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N.S. Reg. 4/99

Made: February 17, 1999

Filed: February 18, 1999

Insured Optometric Services Tariff Regulations

Order in Council 1999-44 made February 17, 1999
 Regulations made by the Governor in Council
 pursuant to subsection 13(1)
 of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated January 18, 1999, pursuant to subsection 13(1) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased to:

- (a) repeal the regulations approved by Order in Council 84-500 dated May 1, 1984, Order in Council 84-1345 dated November 27, 1984, Order in Council 87-1394 dated November 10, 1987, and Order in Council 90-47 dated January 16, 1990; and
- (b) approve new regulations respecting an insured optometric services tariff made by the Minister in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

SCHEDULE "A"

**Regulations respecting an insured optometric services tariff
 made by the Minister of Health pursuant to Section 13
 of Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
 the *Health Services and Insurance Act***

Citation

1 These regulations may be cited as the *Insured Optometric Services Tariff Regulations*.

Insured optometric services tariff

2 (1) The tariff of fees for insured optometric services is as follows:

- (a) effective November 1, 1997, the Medical Service Unit (MSU) is \$1.75 (includes the addition to the tariff of the previous 3% reduction made pursuant to Section 19 of Chapter 11 of the Statutes of Nova Scotia, 1994, the *Public Sector Compensation Act (1994-1997)*);
- (b) effective April 1, 1998, an increase in the MSU to \$1.79 --- 2.30%;
- (c) effective April 1, 1999, an increase in the MSU to \$1.84 --- 2.80%;
- (d) effective April 1, 2000, an increase in the MSU to \$1.89 --- 2.70%.

- (2) When the number of services per quarter exceeds 1200, payment will be based on 50% of the tariff for services in excess.
- (3) The tariff of fees for insured optometric services is in effect from November 1, 1997, to March 31, 2001.

Authorization of payments

- 3 The Minister may authorize payments in respect of the tariff prescribed by these regulations.

N.S. Reg. 5/99

Made: February 17, 1999

Filed: February 18, 1999

General, Road Building & Heavy Construction Industry
and Logging & Forest Operations Minimum Wage Orders

Order in Council 1999-56 made February 17, 1999

Regulations made by the Governor in Council
pursuant to Sections 50 and 52
of the *Labour Standards Code*

The Governor in Council on the report and recommendation of the Minister of Labour dated January 26, 1999, pursuant to Sections 50 and 52 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989, the *Labour Standards Code*, is pleased, effective on, from or after October 1, 1999, to:

- (a) repeal Order in Council 96-337 dated May 7, 1996, respecting the general minimum wage and the minimum wage in road building and heavy construction and in logging and forestry;
- (b) make regulations respecting the general minimum wage in the form set forth in Schedule "A" attached to and forming part of the report and recommendation;
- (c) make regulations respecting minimum wage in the road building and heavy construction industries in the form set forth in Schedule "B" attached to and forming part of the report and recommendation; and
- (d) make regulations respecting the minimum wage in the logging and forest industries in the form set forth in Schedule "C" attached to and forming part of the report and recommendation.

Schedule "A"

**Regulations respecting the General Minimum Wage Order
made by the Governor in Council pursuant to Sections 50 and 52
of Chapter 246 of the Revised Statutes of Nova Scotia, 1989,
the *Labour Standards Code***

Citation

1 These regulations may be cited as the *Minimum Wage Order (General)*.

Application

- 2 (1) This Order applies within the Province of Nova Scotia to all employees and their employers excepting
- (a) persons who are employed in a private home by the householder to provide domestic service

- (i) for a member of the employee's immediate family, or
 - (ii) for no more than 24 hours within a period beginning on a Sunday and ending on the following Saturday, or during such other 7 day period which is the customary pay period of the employer;
 - (b) persons under the age of 16 years engaged in work on a farm whose employment is directly related to the primary production of eggs, milk, grain, seeds, fruit, vegetables, maple products, honey, tobacco, pigs, cattle, sheep, poultry, or animal furs;
 - (c) employees for whom there are special orders by the Governor in Council;
 - (d) apprentices under an apprenticeship agreement in accordance with the provisions of the *Apprenticeship and Trades Qualifications Act*;
 - (e) all persons receiving training under government sponsored and government approved plans;
 - (f) persons employed at a playground or summer camp operated on a non-profit basis;
 - (g) real estate salespersons;
 - (h) automobile salespersons;
 - (i) salespersons, other than route salespersons, who are entitled to receive all or any part of their remuneration as commissions in respect of offers to purchase or sales of goods, wares, merchandise or services which offers are normally made other than at the employer's establishment;
 - (j) insurance agents licenced as such under the *Insurance Act*;
 - (k) persons engaged in work on fishing vessels; and
 - (l) employees and employers to whom the *Minimum Wage Order (Logging and Forest Operations)* or the *Minimum Wage Order (Road Building and Heavy Construction Industry)* applies.
- (2) In clause (1)(b), "farm" does not include an agricultural establishment at or in which the primary production of flowers, fruit, grain, seeds, tobacco or vegetables is carried on predominantly under cover from the elements.

