendments to the By-laws of the
Institute of Chartered Accountants of Nova Scotia made pursuant to
Section 25 of Chapter 154 of the Acts of 1900,
the *Chartered Accountants Act*

- 1 By-law 33 of the By-laws of the Institute of Chartered Accountants of Nova Scotia approved by the Governor in Council by Order in Council dated November 23, 1964, is amended by adding the following subsection immediately after subsection (6):
 - (7) Council may appoint a Conduct Review Committee, consisting of the Chairperson of the Complaints Committee, the Chairperson of the Conduct Committee, and one person who is not a member of the Institute, which shall have all the powers of Council as conferred by these by-laws to dispose of complaints or allegations that a member or student is guilty of professional misconduct or in breach of the Act, the by-laws, the Rules or regulations of the Institute.
- 2 (1) By-law 34(2) of the By-laws is amended by adding "or her" immediately following "his".

- (2) By-law 34(3) of the By-laws is amended by adding, “or its dismissal by the Conduct Review Committee” after “complaint”.
- (3) By-law 34 of the By-laws is further amended by
 - (a) renumbering subsections (3) to (6) as subsections (6) to (9), respectively; and
 - (b) adding the following subsections immediately after subsection (2):
 - (3) Failing withdrawal of the complaint, the Executive Director shall determine if a complaint should not be investigated, based on one of the following factors:
 - (a) the complaint, even if sustained, does not appear to involve a breach of the Rules of Professional Conduct;
 - (b) the complaint, even if sustained, involves a breach of the rules of Professional Conduct which is so trivial or minor that it would not warrant charges being laid.
 - (4) Where the Executive Director determines that a complaint should not be investigated, he or she shall refer the complaint directly to the Conduct Review Committee for a review of this determination.
 - (5) Where the Executive Director refers a complaint to the Conduct Review Committee, the Committee shall review the facts of the complaint and such other documentation as provided by the Executive Director, without disclosure of the identities of the parties, after which the Committee shall
 - (a) dismiss the complaint and direct the Executive Director to advise the parties of the outcome; or
 - (b) where there is no dispute on the facts, caution the member and dismiss the complaint, or with the member’s consent, admonish the member and dismiss the complaint; or
 - (c) direct the Executive Director to proceed in accordance with subsection (6).

3 Subsection 70(3) of the By-laws is repealed and the following subsection substituted:

- (3) A member failing to report in accordance with subsection (2) shall be subject to such penalty as Council may prescribe.

N.S. Reg. 208/2000

Made: December 21, 2000

Filed: December 22, 2000

Video Lottery Regulations

Order in Council 2000-651 made December 21, 2000
Amendment to regulations made by the Governor in Council
pursuant to Section 127
of the *Gaming Control Act*

The Governor in Council on the report and recommendation of the Minister Responsible for Part II of the *Gaming Control Act* dated September 26, 2000, and pursuant to Section 127 of Chapter 4 of the Acts of 1994-95, the *Gaming Control Act*, is pleased to amend the *Video Lottery Regulations* made by the Governor in Council by Order in Council 95-261 dated April 4, 1995, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 21, 2000.

Schedule "A"
Amendments to the *Video Lottery Regulations*
made by the Governor in Council
pursuant to Section 127 of Chapter 4 of the Acts
of 1994-95, the *Gaming Control Act*

- 1 Subsection 6(2) of the *Video Lottery Regulations* made by the Governor in Council by Order in Council 95-261 dated April 4, 1995, is amended by repealing clause (c) and substituting the following clause:
 - (a) it shall accept coinage or paper currency;
- 2 Subsection 9(2) of the regulations is repealed.

N.S. Reg. 209/2000

Made: November 9, 2000

Filed: December 29, 2000

Exemption from Act - IWK-Grace Health Centre

Order in Council 2000-564 made November 9, 2000

Regulation made by the Governor in Council

pursuant to Section 53

of the *Pharmacy Act*

The Governor in Council on the report and recommendation of the Minister of Health dated October 25, 2000, and pursuant to Section 53 of Chapter 343 of the Revised Statutes of Nova Scotia, 1989, the *Pharmacy Act*, is pleased to exempt the IWK-Grace Health Centre from the provisions of the *Pharmacy Act* in order to allow IWK-Grace pharmacists to fill the prescriptions written by IWK-Grace neonatal nurse practitioners, effective on and after November 9, 2000.