Royal Gazette

Part II – Regulations
Volume 49, No. 12
June 13, 2025
Halifax, Nova Scotia

Published Under the Authority of the Attorney General

Contents

In force date of regulations: As of March 5, 2005*, the date that a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date that a regulation is filed and any specified effective dates are important in determining when the regulation is in force.

*Effective November 28, 2023, subsection 3(6) of the *Regulations Act* was replaced. (See subsection 3(5) of Chapter 54 of the Acts of 2022, *An Act to Amend Chapter 393 of the Revised Statutes, 1989, the Regulations Act*.)

N.S. Reg. 105/2025
Made: May 7, 2025
Approved: May 9, 2025
Filed: May 21, 2025
Chicken Farmers of Nova Scotia Regulations–amendment

Order dated May 12, 2025
Amendment to regulations made by the Chicken Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to Section 9 of the *Natural Products Act*

Chicken Farmers of Nova Scotia

Amendment to the *Chicken Farmers of Nova Scotia Regulations*
made under the *Natural Products Act*

I certify that on May 7, 2025, the Chicken Farmers of Nova Scotia, pursuant to Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, as delegated by Section 7 of the *Nova Scotia Chicken Marketing Plan*, N.S. Reg. 241/1982, carried a motion to amend the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 109/2020, made by the Chicken Farmers of Nova Scotia on August 19, 2020, and approved by the Natural Products Marketing Council on August 20, 2020, in the manner set forth in the attached Schedule "A", effective on and after June 1, 2025.

Signed at Kentville, in the County of Kings, Nova Scotia, on May 12, 2025.

Chicken Farmers of Nova Scotia

per: sgd. *Christine Bell*
Christine Bell
Executive Director

Approved by the Natural Products Marketing Council at Bible Hill, Nova Scotia, on May 9, 2025.

Natural Products Marketing Council

per: sgd. *Danielle Dorn Kouwenberg*
Danielle Dorn Kouwenberg
Manager

Schedule "A"

Amendment to the *Chicken Farmers of Nova Scotia Regulations*
made by the Chicken Farmers of Nova Scotia pursuant to
Section 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act*

1 Section 25 of the *Chicken Farmers of Nova Scotia Regulations*, N.S. Reg. 109/2020, made by the Chicken Farmers of Nova Scotia on August 19, 2020, and approved by the Natural Products Marketing Council on August 20, 2020, pursuant to Section 9 of the *Natural Products Act* is repealed and the following Section substituted:

Under or over production by producer

25 **(1)** A producer licensee who markets less than 96% of the total licensed quantity of chicken among all licences held by that producer, calculated exclusive of any licence transfers approved under Section 20, is considered to be underproducing during the applicable time period in subsection (3).

(2) A producer licensee who markets more than 106% of the total licensed quantity of chicken among all licences held by that producer, calculated exclusive of any licence transfers approved under Section 20, is considered to be overproducing during the applicable time period in subsection (3).

(3) The applicable time period for calculating under or over production is:

(a) for a producer with an 8-week licence, a base quota period;

(b) for a producer with a 7-week licence, a period covering

(i) eight 7-week marketing periods beginning with A7-0001, or

(ii) any 8 consecutive 7-week marketing periods after the period referred to in subclause (i).

(4) A producer who is underproducing, as described in subsection (1), or overproducing as described in subsection (2), must explain to the Commodity Board, in writing, why less or more chicken was marketed than was licensed for.

(5) If the Commodity Board is not satisfied with the explanation given by the producer under subsection (4), the Commodity Board may do either of the following:

(a) refuse to issue a licence, in whole or in part, for future marketing or licensing periods;

(b) refer the matter to the Council for a decision on suspending or revoking their licence under Section 10 of the Act.

2 Subsection 26(1) of the regulations is repealed and replaced with the following:

(1) Except as provided in subsection (4), if a producer markets more kilograms live weight of chicken during an overmarketing assessment period than their total licensed quantity of chicken for the period, calculated inclusive of any licence transfers approved under Section 20, the producer must pay the following overmarketing assessment levy to the Commodity Board:

(a) $0.44 for every kilogram live weight of chicken marketed that is over 102% and up to and including 104% of their total licensed quantity of chicken for the period;

(b) $0.88 for every kilogram live weight of chicken marketed that is over 104% and up to and including 106% of their total licensed quantity of chicken for the period;

(c) $1.32 for every kilogram live weight of chicken marketed that is over 106% of their total licensed quantity of chicken for the period.

N.S. Reg. 106/2025
Made: May 22, 2025
Filed: May 22, 2025
Prescribed Petroleum Products Prices

Order dated May 22, 2025
made by the Nova Scotia Energy 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 Energy Board's website at the following address: https://nserbt.ca/nseb/mandates/gasoline-diesel-pricing.]

N.S. Reg. 107/2025
Made: May 28, 2025
Filed: May 29, 2025
Private Career Colleges Operational Regulations–amendment

Order dated May 28, 2025
Amendment to regulations made by the Minister of Advanced Education
pursuant to Section 37 of the *Private Career Colleges Act*

In the matter of Section 37 of Chapter 23 of the Acts of 1998,
the *Private Career Colleges Act*

-and-

In the matter of an amendment to the *Private Career Colleges Operational Regulations*
made by the Minister of Advanced Education

Order

I, Brendan Maguire, Minister of Advanced Education for the Province of Nova Scotia, pursuant to Section 37 of Chapter 23 of the Acts of 1998, the *Private Career Colleges Act*, hereby amend the *Private Career Colleges Operational Regulations*, N.S. Reg. 96/2016, made by order of the Minister of [Labour and] Advanced Education dated May 10, 2016, to require private career colleges to establish policies respecting sexual violence, in the manner set forth in the attached Schedule "A".

This order is effective on and after August 1, 2025.

Dated and made May 28, 2025, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Brendan Maguire*
Honourable Brendan Maguire
Minister of Advanced Education

Schedule "A"

Amendment to the *Private Career Colleges Operational Regulations*
made by the Minister of Advanced Education under Section 37
of Chapter 23 of the Acts of 1998,
the *Private Career Colleges Act*

1 Section 5 of the *Private Career Colleges Operational Regulations*, N.S. Reg. 96/2016, made by the Minister of Labour and Advanced Education by order dated May 10, 2016, is amended by adding the following definition where it belongs in alphabetical order:

"sexual violence policy" means the sexual violence policy required by Section 35A;

2 The regulations are amended by adding the following Section immediately after Section 15:

Surveys

15A (1) The Director may conduct surveys of students, and any other persons identified by the Director, related to any of the following:

(a) a private career college;

(b) an operator;

(c) a program;

(d) a policy;

(e) any additional matter under the Act and these regulations that the Director considers appropriate.