Definitions**3 (1)** In this Order

- (a) “domestic service” means housework, property maintenance, supervision or service, including health or personal care, for the comfort, safety or convenience of one or more members of the household;
 - (b) “immediate family” means having the relationship of spouse, parent, guardian, child, ward, grandparent, grandchild, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, aunt, uncle, niece, or nephew;
 - (c) “inexperienced employee” means an employee who has not been employed by his or her present or other employer for a total period of three calendar months to do the work for which the employee is employed, but it does not include a person in the employ of an employer for whom he or she has completed three calendar months of employment;
 - (d) “harvesting of fruit, vegetables and tobacco” means the in-field, non-mechanized gathering of these crops excepting those that are grown under cover, and does not include the transportation from the field, grading, or processing of these crops in preparation for market.
- (2) Words defined in the *Labour Standards Code* and the regulations made under the *Labour Standards Code* shall have the same meaning when used in this Order.

Partial hour

- 4** For the purpose of this Order, a period of 15 minutes and not more than 30 minutes shall be counted as a ½ hour and a period of more than 30 minutes but less than 60 minutes shall be counted as 1 hour.

Employer’s responsibility

- 5** No employer shall employ an employee at a rate of wages less than the minimum wage fixed in this Order or otherwise violate or fail to observe the provisions of this Order.

Minimum wage for employees

- 6** The minimum wage rate for employees is hereby fixed at the hourly rate set out for the following classes of employees:

Effective Date	Classes of Employees	Rate per hour
October 1, 1999	Experienced (Employees who are not inexperienced employees)	\$5.60
	Inexperienced	\$5.15
October 1, 2000	Experienced	\$5.70
	Inexperienced	\$5.25
October 1, 2001	Experienced	\$5.80
	Inexperienced	\$5.35

- 7 The rates hereby fixed are minimum rates and in no way are to be construed as maximum rates.

Maximum rates for board and lodging

- 8 (1) Where an employer furnishes to an employee board and lodging or either of them, an employer shall not deduct from the minimum wage of the employee an amount exceeding the following:

	Effective October 1, 1999	Effective October 1, 2000	Effective October 1, 2001
for board and lodging, per week	\$51.35	\$52.25	\$53.15
for board only	\$41.55	\$42.30	\$43.05
for lodging only	\$11.55	\$11.75	\$11.95
for single meals	\$ 2.65	\$ 2.70	\$ 2.75

- (2) No employer shall charge an employee for a meal that the employee did not receive.
- (3) Where an employer charges an employee for a single meal or for board or lodging or either of them under circumstances in which the employee has no reasonable alternative opportunity to purchase the single meal or board and lodging or either of them, the employer shall not charge the employee an amount which, if it were deducted from the employee's wage, would reduce the wage below the minimum wage by more than the amounts set out in subsection (1).

Maximum work week for minimum wage purposes

- 9** The rates fixed by this Order are for a maximum work week of 48 hours within a period commencing on a Sunday and ending the following Saturday or such other period of 7 days' duration which the employer may establish as the customary pay period.

