



Part II
Regulations under the Regulations Act

Contents

Act	Reg. No.	Page
Crown Lands Act		
Forest Utilization Licence Agreements Regulations	223/2024	633
Dairy Industry Act		
Bulk Haulage Regulations–amendment	224/2024	634
Electricity Act		
Green Choice Program Regulations–amendment	226/2024	640
Financial Measures (2024) Act		
Proclamation of Act, S. 111, S.N.S. 2024, c. 3–S. 25 to 27, 72 to 74 and 102 to 104	222/2024	631
Halifax Regional Municipality Charter		
Proclamation of amendments to Act, S. 19, S.N.S. 2017, c. 13–S. 3, 7, 11, 14 and 18; and S. 12, S.N.S. 2021, c. 13	222/2024	631
Code of Conduct for Elected Officials Regulations	218/2024	597
Marine Renewable-energy Act		
Marine Renewable-energy General Regulations–amendment	225/2024	635
Medical Imaging and Radiation Therapy Professionals Act		
Medical Imaging and Radiation Therapy Professionals Regulations–amendment	227/2024	642
Municipal Government Act		
Proclamation of amendments to Act, S. 19, S.N.S. 2017, c. 13–S. 3, 7, 11, 14 and 18; and S. 12, S.N.S. 2021, c. 13	222/2024	631
Code of Conduct for Municipal Elected Officials Regulations	219/2024	608
Code of Conduct for Village Elected Officials Regulations	220/2024	620
Petroleum Products Pricing Act		
Prescribed Petroleum Products Prices (dispensed from publication)	217/2024	597
Prescribed Petroleum Products Prices (dispensed from publication)	221/2024	631

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. 217/2024

Made: October 10, 2024

Filed: October 10, 2024

Prescribed Petroleum Products Prices

Order dated October 10, 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. 218/2024

Made: October 15, 2024

Filed: October 15, 2024

Code of Conduct for Elected Officials Regulations

Order dated October 15, 2024

Regulations made by the Minister of Municipal Affairs and Housing
pursuant to subsection 383(1) of the *Halifax Regional Municipality Charter*

**In the matter of subsection 383(1) of Chapter 39 of the Acts of 2008,
the *Halifax Regional Municipality Charter***

-and-

**In the matter of regulations respecting a code of conduct
for elected officials of the Municipality**

Order

I, John Lohr, Minister of Municipal Affairs and Housing for the Province of Nova Scotia, pursuant to subsection 383(1) of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, hereby make regulations respecting a code of conduct for elected officials of the Municipality in [the] form set forth in the attached Schedule "A".

This order is effective on and after October 20, 2024.

Dated and made October 15, 2024, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *John Lohr*

Honourable John Lohr

Minister of Municipal Affairs and Housing

Schedule "A"

Regulations Respecting a Code of Conduct for Elected Officials made [by the Minister of Municipal Affairs and Housing] under subsection 383(1) of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*

Interpretation

Citation

1 These regulations may be cited as the *Code of Conduct for Elected Officials Regulations*.

Definitions

2 In these regulations,

“Act” means the *Halifax Regional Municipality Charter*;

“complaint” means a complaint regarding an alleged breach of the code of conduct;

“elected official” means any Council member, including the Mayor;

“investigator” means a person or entity appointed by the Municipality under subsection 20C(1) of the Act to receive and investigate complaints;

“model code of conduct” means the model code of conduct prescribed in Schedule “A”.

Code of Conduct

Application of code of conduct

3 The code of conduct applies to elected officials at all times and in all locations.

Adoption of code of conduct and notice to Minister

4 (1) The Municipality must adopt the model code of conduct on or before December 19, 2024.

(2) The Municipality must report to the Minister and provide a notice confirming adoption of the model code of conduct on or before December 19, 2024.

When code of conduct applies

5 (1) The code of conduct applies to each Council member from the time that they are declared elected until the earliest of the following:

(a) the date of their resignation;

(b) the date they are disqualified from office;

(c) the date their successor is sworn into office, or the date of the meeting at which a successor would have been sworn into office if there is no successor.

(2) The code of conduct does not apply to action or conduct that occurred before the earlier of the following dates:

(a) date that the code is adopted by the Municipality;

- (b) December 19, 2024.

Complaint and Investigation Process

Appointment of investigator by Municipality

- 6 (1) An investigator must have experience conducting investigations and applying the principles of natural justice and procedural fairness.
- (2) The Municipality must include an investigator's contact information on its publicly accessible website.
- (3) The Municipality must ensure that no conflict of interest exists between the investigator and the parties involved in a complaint.