(2) The Director may request or require any of the following in respect of a survey:

(a) that it be in electronic format or another format the Director considers appropriate;

(b) that it be conducted by an inspector or another independent person that the Director considers appropriate.

(3) On request, an operator must do all of the following:

(a) provide any information reasonably required by the Director for the purpose of conducting a survey;

(b) grant the Director access to the college's premises for the purpose of conducting a survey;

(c) comply with any Director's requests reasonably required for the purpose of conducting a survey, including cooperating with any person engaged by the Director to conduct a survey.

(4) For the purpose of completing a survey, the Director may use student information contained in any of the following reports and may disclose the information to any person conducting the survey if that person has entered into an agreement with the Director to protect the safety and

security of the information:

(a) a program intake and enrolment report provided by a college under Section 66;

(b) a program summary report provided by a college under Section 68.

3 The regulations are further are amended by adding the following Section immediately after Section 35:

Sexual violence policy

35A (1) In this Section,

"sexual violence" means any sexual act or act targeting a person's sexuality, gender identity or expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

(2) A college must have a sexual violence policy that solely and specifically addresses sexual violence involving students and includes all of the following:

(a) information about the supports and services available to students affected by sexual violence, including supports and services available to students

(i) through the college, and

(ii) in the community;

(b) a process specifically for responding to and resolving complaints of sexual violence involving students in accordance with subsection (4) and Section 54, to be followed in place of the process under the college's student complaint resolution policy;

(c) a process for responding to and resolving a request for accommodation under subsection (6);

(d) a statement informing students that they are not required to report an incident of, make a complaint about, or participate in any process to respond to or resolve a complaint of sexual violence as a condition of accessing

(i) a support or service referred to in clause (a); or

(ii) an accommodation referred to in clause (c).

(4) A college's process for responding to and resolving a complaint of sexual violence must include all of the following:

(a) the procedure for making a complaint, including

(i) the name and title of the college official to whom the complaint must be provided,

(ii) measures that may be taken to protect a complainant from retaliation and the threat of retaliation, and

(iii) a statement that a student may choose not to request an investigation by the college and has the right not to participate in any investigation that may occur;

(b) a description of the investigative and decision-making processes to be followed by the college on receiving a complaint, including all of the following:

(i) the processes for deciding whether a complaint will be investigated by the college,

(ii) the elements of procedural fairness that will be part of the investigative and decision-making process,

(iii) the specific college personnel who will be involved in each stage of the investigative and decision-making process and a process to identify and resolve conflicts of interest involving the personnel,

(iv) a statement that any party to an investigative or decision-making process has the right to have a support person present with them during the process,

(v) measures that may be taken to protect and keep confidential the personal information of persons involved in a complaint,

(vi) measures that may be taken to protect the complainant during an investigative or decision-making process,

(vii) decisions that may be made and measures that may be imposed at the conclusion of a decision-making process, including discipline and dismissal procedures,

(viii) the process to appeal a decision made under subclause (vii).

(5) The compliant resolution process referred to in subsection (4) must not reference or otherwise direct a student to another complaint policy or procedure established by the college.

(6) A student affected by sexual violence may request an accommodation in the form of a reasonable modification, adjustment or adaptation to their participation in a program for the purpose of minimizing the impact of sexual violence on the student.

(7) On receiving a request under subsection (6), a college must make reasonable efforts to provide a student with an accommodation that is responsive to the student's needs and circumstances.

(8) A college must not charge students affected by sexual violence a fee for

(a) providing supports, services or accommodation to the student; or

(b) referring a student to any supports or services available in the community.

(9) A college must ensure that personnel receive training in all of the following before they are involved in, or responsible for, any element of the college's sexual violence policy:

(a) preventing and responding to sexual violence;

(b) the impacts of sexual violence;

(c) the college's sexual violence policy.

(10) A college must ensure that student input is considered when

(a) developing its sexual violence policy; and

(b) reviewing or amending its student violence policy.

(11) Subsection (10) does not apply to a college that

(a) is not registered but has applied for a certificate of registration under Section 6 of the Act; or

(b) is registered but has no students.

(12) Every 3 years, a college must

(a) review its sexual violence policy and amend the policy as appropriate; and

(b) provide updated training on any amendments to the sexual violence policy to any personnel involved in, or responsible for, any element of the policy.

(13) If there is any conflict between a college's sexual violence policy and any other policy of the college, then the sexual violence policy prevails.

4 Clause 45(h) of the regulations is amended by

(a) striking out the semicolon at the end of subclause (vi) and substituting a comma; and

(b) adding the following subclause immediately after subclause (vi):

(vii) the sexual violence policy;

5 Clause 46(m) of the regulations is amended by

(a) striking out the semicolon at the end of subclause (vi) and substituting a comma; and

(b) adding the following subclause immediately after subclause (vi):

(vii) the sexual violence policy;

N.S. Reg. 108/2025
Made: May 29, 2025
Filed: May 29, 2025
Prescribed Petroleum Products Prices

Order dated May 29, 2025
made by the Nova Scotia Energy 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 Energy Board's website at the following address: https://nserbt.ca/nseb/mandates/gasoline-diesel-pricing.]

N.S. Reg. 109/2025
Made: May 29, 2025
Filed: May 30, 2025

Interim Recognition of Canadian Jurisdiction Vehicle Registration Regulations

Order in Council 2025-160 dated May 29, 2025
Regulations made by the Governor in Council
pursuant to Section 307 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Public Works dated May 28, 2025, and pursuant to Section 307 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to make regulations respecting an interim project for recognition of interprovincial vehicle registration, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 3, 2025.

Schedule "A"

Regulations Respecting an Interim Project for Recognition of Vehicle Registration from Another Canadian Jurisdiction made by the Governor in Council under Section 307 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

Citation

1 These regulations may be cited as the *Interim Recognition of Canadian Jurisdiction Vehicle Registration Regulations*.

Definitions

2 In these regulations,

"Act" means the *Motor Vehicle Act*.