Minimum overtime wage

- 10 (1)** Where any employee is required to work more than 48 hours a week, hours so worked shall constitute overtime and the employer shall pay for these hours at a rate of not less than time and one-half the minimum rate.
- (2)** Despite subsection (1), an employee in the transport industry who is required to be away from home base overnight shall be paid at a rate of not less than time and one-half the minimum rate set in this Order for time worked in excess of 96 hours in any two consecutive weeks.
- (3)** Despite subsection (1), the employer of an employee who is required to work in excess of 48 hours in a week and who is employed
- (a)** in a building which includes his or her place of residence as a watch, janitor or building superintendent, or
 - (b)** as an ambulance driver or attendant
- may pay at the minimum rate for the hours worked in excess of 48 hours.
- (4)** Despite subsection (1), the employer of an employee employed in work on a farm whose employment is directly related to the primary production of eggs, milk, grain, seeds, fruit, vegetables, maple products, honey, tobacco, pigs, cattle, sheep, poultry, or animal furs, and who is required to work in excess of 48 hours in a week, may pay at the minimum rate for hours in excess of 48 hours; but "farm" does not include an agricultural establishment at or in which the primary production of flowers, fruit, grain, seeds, tobacco or vegetables is carried on predominantly under cover from the elements.

Call in

- 11 (1)** Where an employer recalls an employee to work outside the employee's scheduled working hours, the employer shall pay the employee for not less than 3 hours at the minimum straight time rate notwithstanding that the employee works less than 3 hours.
- (2)** Subsection (1) does not apply to an ambulance driver or attendant or a firefighter, police officer or hospital employee who is required to work in an emergency.

- (3) Subsection (1) does not apply to an employee employed in work on a farm whose employment is directly related to the primary production of eggs, milk, grain, seeds, fruit, vegetables, maple products, honey, tobacco, pigs, cattle, sheep, poultry, or animal furs; but “farm” does not include an agricultural establishment at or in which the primary production of flowers, fruit, grain, seeds, tobacco or vegetables is carried on predominantly under cover from the elements.

Waiting time

- 12 All time during which an employee waits for work on the premises of his or her employer at the request of the employer shall be counted as time worked.

Piecework

- 13 Where an employer pays an employee on a piecework basis the employer shall pay not less than the hourly rate fixed by this Order for the number of hours worked regardless of the amount earned in accordance with the established piecework rates excepting employees employed on a farm whose work is directly related to the harvesting of fruit, vegetables and tobacco.

Uniforms

- 14 No employer who requires an employee to wear a uniform, apron or smock shall make any charge or deduction from the minimum wage fixed by this Order for the purchase or laundering of such uniform, apron or smock, except that where such uniform is made of woolen or similar heavy material requiring dry-cleaning, the employer may charge the cost of dry cleaning to the employee.

Effective date

- 15 This Order takes effect on, from and not before October 1, 1999.

Schedule “B”

**Regulations respecting the Minimum Wage Order for
Road Building and Heavy Construction Industry
made by the Governor in Council pursuant to Sections 50 and 52
of Chapter 246 of the Revised Statutes of Nova Scotia, 1989,
the *Labour Standards Code***

Citation

- 1 These regulations may be cited as the *Minimum Wage Order (Road Building and Heavy Construction Industry)*.

Application

- 2 This Order applies within the Province of Nova Scotia to all employees employed in road building and the heavy construction industry and engaged in the construction of roads, streets, sidewalks, structures other than buildings, paving of all sorts, bridges, water and sewer installations, earth and rock moving and related works and to employers of said employees, but does not apply to

- (a) employees of a municipality engaged in street maintenance and construction;
- (b) persons receiving training under government sponsored and government approved plans;
- (c) apprentices under an apprenticeship agreement in accordance with the provisions of the *Apprenticeship and Trades Qualifications Act*;
- (d) employees of enterprises engaged in supplying or manufacturing construction materials;
- (e) employees of enterprises engaged in the construction of buildings.

Employer's responsibilities

- 3** No employer shall employ an employee at a rate of wages less than the minimum wage fixed by this Order or otherwise violate or fail to observe any provision of this Order.

Minimum wage

- 4** The minimum wage rate for employees engaged in road building and heavy construction is hereby fixed at the following rates:

Effective Date	Rate per hour
October 1, 1999	\$5.60
October 1, 2000	\$5.70
October 1, 2001	\$5.80

Method of payment

- 5** Wages shall be paid promptly at regular intervals in accordance with the practice of the employment and in any case not less frequently than semi-monthly.

Hours of work

- 6** The rates fixed by this Order are for a maximum work period of 96 hours within a period of 2 consecutive weeks commencing on a Sunday and concluding on the second following Saturday or such other period of 14 days' duration which the employer may establish as the customary pay period.

Overtime

- 7** Where an employee is required to work more than 96 hours in 2 weeks, his or her employer shall pay for those hours at a rate of not less than time and one-half the minimum rate set in this Order for the employee.

Effective date

- 8** This Order takes effect on, from and not before October 1, 1999.

