Royal Gazette

Part II
Regulations under the Regulations Act

Volume 48, No. 13
June 28, 2024
Halifax, Nova Scotia
Published by Authority

Contents

In force date of regulations: As of November 28, 2023*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*.

A regulation comes into force on the date it is filed unless the regulation states that it comes into force on a later date, or the Act that the regulation is made under authorizes the regulation to come into force on a date earlier than the date it was filed or authorizes another method of coming into force.

*Date that subsections 3(4) and (5) of Chapter 54 of the Acts of 2022, *An Act to Amend Chapter 393 of the Revised Statutes, 1989, the Regulations Act*, were proclaimed in force.

N.S. Reg. 110/2024
Made: June 6, 2024
Filed: June 6, 2024
Prescribed Petroleum Products Prices

Order dated June 6, 2024
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing.]

N.S. Reg. 111/2024
Made: June 5, 2024
Filed: June 10, 2024
Municipal Land Use By-law Amendment Order for Bedford West 1 and 12 Special Planning Area

Order dated June 5, 2024
made by the Minister of Municipal Affairs and Housing
pursuant to Section 16 of the *Housing in the Halifax Regional Municipality Act*

Municipal Land Use By-law Amendment Order
for Bedford West 1 and 12 Special Planning Area
made by the Minister of Municipal Affairs and Housing
under Section 16 of Chapter 21 of the Acts of 2021,
the *Housing in the Halifax Regional Municipality Act*

Whereas the *Bedford West 1 and 12 Special Planning Area Order*, N.S. Reg. 55/2022, was made on March 24, 2022, and designated the Bedford West 1 and 12 Special Planning Area;

Whereas the Executive Panel on Housing in the Halifax Regional Municipality has recommended amendments to the Bedford Land Use By-law;

And whereas I am satisfied that the recommended amendments are necessary to advance the purpose of the *Housing in the Halifax Regional Municipality Act*;

Therefore, I order the following:

The Bedford Land Use By-law is amended by repealing the map in Schedule PG-4 and substituting the map attached to this Order as Schedule "A".

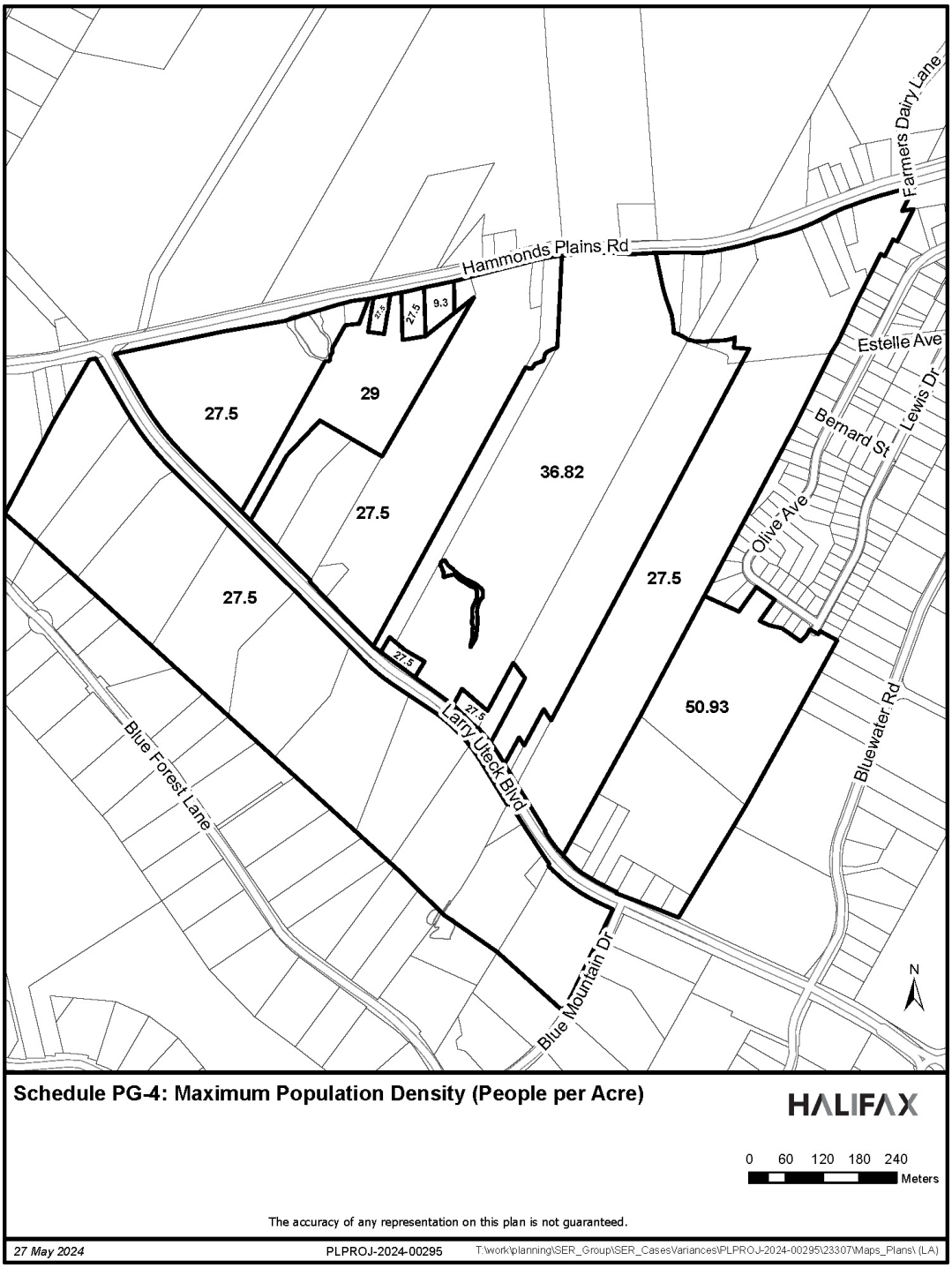
This order is effective on and after the date it is filed.

Dated and made June 5, 2024, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. *John Lohr*
Honourable John Lohr
Minister of Municipal Affairs and Housing

Schedule "A"

Attachment C-1



N.S. Reg. 112/2024
Made: June 13, 2024
Filed: June 13, 2024
Prescribed Petroleum Products Prices

Order dated June 13, 2024
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing.]

N.S. Reg. 113/2024
Made: May 31, 2024 and June 12, 2024
Filed: June 14, 2024
Teachers' Pension Plan Regulations–amendment

Memorandum of Agreement dated May 31, 2024, and June 12, 2024
Amendment to regulations made by the Minister of Finance and Treasury Board
and the Nova Scotia Teachers' Union
pursuant to Sections 14 and 20 of the *Teachers' Pension Act*

Memorandum of Agreement
Between
His Majesty the King in the Right of the Province of Nova Scotia
represented by the Minister of Finance and Treasury Board
and
The Nova Scotia Teachers' Union
A Body Corporate Established Pursuant to the *Teaching Profession Act*,
Being Chapter 462 of the Revised Statutes of Nova Scotia, 1989

Whereas Sections 14 and 20 of Chapter 26 of the Acts of 1998, the *Teachers' Pension Act* provide that the Minister of Finance and Treasury Board ("the Minister") and the Nova Scotia Teachers' Union ("the Union") may make regulations setting out the terms of the Teachers' Pension Plan ("the Pension Plan");

And whereas the *Teachers' Pension Plan Regulations* ("the regulations") were made as of March 31, 1999, as N.S. Reg. 88/1999;

And whereas the By-laws of the Union, as amended by Resolution 2000-15, authorize the Executive of the Union to exercise on behalf of the Union the powers of the Union under the *Teachers' Pension Act*;

And whereas by resolution of the Executive of the Union dated May 31, 2024, the Executive approved the amendments to the regulations as set out in Schedule "A" attached hereto and authorized the President of the Union to sign the amendments to the regulations on behalf of the Executive;

The Minister and the Union hereby make the amendments to the regulations in the form and manner attached hereto as Schedule "A", effective on and after August 1, 2024.

Signed and sealed in the presence of:

sgd. *Denise Dickson*	)	sgd. *Allan MacMaster*
Witness	)	Honourable Allan MacMaster
	)	Minister of Finance and Treasury Board
	)	
	)	June 12, 2024
	)	Date
	)	
sgd. *Jack MacLeod*	)	sgd. *Ryan Lutes*
Witness	)	Ryan Lutes
	)	President, Nova Scotia Teachers' Union
	)	
	)	May 31, 2024
	)	Date

Schedule "A"

Amendment to the *Teachers' Pension Plan Regulations*
Made by the Minister Responsible for the Teachers' Pension Plan
and the Nova Scotia Teachers' Union
pursuant to Sections 14 and 20 of Chapter 26 of the Acts of 1998,
the *Teachers' Pension Act*

1 (1) Subsection 3(2A) of the *Teachers' Pension Plan Regulations*, N.S. Reg. 88/1999, made by the Minister of Finance and the Nova Scotia Teachers' Union, effective March 31, 1999, is amended by

(a) striking out "100" and substituting "120"; and

(b) striking out "August 1, 2023, and July 31, 2024" and substituting "August 1, 2024, and July 31, 2025".

(2) Subsection 3(2B) of the regulations is amended by

(a) striking out "100" and substituting "120"; and

(b) striking out "August 1, 2023, and July 31, 2024" and substituting "August 1, 2024, and July 31, 2025".

2 (1) Subsection 11(1A) of the regulations is amended by

(a) striking out "100" and substituting "120"; and

(b) striking out "August 1, 2023, and July 31, 2024" and substituting "August 1, 2024, and July 31, 2025".

(2) Subsection 11(2A) of the regulations is amended by

(a) striking out “100” and substituting “120”;

(b) striking out “August 1, 2023, and July 31, 2024” and substituting “August 1, 2024, and July 31, 2025”; and

(c) striking out “100th” and substituting “120th”.

(3) Subsection 11(2B) of the regulations is amended by

(a) striking out “100” and substituting “120”; and

(b) striking out “August 1, 2023, and July 31, 2024” and substituting “August 1, 2024, and July 31, 2025”.

(4) Subsection 11(4A) of the regulations is amended by

(a) striking out “August 1, 2023, and July 31, 2024” and substituting “August 1, 2024, and July 31, 2025”; and

(b) striking out “100” and substituting “120” in clause (a).

(5) Subsection 11(4B) of the regulations is amended by

(a) striking out “100” and substituting “120”; and

(b) striking out “August 1, 2023, and July 31, 2023” and substituting “August 1, 2024, and July 31, 2025”.

N.S. Reg. 114/2024
Made: June 14, 2024
Filed: June 17, 2024
Designation of Notifiable Disease Order for Salmonella Dublin

Order dated June 14, 2024
made by the Minister of Agriculture
pursuant to Section 4 of the *Animal Health and Protection Act*

Designation of Notifiable Disease made by the Minister of Agriculture pursuant to Section 5 of the *Animal Health and Protection Regulations* made under Chapter 15 of the Revised Statutes of Nova Scotia, 1989, the *Animal Health and Protection Act*

Whereas the Minister of Agriculture is authorized to designate a disease as a provincially notifiable disease pursuant to subsection 5(1) of the *Animal Health and Protection Regulations*;

And whereas the Chief Veterinary Officer, having considered recent incidents of *Salmonella* Dublin (*Salmonella enterica* serotype Dublin) in the Province and elsewhere, and having reviewed other factors relating to this disease, has recommended that this disease be designated and that the designation is in the public interest;

Therefore, I hereby order that *Salmonella* Dublin is designated as a provincially notifiable disease under the *Animal Health and Protection Regulations*.

This order is effective on and after the date it is filed.