Interim project duration

3 **(1)** The interim project begins on June 3, 2025, and ends on June 2, 2030.

(2) On the expiry of the interim project, these regulations are repealed.

Registration of vehicles

4 **(1)** Except as provided in subsection (2), the Registrar may register a vehicle if the vehicle meets 1 of the following criteria:

(a) it is registered in another jurisdiction in Canada;

(b) in the Registrar's opinion, it is eligible to be registered in another jurisdiction in Canada.

(2) The Registrar may not register a vehicle that is not in compliance with the *Police Identity Management Act*.

Compliance with Act

5 A vehicle registered under these regulations must comply with the Act.

Commercial motor vehicles

6 A person may operate a commercial motor vehicle in the Province if all of the following are met:

(a) the vehicle may legally be operated under the rules of another Canadian jurisdiction;

(b) the vehicle is in compliance with the requirements of these regulations;

(c) the operator provides proof of compliance with the registration requirements in another Canadian jurisdiction where the vehicle is registered or eligible to be registered, including any special conditions, in a form acceptable to the Registrar.

Special conditions for motor vehicles

7 An operator of a motor vehicle operating in the Province under these regulations must comply with any special conditions imposed by the Registrar.

Registrar may cancel registration

8 **(1)** The Registrar may cancel the registration of any vehicle registered under these regulations that is operated in violation of the Act, these regulations or a special condition imposed under Section 7.

(2) A cancellation under subsection (1) is deemed to be a cancellation under Section 281 of the Act and the same processes and procedures apply.

N.S. Reg. 110/2025

Made: June 3, 2025
Filed: June 3, 2025

Pharmacy Regulations

Order in Council 2025-165 dated June 3, 2025
Regulations made by the Governor in Council
pursuant to Sections 4, 13, 14 and 177 of the *Regulated Health Professions Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated May 7, 2025, and pursuant to Sections 4, 13, 14 and 177 of Chapter 15 of the Acts of 2023, the *Regulated Health Professions Act*, is pleased to make new regulations respecting pharmacy in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 30, 2025.

Schedule "A"

Regulations Respecting Pharmacy
made by the Governor in Council under Sections 4, 13, 14 and 177
of Chapter 15 of the Acts of 2023,
the *Regulated Health Professions Act*

Interpretation

Citation
1 These regulations may be cited as the *Pharmacy Regulations*.

Definitions
2 In these regulations,

"Act" means the *Regulated Health Professions Act*;

"Board" is further defined to mean the board of the Regulator;

"competency framework" means a framework approved by the Board establishing the competencies that registrants are required to possess to practise safely and ethically within the scope of practice of their designation or licensing category;

"Court" means the Supreme Court of Nova Scotia;

"dispense" means the process of completing a prescription and includes releasing the prescription to a client;

"drug" has the same meaning as in the *Food and Drugs Act* (Canada) and includes any substance or combination of substances included in a prescription or incorporated in a schedule set out in the bylaws;

"former Act" is further defined to mean Chapter 11 of the Acts of 2011, the *Pharmacy Act*;

"General Regulations" means the *Regulated Health Professions General Regulations* made under the Act;

"hospital pharmacy" means a pharmacy

(i) within the care and jurisdiction of a hospital as defined in the *Hospitals Act*, and

(ii) that provides pharmacy services, including the dispensing of drugs, only to the following persons:

(A) hospital inpatients, including those on a short leave of absence from the hospital,

(B) discharged hospital inpatients that require drugs or emergency hospital outpatients that require drugs, if the drugs are dispensed in small quantities for use by the patient until the patient can obtain pharmacy services from a non-hospital pharmacy,

(C) hospital outpatients that require drugs, if the drugs

(I) are administered within the jurisdiction of the hospital,

(II) are dispensed through the hospital under a publicly funded program that requires the drugs to be dispensed through a hospital, or

(III) are dispensed through the hospital under a special access program that requires the drugs to be dispensed through a hospital or clinical trial that requires the drugs to be dispensed through a hospital,

(D) hospital outpatients that require specialized pharmacy services that can be reasonably accessed only through a hospital,

(E) persons that require the dispensing of a drug that can be reasonably accessed only through a hospital or specialized pharmacy services that can be reasonably accessed only through a hospital, as set out in the bylaws;

"inspector" means an inspector appointed under these regulations;

"Nova Scotia College of Pharmacists" means the college continued under Section 3 of the former Act;

"pharmacy" means 1 of the following:

(i) a part of a place where scheduled drugs are sold by retail with or without a prescription and that includes a dispensary and professional service area,

(ii) a facility authorized by the bylaws, including any of the following:

(A) a licensed pharmacy,

(B) a formerly licensed pharmacy,

(C) a pharmacy with a suspended licence or accreditation;

"pharmacy owner" means a person who owns or directs the operation of a facility or an entity through which a licensed pharmacy operates or who, directly or indirectly, exercises a significant degree of control over any of the following:

(i) the management and policies of a licensed pharmacy,

(ii) the conduct of the registrants employed by a licensed pharmacy;

"pharmacy services" means services within the practice of pharmacy provided by a registrant;

"prescription" means an authorization that meets all of the following criteria:

(i) it is made in compliance with all of the following:

(A) the *Food and Drugs Act* (Canada),

(B) the *Controlled Drugs and Substances Act* (Canada),

(C) the bylaws,

(ii) it is made by a person authorized by law to prescribe drugs or devices,

(iii) it allows for the dispensing of a specified drug or device for use by a designated individual or animal;

"registration and licensing decision maker" means the registrar, the registration and licensing committee or the registration and licensing review committee, as applicable;

"Regulator" means the Nova Scotia Pharmacy Regulator;

"respondent" is further defined to include a pharmacy owner who is not a registrant;

"scheduled drug" means a drug or device listed in the schedule of drugs in the bylaws;

"title protection" means the restriction on the use of a title associated with a particular designation or category of licence to persons who are authorized to practise within the scope of that designation or registered and licensed in that category of licence.

Regulator

Nova Scotia College of Pharmacists continued

3 The Nova Scotia College of Pharmacists is continued as a regulatory body under the name Nova Scotia Pharmacy Regulator with the purpose of regulating the profession of pharmacy in accordance with the objects set out in Section 6 of the Act.

Bylaw authorization

4 The Regulator is authorized to make bylaws under clauses 12(2)(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) and (m) of the Act, in accordance with the Act and these regulations.