Schedule “C”

**Regulations respecting the Minimum Wage Order for
Logging and Forest Operations
made by the Governor in Council pursuant to Sections 50 and 52
of Chapter 246 of the Revised Statutes of Nova Scotia, 1989,
the *Labour Standards Code***

Citation

1 These regulations may be cited as the *Minimum Wage Order (Logging and Forest Operations)*.

Definitions

2 In this Order

- (a) “logging operation” includes all operations in or incidental to
 - (i) the carrying on of logging, including the logging or cutting of cordwood, mining-props, pile poles, pulpwood or tie cutting, and
 - (ii) hauling, driving, fluming, rafting, or booming of logs, mining props, piles, poles, pulpwood or ties;
- (b) “forest operation” includes
 - (i) construction and maintenance of a road, where necessary to provide access to a logging operation or a camp or a loading or driving facility;
 - (ii) forest improvement work including thinning, drainage and irrigation of the soil,
 - (iii) reforestation,
 - (iv) forest fire protection,
 - (v) catering, contracting or sub-contracting operations in the forest in connection with a logging operation,
 - (vi) operation of a portable mill or temporary establishment in the forest where wood is rough sawed as a part of a logging operation.

Application

3 This Order applies within the Province of Nova Scotia to all employees and to their employers engaged in logging or forest operations excepting

- (a) employees transporting wood already removed from the forest;

- (b) employees of a farmer carrying on logging or forest operations with not more than 2 employees on a woodlot owned by the farmer;
- (c) employees hired in an emergency to fight forest fires;
- (d) persons employed outside the forest in mills or establishments wherein the wood is worked or processed;
- (e) forest fire fighters employed under the provisions of the *Forests Act*;
- (f) employees whose remuneration is based on board feet or cords or other method of measurement of wood in conformity with a written agreement between themselves and their employers.

Employer's responsibility

- 4** No employer shall employ an employee at a rate of wages less than the minimum wage fixed by this Order or otherwise violate or fail to observe any provisions of this Order.

Minimum wage

The minimum wage rate for an employee in a logging or forest operation is hereby fixed at the following rates:

Effective Date	Classes of Employees	Rate
October 1, 1999	Time workers	\$5.60 per hour
	Other workers*	\$1095 per month
October 1, 2000	Time workers	\$5.70 per hour
	Other workers*	\$1115 per month
October 1, 2001	Time workers	\$5.80 per hour
	Other workers*	\$1135 per month

* "Other workers" means persons who have no fixed work week, whose hours of work are unverifiable, including: camp, gate and dam guardians; cooks and kitchen employees; stable hands; watch employees; fire rangers and wardens.

Minimum rates for board and lodging

- 6 (1)** Effective October 1, 1999, where an employer furnishes to an employee board and lodging, the employer shall not deduct from the minimum wage fixed by this Order an amount exceeding \$8.05 per day.
- (2)** No employer shall charge an employee for board and lodging that the employee does not receive.

- 7 Wages shall be paid promptly at regular intervals in accordance with the practice of the employment and in any case not less frequently than semi-monthly.

Minimum wage not maximum rate

- 8 The rates hereby fixed are minimum rates and are in no way to be construed as maximum rates.

Effective date

- 9 This order takes effect on, from and not before October 1, 1999.

N.S. Reg. 6/99
 Made: February 11, 1999
 Filed: February 24, 1999
 Spring Weight Restrictions

Order dated February 24, 1999
 made under Section 20 of the
Public Highways Act

In The Matter Of Section 20 Of The Public Highways Act
 R.S.N.S. 1989, c. 371

Order

Pursuant to Section 20(1) of Chapter 371 of the Revised Statutes of Nova Scotia, the Public Highways Act, the Minister of Transportation and Public Works hereby orders that:

- a) the Weight Restrictions set out below (hereafter referred to as “Spring Weight Restrictions”), shall apply to public highways in the zones shown for the time period indicated in Table A, and
- b) the roads set out in Appendix 1, attached hereto, are exempt from the Spring Weight Restrictions.