Dated and made June 14, 2024, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Greg Morrow*
Honourable Greg Morrow
Minister of Agriculture
Province of Nova Scotia

N.S. Reg. 115/2024
Made: June 18, 2024
Filed: June 18, 2024
Proclamation of amendments to Act, S. 40, S.N.S. 2022, c. 17

Order in Council 2024-248 dated June 18, 2024
Proclamation made by the Governor in Council
pursuant to Section 40 of
An Act to Amend Chapter 42 of the Acts of 2005, the Involuntary Psychiatric Treatment Act

The Governor in Council on the report and recommendation of the Minister of Addictions and Mental Health dated May 1, 2024, [and] pursuant to Section 40 of Chapter 17 of the Acts of 2022, *An Act to Amend Chapter 42 of the Acts of 2005, the Involuntary Psychiatric Treatment Act*, is pleased to order and declare by proclamation that Chapter 17 of the Acts of 2022, *An Act to Amend Chapter 42 of the Acts of 2005, the Involuntary Psychiatric Treatment Act*, do come into force on and not before August 13, 2024.

L.S.

Canada
Province of Nova Scotia

Charles the Third, by the Grace of God, King of Canada and His Other Realms and Territories, Head of the Commonwealth.

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 40 of Chapter 17 of the Acts of 2022, *An Act to Amend Chapter 42 of the Acts of 2005, the Involuntary Psychiatric Treatment Act*, it is enacted as follows:

> **40** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

And Whereas it is deemed expedient that Chapter 17 of the Acts of 2022, *An Act to Amend Chapter 42 of the Acts of 2005, the Involuntary Psychiatric Treatment Act*, do come into force on and not before August 13, 2024;

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 17 of the Acts of 2022, *An Act to Amend Chapter 42 of the Acts of 2005, the Involuntary Psychiatric Treatment Act*, do come into force on and not before August 13, 2024, 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, Arthur J. LeBlanc, Chancellor of Our Order of Nova Scotia, one of Our Counsel learned in the law in the Province of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

Given at Our Government House in the Halifax Regional Municipality, this 18th day of June in the year of Our Lord two thousand and twenty-four and in the Second year of Our Reign.

By Command:

PROVINCIAL SECRETARY
ATTORNEY GENERAL AND MINISTER OF JUSTICE

N.S. Reg. 116/2024
Made: June 18, 2024
Filed: June 18, 2024
Involuntary Psychiatric Treatment Regulations–amendment

Order in Council 2024-249 dated June 18, 2024
Amendment to regulations made by the Governor in Council
pursuant to Section 83 of the *Involuntary Psychiatric Treatment Act*

The Governor in Council on the report and recommendation of the Minister of Addictions and Mental Health dated May 1, 2024, and pursuant to Section 83 of Chapter 42 of the Acts of 2005, the *Involuntary Psychiatric Treatment Act*, is pleased to amend the *Involuntary Psychiatric Treatment Regulations*, N.S. Reg. 235/2007, made by the Governor in Council by Order 2007-239 dated April 24, 2007, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 13, 2024.

Schedule "A"

Amendment to the *Involuntary Psychiatric Treatment Regulations*
made by the Governor in Council under Section 83
of Chapter 42 of the Acts of 2005,
the *Involuntary Psychiatric Treatment Act*

1 Section 2 of the *Involuntary Psychiatric Treatment Regulations*, N.S. Reg 235/2007, made by the Governor in Council by Order in Council 2007-239 dated April 24, 2007, is repealed and the following Section substituted:

Definitions
2 In these regulations,

"Act" means the *Involuntary Psychiatric Treatment Act*;

"agent" in Section 72 of the Act means a person appointed by the patient to be the patient's representative;

"capacity" means capacity as defined in the *Adult Capacity and Decision-making Act*;

"declaration" does not mean a declaration as defined in the *Interpretation Act* or the *Evidence Act*;

"support" means support as defined in the *Adult Capacity and Decision-making Act*;

"witnesses" in subsection 74(1) of the Act does not include a patient.

2 The regulations are further amended by adding the following Section immediately after Section 2:

Interpretation

2A These regulations must be read and applied in a manner consistent with Canada's accepted obligations under the United Nations Convention on the Rights of Persons with Disabilities.

3 The regulations are further amended by repealing Section 3 and substituting the following Section:

Designated psychiatric facilities

3 (1) The following hospitals, or parts of hospitals, are designated as psychiatric facilities:

(a) Queen Elizabeth II Health Sciences Centre;

(b) Izaak Walton Killam Health Centre;

(c) Nova Scotia Hospital;

(d) Cape Breton Regional Hospital;

(e) Colchester East Hants Health Centre;

(f) East Coast Forensic Hospital;

(g) St. Martha's Regional Hospital;

(h) South Shore Regional Hospital;

(i) Valley Regional Hospital;

(j) Yarmouth Regional Hospital.

(2) A medical examination or involuntary psychiatric assessment may be conducted at any hospital, health centre or location within a community, including, but not limited to, the designated psychiatric facilities named in subsection (1).

4 The regulations are further amended by adding the following Sections immediately after Section 5:

Treatment plans

5A (1) In addition to the requirements in the Act, a treatment plan made under Section 20A of the Act

must include all of the following:

(a) the patient's diagnosis;

(b) a list of medications prescribed for the patient and rationale for prescribing each medication for the patient;

(c) the goals of the treatment plan;

(d) the name of and contact information for the patient's attending psychiatrist;

(e) the name of and contact information for the substitute decision-maker who provided consent to the treatment plan;

(f) the date of the substitute decision-maker's consent.

(2) The psychiatrist may vary any part of the treatment plan.

(3) Any variation made by the psychiatrist to a treatment plan must be in writing and provided promptly to the patient and the patient's substitute decision-maker.

(4) The patient's substitute decision-maker must consent to a variation of the treatment plan.

(5) The patient and the patient's substitute decision-maker may request the attending psychiatrist to review the treatment plan.

Electronic examinations and assessments

5B (1) A medical examination or involuntary psychiatric assessment may be held by electronic means if all of the following conditions are met:

(a) the psychiatrist determines it is in the best interests of the patient in accordance with subsection (2);

(b) the decision to conduct an electronic medical examination or involuntary psychiatric assessment and supporting reasons are documented in writing;

(c) the psychiatrist uses a secure electronic platform to conduct the medical examination or involuntary psychiatric assessment;

(d) all clinicians involved maintain the confidentiality of the patient's personal health information and advise the patient of any known limitations on confidentiality or privacy before the patient undergoes the electronic medical examination or involuntary psychiatric assessment;

(e) the electronic medical examination or involuntary psychiatric assessment is capable of being conducted in a manner consistent with accepted professional practice standards.

(2) A psychiatrist must consider all of the following factors when determining whether an electronic medical examination or involuntary psychiatric assessment is in a patient's best interests:

(a) whether there are adequate human resources and physical resources for the electronic medical examination or involuntary psychiatric assessment, taking into consideration

accessibility and timeliness of access;

(b) any public health mandates or concerns;

(c) the safety of the patient and treatment staff;

(d) the patient's right to privacy and confidentiality.

Written hearings

5C (1) The Review Board may conduct a written hearing for any of the following types of hearings or under any of the following circumstances:

(a) a renewal hearing;

(b) an uncontested hearing;

(c) if the cross-examination of witnesses is not required;

(d) if a patient or their legal counsel requests a written hearing.

(2) A written hearing must meet all the following requirements:

(a) all parties to the hearing must agree to a written hearing;

(b) the hearing panel must meet to consider the written evidence and make a decision;

(c) procedural fairness to all parties must be maintained.

(3) When conducting a written hearing, the Review Board is subject to the provisions of the Act and the regulations respecting all of the following:

(a) written decisions, in Section 6;

(b) panels, in Section 66 of the Act;

(c) conflict of interest or bias, in Section 67 of the Act;

(d) conduct of hearings, in Section 69 of the Act;

(e) notice, in Section 70 of the Act;

(f) closed hearings, in Section 71 of the Act;

(g) entitlement to representation, in Section 72 of the Act;

(h) evidence, in Section 73 of the Act;

(i) powers of the Review Board during a hearing, in Section 74 of the Act;

(j) the *Public Inquiries Act*, in Section 75 of the Act;

(k) decisions, in Section 76 of the Act;

(l) onus of proof, in Section 77 of the Act;

(m) standard of proof, in Section 78 of the Act;

(n) appeals, in Section 79 of the Act.

(4) Any party to a hearing or the Review Board may request a full oral hearing at any time before the scheduled hearing date.

Electronic hearings

5D (1) The Review Board may conduct a full oral hearing by electronic means except when an in-person hearing is requested by the patient or their legal counsel.

(2) A hearing held by electronic means must be conducted through a secure electronic platform.

(3) If a party to a hearing held by electronic means experiences technological or connectivity issues, the hearing must be held in abeyance until all parties are reconnected.

5 Section 8 of the regulations is repealed and the following Section substituted:

Forms

8 The following forms must be used in accordance with the Act:

Form No.	Form title	Section of the Act
1	Detainment of Voluntary Patient	7
2	Certificate for Involuntary Psychiatric Assessment—Part 1	9
3	Certificate for Involuntary Psychiatric Assessment—Part 2	10(2)
4	Declaration of Involuntary Admission	17, 18 and 19
5	Declaration of Renewal of Involuntary Admission	21
6	Declaration of Change of Status	24(2)
7	Certificate of Leave	43
8	Certificate of Cancellation of Leave	44
9	Community Treatment Order	47
10	Renewal of Community Treatment Order	52
11	Termination of Community Treatment Order	55, 56 and 57
12	Application for Review	68
13	Notice of Hearing	70

6 The regulations are further amended by repealing Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11A, 11B, 11C, 12 and 13 and substituting the attached forms.

Instructions for Form 1: Detainment of Voluntary Patient
(Section 7, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To detain and, if necessary, restrain a voluntary patient requesting to be discharged.

When filling out the form:

- A voluntary patient at this facility, who is requesting discharge, must meet all 3 of the criteria for involuntary admission listed on the form.

- The patient must meet at least 1 of the criteria under number 2. *(Check all that apply)*

Notes:

- A patient who is detained under subsection 7(1) of the Act must be examined by a physician within 3 hours of being detained.

- A patient may be detained under subsection 7(1) of the Act for no more than 3 hours at any hospital, health centre or community care centre of Nova Scotia Health or IWK Health, including, but not limited to, the designated psychiatric facilities named in subsection 3(1) of the regulations.

Form 1: Detainment of Voluntary Patient
(Section 7, *Involuntary Psychiatric Treatment Act*)

I, _____ *(full name)*, a member of the treatment staff at _____ *(name of facility)*, believe on reasonable grounds that _____ *(full name of patient)*, a voluntary patient, who is requesting discharge, meets **all** of the following criteria:

1. the patient has a mental disorder

2. because of the mental disorder, if the patient leaves the facility, the patient is likely to ***(check all that apply)***

    - ❑ cause serious harm to themself or to another person
    - ❑ suffer serious mental deterioration
    - ❑ suffer serious physical deterioration

3. the patient needs to have a medical examination conducted by a physician

Therefore, I am detaining the patient at this facility for no more than 3 hours to allow for examination by a physician.

❑ By checking this box, I confirm I have informed the patient and the patient's substitute decision-maker of the patient's right to retain and instruct legal counsel.

_____ *(dd/mm/yyyy)*	_____
(date of signature)	*(signature of treatment staff member)*
_____ a.m./p.m.	_____
(time of signature)	*(staff member's name—printed)*

Instructions for Form 2: Certificate for Involuntary Psychiatric Assessment—Part 1
(Section 9, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To document the medical examination of a person who is the subject of a Detainment of Voluntary Patient (Form 1).
- Two copies of this form from 2 separate physicians (1 from each physician) are required to initiate a Declaration of Involuntary Admission (Form 4).
- A second Form 2 is not needed if a Certificate for Involuntary Psychiatric Assessment—Part 2 (Form 3) is completed.

When filling out the form:

- The patient must meet all 3 of the criteria listed on the form.
- The patient must meet at least 1 of [the] criteria under number 2. *(Check all that apply)*
- In accordance with Section 9 of the Act, this certificate must be signed by the physician who examined the person and is not effective unless it is signed within 72 hours after the time of the examination.
- This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.