Public representatives on Board

5 In addition to the requirement of subsection 7(2) of the Act, the number of public representatives on the Board must be no fewer than 3 and no more than 4.

Appointment of public representatives to Board

6 **(1)** The Regulator may appoint public representatives to the Board.

(2) The Regulator must publicly advertise openings for public representatives on the Board for at least 30 days on the Regulator's website, another website or another publicly available digital platform.

(3) The Board may remove a public representative from the Board before the expiration of their term of office if

(a) the Board makes a special motion to remove the public representative from the Board; and

(b) a 2/3 majority of the Board votes in favour of the special motion described in clause (a).

(4) If a public representative's Board position becomes vacant before the expiration of the public representative's term of office, the Board may appoint a new public representative to fill the vacancy on the Board by using the results of previous recruitment efforts or undertaking additional recruitment.

(5) A public representative appointed to the Board under subsection (4)

(a) may complete the term of the public representative they are replacing; and

(b) is eligible for reappointment.

Scope of Practice

Scope of practice of pharmacy

7 **(1)** The scope of practice of pharmacy is the application of specialized and evidence-based pharmacy knowledge, skills and judgment that have been taught in an approved education program or are set out in 1 or more of the following approved by the Board:

(a) competency frameworks;

(b) standards of practice;

(c) practice guidelines.

(2) The scope of practice of pharmacy as described in subsection (1) includes the performance of any or all of the following activities:

(a) supervising and managing drug distribution systems;

(b) compounding, preparing and dispensing drugs and blood products;

(c) preparing and dispensing devices;

(d) assessing, identifying, treating and managing health conditions;

(e) promoting health and preventing and treating diseases;

(f) performing any other services, roles, functions and activities included in the scope of practice of the designations and licensing categories set out in the bylaws.

(3) The scope of practice of pharmacy also includes health promotion, research, education, inter-professional collaboration, consultation, management, administration, advocacy, regulation or system development that is related to the activities and application of specialized and evidence-based pharmacy knowledge, skills and judgment described in subsections (1) and (2).

Scope of practice of designations and licensing categories

8 Under clauses 12(2)(k) and (l) of the Act, the Regulator may make bylaws setting out all of the following:

(a) the scope of practice of each designation and licensing category established

(i) in these regulations, and

(ii) in the bylaws;

(b) the title protection authorized for each designation and licensing category established in the bylaws.

Registration and Licensing

Practising licence categories

9 The following are the practising licence categories for pharmacy:

(a) pharmacist practising licence;

(b) pharmacy technician practising licence;

(c) any other category of practising licence established in the bylaws.

Conditional licence categories

10 The following are the conditional licence categories for pharmacy:

(a) pharmacist conditional licence;

(b) pharmacy technician conditional licence;

(c) any other category of conditional licence established in the bylaws.

Application and criteria for registration in practising register

11 (1) An application required by Section 34 of the Act must be completed in the form required by the registrar.

(2) In addition to the completed application, an applicant for registration in a practising register must submit all of the following to the registrar:

(a) proof satisfactory to the registration and licensing decision maker that the applicant meets all of the following criteria, except if any or all of the criteria are waived under Section 59 of the Act:

(i) they are a graduate of 1 of the following:

(A) an education program approved for registration in the practising register in which they seek to be registered,

(B) an education program that, in the opinion of the registration and licensing decision maker, is equivalent to an education program approved for registration in the practising register in which they seek to be registered,

(C) an education program that, together with the applicant's additional education and experience and in the opinion of the registration and licensing decision maker, provides the applicant with the competencies to practice in the scope of practice of registrants in the practising register in which they seek to be registered,

(ii) they have successfully completed any examinations required by the Board for registration in the practising register in which they seek to be registered,

(iii) they have completed a competence assessment, if directed to do so by the registration and licensing decision maker,

(iv) they have successfully completed any bridging education required for registration that was determined to be necessary by a competence assessment,

(v) they have demonstrated proficiency in the English language, in the manner prescribed by the registrar,

(vi) they are a Canadian citizen or legally entitled to live and work in Canada,

(vii) they have the capacity, competence and character to safely and ethically engage in the practice of pharmacy without conditions or restrictions,

(viii) they have no outstanding complaints, prohibitions, conditions, agreements or restrictions originating from the Regulator or any other registration or licensing authority that would preclude registration in a register other than a conditional register,

(ix) they are the person named in the documentation submitted in support of the application,

(x) under the requirements of the Act, these regulations and the bylaws, they are eligible for a practising licence that corresponds with the practising register in which they seek to be registered,

(xi) they meet any additional criteria for registration in a practising register set out in the bylaws;

(b) the applicable fee, within the time determined by the registrar and using a method acceptable to the registrar.

(3) The processing under Section 36 of the Act of an application and its associated information, documents and fee described in subsections (1) and (2) must be completed by the registrar as soon as practicable.

(4) A review and decision under Sections 37 and 38 of the Act regarding an application must be completed by the registration and licensing committee as soon as practicable.

Criteria for practising licence

12 (1) In addition to the completed application in a form approved by the registrar required by Section 35 of the Act, an applicant for a practising licence must submit all of the following to the registrar:

(a) proof satisfactory to the registration and licensing decision maker that the applicant meets all of the following criteria, except if any or all of the criteria are waived under Section 59 of the Act:

(i) they meet the registration criteria in subclauses 11(2)(a)(iii), (iv), (v), (vi), (vii) and (ix),

(ii) they are registered in the practising register that corresponds with the licensing category for which they are seeking a practising licence,

(iii) they have professional liability insurance or another form of malpractice coverage or liability protection in the form and amount set by the Board,

(iv) they meet the requirements of the continuing competence program for the licensing category for which they are seeking a practising licence,

(v) they meet the currency of practice requirements for the licensing category for which they are seeking a practising licence,

(vi) they have no outstanding complaints, prohibitions, conditions, agreements or restrictions originating from the Regulator or any other registration or ~~licencing~~ [licensing] authority that limit their ability to practise,

(vii) they have completed any assessments or education required by the Board for the licensing category for which they are seeking a practising licence,

(viii) they meet any additional criteria for issuing a practising licence set out in the bylaws;

(b) the applicable fee, within the time determined by the registrar and using a method acceptable to the registrar.