Timeline for complaints

- 7 (1) A complaint must be made to an investigator no later than 6 months after the date that the complaint is discovered.
- (2) For the purposes of this Section, a complaint is discovered on the following applicable date:
- (a) the date that the complainant first knew or ought reasonably to have known that the Council member's conduct or action was potentially in breach of the code of conduct;
- (b) for conduct or an action that is continuous, the date that the Council member's action or conduct ceases;
- (c) for conduct or a series of actions that is repeated, the date that the Council member's last act or conduct in the series occurs.

Complaints during elections

- 8 (1) A complaint brought forward during a municipal election period, from nomination day until ordinary polling day, must not be investigated until the election is concluded.
- (2) An investigation in progress on an election's nomination day must continue, but may be paused between nomination day and election day.
- (3) An investigation in progress for a complaint made about the conduct of an elected official will not continue if the official is not re-elected.

Initial complaint process

- 9 (1) An investigator must notify the Chief Administrative Officer whenever a complaint is received.
- (2) An investigator must determine if there is merit to a complaint and then take 1 of the following actions:
- (a) notify the Chief Administrative Officer that it is dismissed in accordance with subsection 20C(3) of the Act;
- (b) if the investigator finds that the complaint has merit, the investigator must
- (ii)(i) notify the Council member who is the subject of the complaint that a complaint has been made about them, and that it is proceeding to an investigation, and

(iii)[(ii)] begin their investigation and notify Council in camera of the fact that a complaint is proceeding to the investigation phase.

Confidentiality

10 An investigator must protect the confidentiality of all of the following to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness:

- (a) the complainant;
- (b) all persons who are the subject of the complaint;
- (c) all persons involved in the investigation.

Reporting on investigation

11 (1) Except as provided in subsection (2), the report on the investigation required by subsection 20C(2) of the Act to be presented to Council must be presented no later than 6 months after a complaint is made.

- (2) Council may grant an investigator additional time to present a report in exceptional circumstances, including a delay caused by a municipal election period.
- (3) A Council member who is the subject of a complaint must be given an opportunity to review and respond to the information in an investigator's report, and to make submissions to Council before the Council determines whether there was a breach of the code of conduct.

Investigator report on failing to comply with sanction

12 Despite Sections 9, 10 and 11, if a Council member fails to comply with a sanction as required by the code of conduct, the investigator is not required to conduct an investigation but must present a report to Council with a recommendation on an appropriate sanction.

Determinations

13 After receiving the investigator's report and hearing any submissions from any Council member who is the subject of the complaint, Council must determine if a breach occurred and any appropriate sanctions to impose in accordance with Sections 17 and 18. [*sic*]

Conflict of interest—Council member present at meeting

14 If a Council member who is the subject of a complaint or who has made a complaint under the code of conduct is present at a Council meeting at which the complaint is discussed, the Council member must

- (a) withdraw from their place as a Council member and take 1 of the following applicable actions while the complaint is being considered:
 - (i) for a closed meeting, leave the room where the meeting is held,
 - (ii) for a meeting that is open to the public, either
 - (A) leave the room where the meeting is held, or
 - (B) attend only in part of the room set aside for the general public; and
- (b) not vote on any issue related to the complaint.

Public record

15 After Council's determination of a complaint, the Council must make a record that is open to the public outlining all of the following:

- (a) the section of the code of conduct under which the complaint was made;
- (b) the investigator's recommendations;
- (c) the Council's determination and any sanction imposed.

Council determination final

16 The Council's determination regarding a complaint is final and binding on all parties.

Sanctions and Sanction Framework**Sanctions framework**

17 Council must consider all of the following criteria before imposing a sanction on a Council member for a contravention of the code of conduct:

- (a) the nature of the contravention;
- (b) the length or persistence of the contravention;
- (c) whether the Council member's contravention was intentional;
- (d) whether the Council member has taken any steps to remedy the contravention;
- (e) whether the Council member has previously contravened the code of conduct;
- (f) any external factors that are relevant to the Council member's contravention, including personal issues and health issues;
- (g) the resources necessary to fulfilling the Council member's responsibilities as a Council member.