Notes:

- A person cannot be taken into custody or detained unless this certificate is accompanied by 1 of the following certificates:
    - a second Certificate for Involuntary Psychiatric Assessment—Part 1 (Form 2) signed by another physician, or
    - a Certificate for Involuntary Psychiatric Assessment—Part 2 (Form 3) signed by the same physician who signed Part 1

- The 72-hour hold for an involuntary psychiatric assessment starts when a person is detained under the second Form 2.

    - If the person is already at the place where they are to be detained, it starts when the second Form 2 is signed.
    - If Form 3 is used and there is no second Form 2, it starts when the first Form 2 is signed.
    - If the person is not physically present to be detained when the second Form 2 or Form 3 is issued, the 72-hour hold starts when the person is detained.
    - Time spent under detention before the second Form 2 (or Form 3, if applicable) is issued does not count towards the 72 hours.

- In accordance with subsection 10(1) of the Act, 2 certificates for involuntary psychiatric assessment are sufficient authority for the following actions:

    - any peace officer to take the person into custody as soon as possible and to a suitable place for an involuntary psychiatric assessment as soon as possible;
    - the person to be detained, restrained and observed for not more than 72 hours; and
    - a psychiatrist to conduct an involuntary psychiatric assessment.

- A medical examination or involuntary psychiatric assessment may be conducted at any hospital, health centre or location within the community, including, but not limited to, the designated psychiatric facilities named in subsection 3(1) of the regulations.

Form 2: Certificate for Involuntary Psychiatric Assessment—Part 1
(Section 9, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a physician, personally examined _____ *(full name of person)* on the following date and at the following time and location:

Date *(dd/mm/yyyy)*	**Time**	**Location**	**Method**
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			

Having made careful inquiry into the facts relating to the case of the person, I have reasonable and probable grounds to believe that the person meets all of the following criteria (as set out in Sections 7 and 8 of the Act):

1. the person apparently has a mental disorder

2. the person, as a result of the mental disorder, ***(check all that apply)***

    ❑ is threatening or attempting to cause serious harm to themself or has recently done so

    ❑ has recently caused serious harm to themself

- ❑ is seriously harming or is threatening serious harm towards another person or has recently done so
- ❑ will suffer serious physical impairment
- ❑ will suffer serious mental deterioration

3. the person would benefit from psychiatric inpatient treatment in a psychiatric facility and is not suitable for inpatient admission as a voluntary patient

The following reasons and information support my belief that this person has a mental disorder and meets the criteria above:

Reasons, based on my observations and examination of the person:

_____
_____
_____
_____
_____
_____

Information from other sources:

Information:

_____
_____
_____
_____
_____
_____
_____

Please identify sources:

_____
_____
_____
_____
_____
_____
_____

_____ *(dd/mm/yyyy)*

_____
(signature of physician)

_____ a.m./p.m.
(time of signature)

_____
(physician's name—printed)

This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.

Instructions for Form 3: Certificate for Involuntary Psychiatric Assessment—Part 2
(subsection 10(2), *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- If the physician determines compelling circumstances exist and a second physician is not readily available to examine the person and execute a second certificate.
- This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.

Notes:

- This form must be accompanied by a Certificate for Involuntary Psychiatric Assessment—Part 1 (Form 2) signed by the same physician.
- A medical examination or involuntary psychiatric assessment may be conducted at any hospital, health centre or location within the community, including, but not limited to, the designated psychiatric facilities named in subsection 3(1) of the regulations.

Form 3: Certificate for Involuntary Psychiatric Assessment—Part 2
(subsection 10(2), *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a physician, signed the attached Certificate for Involuntary Psychiatric Assessment—Part 1 for _____ *(full name of person)*.

Compelling circumstances exist for the involuntary psychiatric assessment of the person **and** a second physician is not readily available to examine the person and complete a second Certificate for Involuntary Psychiatric Assessment—Part 1.

_____ *(dd/mm/yyyy)*
(date of signature)

_____
(signature of physician)

_____ a.m./p.m.
(time of signature)

_____
(physician's name—printed)

This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.

Instructions for Form 4: Declaration of Involuntary Admission
(Sections 17, 18 and 19, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To admit a person as an involuntary inpatient.

When filling out the form:

- The person must meet all of the criteria listed in Section 17 of the Act.
- The person must meet at least 1 of the criteria under number 3. *(Check all that apply)*
- This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.

Notes:

- Clause 3(q) of the Act defines mental disorder as "a substantial disorder of behaviour, thought, mood, perception, orientation or memory that severely impairs judgement, behaviour, capacity to recognize reality or the ability to meet the ordinary demands of life, in respect of which psychiatric treatment is advisable."
- In accordance with Section 17 of the Act, this form must be filed with the chief executive officer or their designate.
- In accordance with clause 22(a) of the Act, an involuntary patient may be detained, observed and examined in a psychiatric facility for not more than 30 days under a declaration of involuntary admission.
- In accordance with Section 26 of the Act, when a declaration of involuntary admission is filed, the patient and the patient's substitute decision-maker must be promptly informed in writing of the reasons for the patient's admission, their right to legal counsel, and all other rights and information listed in subsection 26(1) of the Act.
- A medical examination or involuntary psychiatric assessment may be conducted at any hospital, health centre or location within the community, including, but not limited to, the designated psychiatric facilities named in subsection 3(1) of the regulations.
- A completed Form 4: Declaration of Involuntary Admission requires a transfer of the person to 1 of the psychiatric facilities designated in the regulations.

Form 4: Declaration of Involuntary Admission
(Sections 17, 18 and 19, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of _____ *(name of facility)*, personally examined _____ *(full name of person)*, on the following dates and at the following times and locations:

Date *(dd/mm/yyyy)*	**Time**	**Location**	**Method**
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			

I have conducted an involuntary psychiatric assessment of this person and I have reasonable and probable grounds to believe that the person meets **all** of the following criteria:

1. the person has a mental disorder

2. the person is in need of psychiatric treatment provided in a psychiatric facility

3. as a result of the mental disorder, the person ***(check all that apply)***

    ❑ is threatening or attempting to cause serious harm to themself or has recently done so

    ❑ has recently caused serious harm to themself

    ❑ is seriously harming or is threatening serious harm towards another person or has recently done so

    ❑ will suffer serious physical impairment

    ❑ will suffer serious mental deterioration

4. the person requires psychiatric treatment in a psychiatric facility and is not suitable for inpatient admission as a voluntary patient

5. as a result of the mental disorder, the person does not have the capacity to make admission and treatment decisions

In determining that reasonable and probable grounds exist that the person does not have the capacity to make admission and treatment decisions, I have assessed whether the patient has the ability, with or without support, to understand all of the following:

- the nature of the condition for which the specific treatment or admission is proposed
- the nature and purpose of the specific treatment
- the risks and benefits involved in undergoing the specific treatment
- the risks and benefits involved in not undergoing the specific treatment or admission

I have also considered whether the person's mental disorder affects the person's ability, with or without support, to appreciate the reasonably foreseeable consequences of making or not making a decision, including the reasonably foreseeable consequences of the decision to be made.

The following reasons and information support my determination that reasonable and probable grounds exist that this person has a mental disorder and meets the criteria as described above:

Reasons, based on my observations and examination of the patient:

_____
_____
_____
_____
_____
_____
_____
_____

Information from other sources:

Information:

_____
_____
_____
_____
_____
_____
_____

Please identify sources:

_____
_____
_____
_____
_____
_____

❑ By checking this box, I confirm I have informed the patient and the patient's substitute decision-maker of the patient's right to retain and instruct legal counsel, and the steps the patient may follow to obtain legal counsel. I acknowledge that checking this box does not relieve me of the obligation to promptly inform the patient and the patient's substitute decision-maker, in writing and in language that the patient is likely to best understand, of the information set out in Section 26 of the Act.

Therefore, I declare that this person meets the criteria of Section 17 of the *Involuntary Psychiatric Treatment Act* and is to be admitted to _____ *(name of psychiatric facility)* as an involuntary patient.

This declaration is effective on the date it is signed and expires on ___/___/_____ *(dd/mm/yyyy—no later than 30 days after date signed)*.

_____ *(dd/mm/yyyy)*
(date of signature)

_____
(signature of psychiatrist)

_____a.m./p.m.
(time of signature)

_____
(psychiatrist's name—printed)

This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.

Instructions for Form 5: Declaration of Renewal of Involuntary Admission
(Section 21, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To renew a patient's status as an involuntary inpatient.
- A new Form 5 must be completed for each renewal.

When filling out the form:

- The patient must meet all of the criteria listed in Section 17 of the Act.
- Unless otherwise specified, renewal dates follow the effective declaration date on Form 4.
- This form, once completed, must be filed with the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records.
- If it is associated with a mandatory hearing, this form, once completed, must also be filed the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.
- It is the facility's responsibility to track patient involuntary treatment status and inform IPTA Administration at the Office of Addictions and Mental Health at IPTAadmin@novascotia.ca when mandatory hearings are due.

Notes:

- Clause 3(q) of the Act defines mental disorder as "a substantial disorder of behaviour, thought, mood, perception, orientation or memory that severely impairs judgement, behaviour, capacity to recognize

reality or the ability to meet the ordinary demands of life, in respect of which psychiatric treatment is advisable."

- In accordance with Section 26 of the Act, when a declaration of involuntary admission is filed, the patient and the patient's substitute decision-maker must be promptly informed in writing of the reasons for the patient's admission, their right to legal counsel and all other rights and information listed in subsection 26(1) of the Act.

- In accordance with Section 21 of the Act, this form must be filed with the chief executive officer or their designate.

- In accordance with Section 22 of the Act, a declaration of renewal may be issued for the following terms:

Renewal	Term
1st renewal	up to 30 days
2nd renewal	up to 60 days
3rd and subsequent renewals	up to 90 days

- A renewal is effective from the expiry date given on Form 4, or the previous renewal, unless otherwise specified by the psychiatrist.

- If this form is not filled out, the attending psychiatrist must fill out Form 6: Declaration of Change of Status.

Form 5: Declaration of Renewal of Involuntary Admission
(Section 21, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of _____ *(name of psychiatric facility)*, am the attending psychiatrist of _____ *(full name of patient)*, an involuntary patient at the facility.

This declaration of renewal renews the Declaration of Involuntary Admission dated ___/___/_____ *(dd/mm/yyyy)*, which expires/expired on ___/___/_____ *(dd/mm/yyyy)*.

This is the _____ (*1st, 2nd, 3rd, etc.*) renewal of that declaration and expires on ___/___/_____ *(dd/mm/yyyy)*.

If this is a second or subsequent renewal, the previous declaration of renewal expires on ___/___/_____ *(dd/mm/yyyy)*.

I personally examined this patient on the following date and at the following time and location:

Date *(dd/mm/yyyy)*	Time	Location	Method
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone

If by video or telephone, state rationale:

I have conducted an involuntary psychiatric assessment of this patient and I have reasonable and probable grounds to believe that the patient meets **all** of the following criteria:

- the patient has a mental disorder
- the patient is in need of psychiatric treatment provided in a psychiatric facility
- as a result of the mental disorder, the patient ***(check all that apply)***
    - ❑ is threatening or attempting to cause serious harm to themself or has recently done so
    - ❑ has recently caused serious harm to themself
    - ❑ is seriously harming or is threatening serious harm towards another person or has recently done so
    - ❑ is likely to suffer serious physical impairment
    - ❑ is likely to suffer serious mental deterioration
- the patient requires psychiatric treatment in a psychiatric facility and is not suitable for inpatient admission as a voluntary patient
- as a result of the mental disorder, the patient does not have the capacity to make admission and treatment decisions

In determining that reasonable and probable grounds exist that the patient does not have the capacity to make admission and treatment decisions, I have assessed whether the patient has the ability, with or without support, to understand all of the following:

- the nature of the condition for which the specific treatment or admission is proposed
- the nature and purpose of the specific treatment
- the risks and benefits involved in undergoing the specific treatment
- the risks and benefits involved in not undergoing the specific treatment or admission

I have also considered whether the patient's mental disorder affects the patient's ability, with or without support, to appreciate the reasonably foreseeable consequences of making or not making a decision, including the reasonably foreseeable consequences of the decision to be made.