(2) The processing under Section 36 of the Act of an application and associated information, documents and fee described in subsection (1) must be completed by the registrar as soon as practicable.

(3) A review and decision under Sections 37 and 38 of the Act regarding an application must be completed by the registration and licensing committee as soon as practicable.

Criteria for registration in conditional register

13 (1) The registrar must enter the name of a person who meets all of the following in a conditional register:

(a) for an existing registrant in a practising register, they have

(i) agreed to conditions or restrictions that limit their ability to practise, or

(ii) had conditions or restrictions that limit their ability to practise imposed on them as a result of a regulatory process;

(b) for an applicant for registration in a register, they meet all of the following requirements:

(i) all of the criteria for registration in a practising register, other than the criteria in subclauses 11(2)(a)(vii), (viii), (x) and (xi), and except as provided in subsection (4),

(ii) they have the capacity, competence and character to safely and ethically engage in the practice of pharmacy with conditions or restrictions,

(iii) they have either

(A) agreed to conditions or restrictions that limit their ability to practise, or

(B) had conditions or restrictions that limit their ability to practise imposed on them as a result of a regulatory process,

(iv) under the requirements of the Act, these regulations and the bylaws, they are eligible for a conditional licence that corresponds with the conditional register in which they seek to be registered,

(v) any other requirements for registration in a conditional register set out in the bylaws,

(vi) they have paid the applicable fee, within the time determined by the registrar and using a method acceptable to the registrar.

(2) The processing of an application under Section 36 of the Act for an applicant described in clause (1)(b) must be completed by the registrar as soon as practicable.

(3) A review and decision under Sections 37 and 38 of the Act regarding an application made by an applicant described in clause (1)(b) must be completed by the registration and licensing committee as soon as practicable.

(4) An applicant who has not passed the examinations required for registration, but who otherwise meets the requirements of subsection 14(1), may be granted conditional registration by the registration and licensing decision maker pending the passing of the registration examinations.

Criteria for conditional licence

14 (1) The requirements to be met for issuing a conditional licence under Section 43 of the Act are as follows:

(a) for a person who is an existing registrant holding a practising licence, they have

(i) agreed to conditions or restrictions that limit their ability to practise, or

(ii) had conditions or restrictions that limit their ability to practise imposed on them as a result of a regulatory process;

(b) for an applicant for a licence, they meet all of the following requirements:

(i) all of the criteria for registration in a practising register, other than the criteria in subclauses 11(2)(a)(vii), (viii), (x) and (xi), and except as provided in subsection (4),

(ii) they are registered in a conditional register that corresponds with the licensing category for which they are seeking a conditional licence,

(iii) the requirements for a practising licence in subclauses 12(1)(a)(iii) and (vii),

(iv) they have the capacity, competence and character to safely and ethically engage in the practice of pharmacy with conditions or restrictions,

(v) any additional criteria for issuing a conditional licence set out in the bylaws,

(vi) they have either

(A) agreed to the registration and licensing decision maker's imposition of conditions or restrictions that limit their ability to practise, or

(B) had conditions or restrictions that limit their ability to practise imposed by the registration and licensing decision maker or a statutory committee;

(c) for all applicants, they have paid the applicable fee, within the time determined by the registrar and using a method acceptable to the registrar.

(2) The processing of an application under Section 36 of the Act for an applicant described in clause (1)(b) must be completed by the registrar as soon as practicable.

(3) A review and decision under Sections 37 and 38 of the Act regarding an application made by an applicant described in clause (1)(b) must be completed by the registration and licensing committee

as soon as practicable.

(4) An applicant who has not passed the examinations required for registration, but who otherwise meets the requirements of subsection (1), may be issued a conditional licence by the registration and licensing decision maker pending the passing of the registration examinations.

Practice and Title Use Restrictions, Services Not Prohibited and Publication Restrictions

Restriction on practice of pharmacy

15 No person may engage or offer to engage in the practice of pharmacy or describe their activities as "pharmacy" unless they are 1 of the following:

(a) a registrant holding a pharmacist practising licence or a pharmacist conditional licence;

(b) a registrant holding a pharmacy technician practising licence or a pharmacy technician conditional licence;

(c) otherwise authorized to practise pharmacy, in accordance with the Act, these regulations, the General Regulations or the bylaws;

(d) exempt from the application of the Act, these regulations, the General Regulations or the bylaws.

Restriction on use of "pharmacist" title, description or designation

16 No person may take or use the title, description or designation of "pharmacist", "druggist", "pharmaceutical chemist" or "apothecary", the abbreviation "PhC", "R.Ph." or "R.Pharm" or any derivation or abbreviation of them either alone or in combination with other words, letters or descriptions unless the person is 1 of the following:

(a) a registrant holding 1 of the following under these regulations or the bylaws:

(i) a pharmacist practising licence, as permitted by clause 40(a) of the Act,

(ii) a pharmacist conditional licence;

(b) otherwise authorized to practise as a pharmacist or to use the relevant title, description or designation in accordance with the Act, these regulations, the General Regulations or the bylaws.

Restriction on use of "pharmacy technician" title, description or designation

17 No person may take or use the title, description or designation of "pharmacy technician", "pharmacy technologist", "dispensing technician" or "dispensing technologist", the abbreviation "R.Ph.T" or "R.P.T." or any derivation or abbreviation of them either alone or in combination with other words, letters or descriptions unless the person is 1 of the following:

(a) a registrant holding 1 of the following under these regulations or the bylaws:

(i) a pharmacy technician practising licence, as permitted by clause 40(a) of the Act,

(ii) a pharmacy technician conditional licence;

(b) otherwise authorized to practise as a pharmacy technician or to use the relevant title, description or designation in accordance with the Act, these regulations, the General

Regulations or the bylaws.

Restriction on use of bylaw licensing category title, description or designation

18 No person may take or use the title, description or designation of a licensing category established in the bylaws under clause 12(2)(l) of the Act, unless the person is 1 of the following:

(a) a registrant holding a licence in the category that authorizes the use of that title, description or designation;

(b) otherwise authorized to practise within the scope of the designation or to use the title, description or designation of that licensing category, in accordance with the Act, these regulations or the bylaws.