Table A

ZONE	WEIGHT RESTRICTION PERIOD
Counties of: Yarmouth, Shelburne, Digby and Queens	12:01 a.m., March 1, 1999 to 12:01 a.m., April 19, 1999
Counties of: Annapolis, Kings, Lunenburg, Halifax and Hants	12:01 a.m., March 1, 1999 to 12:01 a.m., April 22, 1999
Counties of: Colchester, Cumberland, Pictou, Antigonish, Guysborough, Richmond, Inverness, Victoria and Cape Breton	12:01 a.m., March 1, 1999 to 12:01 a.m., April 26, 1999

SPRING WEIGHT RESTRICTIONS

Maximum vehicle and axle weights permitted by this Order are as follows:

- (a) Maximum single axle weight of 6,500 kg except passenger and school buses. No tolerances.
- (b) Maximum tandem or triple axle weight of 12,000 kg. No tolerances.

- (c) Maximum gross vehicle weight of 12,000 kg for school and passenger buses. No tolerances.
- (d) Maximum gross vehicle weight of 12,000 kg for public utility service trucks with permanently mounted equipment. No tolerances.

For purposes of this Order, the following Definitions apply:

1. "Single Axle" means an axle which transfers the load carried by it approximately equally to the wheel or wheels attached to each end of the axle.
2. "Tandem-Axle" means an axle assembly containing two (2) consecutive axles whose centers are not less than 1.20 metres apart,
 - 2.1 attached to the vehicle in such a manner that the load on the axle group is equalized on the two (2) axles, and
 - 2.2 equipped with brakes on both axles.
3. "Triple-Axle" means an axle assembly on three (3) consecutive axles with the centers of no two (2) consecutive axles less than 1.20 metres apart, and
 - 3.1 attached to the vehicle in such a manner that the load on the axle group is equalized on three (3) axles, and
 - 3.2 equipped with brakes on all three axles.
4. "Gross Vehicle Weight" means the sum of the individual axle weights of all axles of the vehicle or combination of vehicles.

Dated and made at Halifax, N.S., this 11th day of February, 1999.

Signed: *Clifford Huskilson*
Minister of Transportation and Public
Works for the Province of Nova Scotia

Note: Copies of the list of highways exempt from spring weight restrictions referred to as Appendix 1 are available at the Department of Transportation and Public Works Divisional Offices and Scale Houses.

N.S. Reg. 7/99

Made: February 5, 1999

Filed: February 24, 1999

Schedule 1 - General Regulations - Amendment

Order dated February 5, 1999
made under Section 13 of the
Dairy Commission Act

THE NOVA SCOTIA DAIRY COMMISSION, Acting under the authority of the Dairy Commission Act this 5th day of February, 1999

HEREBY ORDERS that Regulation 3 of Schedule 1 - "General Regulations" is hereby revoked and cancelled and the following substituted therefor

- 3** Every license shall be limited to the premises identified by such license, and except as otherwise stated herein, shall be valid for a period of three years, as stated on the license.

N.S. Reg. 8/99

Made: February 5, 1999

Filed: February 24, 1999

Schedule 2 - Milk Production Regulations - Amendment

Order dated February 5, 1999

made under Section 13 of the

Dairy Commission Act

THE NOVA SCOTIA DAIRY COMMISSION, Acting under the authority of the Dairy Commission Act this 5th day of February, 1999

HEREBY ORDERS that Regulation 5(1) of Schedule 2 - "Regulations Respecting Milk Production" is hereby revoked and cancelled and the following substituted therefor:

- 5 (1)** A producer license is valid for a period of 36 months, commencing August 1st and ending July 31st.

N.S. Reg. 9/99

Made: February 5, 1999

Filed: February 24, 1999

Schedule 4 - Manufactured Dairy Products Regulations - Amendment

Order dated February 5, 1999

made under Section 13 of the

Dairy Commission Act

THE NOVA SCOTIA DAIRY COMMISSION, Acting under the authority of the Dairy Commission Act this 5th day of February, 1999

HEREBY ORDERS that Regulation 1 of Schedule 4 - "Regulations Relating To Manufactured Dairy Products" is hereby revoked and cancelled and the following substituted therefor:

- 1** A license fee of \$75.00 per three year period shall be paid to the Commission on or before January 31st, by a processor.