The following reasons and information support my determination that reasonable and probable grounds exist that this person has a mental disorder and meets the criteria as checked above:

Reasons, based on my observations and examination of the patient:

_____
_____
_____
_____

_____
_____
_____

Information from other sources:

Information:

_____
_____
_____
_____
_____
_____
_____

Please identify sources:

_____
_____
_____
_____
_____
_____
_____

❑ A written, individualized treatment plan has been prepared for the patient in accordance with Section 20A of the *Involuntary Psychiatric Treatment Act* within 30 days of involuntary admission.

❑ A copy of this written individualized treatment plan has been promptly provided to the patient and the patient's substitute decision-maker on ___/___/_____ *(dd/mm/yyyy)* in accordance with subsection 20A(3) of the *Involuntary Psychiatric Treatment Act*.

❑ By checking this box, I confirm I have informed the patient and the patient's substitute decision-maker of the patient's right to retain and instruct legal counsel, and the steps the patient may follow to obtain free legal counsel. I acknowledge that checking this box does not relieve me of the obligation to promptly inform the patient and the patient's substitute decision-maker, in writing and in language that the patient is likely to best understand, of the information set out in Section 26 of the *Involuntary Psychiatric Treatment Act*.

Therefore, I declare that the patient's status as an involuntary patient is renewed, effective on the date this declaration is signed.

_____ *(dd/mm/yyyy)*
(date of signature)

_____
(signature of attending psychiatrist)

_____
(attending psychiatrist's name—printed)

This form, once completed, must be filed with both of the following:

- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

It is the facility's responsibility to track patient involuntary treatment status and inform the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca when mandatory hearings are due.

Instructions for Form 6: Declaration of Change of Status
(subsection 24(2), *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- When the patient no longer meets the requirements of Section 17 of the Act and the patient's status is changed to that of a voluntary patient.

When filling out the form:

- Check the appropriate boxes to identify which criteria the patient no longer meets.
- This form, once completed, must be filed with both of the following:
    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.

Notes:

- Clause 3(q) of the Act defines mental disorder as "a substantial disorder of behaviour, thought, mood, perception, orientation or memory that severely impairs judgement, behaviour, capacity to recognize reality or the ability to meet the ordinary demands of life, in respect of which psychiatric treatment is advisable."
- In accordance with subsection 24(2) of the Act, this form must be filed with the chief executive officer or their designate.
- In accordance with subsection 24(3) of the Act, when a patient's status is changed to that of a voluntary patient, the chief executive officer must ensure that the patient is promptly informed that they are a voluntary patient and they have the right to leave the psychiatric facility, subject to any detention that is lawfully authorized other than under the *Involuntary Psychiatric Treatment Act*.

Form 6: Declaration of Change of Status
(subsection 24(2), *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of _____ *(name of psychiatric facility)*, am the attending psychiatrist of

_____ *(full name of patient)*, an involuntary patient admitted to the facility.

I personally examined this patient on the following date and at the following time and location:

Date *(dd/mm/yyyy)*	**Time**	**Location**	**Method**
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			

I hereby change the status of the patient to that of a voluntary patient because ***(check all that apply)***

- ❑ the patient no longer has a mental disorder
- ❑ the patient is no longer in need of psychiatric treatment in a psychiatric facility
- ❑ the patient
  - is not threatening or attempting to cause serious harm to themself and has not recently done so
  - has not recently caused serious harm to themself
  - is not seriously harming or threatening serious harm towards another person or has recently done so
  - is not likely to suffer serious physical impairment
  - is not likely to suffer serious mental deterioration
- ❑ the patient is suitable for inpatient admission as a voluntary patient
- ❑ the patient has the capacity to make admission decisions
- ❑ the patient has the capacity to make treatment decisions

Therefore, I declare that the patient's status is changed to that of a voluntary patient, effective on the date that this declaration is signed.

_____ *(dd/mm/yyyy)*
(date of signature)

_____
(signature of attending psychiatrist)

_____
(attending psychiatrist's name—printed)

❑ I have informed the patient of their right to leave the facility per the requirements of subsection 24(3) of the Act.

❑ in writing ❑ verbally ❑ both

This form, once completed, must be filed with both of the following:

- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

Instructions for Form 7: Certificate of Leave
(Section 43, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To allow a patient to live outside the psychiatric facility for short periods of time.

When filling out the form:

- The end date specified on the certificate of leave must be a date that occurs before the expiration date on Form 4 or Form 5, as the patient is still considered an involuntary inpatient.

- This form, once completed, must be filed with both of the following:

    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.

Notes:

- In accordance with subsection 43(4) of the Act, a copy of this certificate must be given to all of the following people:

    - the patient
    - the substitute decision-maker who consented to the certificate of leave
    - the chief executive officer or their designate
    - any other health professional involved in the treatment plan

- It is recommended that a copy of this certificate be sent to the Review Board.

- This certificate is not effective without the consent of the substitute decision-maker.

- The patient may choose to return to the psychiatric facility earlier than the end date specified on the certificate of leave.

- In accordance with subsection 44(1) of the Act, the psychiatrist may cancel a certificate of leave without notice for any of the following reasons:

    - breach of a condition
    - the psychiatrist is of the opinion that the patient's condition may present a danger to the patient or

others
- the psychiatrist is of the opinion that the patient has failed to report as required by the certificate of leave

---

Form 7: Certificate of Leave
(Section 43, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of the _____ *(name of psychiatric facility)*, a psychiatric facility, am of the opinion that _____ *(full name of patient)*, an involuntary patient, should be allowed to live outside the psychiatric facility in accordance with this certificate.

This certificate allows the patient to live outside the psychiatric facility beginning on ___/___/_____ *(dd/mm/yyyy)* and ending on ___/___/_____ *(dd/mm/yyyy—date no later than 180 days from beginning date)* on the following conditions:

_____
_____
_____
_____
_____

For this certificate of leave to remain in effect, the patient must comply with the medical treatment that is described in this certificate and must attend appointments with the psychiatrist and any health professionals referred to in this certificate.

I confirm that the patient's substitute decision-maker _____ *(full name)* has consented to this certificate of leave being issued to the patient.

_____ *(dd/mm/yyyy)*
(date of signature)

_____
(signature of psychiatrist)

_____a.m./p.m.
(time of signature)

_____
(psychiatrist's name—printed)

This form, once completed, must be filed with both of the following:
- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

Instructions for Form 8: Certificate of Cancellation of Leave
(Section 44, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding

principles set out in subsection 2(1) of the Act.

When to use this form:

- To cancel a Certificate of Leave (Form 7) and require the patient to return to the inpatient psychiatric facility identified on the Certificate of Leave.

When filling out the form:

- The patient's certificate of leave date is the beginning date on Form 7.
- This form, once completed, must be filed with both of the following:
    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.

Notes:

- This form authorizes a peace officer for up to 30 days after the date it is signed to take the patient into custody and to a health facility for an involuntary psychiatric assessment.

Form 8: Certificate of Cancellation of Leave
(Section 44, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of _____ *(name of psychiatric facility)*, am the psychiatrist for _____ *(full name of patient)*, an involuntary patient who is currently living outside of the psychiatric facility on a certificate of leave.

I am cancelling the patient's certificate of leave dated ___/___/_____ *(dd/mm/yyyy)* effective on the date of this Certificate of Cancellation of Leave because ***(check all that apply)***

- ❑ the patient has breached a condition of their certificate of leave
- ❑ the patient's condition may present a danger to the patient or others
- ❑ the patient has failed to report as required by their certificate of leave

Provide further details (if needed):

_____
_____
_____
_____
_____

_____ *(dd/mm/yyyy)* _____

(date of signature) *(signature of psychiatrist)*

_____ a.m./p.m. _____

(time of signature) *(psychiatrist's name—printed)*

This form, once completed, must be filed with both of the following:

- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

Instructions for Form 9: Community Treatment Order and Community Treatment Plan

(Sections 47 and 48 *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To issue a community treatment order, where "in the community" means outside of a psychiatric facility..

When filling out the form:

- The patient must meet all 5 of the criteria under subsection 47(3) of the Act listed on the form.
- This form, once completed, must be filed with both of the following:
    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.

Notes:

- When a community treatment order is issued, the patient and the patient's substitute decision-maker must be promptly informed, in writing and in language the patient is likely to best understand, of the reasons for the order, the patient's right to legal counsel, and all other rights and information listed in subsection 47(5) of the Act.
- In accordance with Section 47 of the Act, the psychiatrist who issued the order must inform the patient and the patient's substitute decision-maker of the patient's right to a hearing before the Review Board and must provide a copy of this order to all of the following people:
    - the patient
    - the patient's substitute decision-maker
    - the chief executive officer or their designate
    - any other health practitioner or other person who has obligations under the community treatment plan
- A copy of this order must be sent to the Review Board.

- In accordance with subsection 49(2) of the Act, the psychiatrist who signs this order must notify all of the above-listed people of any changes to the patient's community treatment plan.

- The community treatment order is valid for up to 180 days after the date the order is signed.

- In accordance with Section 48 of the Act, the community treatment plan must contain all of the following:

    - a plan of treatment for the person subject to the community treatment order
    - any conditions relating to the treatment or care and supervision of the person
    - the obligations of the person subject to the community treatment order
    - the obligations of the substitute decision-maker, if any
    - the name of the psychiatrist, if any, who has agreed to accept responsibility for the general supervision and management of the community treatment order
    - the names of all persons or organizations who have agreed to provide treatment or care and supervision under the community treatment plan and their obligations under the plan
    - provision for the naming of another psychiatrist if the psychiatrist who issued the order under subsection 47(2) is unable to carry out their responsibilities under the order.

Form 9: Community Treatment Order
(Section 47, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of _____ *(name of psychiatric facility)*, am the attending psychiatrist of _____*(full name of patient)*, an involuntary patient admitted to the facility.

I personally examined this patient on the following date and at the following time and location:

Date *(dd/mm/yyyy)*	**Time**	**Location**	**Method**
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			

I have reasonable and probable grounds to believe that the patient meets **all** of the following criteria:

1. The person has a mental disorder for which the person is in need of treatment or care and supervision in the community and the treatment and care can be provided in the community

2. The person, as a result of the mental disorder, ***(check all that apply)***

    ❑ is threatening or attempting to cause serious harm to themself or has recently done so

    ❑ has recently caused serious harm to themself

    ❑ is seriously harming or is threatening serious harm towards another person or has recently done so

- ❑ will suffer serious physical impairment
- ❑ will suffer serious mental deterioration

3. As a result of the mental disorder, the person does not have the capacity to make treatment decisions

4. During the immediately preceding 2-year period, the person ***(check all that apply)***

- ❑ has been detained in a psychiatric facility for a total of 60 days or longer
- ❑ has been detained in a psychiatric facility on 2 or more separate occasions
- ❑ has previously been the subject of a community treatment order

5. The services that the person requires in order to reside in the community exist in the community, are available to the person, and will be provided to the person.

In determining that reasonable and probable grounds exist that the person does not have the capacity to make admission and treatment decisions, I have assessed whether the person has the ability, with or without support, to understand **all** of the following:

- the nature of the condition for which the specific treatment or admission is proposed
- the nature and purpose of the treatment or admission
- the risks and benefits involved in undergoing the specific treatment or admission proposed
- the risks and benefits involved in not undergoing the specific treatment or admission.

I have also considered whether the person's mental disorder affects the person's ability, with or without support, to appreciate the reasonably foreseeable consequences of making or not making a decision, including the reasonably foreseeable consequences of the decision to be made.