Services not prohibited by Act, regulations or bylaws

19 In addition to the services set out in Section 164 of the Act, nothing in the Act, these regulations or the bylaws prohibits the provision of the following services:

(a) the selling of goods of any kind to any of the following:

(i) a regulated health professional who uses the goods in their authorized practice,

(ii) a person authorized by law to prescribe drugs or devices;

(b) the provision of prescribed drugs or devices by the individuals described in clause (a) to their clients who require those drugs or devices.

Restriction on use of title or designation in advertisement or publication

20 In any advertisement or publication, including business cards, websites and signage, that refers to activities that fall within the scope of practice of pharmacy, the following restrictions apply:

(a) only a person who is authorized to do so by these regulations may use the following alone or in combination with other words, letters or descriptions:

(i) the title of “pharmacist” or “pharmacy technician” or any other title or designation protected by these regulations or the bylaws,

(ii) any derivation or abbreviation of the titles or designations described in subclause (i);

(b) only a person who is authorized to do so under Section 15 may describe their activities as “pharmacy”.

Inspections

Inspector

21 The registrar

(a) may appoint an inspector; and

(b) is an inspector.

Authority of inspector

22 **(1)** An inspector may do all of the following without notice, at any reasonable time and without a court order:

(a) inspect premises where pharmacy is practised;

(b) inspect equipment, materials and anything else with which a person practises pharmacy or carries out duties and procedures delegated by a registrant;

(c) inspect a pharmacy's inventory of drugs and devices;

(d) inspect any of the following types of records:

(i) records of a pharmacy, including client records,

(ii) records of a registrant concerning the registrant's practice of pharmacy,

(iii) records located at premises where pharmacy is practised,

(iv) records of a registrant relating to any of the following reimbursers of the cost of prescribed drugs, prescribed devices or other pharmacy services:

(A) a federal or Provincial government payment agency,

(B) an insurer;

(e) observe, inspect or audit the practice of pharmacy or the carrying out of duties and procedures in a pharmacy, including the carrying out of duties and procedures by or on behalf of a registrant.

(2) If a registrant, a person who is delegated duties and procedures by a registrant or a pharmacy owner misleads, obstructs or does not co-operate with an inspector while the inspector is exercising the powers conferred upon them by these regulations, the registrar may suspend the licence of the registrant or the pharmacy until the misleading behaviour, obstruction or lack of co-operation ceases.

Report by inspector

23 (1) The inspector must make a report setting out

(a) the findings of an inspection conducted under Section 22; and

(b) any recommendations.

(2) The registrar must provide a copy of the report described in subsection (1) to each registrant and pharmacy owner whose premises, equipment or records are inspected.

Power of inspector to remove items

24 (1) An inspector may do all of the following at any reasonable time and without a court order:

(a) remove a prescription file, drug, drug container, device, client record or other record from a pharmacy or other location where pharmacy is practised for the purpose of copying or photographing the record or file or photographing the drug, drug container or device if it is impractical to make the copy or take the photograph at the pharmacy or other location where pharmacy is practised;

(b) remove any of the following from a pharmacy or other location where pharmacy is practised:

(i) a sample of a drug or other thing, for the purpose of analyzing its composition,

(ii) drugs or devices the inspector considers unfit for sale,

(iii) drugs or devices for which the expiry date has passed,

(iv) anything that, in the opinion of the inspector, is evidence of professional misconduct, conduct unbecoming the profession, incompetence, incapacity or a violation of the Act, these regulations, the General Regulations or the bylaws.

(2) If a drug, device or thing is removed from a pharmacy or other location where pharmacy is practised under clause (1)(b), it may be disposed of as directed by the registrar, complaints committee or professional conduct committee unless the Court orders otherwise.

(3) An inspector must provide any of the following persons employed and present at a pharmacy or other location where pharmacy is practised with a receipt listing all items removed from the pharmacy or other location where pharmacy is practised under subsection (1):

(a) a pharmacy manager;

(b) a registrant.

Evidence of Drug and Certificate of Analysis

Evidence of drug

25 (1) All of the following articles that are sold or otherwise disposed of by a person or that a person offers to sell or dispose of are deemed to be or contain a drug:

(a) an article that purports to be or contain a drug;

(b) a container marked to indicate that the contents are or include a drug;

(c) an article that the person has represented to be or contain a drug.

(2) The presence on business premises of a scheduled drug is proof, in the absence of evidence to the contrary, that the scheduled drug is being kept for dispensing or sale.

Certificate of analysis

26 (1) A certificate of analysis from an analyst appointed under the *Food and Drugs Act* (Canada) that states all of the following is admissible in any proceeding under the Act and is evidence of the statements contained in the certificate:

(a) the analyst has analyzed or examined a substance;

(b) the result of the analyst's analysis or examination.

(2) Reasonable notice of the intention to introduce a certificate of analysis in evidence must be given to the person against whom it is to be used, together with a copy of the certificate.

Fines

Professional conduct fines

27 (1) A fine imposed by the professional conduct committee under clause 110(1)(m) of the Act on a

registrant must not exceed a maximum amount of $100 000.

(2) A fine imposed by the professional conduct committee under clause 110(1)(m) of the Act on a pharmacy owner must not exceed a maximum amount of $500 000 for each pharmacy a finding is made against.

(3) In addition to the imposition of any fines described in subsection (2), the professional conduct committee may impose 1 of the following fines on a pharmacy owner for each pharmacy a finding is made against:

(a) a fine of $25 000 for each additional day the conduct that is the subject of the finding continues;

(b) if the pharmacy owner is financially benefiting from the conduct that is the subject of the finding, a fine in an amount equal to the proceeds received by the pharmacy owner from the conduct that is the subject of the finding.

(4) If a respondent is a pharmacy owner who is also a registrant, the professional conduct committee must determine based on the nature of allegations which maximum fine amount is applicable to the respondent.

Pharmacies

Operation of pharmacies

28 (1) A person may operate a pharmacy only if the pharmacy is licensed under Section 30.

(2) A person may dispense drugs only in a pharmacy licensed under Section 30, in a hospital pharmacy or as permitted by an Act, these regulations or the bylaws.

Pharmacy accreditation

29 (1) Accreditation for a pharmacy must be granted

(a) in the name of the pharmacy's owner; and

(b) by the registration and licensing decision maker on confirmation that the pharmacy meets the requirements of these regulations and the bylaws.

(2) A pharmacy's accreditation terminates if the ownership of the pharmacy changes.

(3) A pharmacy's accreditation is not a licence to operate the pharmacy.