Sanctions for contravention of code of conduct

18 (1) The sanctions to be imposed by Council under Section 20D of the Act may include 1 or more of the following prescribed sanctions:

- (a) a letter of formal reprimand or warning;
- (b) a requirement that the Council member provide a letter acknowledging their contravention and an apology no later than 15 days after the date the Council imposes the sanction;
- (c) a requirement that the Council member attend training that is appropriate to address the action or conduct that contravened the code of conduct;
- (d) a public censure;
- (e) limiting the Council member's access to certain local government facilities, equipment or property;
- (f) suspending or removing the Council member as Deputy Mayor of Council or the chair of any

- committee;
- (g) suspending or removing the Council member, for a period [of] no longer than 6 months, from some or all municipal committees or boards;
 - (h) limiting the Council member's participation on behalf of the Municipality;
 - (i) limiting the Council member's travel or expense reimbursement on behalf of the Municipality;
 - (j) a fine of up to \$1000 per contravention of the code of conduct, that must be paid no later than 6 months after the date that Council imposes the sanction;
 - (k) reducing the Council member's remuneration, for a period [of] no longer than 6 months;
 - (l) requiring the Council member to repay any direct monetary loss realized by the Municipality as a result of the Council member's contravention, in an amount determined by the investigator;
 - (m) requiring the Council member to repay any direct monetary gain they obtained as a result of their contravention, in an amount determined by the investigator.
- (2) A Council member who is determined by Council to have contravened the code of conduct must complete additional code of conduct training.

**Schedule "A"—Model Code of Conduct
for the Halifax Regional Municipality
prescribed by the Minister under subsection 383(1) of Chapter 39
of the Acts of 2008, the *Halifax Regional Municipality Charter***

Title

- 1 The title of this code of conduct is the *Code of Conduct for Elected Officials of the Halifax Regional Municipality*.

Definitions

- 2 In this Code, the following definitions apply:

“Act” means the *Halifax Regional Municipality Charter*;

“CAO” means the Chief Administrative Officer;

“closely connected” to a Council member, means any of the following:

- (i) a family member of the Council member,
- (ii) an agent of the Council member,
- (iii) a business partner of the Council member,
- (iv) an employer of the Council member;

“Code” means the *Code of Conduct for Elected Officials of the Halifax Regional Municipality*;

“complaint” means a complaint regarding an alleged breach of the Code;

“confidential information” includes any information in the possession of the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under Part XX of the *Municipal Government Act* or other legislation, or that pertains to the business of the Municipality and is generally considered to be of a confidential nature, including information about any of the following:

- (i) the security of the Municipality’s property,
- (ii) a proposed or pending acquisition or disposition of land or other property,
- (iii) a tender that has or will be issued but that has not been awarded,
- (iv) contract negotiations,
- (v) employment and labour relations,
- (vi) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been deliberated in a meeting open to the public,
- (vii) law enforcement matters,
- (viii) litigation or potential litigation, including matters before administrative tribunals,
- ~~(xi)~~[(ix)] advice that [is] solicitor-client privileged;

“discrimination” has the same meaning as in the *Human Rights Act*;

“elected official” means any Council member, including the Mayor;

“family member” means, in relation to a person, any of the following, and includes a step-family member:

- (i) spouse,
- (ii) parent or guardian,
- (iii) child,
- (iv) sibling,
- (v) sibling of a parent,
- (vi) child of a sibling,
- (vii) grandchild,
- (viii) grandparent,
- (ix) parent-in-law,
- (x) sibling-in-law,

(xi) spouse of a child;

“harass” has the same meaning as in the *Human Rights Act*;

“investigator” means a person or entity appointed by the Municipality under subsection 20C(1) of the Act to receive and investigate complaints;

“poisoned environment” means an environment where harassing or discriminatory conduct causes significant and unreasonable interference with a person’s work environment;

“sexual harassment” has the same meaning as in the *Human Rights Act*.

General purpose

- 3 (1) The purpose of this Code is to set out the expectations for the behaviour of members elected to Council in carrying out their functions and making decisions that benefit the constituents in the Municipality.
- (2) Nothing in this Code is intended to prevent elected officials from sharing or expressing dissenting opinions.

Interaction with laws and policies

- 4 (1) This Code is intended to operate together with, and as a supplement to, the applicable common law, the *Criminal Code* of Canada, the Act, the *Municipal Conflict of Interest Act* and any other applicable legislation.
- (2) This Code is intended to operate together with, and as a supplement to, the other bylaws and policies of the Municipality.
- (3) This Code prevails in any conflict between the Code and any municipal resolution, policy or bylaw.