The following reasons and information support my determination that reasonable and probable grounds exist that this person has a mental disorder and meets the criteria as described above:

Reasons, based on my observations and examination of the patient:

_____
_____
_____
_____
_____
_____
_____

Information from other sources:

Information:

_____
_____
_____
_____
_____

_____
_____

Please identify sources:

_____
_____
_____
_____
_____
_____
_____

Community Treatment Plan
(Section 48, *Involuntary Psychiatric Treatment Act*)

The plan of treatment for the person is as follows:

_____
_____
_____
_____
_____

Conditions relating to the treatment or care and supervision of the person are:

_____
_____
_____
_____
_____

The obligations of the person subject to the community treatment order are:

_____
_____
_____
_____
_____

The obligations of the substitute decision-maker, if any, are:

_____
_____
_____
_____
_____

The following persons or organizations have agreed to provide treatment or care and supervision under the community treatment:

Person/Organization	Obligations	Contact information

If the psychiatrist who issued the community treatment order is unable to carry out their responsibilities under the order, then the following person must assume those responsibilities:

_____ *(full name)*

For this community treatment order to remain in effect, the patient must submit to the medical treatment that is prescribed by their psychiatrist and must attend appointments with the psychiatrist or the health professionals listed above in the places scheduled, from time to time, as is consistent with good medical practice.

I confirm that the consent of the patient's substitute decision-maker _____ *(full name)* has been requested and will be obtained before the patient is placed on a community treatment order and before the effective date of that community treatment order.

❑ By checking this box, I confirm I have informed the patient and the patient's substitute decision-maker of the patient's right to retain and instruct legal counsel, and the steps the patient may follow to obtain free legal counsel. I acknowledge that checking this box does not relieve me of the obligation to promptly inform the patient and the patient's substitute decision-maker, in writing and in language that the patient is likely to best understand, of the information set out in subsection 47(5) of the Act.

This community treatment order begins on ___/___/_____ *(dd/mm/yyyy)* and expires on ___/___/_____ *(dd/mm/yyyy—180 days after the date that the order is signed)* unless it is renewed or terminated at an earlier date.

_____	_____
(signature of witness)	*(signature of psychiatrist)*
_____	_____
(witness's name—printed)	*(psychiatrist's name—printed)*
_____ *(dd/mm/yyyy)*	_____ *(dd/mm/yyyy)*
(date of signature)	*(date of signature)*

This form, once completed, must be filed with both of the following:

- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

Instructions for Form 10: Renewal of Community Treatment Order
(Section 52, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To renew a Community Treatment Order (Form 9).

When filling out the form:

- The patient must continue to meet all of the criteria under subsection 47(3) of the Act listed on Form 9.
- The date of the original community treatment order is the date Form 9 was signed.
- This form, once completed, must be filed with both of the following:
    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.

Notes:

- When a community treatment order is renewed, the patient and the patient's substitute decision-maker must be promptly informed, in writing and in language the patient is likely to best understand, of the reasons for the order, the patient's right to legal counsel, and all other rights and information listed in subsection 47(5) of the Act.
- In accordance with Section 52 of the Act, a community treatment order may be renewed for 180 days at any time before it expires. There is no limit to the number of times a community treatment order may be renewed.
- It is recommended that a community treatment order be renewed at least 72 hours before its expiry date.

Form 10: Renewal of Community Treatment Order
(Section 52, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, a psychiatrist on the staff of _____ *(name of psychiatric facility)*, am the attending psychiatrist of _____ *(full name of patient)*, who is the subject of a community treatment order.

I personally examined this patient on the following date and at the following time and location:

Date *(dd/mm/yyyy)*	**Time**	**Location**	**Method**
	❑ a.m. ❑ p.m.		❑ in person ❑ video call ❑ telephone
If by video or telephone, state rationale:			

I have reasonable and probable grounds to believe that the person still fulfills the criteria for the original community treatment order dated ___/___/_____ *(dd/mm/yyyy)* and that the community treatment order has demonstrated efficacy.

1. The person has a mental disorder for which the patient is in need of treatment or care and supervision in the community and the treatment and care can be provided in the community

2. The person, as a result of the mental disorder, ***(check all that apply)***

   ❑ is threatening or attempting to cause serious harm to themself or has recently done so

   ❑ has recently caused serious harm to themself

   ❑ is seriously harming or is threatening serious harm towards another person or has recently done so

   ❑ will suffer serious physical impairment

   ❑ will suffer serious mental deterioration

3. As a result of the mental disorder, the person does not have the capacity to make treatment decisions

4. During the immediately preceding 2-year period, the person ***(check all that apply)***:

   ❑ has been detained in a psychiatric facility for a total of 60 days or longer

   ❑ has been detained in a psychiatric facility on 2 or more separate occasions

   ❑ has previously been the subject of a community treatment order

5. The services that the person requires in order to reside in the community exist in the community, are available to the person, and will be provided to the person

❑ By checking this box, I confirm I have informed the patient and the patient's substitute decision-maker of the patient's right to retain and instruct legal counsel, and the steps the patient may follow to obtain free legal counsel. I acknowledge that checking this box does not relieve me of the obligation to promptly inform the patient and the patient's substitute decision-maker, in writing and in language that the patient is likely to best understand, of the information set out in subsection 47(5) of the Act.

Therefore, I renew the community treatment order dated ___/___/_____ *(dd/mm/yyyy)*, which expires on ___/___/_____ *(dd/mm/yyyy)*.

This is the _____ *(1st, 2nd, 3rd, etc.)* renewal of that community treatment order and expires on ___/___/_____ *(dd/mm/yyyy—180 days after date this order is signed)*, unless it is renewed or terminated earlier.

_____	_____
(signature of witness)	*(signature of psychiatrist)*
_____	_____
(witness's name—printed)	*(psychiatrist's name—printed)*
_____ *(dd/mm/yyyy)*	_____ *(dd/mm/yyyy)*
(date of signature)	*(date of signature)*

This form, once completed, must be filed with both of the following:

- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

Instructions for Form 11: Termination of Community Treatment Order
(Sections 55–57, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To terminate a Community Treatment Order (Form 9) or the Renewal of Community Treatment Order (Form 10).

When filling out the form:

- The date of the original community treatment order is the date Form 9 was signed.
- The date of the most recent renewal is the date Form 10 was signed.
- This form, once completed, must be filed with both of the following:
    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.

Notes:

- When terminating a community treatment order for reason 1, 2 or 3, a psychiatrist must do all of the following:
    - notify the person that they may live in the community without being subject to the community treatment order
    - notify all of the following persons that the community treatment order has been terminated:
        - the person's substitute decision-maker
        - the chief executive officer or their designate
        - any other health practitioner or other person who has obligations under the community treatment plan.
- If the psychiatrist who issued or renewed a community treatment order has reasonable grounds to believe that the person subject to the order has failed in a substantial or deleterious manner to comply with that person's obligations under clause 48(c) of the Act, the psychiatrist must request that a peace officer take the person into custody and promptly convey the person to the psychiatrist for a medical examination.
- The psychiatrist must not make a request to a peace officer to take the person into custody unless

- the psychiatrist has reasonable cause to believe that the person continues to meet the criteria set out in subclauses 47(3)(a)(i), (ii) and (iii) of the Act
- reasonable efforts have been made to do all of the following:

    - locate the person
    - inform the person's substitute decision-maker of the failure to comply
    - inform the substitute decision-maker of the possibility that the psychiatrist may make a request for the peace officer to take the person into custody and the possible consequences
    - provide reasonable assistance to the person to comply with the terms of the order

- In accordance with subsection 56(3) of the Act, a request under subsection 56(1) of the Act is sufficient authority, for 30 days after it is issued, for a peace officer to take the person named in it into custody and convey the person to a psychiatrist who must examine the person to determine whether

    - the person should be released without being subject to a community treatment order
    - the psychiatrist should issue another community treatment order if the person's substitute decision-maker consents to the community treatment plan
    - the psychiatrist should conduct a psychiatric assessment to determine if the person should be admitted as an involuntary patient under a declaration of involuntary admission

- When terminating a community treatment order because the services required for the community treatment order are unavailable, in accordance with Section 57 of the Act, a psychiatrist must

    - notify the person of the termination of the order and of the requirement for the psychiatrist to review that person's condition and
    - notify the person's substitute decision-maker, the chief executive officer and any other health practitioner or other person who has obligations under the community treatment plan.

- Within 72 hours of issuing a notice of termination under Section 57 of the Act, the psychiatrist must review the person's condition to determine if the person can continue to live in the community without being subject to an order.

- If the person who is subject to the community treatment order fails to permit the psychiatrist to review their condition and the psychiatrist has reasonable cause to believe that the criteria for a community treatment order continue to be met, the psychiatrist may, within the 72-hour period, request that a peace officer take the person into custody and promptly convey the person to a psychiatrist for an involuntary psychiatric assessment.

Form 11: Termination of Community Treatment Order
(Sections 55–57, *Involuntary Psychiatric Treatment Act*)

I, Dr. _____ *(full name)*, am a psychiatrist on the staff of _____ *(name of psychiatric facility)*.

_____ *(full name of patient) is an involuntary patient who* is the subject of a community treatment order originally dated ___/___/_____ *(dd/mm/yyyy)*, and most recently renewed on ___/___/_____ *(dd/mm/yyyy) (if applicable)*.

I am terminating the patient's community treatment order, effective on the date of this order, for 1 or more of

the following reasons: ***(check all that apply)***

1. ❑ the person no longer has a mental disorder for which they are in need of treatment or care and supervision in the community or the treatment and care can no longer be provided in the community

2. ❑ the person

   - is not threatening or attempting to cause serious harm to themself and has not recently done so
   - has not recently caused harm to themself
   - is not seriously harming or threatening serious harm towards another person and has not recently done so
   - is not likely to suffer serious physical impairment, and
   - is not likely to suffer serious mental deterioration

3. ❑ The person has the capacity to make admission and treatment decisions

4. ❑ I am requesting a new assessment for involuntary inpatient admission because I have reasonable and probable grounds to believe that the person has substantially failed to comply with their obligations under the treatment plan, and I am requesting a new assessment for involuntary inpatient admission (Form 4).

5. ❑ I am requesting a new assessment for involuntary inpatient admission because I have reasonable and probable grounds to believe that the criteria for the community treatment order continue to be met and the following services required for the community treatment order are unavailable:

   _____
   _____
   _____
   _____

_____ _____

(signature of witness) *(signature of psychiatrist)*

_____ _____

(witness's name—printed) *(psychiatrist's name—printed)*

_____ *(dd/mm/yyyy)* _____ *(dd/mm/yyyy)*

(date of signature) *(date of signature)*

This form, once completed, must be filed with both of the following:

- **the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records**
- **the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.**

Instructions for Form 12: Application for Review
(Section 68, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- To apply to the Review Board ~~for~~ [to] review the patient's file for any of the following reasons:
    - to review a declaration of involuntary admission or a declaration of renewal
    - to review a declaration of competency for involuntary patients under subsection 58(1) of the *Hospitals Act*
    - under subsection 42(1) of the Act, to determine whether a capable informed consent by a substitute decision-maker has been rendered
    - to review a community treatment order or a renewal of a community treatment order
    - to review a certificate of leave or a certificate of cancellation of leave
    - to review the status of a substitute decision-maker referred to in clauses 38(1)(c) to (g) of the Act
- the Review Board may refuse to review the file of a patient upon application of the patient at any time during the 90 days following the date the file was previously reviewed.
- This form may be filled out by
    - the patient
    - a substitute decision-maker
    - a guardian or representative appointed by law
    - a person who has been authorized to give consent under the *Medical Consent Act*
    - a person authorized by the patient to act on their behalf (authorization is attached)
    - the chief executive officer
    - the chief executive officer or their designate
    - the Minister of Health and Wellness or their designate
    - a member of the Review Board

Notes:

- This form, once completed, must be filed with both of the following:
    - the designated NSH or IWK MHA staff or administrative office responsible for managing IPTA health records
    - the provincial IPTA Review Board administration at IPTAadmin@novascotia.ca.
- If an application for review is filed, the patient and the patient's substitute decision-maker must be reminded of the patient's right to be represented by legal counsel in accordance with Section 72 of the Act.
- In accordance with subsection 70(2) of the Act, all of the following people must be given 3 clear days' written notice of this application:
    - the applicant
    - the patient

- the patient's substitute decision-maker
- the patient advisor, if no one has been authorized to act on behalf of the patient
- the patient's attending psychiatrist
- the chief executive officer or their designate
- every other person who is entitled to be a party
- any person who, in the opinion of the Review Board, has a substantial interest in the subject matter of the application.