Licensing of pharmacies

30 (1) The registrar must issue a pharmacy licence for a pharmacy if all of the following criteria are met:

(a) the pharmacy is accredited;

(b) the pharmacy owner and the pharmacy manager each certify to the registrar

(i) that the pharmacy complies with the requirements set out in the bylaws, and

(ii) that, to the best of their knowledge, every registrant employed in the pharmacy has the capacity and professional competence to safely practise pharmacy;

(c) the pharmacy manager is a licensed registrant;

(d) the registrar is satisfied that the pharmacy complies with the requirements of the Act, these regulations, the General Regulations and the bylaws;

(e) the fees prescribed by the Board for a pharmacy to be issued a pharmacy licence have been paid.

(2) The refusal of the registrar to issue a pharmacy licence for a pharmacy under subsection (1) may be appealed by the pharmacy owner to the registration and licensing review committee in accordance with the Act, these regulations, the General Regulations and the bylaws.

Renewal of pharmacy licence

31 (1) The registrar must renew a pharmacy licence for a pharmacy before its expiry if the pharmacy continues to meet the criteria set out in clauses 30(1)(a), (b), (c) and (d) and pays all outstanding fees and the pharmacy licence renewal fees prescribed by the Board.

(2) If a pharmacy does not pay the outstanding fees and pharmacy licence renewal fees described in subsection (1) before the expiry of its pharmacy licence,

(a) its pharmacy licence must be suspended by the registrar until it pays the outstanding fees and pharmacy licence renewal fees;

(b) it must not operate as a pharmacy until it pays the outstanding fees and pharmacy licence renewal fees; and

(c) the registrar may bring the suspension imposed under clause (a) to the attention of the public and other affected parties using any means the registrar determines are in the public interest and at the pharmacy's expense.

(3) The registrar must renew a pharmacy licence suspended under clause (2)(a) immediately upon the pharmacy paying the outstanding fees and pharmacy licence renewal fees described in subsection (1) if the pharmacy continues to meet the criteria set out in clauses 30(1)(a), (b), (c) and (d).

Name on pharmacy licence

32 (1) A pharmacy licence for a pharmacy must be issued in the name of the licensed registrant who is the pharmacy manager.

(2) A pharmacy licence for a pharmacy ceases to be valid when the registrant in whose name the pharmacy licence is issued ceases to be the pharmacy manager or a licensed registrant.

(3) A pharmacy may be issued a new pharmacy licence in the name of a new pharmacy manager in accordance with the Act, these regulations and the bylaws.

Evidence of pharmacy licence

33 A certificate from the registrar stating that a pharmacy has or does not have a current pharmacy licence must be received in evidence in any court and is evidence of the statements contained in the certificate.

Register of pharmacies

34 The registrar must keep a register of all pharmacies licensed under the Act, these regulations and the bylaws.

Disclosure of pharmacy information

35 **(1)** The registrar may publish the quality and performance results of a pharmacy quality and performance management program that are related to 1 or more pharmacies if the registrar determines it is in the public interest to do so.

(2) The registrar may disclose information about pharmacies, including about an identifiable pharmacy, to the Minister for purposes consistent with the objects of the Act and these regulations if the registrar determines it is in the public interest to do so, including information about any of the following:

(a) human resource planning and management;

(b) equity initiatives;

(c) research.

Notification of registrar by pharmacy manager or pharmacy owner

36 **(1)** A pharmacy manager must notify the registrar, in the form required by the registrar, of all of the following:

(a) the names of all of the following individuals:

(i) the pharmacy manager,

(ii) all registrants and staff employed in the pharmacy;

(b) any changes in the registrants and staff employed in the pharmacy.

(2) A pharmacy manager must notify the registrar in writing before ceasing to do any of the following:

(a) manage the pharmacy;

(b) own the pharmacy.

(3) An owner of a licensed pharmacy who becomes bankrupt or insolvent or makes an assignment for the benefit of creditors must immediately notify the registrar in writing of the bankruptcy, insolvency or assignment.

(4) If an owner of a licensed pharmacy dies, becomes incapacitated, becomes bankrupt or insolvent or makes an assignment for the benefit of creditors, the pharmacy manager must immediately notify the registrar in writing of the death, incapacity, bankruptcy, insolvency or assignment.

Operation of pharmacy after death of owner

37 A trustee in bankruptcy, liquidator, assignee or personal representative of a deceased owner of a licensed pharmacy must not operate the pharmacy for the purposes of the bankruptcy, insolvency, assignment or estate unless they obtain accreditation and a pharmacy licence.

Presence of registrant without capacity or professional competence in pharmacy

38 A registrant who does not have the capacity or professional competence to practise pharmacy is not permitted to be in a pharmacy and neither the pharmacy owner nor the pharmacy manager may permit the registrant to be in the pharmacy.

Responsibility for activity in pharmacy

39 **(1)** All of the following persons are responsible for all activity in a pharmacy and for the pharmacy's compliance with the Act, these regulations, the General Regulations and the bylaws:

(a) the pharmacist on duty in the pharmacy;

(b) the pharmacy technician on duty in the pharmacy;

(c) the pharmacy owner;

(d) the pharmacy manager;

(e) every director of the corporation that owns the pharmacy.

(2) If a person commits an offence under the Act in a pharmacy, it is deemed to be an offence committed by all of the following:

(a) the person who committed the offence;

(b) each of the directors of the corporation that owns the pharmacy severally;

(c) the corporation that owns the pharmacy.

(3) If a person commits an offence under the Act in a pharmacy with the express or implied permission, consent, acquiescence or approval of the pharmacy owner, the pharmacy owner and the person are liable for the offence.

(4) If a person commits an offence under the Act in a pharmacy with the express or implied permission, consent, acquiescence or approval of the pharmacy manager, the pharmacy manager and the person are liable for the offence.

(5) If a provision of the Act, these regulations, the General Regulations or the bylaws imposes a duty or requirement on more than 1 person, the duty or requirement is primarily the responsibility of the person with the greatest degree of control over the matters that are the subject of the duty or requirement.

(6) If the person with the greatest degree of control over the matters that are the subject of a duty or requirement referred to in subsection (5) fails to comply with the duty or requirement, the other person or persons on whom the duty or requirement lies must comply with the duty or requirement, if possible.