Guiding principles

- 5 All of the following are the guiding principles for Council members’ conduct:

Collegiality: Council members must work together to further the best interests of the Municipality in an honest and honourable way.

Respect: Council members must demonstrate respect towards one another, the democratic decision-making process and the role of staff. Council members must not act in a manner that negatively impacts the Municipality or tarnishes the Municipality’s reputation.

Integrity: Council members must act lawfully and adhere to strong ethical principles by prioritizing the Municipality’s interests over individual interests.

Professionalism: Council members must create and maintain an environment that is respectful and free from all forms of discrimination and harassment, including sexual harassment. Council members must show consideration for every person’s values, beliefs and contributions, and support and encourage others to participate in Council activities.

Transparency: Council members must be truthful and open about their decisions and actions and make every effort to accurately communicate information openly to the public.

Responsibility: Council members are responsible for the decisions that they make and must be held accountable for their actions and outcomes. Council members must demonstrate awareness of their own

conduct and consider how their words or actions may be perceived as offensive or demeaning.

General conduct

- 6 (1) A Council member must be truthful and forthright and not deceive or knowingly mislead Council, the CAO, staff or the public.
- (2) A Council member must show respect for chairs of Council meetings, chairs of committee meetings, colleagues, staff and members of the public that present during Council meetings or other meetings of the Municipality.
- (3) A Council member must adhere to the direction of the chairs of meetings with respect to rules of procedure.
- (4) A Council member must conduct Council business and all duties in an open and transparent manner, other than for those matters that Council is authorized by law to carry out in private.
- (5) A Council member must not be impaired by alcohol or drugs while attending any Council meeting or other meeting of the Municipality.
- (6) A Council member must comply with any sanction imposed under this Code, and failing to comply with a sanction imposed is considered a breach of the Code.

Confidential information

- 7 (1) A Council member must not disclose or release any confidential information to the public in oral, written or any other form, other than when required by policy or law or authorized by the Council to do so.
- (2) A Council member must not use confidential information for personal or private gain or for the private gain of any other person or entity.
- (3) A Council member must not access or attempt to access confidential information in the custody of the Municipality unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the bylaws or policies of the Municipality.
- (4) A Council member must not discuss any matters relating to an active investigation under the Code with anyone other than the investigator or their own legal counsel, unless required by law.

Gifts and benefits

- 8 (1) A Council member must not accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, other than the following exceptions:
- (a) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- (b) a suitable memento of a function honouring the Council member;
- (c) sponsorships and donations for community events organized or run by a Council member or by a third party on behalf of a Council member;
- (d) compensation authorized by the Municipality.
- (2) A fee, advance, cash, gift, gift certificate or personal benefit paid or provided to a person closely

connected to a Council member, with the Council member's knowledge, is deemed to be a gift to the Council member.

Use of municipal property, equipment and services

- 9 (1)** A Council member must not use, or request the use of, any municipal property, including surplus material or equipment, for personal convenience or profit, unless the property meets 1 of the following:
- (a) it is generally available for use by the public and the Council member is receiving no special preference in its use;
 - (b) it is made available to the Council member in the course of carrying out Council activities and duties, and is used for purposes connected with the discharge of municipal duties.
- (2)** A Council member must not obtain, or attempt to obtain, personal financial gain from the use or sale of intellectual property developed by the Municipality.
- (3)** A Council member must not use information, or attempt to use information, gained in the course of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- (4)** A Council member, or a person closely connected to a Council member, must not tender on the sale of surplus municipal property, including old or extra equipment.

Building, development, planning, or procurement proposals before Council

- 10** A Council member must not solicit or accept support in any form from an individual, group or corporation with any building, development, planning or procurement proposal before Council.

Improper use of influence

- 11** A Council member must not use the influence of their office for any purpose other than for the exercise of their official duties.

Business relations

- 12 (1)** A Council member must not allow any prospect of their future employment by a person or entity to affect the performance of their duties to the Municipality.
- (2)** A Council member must not borrow money from any person who regularly does business with the Municipality, unless the person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- (3)** A Council member must not act as an agent of a person or entity before Council or a committee of Council or any agency, board or committee of the Municipality.

Employment of persons closely connected to Council members

- 13 (1)** A Council member must not attempt to influence any municipal employee to hire or promote a person closely connected to the member.
- (2)** A Council member must not make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.

Fairness

- 14 (1)** A Council member must not give special consideration, treatment or advantage to any individual or entity beyond that which is given to all.