- In accordance with subsection 69(2) of the Act, a hearing must begin as soon as reasonably possible after the application is received by the Review Board and no later than 21 days after the application is received.

Form 12: Application for Review
(Section 68, *Involuntary Psychiatric Treatment Act*)

To: Chair of the Review Board

I, _____ *(full name of applicant)*, of _____ _____ *(address of applicant)*, apply to the Review Board in the matter of _____ *(full name of patient)*, an involuntary patient being treated at or through _____ *(name of psychiatric facility)*.

I ask the Review Board for a hearing to review ***(check one)***

- ❑ a declaration of involuntary admission
- ❑ a declaration of renewal of involuntary admission
- ❑ a declaration of competency for an involuntary patient under subsection 58(1) of the *Hospitals Act*
- ❑ whether a capable informed consent by a substitute decision-maker has been rendered under subsection 42(1) of the *Involuntary Psychiatric Treatment Act*
- ❑ a community treatment order
- ❑ a renewal of a community treatment order
- ❑ a certificate of cancellation of leave
- ❑ the status of the substitute decision-maker

I am ***(check one)***

- ❑ the patient
- ❑ a substitute decision-maker
- ❑ a guardian or representative appointed by law
- ❑ a person who has been authorized to give consent under the *Medical Consent Act*

- ❑ a person authorized by the patient to act on their behalf (authorization is attached)
- ❑ the chief executive officer or their designate
- ❑ the Minister of Health and Wellness or their designate
- ❑ a member of the Review Board

I understand that in a hearing before the Review Board every party, including the patient and the patient's substitute decision-maker, is entitled to be represented by legal counsel.

_____ *(dd/mm/yyyy)* _____

(date of signature) *(signature of applicant)*

_____

(applicant's name—printed)

Instructions for Form 13: Notice of Hearing
(Section 70, *Involuntary Psychiatric Treatment Act*)

The actions and decisions to be documented on this form, which forms a part of the *Involuntary Psychiatric Treatment Regulations*, are to be undertaken in a manner consistent with Canada's accepted obligations under the *United Nations Convention on the Rights of Persons with Disabilities* and in accordance with the guiding principles set out in subsection 2(1) of the Act.

When to use this form:

- For the Review Board to provide notice of a Review Board hearing.

When filling out the form:

- The Review Board must give at least 3 clear days' written notice of each hearing to all of the following people:
    - every party
    - every person who is entitled to be a party
    - the patient advisor if no one has been authorized to act on behalf of the involuntary patient
    - any person who, in the opinion of the Review Board, has a substantial interest in the subject matter of the application.

Notes:

- In accordance with Section 72 of the Act, every party is entitled to be represented by counsel or an agent in a hearing before the Review Board.
- If a Notice of Hearing is prepared, the patient and the patient's substitute decision-maker should be informed by the Review Board of the patient's right to counsel and the steps the patient may take to obtain legal counsel.

- Patient Rights Advisor Services has a duty to help patients access legal counsel.

- The Review Board must send a written decision within 6 clear days of the hearing to all of the following people:

    - the applicant
    - the patient
    - the patient's representative
    - the patient's substitute decision-maker
    - the patient's attending psychiatrist
    - the chief executive officer or their designate
    - the Minister of Health and Wellness via IPTA Administration at IPTAadmin@novascotia.ca.

- In accordance with Section 79 of the Act, a party may appeal on any question of law from the findings of the Review Board to the Nova Scotia Court of Appeal within 30 days of the date the decision is received from the Review Board.

Form 13: Notice of Hearing
(Section 70, *Involuntary Psychiatric Treatment Act*)

Take notice that _____ *(name of applicant)* of _____ _____ *(address of applicant)* has applied to the Review Board to review the file of _____ *(full name of patient)* of _____ _____ *(address of patient)*, an involuntary patient being treated at or through _____ *(name of psychiatric facility)* regarding _____ *(decision or order being reviewed)*.

The Review Board will hold a hearing for the review of this file on ___/___/_____ *(dd/mm/yyyy)* at _____ a.m./p.m. at _____ *(location of hearing)*.

The patient, their representative, the other parties and any individual who, in the opinion of the Review Board, has an interest in the matter may make representations at the hearing.

Every party, including the patient and the patient's substitute decision-maker or other representative, is entitled to be represented by legal counsel or an agent at a hearing before the Review Board.

_____ *(dd/mm/yyyy)*
(date of signature)

_____
(signature of Review Board Chair)

_____
(Review Board Chair's name—printed)

N.S. Reg. 117/2024 to 119/2024
Made: June 18, 2024
Filed: June 18, 2024
Workplace Hazardous Materials Information System (WHMIS) Regulations–repeal;
Disclosure of Information Regulations–repeal;
Workplace Health and Safety Regulations–amendment

Order in Council 2024-251 dated June 18, 2024
Repeal of regulations and amendment to regulations made by the Governor in Council
pursuant to Section 82 of the *Occupational Health and Safety Act*

The Governor in Council on the report and recommendation of the Minister of Labour, Skills and Immigration dated May 8, 2024, and pursuant to Section 82 of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, is pleased, effective on and after June 18, 2024 to

(a) repeal the *Workplace Hazardous Materials Information System (WHMIS) Regulations*, N.S. Reg. 196/1988, made by the Governor in Council by Order in Council 88-987 dated September 20, 1988; **[N.S. Reg. 117/2024]**

(b) repeal the *Disclosure of Information Regulations*, N.S. Reg. 220/1986, made by the Governor in Council by Order in Council 86-973 dated August 5, 1986; **[N.S. Reg. 118/2024]** and

(c) amend the *Workplace Health and Safety Regulations*, N.S. Reg. 52/2013, made by the Governor in Council by Order in Council 2013-65 dated March 12, 2013, to introduce new provisions respecting the Workplace Hazardous Materials Information System (WHMIS), in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

N.S. Reg. 119/2024
Workplace Health and Safety Regulations–amendment

Schedule "A"

Amendment to the *Workplace Health and Safety Regulations*
made by the Governor in Council under Section 82
of Chapter 7 of the Acts of 1996,
the *Occupational Health and Safety Act*

The *Workplace Health and Safety Regulations*, N.S. Reg. 52/2013, made by the Governor in Council by Order in Council 2013-65 dated March 12, 2013, are amended by striking out "Part 3: Workplace Hazardous Materials Information Systems (This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Workplace Hazardous Materials Information Systems Regulations* made under the Act.)" and substituting the following centred heading and Sections:

Part 3: Workplace Hazardous Materials Information System

Definitions for Part 3
3.1 In this Part,

"bulk shipment" means a shipment of a hazardous product that is contained without intermediate containment or intermediate packaging in any of the following:

(i) a vessel that has a water capacity equal to or greater than 450 L,

(ii) a freight container, road vehicle, railway vehicle or portable tank,

(iii) the hold of a ship,

(iv) a pipeline;

"CAS registry number" means the identification number assigned to a chemical by the Chemical Abstracts Service, a division of the American Chemical Society;

"container" includes a bag, barrel, bottle, box, can, cylinder, drum, storage tank or similar package or receptacle;

"education" means the delivery of general information on labels and safety data sheets and the purpose and significance of the information they contain to employees;

"fugitive emission" means a gas, liquid, solid, vapour, fume, mist, fog or dust that escapes from any of the following and an employee may be readily exposed;

(i) process equipment,

(ii) emission control equipment,

(iii) a product;

"hazard information" means information on the proper and safe use, storage and handling of a hazardous product and includes information relating to its health and physical hazards;

"*Hazardous Materials Information Review Act*" means the *Hazardous Materials Information Review Act* (Canada);

"hazardous product" means any product, mixture, material or substance that is classified in accordance with the *Hazardous Products Regulations* in a category or subcategory of a hazard class listed in Schedule 2 of that Act;

"*Hazardous Products Act*" means the *Hazardous Products Act* (Canada);

"*Hazardous Products Regulations*" means the *Hazardous Products Regulations* made under the *Hazardous Products Act*;

"hazardous waste" means a hazardous product that meets at least 1 of the following requirements:

(i) it is generated as a by-product of a process and then recycled or recovered,

(ii) it is acquired for recycling or recovery,

(iii) it is intended for disposal;

"health professional" means

(i) a physician who is registered and entitled under the laws of a province to practise medicine and who is practising medicine under those laws in that province, or

(ii) a nurse who is registered or licensed under the laws of a province to practise nursing

and who is practising nursing under those laws in that province;

"label" means a group of written, printed or graphic information elements that relate to a hazardous product and that is designed to be affixed to, printed on or attached to a hazardous product or the container for a hazardous product;

"laboratory sample" means a sample of a hazardous product that is packaged in a container that contains less than 10 kg of the hazardous product and that is intended solely to be tested in a laboratory, but does not include a sample that is to be used for any of the following purposes:

(i) by the laboratory for testing other products, mixtures, materials or substances,

(ii) education,

(iii) a demonstration;

"manufactured article" means any article that is formed to a specific shape or design during manufacture, the intended use of which is dependent in whole or in part on its shape or design, and that, when being installed, if the intended use of the article requires it to be installed, and under normal conditions of use, will not release or otherwise cause an individual to be exposed to a hazardous product;

"product identifier" means, for a hazardous product, the brand, chemical, common, generic or trade name;

"readily available" means, in respect of information, present in an appropriate place that is accessible to an employee at all times and in at least 1 of the following forms:

(i) a physical copy that can be handled,

(ii) an electronic copy for which a back-up version is available;

"safety data sheet" means a document that contains, under the headings that are required to appear in the document by the *Hazardous Products Regulations*, information about a hazardous product, including the hazards associated with any use, handling or storage of the product in a workplace;

"significant new data" means new data about the hazard presented by a hazardous product that does any of the following:

(i) changes the hazardous product's classification in a category or subcategory of a hazard class,

(ii) results in the hazardous product's classification in another hazard class,

(iii) changes the ways to protect against the hazard presented by the hazardous product;

"supplier label" means a label provided by a supplier that contains the information required by the *Hazardous Products Act*;

"supplier safety data sheet" means a safety data sheet provided by a supplier that contains the information required by the *Hazardous Products Act*;

"training" means the delivery of workplace- and job-specific information to an employee;

"workplace label" means a label that discloses all of the following:

(i) a product identifier identical to that found on the safety data sheet for the hazardous product,

(ii) information for the safe handling of the hazardous product conveyed in a manner appropriate to the workplace,

(iii) that a safety data sheet, if supplied or produced, is available.

Application

3.2 (1) The requirements under this Part for a supplier label and safety data sheet do not apply if the hazardous product is any of the following:

(a) an explosive within the meaning of the *Explosives Act* (Canada);

(b) a cosmetic, device, drug or food as defined in Section 2 of the *Food and Drugs Act* (Canada);

(c) a pest control product as defined in subsection 2(1) of the *Pest Control Products Act* (Canada);

(d) a nuclear substance as defined in Section 2 of the *Nuclear Safety and Control Act* (Canada) that is radioactive;

(e) a consumer product as defined in Section 2 of the *Canada Consumer Product Safety Act*.

(2) This Part does not apply if the hazardous product is any of the following:

(a) wood or a product made of wood;

(b) a tobacco product as defined in Section 2 of the *Tobacco and Vaping Products Act* (Canada);

(c) a manufactured article.