Restriction on use of designations, service descriptions and forms of expression to describe business or premises

40 **(1)** A person must not use any of the following designations to refer to a business that is not a licensed pharmacy or hospital pharmacy:

(a) pharmacy;

(b) drug store;

(c) drug department;

(d) drug sundries;

(e) drug mart;

(f) drugateria;

(g) dispensary;

(h) apothecary.

(2) A person must not describe their business as providing any of the following services if it is not a licensed pharmacy or hospital pharmacy, except if the person is authorized to provide such services under legislation:

(a) the sale or dispensing of any of the following:

(i) a drug,

(ii) drugs,

(iii) drug sundries,

(iv) medication,

(v) medications;

(b) the issuance of any of the following:

(i) a prescription,

(ii) prescriptions.

(3) A person must not use any suffix, prefix, word, title or designation, abbreviated or otherwise, that is similar to the designations or services listed in subsections (1) and (2) to refer to premises that are not a licensed pharmacy or hospital pharmacy.

(4) A person must not use any form of expression that implies or appears to be intended to lead the public to infer that an unlicensed business is licensed under the Act.

Application of Act, regulations, General Regulations and bylaws to hospital pharmacies and pharmacy services provided in hospital

41 Except as provided in the Act, these regulations, the General Regulations and the bylaws, the Act, these regulations, the General Regulations and the bylaws do not apply to a hospital pharmacy or the provision of pharmacy services in a hospital.

Criminal Offences and Withdrawal or Suspension of Privileges

Criminal offence or suspension or withdrawal of privilege of applicant or registrant

42 In addition to the requirements of Section 61 of the Act and Section 60 of the General Regulations, an applicant or registrant who is charged with, pleads guilty to or is convicted of any offence under the *Food and Drugs Act* (Canada) or its regulations or who has privileges under the *Controlled Drugs and Substances Act* (Canada) suspended or withdrawn must immediately report the offence, suspension or withdrawal to the registrar.

Transition from Former Act to Act

Bylaw notice requirement waived

43 **(1)** The 180-day notice requirement in Section 4 of the General Regulations is waived for bylaws made by the Regulator under clause 12(2)(k) of the Act for a period of 60 days after the date the Regulator is established under these regulations.

(2) During the waiver period described in subsection (1), the Board must provide the Minister with the rationale for bylaws made by the Regulator, in a form approved by the Minister, at least 30 days before the Board approves the bylaws.

N.S. Reg. 111/2025

Made: June 3, 2025
Filed: June 3, 2025
Proclamation, S. 241, S.N.S. 2023, c. 15–S. 197, 205, 215(b), 222(r), 223, 225(e), 227(a), 237 and 239

Order in Council 2025-166 dated June 3, 2025
Proclamation made by the Governor in Council
pursuant to Section 241 of the
Regulated Health Professions Act

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated May 7, 2025, pursuant to Section 241 of Chapter 15 of the Acts of 2023, the *Regulated Health Professions Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 197 and 205, clauses 215(b) and 222(r), Section 223, clauses 225(e) and 227(a) and Sections 237 and 239 of Chapter 15 of the Acts of 2023, the *Regulated Health Professions Act*, do come into force on and not before June 30, 2025.

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 241 of Chapter 15 of the Acts of 2023, the *Regulated Health Professions Act*, it is enacted as follows:

241 Sections 178 to 240 come into force on such day as the Governor in Council orders and declares by proclamation.

And Whereas it is deemed expedient that Sections 197 and 205, clauses 215(b) and 222(r), Section 223, clauses 225(e) and 227(a) and Sections 237 and 239 of Chapter 15 of the Acts of 2023, the *Regulated Health Professions Act*, do come into force on and not before June 30, 2025;

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 Sections 197 and 205, clauses 215(b) and 222(r), Section 223, clauses 225(e) and 227(a) and Sections 237 and 239 of Chapter 15 of the Acts of 2023, the *Regulated Health Professions Act*, do come into force on and not before June 30, 2025, 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, Michael John Savage, Chancellor of Our Order of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

Given at Our Government House in the Halifax Regional Municipality, this 3rd day of June in the year of Our Lord two thousand and twenty-five and in the Third year of Our Reign.

By Command:

PROVINCIAL SECRETARY
ATTORNEY GENERAL AND MINISTER OF JUSTICE

N.S. Reg. 112/2025

Made: June 3, 2025
Filed: June 3, 2025

Adult Capacity and Decision-making Regulations–amendment

Order in Council 2025-169 dated June 3, 2025
Amendment to regulations made by the Governor in Council
pursuant to Section 72 of the *Adult Capacity and Decision-making Act*

The Governor in Council on the report and recommendation of the Attorney General and Minister of Justice dated May 8, 2025, and pursuant to Section 72 of Chapter 4 of the Acts of 2017, the *Adult Capacity and Decision-making Act*, is pleased to amend the *Adult Capacity and Decision-making Regulations*, N.S. Reg. 179/2017, made by the Governor in Council by Order in Council 2017-338 dated December 14, 2017, to improve the capacity assessment and application processes under the Act and clarify the role of the Public Trustee in proceedings, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 3, 2025.

Schedule "A"

Amendment to the *Adult Capacity and Decision-making Regulations*
made by the Governor in Council under
Section 72 of Chapter 4 of the Acts of 2017,
the *Adult Capacity and Decision-making Act*

1 Section 9 of the *Adult Capacity and Decision-making Regulations*, N.S. Reg. 179/2017, made by the Governor in Council by Order in Council 2017-338 dated December 14, 2017, is amended by adding the following clause immediately after clause (d):

(da) that they have the right to have legal counsel of their choosing present during the capacity assessment;

2 (1) Subsection 10(1) of the regulations is amended by adding the following clause immediately after clause (a):

(aa) have legal counsel of their choosing present;

(2) Subsection 10(2) of the regulations is amended by adding ", the adult's legal counsel," immediately before "and the adult being assessed".

(3) Subsection 10(3) of the regulations is amended by adding ", other than the adult's legal counsel and the adult being assessed," immediately after "a person".

3 Section 15 of the regulations is amended by striking out "of the application" and substituting "the application is filed with the Court".

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

Public Trustee participation in proceeding

18A The Public Trustee, when named as a respondent in a proceeding under subsection 5(4) or 66(7) of the Act, is not obligated to participate or take any step in the proceeding, except if the Public Trustee is acting as the representative for the adult who is the subject of the proceeding.