- (2) A Council member must not give special consideration, treatment or advantage to an organization or group because the Council member, or a person closely connected to the member, is involved with the organization or group.

Adherence to policies, procedures, bylaws and other laws

- 15** (1) Council members must adhere to all applicable federal and provincial legislation.
- (2) Council members must adhere to the procedures, resolutions, policies and bylaws of the Municipality.
 - (3) Council members must adhere to the expense and hospitality policy of the Municipality.

Respect for Council as a decision-making body

- 16** (1) A Council member must abide by, and act in accordance with, any decision made by Council, whether or not the member voted in favour of the decision.
- (2) A Council member must not encourage non-compliance with any legislation, regulation, bylaw, resolution, policy or procedure.

Communicating on behalf of Council

- 17** (1) A Council member, other than the Mayor, must not claim to speak on behalf of Council unless the Council member is authorized to do so.
- (2) The Mayor or an individual designated by Council may speak on behalf of Council and must make every effort to convey the intent of Council's decision accurately.

Interactions of Council with staff and service providers

- 18** (1) A Council member must respect the role of the CAO as head of the administrative branch of the Municipality's government and must not involve themselves directly in the administration of the affairs of the Municipality, including, without limitation, the administration of contracts.
- (2) A Council member must not direct, or attempt to direct, the CAO, other than through a direction provided by the Council as a whole.
 - (3) A Council member must be respectful of the role of the CAO and municipal employees to advise based on political neutrality and objectivity and without undue influence from any individual member or group of the Council.
 - (4) A Council member must not direct or influence, or attempt to direct or influence any municipal employees in the exercise of their duties or functions, unless Council as a whole provides direction regarding [the] same.
 - (5) A Council member must not direct municipal employees except through the CAO.
 - (6) A Council member must not issue instructions to any of the contractors, tenderers, consultants or other service providers to the Municipality.
 - (7) A Council member must not require or request that a municipal employee undertake personal chores or tasks for the member that are unrelated to municipal business.
 - (8) A Council member must not make public statements that are critical of specific or identifiable municipal employees or service providers.

Respectful interactions

- 19 (1) A Council member must not engage in discrimination or harassment as prohibited by the *Human Rights Act*.
- (2) A Council member must not sexually harass any person.
- (3) A Council member must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at 1 or more individuals or groups that creates a poisoned environment.

Reprisals

- 20 A Council member must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code or any person providing relevant information in relation to a matter under this Code.

N.S. Reg. 219/2024

Made: October 15, 2024

Filed: October 15, 2024

Code of Conduct for Municipal Elected Officials Regulations

Order dated October 15, 2024

Regulations made by the Minister of Municipal Affairs and Housing
pursuant to subsection 520(1) of the *Municipal Government Act*

**In the matter of subsection 520(1) of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

-and-

**In the matter of regulations respecting a code of conduct
for elected officials of municipalities**

Order

I, John Lohr, Minister of Municipal Affairs and Housing for the Province of Nova Scotia, pursuant to subsection 520(1) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, hereby make regulations respecting a code of conduct for elected officials of municipalities in the form set forth in the attached Schedule "A".

This order is effective on and after October 20, 2024.

Dated and made October 15, 2024, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *John Lohr*

Honourable John Lohr

Minister of Municipal Affairs and Housing

Schedule "A"

Regulations Respecting a Code of Conduct for Municipal Elected Officials made [by the Minister of Municipal Affairs and Housing] under Section 520 of Chapter 18 of the Acts of 1998, the *Municipal Government Act*

Interpretation

Citation

1 These regulations may be cited as the *Code of Conduct for Municipal Elected Officials Regulations*.

Definitions

2 In these regulations,

“Act” means the *Municipal Government Act*;

“complaint” means a complaint regarding an alleged breach of the code of conduct;

“elected official” means [a] council member, mayor or warden;

“investigator” means a person or entity appointed by a municipality under subsection 23C(1) of the Act to receive and investigate complaints;

“model code of conduct” means the model code of conduct prescribed in Schedule “A”.

Code of Conduct

Application

3 (1) The code of conduct referred to in these regulations is a code of conduct established under Section 23A of the Act.

(2) The code of conduct applies to elected officials at all times and in all locations.

Adoption of code of conduct and notice to Minister

4 (1) A municipality must adopt the model code of conduct on or before December 19, 2024.

(2) A municipality must report to the Minister and provide a notice confirming adoption of the model code of conduct on or before December 19, 2024.