(3) This Part does not apply to a hazardous product that is being transported or handled under the requirements of the *Transportation of Dangerous Goods Act* (Canada).

(4) This Part does not apply to hazardous wastes, except that an employer must ensure the safe storage and handling of hazardous waste through a combination of identification and employee training.

Prohibition

3.3 (1) An employer must ensure that the label, identifier, safety data sheet and employee training requirements of these regulations are complied with when using, storing or handling a hazardous product in a workplace.

(2) Despite the requirement to provide information and training required for a hazardous product in a workplace under subsection (1), an employer may store a hazardous product in a workplace while actively seeking information required under these regulations if the employer ensures that the hazardous product or the container of the hazardous product has 1 of the following labels affixed to it:

(a) a workplace label; or

(b) if the employer does not have the information required for a workplace label, a label disclosing that the product is

(i) hazardous, and

(ii) cannot be used or handled at the workplace until further information is obtained.

Employer's duty to inform employees

3.4 (1) An employer must ensure that an employee who works with a hazardous product or may be exposed to a hazardous product in the course of their work activities is informed about all of the following:

(a) all hazard information received from a supplier for that hazardous product;

(b) any further hazard information the employer is aware of or ought to be aware of for the use, storage, handling and disposal of that hazardous product.

(2) If a hazardous product is produced in a workplace, an employer must ensure that an employee who works with that hazardous product or may be exposed to that hazardous product in the course of their work activities is informed about all of the hazard information the employer is aware of or ought to be aware of for the use, storage and handling of that hazardous product.

Employee education and training

3.5 (1) An employer must ensure that an employee who works with, or may be exposed to, a hazardous product in the course of their work activities is educated in all of the following:

(a) the content required on a supplier label and workplace label, and the purpose and significance of that information;

(b) the content required on a safety data sheet and the purpose and significance of the information on the safety data sheet.

(2) An employer must ensure that an employee who works with, or may be exposed to, a hazardous product in the course of their work activities is trained in all of the following:

(a) procedures for the safe use, storage, handling and disposal of a hazardous product;

(b) procedures for the safe use, storage, handling and disposal of a hazardous product contained or transferred in any of the following:

(i) a pipe,

(ii) a piping system including valves,

(iii) a process vessel,

(iv) a reaction vessel,

(v) a tank car, tank truck, ore car, conveyor belt or similar conveyance;

(c) procedures to be followed if an employee may be exposed to fugitive emissions;

(d) procedures to be followed in case of an emergency involving a hazardous product;

(e) how to locate a safety data sheet at the workplace and the format it may be found in.

(3) An employer must ensure that the employee education and training required by subsections (1) and (2) are developed and implemented

(a) for that employer's workplace; and

(b) in consultation with the committee, or representative, if any.

(4) An employer must ensure, so far as is reasonably practicable, that

(a) the employee education and training required by subsections (1) and (2) enable an employee to protect the employee's own health and safety and the health and safety of others at the workplace; and

(b) the knowledge of an employee is periodically evaluated using written tests, practical demonstrations or other suitable means.

(5) An employer must review the education and training required under this Section at least annually, or more frequently if required by a change in work conditions or available hazard information, and in consultation with the committee or representative, if any, to ensure the education and training continue to comply with relevant legislation and regulations.

(6) If a change is made to the education or training as a result of the review under subsection (5), an employee affected by the change must be provided with additional education or training about the change.

Labels

Supplier label

3.6 (1) Unless exempted from labelling requirements in the *Hazardous Products Regulations* and these regulations, an employer must ensure that all of the following received at a workplace has a supplier label that meets the requirements set out in subsection (2):

(a) a hazardous product;

(b) the container in which a hazardous product is packaged.

(2) A supplier label must be affixed to, printed on or attached to the hazardous product or the container in which the hazardous product is packaged in a manner that complies with the *Hazardous Products Regulations*.

(3) Except as provided in Sections 3.16 and 3.17, if any amount of a hazardous product remains in a workplace in the container in which it was received from the supplier, an employer must not remove, deface, modify or alter a supplier label.

(4) An employer must update a supplier label as soon as significant new data is provided to the employer from the supplier.

(5) Except as provided in subsection (6), if a label affixed to a hazardous product or a container of a hazardous product becomes illegible or is inadvertently removed from the hazardous product or container, the employer must replace the label with either a supplier label or a workplace label.

(6) The label of a hazardous product in a container that has a capacity of 3 ml or less may be removed under normal conditions of use if the label interferes with the normal use of the product.

(7) If a hazardous product is imported and received at a workplace without a supplier label, as permitted under Section 5.15 of the *Hazardous Products Regulations*, or with a supplier label that does not comply with the *Hazardous Products Regulations*, the employer must affix a label that meets the requirements of the *Hazardous Products Regulations.*

(8) An employer who receives a hazardous product without packaging or a hazardous product transported as a bulk shipment, and to which a supplier label has not been affixed as permitted under subsection 5.5(2) of the *Hazardous Products Regulations*, must do 1 of the following:

(a) affix a label with the information required for a supplier label to the container of the hazardous product, or

(b) if the product is to be used solely in the workplace, affix a workplace label to the hazardous product.

Workplace label for employer-produced products

3.7 (1) For the purpose of subsection (2), "produces" does not include the production of a fugitive emission.

(2) If an employer produces a hazardous product in a workplace, the employer must ensure that the hazardous product or the container of the hazardous product has a workplace label affixed to it.

(3) Subsection (2) does not apply when the hazardous product is in a container that is intended to contain the hazardous product for sale or disposition and the container is or is about to be appropriately labelled for sale or disposition.

(4) The employer must update a workplace label as soon as significant new data are available to the employer.

Workplace label for decanted products

3.8 (1) Except as set out in subsection (2), if a hazardous product in a workplace is in a container other than the container in which it was received from a supplier, the employer must ensure that the container has a workplace label affixed to it.

(2) Subsection (1) does not apply to a portable container that is filled directly from a container that has a supplier label or workplace label affixed to it if either of the following conditions are met:

(a) all of the hazardous product is required for immediate use; or

(b) the hazardous product meets all of the following requirements:

(i) it is under the control of and is used exclusively by the employee who filled the portable container,

(ii) it is used only during the shift in which the portable container was filled,

(iii) the content of the container holding the hazardous product is clearly identified.

Identification of hazardous product in piping systems and vessels

3.9 An employer must ensure the safe use, storage and handling of a hazardous product through employee training and the use of colour coding, labels, placards or another mode of identification when the

hazardous product in a workplace is contained or transferred in any of the following:

(a) a pipe;

(b) a piping system including valves;

(c) a process vessel;

(d) a reaction vessel;

(e) a tank car, tank truck, ore car, conveyor belt or similar conveyance.

Placard identifiers

3.10 (1) For the purpose of this Section, "posting a placard" means posting a placard that meets all of the following requirements:

(a) except as exempted in Sections 3.16 and 3.17, it discloses the information required on a workplace label;

(b) it is of a size and in a location that the information on the placard is conspicuous and clearly legible to employees;

(c) it is located close enough to the hazardous product it relates to for employees to appreciate it relates to that product.

(2) Despite the labelling requirements for a hazardous product in Sections 3.6, 3.7 and 3.8, an employer may comply with Sections 3.6, 3.7 and 3.8 by posting a placard if the hazardous product meets at least 1 of the following requirements:

(a) it is not in a container;

(b) it is in a container intended for export;

(c) it is in a container intended for sale or disposition and will be appropriately labelled in the employer's normal course of business and without undue delay;

(d) it is in a container intended for use in the workplace and the container meets all of the following requirements:

(i) the container is consumed in a production process,

(ii) except as exempted in Sections 3.16 and 3.17, the container or the hazardous product is identified through the use of colour coding, labels or another mode of identification clearly legible to employees.

(3) Despite the labelling requirements for a hazardous product in Sections 3.7 and 3.8, and without limiting subsection (2), an employer may comply with Sections 3.7 and 3.8 for a container of a hazardous product intended for use in a workplace by posting a placard if all of the following requirements are met:

(a) the hazardous product is located in an area to which the general public and unauthorized employees are not permitted access;

(b) the container of the hazardous product is identified through the use of colour coding, labels or another mode of identification clearly legible to employees;

(c) subject to subsection (4), and unless the hazardous product is required for immediate use or is under the exclusive control of a single employee and handled in accordance with subclauses 3.8(2)(b)(i) to (iii), the hazardous product is not removed from the placarded area until it has a workplace label affixed to it.

(4) If a hazardous product is moved directly and expeditiously from a container or source that complies with the labelling or placarding requirements of these regulations to an area where a placard is posted, despite Sections 3.7 and 3.8, the employer may, during the time that the hazardous product is being moved, identify the hazardous product through a combination of employee training and the use of colour coding, labels, placards or another mode of identification clearly legible to employees.

Hazardous laboratory sample

3.11 (1) If a laboratory sample of a hazardous product is exempted from specific labelling requirements by subsection 5(5) or 5(6) of the *Hazardous Products Regulations*, a label must be provided by the supplier and affixed to, printed on or attached to the container of the product received at the workplace.

(2) A label in subsection (1) complies with the requirements of Section 3.6 for a supplier label if it discloses all of the following:

(a) the chemical name or generic chemical name of any material or substance in the hazardous product that is classified individually under the *Hazardous Products Act* and the *Hazardous Products Regulations*

(i) in any category or subcategory of a health hazard class and that is present above the relevant concentration limit, if known by the supplier, or

(ii) that is present at a concentration that results in the mixture being classified in a category or subcategory of any health hazard class, if known by the supplier;

(b) the statement “Hazardous Laboratory Sample. For hazard information or in an emergency, call/Échantillon pour laboratoire de produit dangereux. Pour obtenir des renseignements sur les dangers ou en cas d’urgence, composez” followed by an emergency telephone number to obtain the information required on the safety data sheet of the hazardous product.

(3) If a hazardous product is in a container other than the container in which it was received from a supplier, or is produced in the workplace, the employer is exempt from the requirement of Section 3.8 if the hazardous product meets all of the following requirements:

(a) it is a laboratory sample;

(b) it is intended by the employer solely for use, analysis, testing or evaluation in a laboratory;

(c) it is clearly identified through a combination of the following methods that comply with subsection (4):

(i) a mode of identification visible to employees at the workplace,

(ii) employee education and training required by these regulations.

(4) The mode of identification and employee education and training required under clause (3)(c) must enable an employee to readily identify and obtain either of the following types of information as required in the circumstances:

(a) information required on a safety data sheet;

(b) a label or document disclosing the information referred to in clauses (2)(a) and (b) for the hazardous product or sample.

(5) If a hazardous product is produced in a laboratory, the employer is exempt from the labelling requirements of Sections 3.7 and 3.8 if the hazardous product meets all of the following requirements:

(a) it is intended by the employer solely for evaluation, analysis or testing for research and development;

(b) it is not removed from the laboratory;

(c) it is clearly identified through a combination of the following methods that comply with subsection (6):

(i) a mode of identification visible to employees at the workplace,

(ii) employee education and training required by these regulations.

(6) The mode of identification and employee education and training methods required under clause (5)(c) must enable an employee to readily identify and obtain at least 1 of the following:

(a) information required on a safety data sheet;

(b) any other information that is necessary to ensure the safe use, storage and handling of the hazardous product.

Safety data sheets

Supplier safety data sheets

3.12 (1) Except as provided in subsection (6), an employer who acquires a hazardous product for use, handling or storage at a workplace must obtain a supplier safety data sheet that complies with the requirements of the *Hazardous Products Regulations* for that hazardous product.

(2) Except as provided in subsection (3), if a safety data sheet for a hazardous product that is used in the workplace is 3 or more years old, the employer must, if possible, obtain from the supplier an up-to-date supplier safety data sheet for the hazardous product in the workplace.

(3) Subsection (2) does not apply if the supplier advises the employer that

(a) the new safety data sheet does not apply to the original product; or

(b) there has been no change to the information on the original safety data sheet.