N.S. Reg. 10/99

Made: February 5, 1999

Filed: February 24, 1999

Schedule 5 - Transportation of Milk Regulations - Amendment

Order dated February 5, 1999

made under Section 13 of the

Dairy Commission Act

THE NOVA SCOTIA DAIRY COMMISSION, Acting under the authority of the Dairy Commission Act this 5th day of February, 1999

HEREBY ORDERS that Regulation 5, 6 and 7(c) of Schedule 5 - "Regulations With Respect To Transportation Of Milk" is hereby revoked and cancelled and the following substituted therefor:

- 5 Licenses shall be valid for a period of 36 months.
- 6 The fee for such license shall be \$15.00 which shall be paid to the Commission.
- 7 (c) "milk tank truck grader" is a person who is the holder of a letter or certificate issued by the Manager of Food Safety Services Section of the Province of Nova Scotia stating that in his opinion, the person is qualified to perform the duties of a milk tank truck grader under these regulations.

N.S. Reg. 11/99

Made: February 5, 1999

Filed: February 24, 1999

Schedule 7 - Nova Scotia Bulk Milk Haulage
Regulations - Amendment

Order dated February 5, 1999
made under Section 13 of the
Dairy Commission Act

The Nova Scotia Dairy Commission, Acting under the authority of the Dairy Commission Act this 5th day of February, 1999

HEREBY ORDERS that Regulation 11 of Schedule 7 - "Regulations Respecting The Fixing of Maximum Rates To Be Charged By Transporters & Establishing A Bulk Milk Haulage Equalization Program" be revoked and canceled and the following substituted therefor to become effective March 1, 1999.

11 The following transporter rates shall be the maximum rates which may be charged to processors by transporters and shall be applicable to all transporters in the Province:

Transporter	Maximum Rate Per 100 Litre	Effective Date
(a) Bedford Transport Limited Farm Pick Up	\$2.18	March 1, 1999
(b) E.D.F. Transport Limited Farm Pick Up	\$2.33	March 1, 1999
(c) Fisher Transport Ltd. Farm Pick Up	\$2.03	March 1, 1999
(d) Rudy Burghardt Farm Pick Up	\$2.39	March 1, 1999
(e) Cook's Dairy Farm Ltd.	\$2.14	March 1, 1999
(f) All Transporters, milk to or from Truro		
Yarmouth to or from Truro Farmers Cheese Division	\$5.29/hl.	July 30, 1995
Yarmouth from Truro or Shubenacadie Pick Up	\$4.42/hl.	July 30, 1995
Yarmouth from Hammonds Plains or Dartmouth	\$4.04/hl.	July 30, 1995

Yarmouth from Valley or
Bridgewater Pick Up

\$3.14/hl.

July 30, 1995

(g) Special Rates

Every Day Pick Up

150% Of Normal Rate

Return Trip- Additional Charge

\$50.00/Extra Trip*

Minimum \$40.00/Week

* At the discretion of the transporter

N.S. Reg. 12/99

Made: February 5, 1999

Filed: February 24, 1999

Schedule 9 - Milk Prices for Specified Areas Regulations - Amendment

Order dated February 5, 1999

made under Section 13 of the

Dairy Commission Act

THE NOVA SCOTIA DAIRY COMMISSION, Acting under the authority of the Dairy Commission Act this 5th day of February, 1999

HEREBY ORDERS that Regulation 1 of Schedule 9 - "Schedule of Milk Prices For Specified Areas" is hereby revoked and cancelled, and the following substituted therefor to become effective March 1, 1999

Schedule 9
Schedule of Milk Prices
For Specified Areas Effective March 1, 1999

1 Prices paid by processors shall be the following on an F.O.B. Plant basis

(a) Component Prices, per kilogram for Classes 1, 2, 3, and 4

<u>Class of Milk</u>	<u>\$ Per Kg Butterfat</u>	<u>\$ Per Kg Protein</u>	<u>\$ Per Kg Other Solids</u>	<u>\$ Per hl Solids-non-fat</u>
1(a)	5.6057			45.96
1(b)	5.6057			32.84
1(c)	5.6057			46.77
2	5.6057	4.2802	4.2802	
3(a)	5.6057	9.7416	0.6110	
3(b)	5.6057	9.2874	0.6110	
4(a)	5.6057	3.7238	3.7238	
4(b)	5.6057	3.8324	3.8324	
4(c)	5.6057	3.7238	3.7238	
4(d)	5.6057	3.7238	3.7238	

(b) Component Prices per kilogram for Class 5(a), 5(b), 5(c), 5(d) and 5(e) shall be those prices established from time to time by the Canadian Dairy Commission.