(4) If an employer is unable to obtain a safety data sheet as required by subsection (2), the employer must add any significant new data applicable to that hazardous product that the employer is aware of, or ought to be aware of, to the existing supplier safety data sheet.

(5) An employer may provide a safety data sheet in a different format than the format provided by the supplier or that contains additional hazard information if the safety data sheet provided by the employer meets all of the following requirements:

(a) except as provided in Sections 3.16 and 3.17, it does not contain less information than the supplier safety data sheet or it contains less information and this is accepted by the committee, or representative, if any;

(b) the supplier safety data sheet is available at the workplace and the safety data sheet provided by the employer indicates that fact.

(6) If a supplier is exempted by the *Hazardous Products Regulations* from the requirement to provide a safety data sheet for a hazardous product, an employer is exempt from the requirement to obtain or provide a safety data sheet for that hazardous product.

(7) Except as provided in Sections 3.16 and 3.17, if a hazardous product is received at a laboratory and the supplier has provided a safety data sheet, an employer must ensure that a copy of the safety data sheet is readily available for viewing by an employee who may be exposed to the hazardous product and by the committee, or representative, if any.

(8) Except as provided in Sections 3.16 and 3.17, if a hazardous product is received or produced at a laboratory and an employer has produced a safety data sheet, the employer must ensure that the safety data sheet is readily available for viewing by an employee who may be exposed to the hazardous product, and by the committee, or representative, if any.

Employer safety data sheets

3.13 (1) If an employer produces a hazardous product in the workplace, the employer must prepare a safety data sheet for the product that discloses the information required under the *Hazardous Product Regulations*, except as provided in Sections 3.16 and 3.17 and Part 5 of the *Hazardous Products Regulations*.

(2) Subsection (1) does not apply to the production of a fugitive emission or an intermediate product undergoing reaction within a reaction or process vessel.

(3) An employer must update the safety data sheet referred to in subsection (1) as soon as practical but no later than 90 days after the date that new hazard information becomes available to the employer.

Availability of safety data sheets

3.14 (1) An employer must consult the committee, or representative, if any, respecting the most appropriate means to make a safety data sheet required by Section 3.12 or 3.13 readily available in the workplace.

(2) An employer must ensure that a copy of the safety data sheet is made readily available to an employee who may be exposed to a hazardous product and the committee, or representative, if any.

Trade Secrets and Confidential Business Information

Claim of exemption to disclose information

3.15 (1) An employer who is required, either directly or indirectly, under the provisions of the *Hazardous Products Act*, the *Hazardous Products Regulations* or these regulations, to disclose any of the information set out in subsection (2) on a label or safety data sheet may claim an exemption if the employer considers it to be confidential business information.

(2) The information for which an exemption may be claimed under subsection (1) includes all of the following:

(a) for a material or substance that is a hazardous product

(i) the chemical name of the material or substance,

(ii) the CAS registry number, or any other unique identifier, of the material or substance, and

(iii) the chemical name of any impurity, stabilizing solvent or stabilizing additive that is present in the material or substance, that is classified in a category or subcategory of a health hazard class under the *Hazardous Products Act* and that contributes to the classification of the material or substance in the health hazard class under that Act;

(b) for an ingredient contained in a mixture that is a hazardous product

(i) the chemical name of the ingredient,

(ii) the CAS registry number, or any other unique identifier, of the ingredient, and

(iii) the concentration or concentration range of the ingredient;

(c) for a material, substance or mixture that is a hazardous product, the name of any toxicological study that identifies the material or substance or an ingredient in the mixture;

(d) the product identifier of a hazardous product, such as its chemical, common, generic, trade or brand name;

(e) information about a hazardous product, other than the product identifier, that constitutes a means of identification;

(f) information that could be used to identify a supplier of a hazardous product.

(3) A claim under subsection (1) may be made under

(a) subsection 61(1) of the Act; or

(b) the *Hazardous Materials Information Review Act*.

Claims for exemption under subsection 61(1) of Act

3.16 (1) If an employer claims an exemption from a requirement to disclose confidential information under subsection 61(1) of the Act, the employer may delete from a label or safety data sheet the information that is the subject of the claim but may not delete hazard information.

(2) An employer who has deleted information from a label or safety data sheet under subsection (1) must replace the deleted information with

(a) the words “trade secret”; and

(b) an emergency telephone number for the employer that will enable a treating health professional to obtain information that is in the possession of the employer respecting the specific chemical identity of the hazardous product for the purpose of rendering medical

treatment to a person in an emergency.

Claims for exemption under *Hazardous Materials Information Review Act*

3.17 (1) If an employer claims an exemption from a requirement to disclose confidential business information under the *Hazardous Materials Information Review Act*, the information is exempt from disclosure from the time a claim is filed until the final disposition of the claim and, if the claim is found to be valid, for a period of 3 years from the date that the claim is determined.

(2) An employer who claims an exemption under the *Hazardous Materials Information Review Act* may delete, for the time period set out in subsection (1), the information claimed to be confidential business information from a label or safety data sheet required under Sections 3.6, 3.12 and 3.13, but may not delete hazard information from the label or safety data sheet.

(3) An employer who claims an exemption under the *Hazardous Materials Information Review Act* must abide by the process and any decisions issued under the *Hazardous Materials Information Review Act* and its regulations.

(4) An employer who claims an exemption from a requirement to disclose information about a hazardous product on a safety data sheet or label under the *Hazardous Materials Information Review Act* must disclose on the safety data sheet and, if applicable, on the label of the hazardous product or container in which the hazardous product is packaged, the date that the claim for exemption was filed and the registry number assigned to the claim under the *Hazardous Materials Information Review Act*.

(5) The requirements under subsection (4) apply until at least 1 of the following conditions is met:

(a) in the case of an order issued under subsection 14(1) of the *Hazardous Materials Information Review Act*, the end of the period that begins on the final disposition of the claim for exemption and does not exceed the period specified in the order;

(b) in any other case, the end of the period not exceeding 30 days after the final disposition of the claim for exemption.

(6) An employer who receives notice of a decision made under the *Hazardous Materials Information Review Act* that their claim or a portion of their claim for exemption from a requirement to disclose information about a hazardous product on a safety data sheet or label is valid must, for the sale or importation of the hazardous product, provide all of the following information on the safety data sheet and, if applicable, on the label of the hazardous product or container in which the hazardous product is packaged:

(a) a statement that an exemption has been granted;

(b) the date of the decision granting the exemption;

(c) the registry number assigned to the claim under the *Hazardous Materials Information Review Act*.

(7) If an employer produces a hazardous product in the workplace and files a claim for exemption under paragraph 11(2)(a) or subparagraph 11(2)(b)(i) or (ii) of the *Hazardous Materials Information Review Act*, the employer is compliant with subsection 3.13(1) if the employer prepares a safety data sheet for that hazardous product that discloses at least 1 of the following in place of the information elements listed in paragraphs 3(1)(a), (b), (c) and (d) or paragraphs 3(2)(a), (b) and (c) of Schedule 1 to the *Hazardous Products Regulations*:

(a) for a hazardous product that is a material or substance, the generic chemical name of the material or substance;

(b) for a hazardous product that is a mixture, the generic chemical name of each material or substance in the mixture

(i) that, individually, is classified in a category or subcategory of a health hazard class under the *Hazardous Products Act* and is present above the relevant concentration limit, or

(ii) that is present at a concentration that results in the mixture being classified in a category or subcategory of a health hazard class under the *Hazardous Products Act*.

(8) If an employer produces a hazardous product in the workplace and files a claim for exemption under subparagraph 11(2)(b)(iii) of the *Hazardous Materials Information Review Act*, the employer is compliant with subsection 3.13(1) if the employer prepares a safety data sheet for that hazardous product that does not disclose the information element listed in paragraph 3(2)(d) of Schedule 1 to the *Hazardous Products Regulations.*

(9) If an employer produces a hazardous product in the workplace and files a claim for exemption under paragraph 11(2)(d) of the *Hazardous Materials Information Review Act*, the employer is compliant with subsection 3.13(1) if the employer prepares a safety data sheet for that hazardous product that discloses, in place of the product identifier, a code name or code number for the product.

Disclosure of information in medical emergencies

3.18 (1) An employer must provide information, including confidential business information, about a hazardous product that is present or was present in the workplace to a health professional who requests information about the hazardous product for the purpose of rendering medical treatment to a person in an emergency.

(2) Information that, by virtue of an exemption under the *Hazardous Materials Information Review Act* or these regulations, is not required to be provided on the safety data sheet but has been provided by an employer to any health professional who requests that information for the purpose of making a medical diagnosis of, or rendering medical treatment to, an individual in a medical emergency must be kept confidential, except for the purpose for which it was provided, if the health professional has been informed by the employer that the information is to be kept confidential.

(3) If confidential business information, including a specific chemical identity, is disclosed to address a medical emergency under subsection (1) and the employer requires a confidentiality agreement as permitted by subsection 61(2) of the Act, the confidentiality agreement may do all of the following:

(a) require the health professional and the employee to keep the confidential business information, including the specific chemical identity, confidential;

(b) provide for appropriate legal remedies in the event of a breach of the confidentiality agreement.

Disclosure of source of toxicological data

3.19 Subject to the *Hazardous Materials Information Review Act*, an employer who manufactures a hazardous product in a workplace must, at the request of an officer, an employee who may be exposed to the hazardous product or the committee or representative, if any, disclose as quickly as possible the source of any toxicological data used in preparing the safety data sheet required under Section 3.12.

Transition period

3.20 (1) In this Section,

"former regulations" means the *Workplace Hazardous Materials Information System Regulations*, N.S. Reg. 196/1988.

(2) When this Part comes into force, an employer who meets the requirements of the former regulations is deemed to be in compliance with the requirements of this Part for a period of 6 months immediately after the date this Part comes into force.

(3) Despite the 6-month transition period referred to in subsection (2), a hazardous product present in a workplace when this Part comes into force that is labelled in accordance with the former regulations is deemed to be in compliance with the labelling requirements of this Part and may continue to be used for a period of 3 years immediately after the date this Part comes into force if employees are educated and trained in accordance with the former regulations.

(4) Despite the duty imposed on self-employed persons to comply with these regulations under subsection 1.4(1), a self-employed person is not required to comply with the requirements of this Part until 6 months immediately after the date this Part comes into force.

N.S. Reg. 120/2024

Made: June 18, 2024
Filed: June 18, 2024

Employment Support and Income Assistance Regulations–amendment

Order in Council 2024-255 dated June 18, 2024
Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated June 7, 2024, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 195/2019, made by the Governor in Council by Order in Council 2019-333 dated November 27, 2019, to index the standard household rate and other assistance streams, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 1, 2024.

Schedule "A"

Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council under Section 21
of Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act*

1 Subsection 48(1) of the *Employment Support and Income Assistance Regulations*, N.S. Reg. 195/2019, made by the Governor in Council by Order in Council 2019-333 dated November 27, 2019, is amended by repealing the table and substituting the following table:

Household Composition		Standard Household Rate	
Recipients	**Dependent Child or Student Family Member**	**Rent or Own**	**Board**
1	0	$704	$624
1	1	$987	$643
1	2 or more	$1039	$685
2	0	$1376	$1034
2	1 or more	$1428	$1076

2 Section 49 of the regulations is amended by striking out “$950” and substituting “$974”.

3 The table in Section 50 of the regulations is repealed and the following table substituted:

Recipients	Standard Household Rate—Essentials
1	$390
2	$780

4 Section 51 of the regulations is amended by striking out “$380” and substituting “$390”.

5 Subsection 52(1) of the regulations is amended by striking out “$200” and substituting “$205”.

6 Subsection 55A(1) of the regulations is amended by striking out “$300” and substituting “$308”.

7 The regulations are further amended by adding the following Section immediately after Section 70:

Retroactive payment

71 **(1)** The rates listed in Sections 48 to 52 are payable retroactive to April 1, 2024.

(2) The rate listed in Section 55A is payable retroactive to May 1, 2024.