N.S. Reg. 13/99
Made: February 24, 1999
Filed: February 25, 1999
Pharmacy Regulations

Order in Council 1999-61 made February 24, 1999
Amendment to regulations approved by the Governor in Council
pursuant to Section 51
of the *Pharmacy Act*

The Governor in Council on the report and recommendation of the Minister of Health dated February 2, 1999, and pursuant to Section 51 of Chapter 343 of the Revised Statutes of Nova Scotia, 1989, the *Pharmacy Act*, is pleased to approve the making by the Council of the Nova Scotia Pharmaceutical Society of amendments to the regulations approved by Order in Council 81-1312 dated October 27, 1981, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

Amendments to the regulations made pursuant to Section 51 of Chapter 343 of the Revised Statutes of Nova Scotia, 1989, the *Pharmacy Act*

- 1 The regulations made by the Council of the Nova Scotia Pharmaceutical Society and approved by the Governor in Council by Order in Council 81-1312 dated October 27, 1981, are amended by adding to Schedule III "Cimetidine 100 mg" after "Chlorzoxazone and its salts".
- 2 Schedule III of the regulations is further amended by striking out
 - (a) "topical or" in the phrase "Miconazole and its salts for topical or vaginal use"; and
 - (b) "Ketoconazole and its salts for topical use as a shampoo" immediately after "Ibuprofen and its salts when sold in strengths of 200 mg or less per dosage form".

N.S. Reg. 14/99

Made: February 24, 1999

Filed: February 25, 1999

Dispensing Opticians Regulations

Order in Council 1999-62 made February 24, 1999
Amendments to regulations approved by the Governor in Council
pursuant to Section 20
of the *Dispensing Opticians Act*

The Governor in Council on the report and recommendation of the Minister of Health dated February 5, 1999, and pursuant to Section 20 of Chapter 131 of the Revised Statutes of Nova Scotia, 1989, the *Dispensing Opticians Act*, is pleased to approve the making by the Board of Dispensing Opticians of amendments to the regulations approved by Order in Council 70-940 dated October 6, 1970, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Amendments to the regulations made pursuant to Section 20
of Chapter 131 of the Revised Statutes of
Nova Scotia, 1989, the *Dispensing Opticians Act***

The regulations made by the Board of Dispensing Opticians and approved by the Governor in Council by Order in Council 70-940 dated October 6, 1970, are amended by repealing Schedule "A" and substituting the following Schedule:

Schedule "A"
Pursuant to Regulation II(1)

(a) Examination of candidate for registration (per examination)	\$375.00
(b) Registration of a candidate as a dispensing optician	\$500.00
(c) Examination of an advanced candidate as a dispensing optician	\$475.00
(d) Registration of an advanced candidate as a dispensing optician	\$500.00
(e) Examination and registration of a candidate for special registrations	\$375.00
(f) Annual renewal for certificate of registration of dispensing opticians	\$425.00
(g) Re-examination of candidate subsequent to lapsing, suspension or revocation of a certificate of registration	\$475.00

(h)	Fee for late payment of fees	\$150.00
(i)	Fee for NSF cheques	\$ 25.00
(j)	Fee for replacement of receipt, Act & regulations	\$ 10.00

N.S. Reg. 15/99

Made: February 24, 1999

Filed: February 25, 1999

Embalmers and Funeral Directors Regulations

Order in Council 1999-63 made February 24, 1999
Amendment to regulations made by the Governor in Council
pursuant to Section 33
of the *Embalmers and Funeral Directors Act*

The Governor in Council on the report and recommendation of the Minister of Business and Consumer Services dated February 3, 1999, and pursuant to Section 33 of Chapter 144 of the Revised Statutes of Nova Scotia, 1989, the *Embalmers and Funeral Directors Act*, is pleased to amend the regulations respecting embalmers and funeral directors made by Order in Council 83-1131 dated October 4, 1983, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on, from and after April 1, 1999.

Schedule "A"

**Amendments to regulations respecting embalmers and funeral directors
made by the Governor in Council pursuant to Section 33 of Chapter 144
of the Revised Statutes of Nova Scotia, 1989,
the *Embalmers and Funeral Directors Act***

- 1 Section 7 of the regulations respecting embalmers and funeral directors made by Order in Council 83-1131 dated October 4, 1983, is amended by striking out "\$5.00" and substituting "\$20.00".
- 2 Subsection 13(1) of the regulations is amended by
 - (a) striking out "\$35.00" in clause (a) and substituting "\$40.00";
 - (b) striking out "\$50.00" in clause (b) and substituting "\$100.00";
and
 - (c) adding the following clause immediately after clause (b):
 - (c) for a supplemental examination \$100.00
- 3 Section 14 of the regulations is amended by striking out "\$50.00" and substituting "\$75.00".
- 4 Section 15 of the regulations is amended by striking out "\$75.00" and substituting "\$100.00".
- 5 Section 16 of the regulations is amended by striking out "\$75.00" and substituting "\$100.00".

- 6 The regulations are further amended by adding the following Sections immediately after Section 16:
- 16A (1)** An embalmer or funeral director shall apply for a licence renewal in the form approved by the Board and shall pay the prescribed annual fee.
- (2)** Every 5 years a funeral director shall submit with the licence renewal application proof of completion within the previous 5 years of 6 hours of continuing education relevant to the practice of funeral directing provided by or approved by the Board and signed or stamped by the program sponsor.
- (3)** Every 5 years an embalmer shall submit with the licence renewal application proof of completion within the previous 5 years of 6 hours of continuing education relevant to the practice of embalming provided by or approved by the Board and signed or stamped by the program sponsor.
- (4)** An applicant for the reinstatement of a licence that has lapsed for less than one year shall submit with the application for reinstatement proof of completion of 6 hours of relevant continuing education within the previous 24 months.
- (5)** A funeral director or embalmer who is 65 years of age or older and has held a licence under the Act for a minimum of 10 years is exempt from the requirements of subsections (2) to (4).
- 16B (1)** Despite subsections 16A(2), (3) or (4), an applicant for renewal of a licence who has not complied with those subsections may submit to the Board the renewal application and the renewal fee along with a request for waiver on the basis of extreme hardship.
- (2)** If the Board finds that extreme hardship has been demonstrated, it shall waive compliance with subsections 16A(2), (3) or (4) for the applicable renewal period.
- (3)** Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the continuing education requirements of subsections 16A (2), (3) and (4) because of
- (a)** an incapacitating illness, documented by a currently licensed physician;
- (b)** a physical inability to travel to the sites of approved programs, documented by a currently licensed physician; or

- (c) other similar extenuating circumstances (for example, family illness or prolonged hospitalization).

16C The Board shall establish an Education Committee consisting of 3 licensed funeral directors and 2 licensed embalmers that shall

- (a) establish program guidelines for continuing education programs and courses of instruction;
- (b) approve continuing education programs and courses of instruction;
- (c) establish guidelines for activities other than attendance at continuing education programs and courses of instruction for which continuing education credit may be earned, such as teaching, conducting research, and writing articles for trade publications.

7 The regulations are further amended by adding the following Section immediately after Section 18:

- 18A (1)** For the purpose of these regulations, a rental casket is a specially designed device that has the outward appearance of a casket and is used to conceal a casket insert containing human remains for the purposes of viewing and/or a funeral or other ceremony.
- (2)** A contract for funeral arrangements that include the use of a rental casket must disclose that such a casket is part of the goods being supplied in the funeral arrangements.

N.S. Reg. 16/99

Made: February 24, 1999

Filed: February 25, 1999

Proclamation, S. 26, S.N.S. 1998, c. 24

Order in Council 1999-65, made February 24, 1999

Proclamation made by the Governor in Council
pursuant to Section 26
of the *Public Archives Act*

The Governor in Council on the report and recommendation of the Minister of Education and Culture dated January 12, 1999, pursuant to Section 26 of Chapter 24 of the Acts of 1998, the *Public Archives Act*, is pleased to order and declare by proclamation that Chapter 24 of the Acts of 1998, the *Public Archives Act*, come into force on January 1, 1999.

PROVINCE OF NOVA SCOTIA

Sgd: *J. J. Kinley*

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 26 of Chapter 24 of the Acts of 1998, the Public Archives Act, it is enacted as follows:

26 This Act comes into force on such day as the Governor in Council order and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 24 of the Acts of 1998, the Public Archives Act, come into force on January 1, 1999;

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 24 of the Acts of 1998, the Public Archives Act, come into force on January 1, 1999, 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 His Honour
the Honourable J. James Kinley, C.D.,
S.M., D.Eng., P.Eng., F.E.I.C., Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 24th day of February, in
the year of Our Lord one thousand nine
hundred and ninety-nine and in the forty-
eighth year of Our Reign.

BY COMMAND:

Sgd: *R. S. Harrison*
Provincial Secretary
Attorney General and Minister of Justice