When code of conduct applies

5 (1) The code of conduct applies to each council member from the time that they are declared elected until the earliest of the following:

(a) the date of their resignation;

(b) the date they are disqualified from office;

(c) the date their successor is sworn into office, or the date of the meeting at which a successor would have been sworn into office if there is no successor.

(2) The code of conduct does not apply to action or conduct that occurred before the earlier of the

following dates:

- (a) date that the code is adopted by a municipality;
- (b) December 19, 2024.

Complaint and Investigation Process

Appointment of investigator by municipality

- 6 (1) An investigator must have experience conducting investigations and applying the principles of natural justice and procedural fairness.
- (2) A municipality must include an investigator's contact information on its publicly accessible website.
- (3) A municipality must ensure that no conflict of interest exists between the investigator and the parties involved in a complaint.

Timeline for complaints

- 7 (1) A complaint must be made to an investigator no later than 6 months after the date that the complaint is discovered.
- (2) For the purposes of this Section, a complaint is discovered on the following applicable date:
- (a) the date that the complainant first knew or ought reasonably to have known that the council member's conduct or action was potentially in breach of the code of conduct;
 - (b) for conduct or an action that is continuous, the date that the council member's action or conduct ceases;
 - (c) for conduct or a series of actions that is repeated, the date that the council member's last act or conduct in the series occurs.

Complaints during elections

- 8 (1) A complaint brought forward during a municipal election period, from nomination day until ordinary polling day, must not be investigated until the election is concluded.
- (2) An investigation in progress on an election's nomination day must continue, but may be paused between nomination day and election day.
- (3) An investigation in progress for a complaint made about the conduct of an elected official will not continue if the official is not re-elected.

Initial complaint process

- 9 (1) An investigator must notify the Chief Administrative Officer whenever a complaint is received.
- (2) An investigator must determine if there is merit to a complaint and then take 1 of the following actions:
- (a) notify the Chief Administrative Officer that it is dismissed in accordance with subsection 23C(3) of the Act;
 - (b) if the investigator finds that the complaint has merit, the investigator must

- (ii)(i) notify the council member who is the subject of the complaint that a complaint has been made about them, and that it is proceeding to an investigation, and
- (iii)(ii) begin their investigation and notify council in camera of the fact that a complaint is proceeding to the investigation phase.

Confidentiality

10 An investigator must protect the confidentiality of all of the following to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness:

- (a) the complainant;
- (b) all persons who are the subject of the complaint;
- (c) all persons involved in the investigation.

Reporting on investigation

- 11** (1) Except as provided in subsection (2), the report on the investigation required by subsection 23C(2) of the Act to be presented to council must be presented no later than 6 months after a complaint is made.
- (2) Council may grant an investigator additional time to present a report in exceptional circumstances, including a delay caused by a municipal election period.
- (3) A council member who is the subject of a complaint must be given an opportunity to review and respond to the information in an investigator's report, and to make submissions to council before the council determines whether there was a breach of the code of conduct.

Investigator report on failing to comply with sanction

12 Despite Sections 9, 10 and 11, if a council member fails to comply with a sanction as required by the code of conduct, the investigator is not required to conduct an investigation but must present a report to council with a recommendation on an appropriate sanction.

Determinations

13 After receiving the investigator's report and hearing any submissions from any council member who is the subject of the complaint, council must determine if a breach occurred and impose appropriate sanctions in accordance with Sections 17 and 18. [*sic*]

Conflict of interest—council member present at meeting

- 14** If a council member who is the subject of a complaint or who has made a complaint under the code of conduct is present at a council meeting at which the complaint is discussed, the council member must
- (a) withdraw from their place as a council member and take 1 of the following applicable actions while the complaint is being considered:
 - (i) for a closed meeting, leave the room where the meeting is held,
 - (ii) for a meeting that is open to the public, either
 - (A) leave the room where the meeting is held, or
 - (B) attend only in part of the room set aside for the general public; and

- (b) not vote on any issue related to the complaint.

Public record

15 After council's determination of a complaint, the council must make a record that is open to the public outlining all of the following:

- (a) the section of the code of conduct under which the complaint was made;
- (b) the investigator's recommendations;
- (c) the council's determination and any sanction imposed.

Council determination final

16 A council's determination regarding a complaint is final and binding on all parties.

Sanctions and Sanction Framework**Sanctions framework**

17 A council must consider all of the following criteria before imposing a sanction on a council member for a contravention of the code of conduct:

- (a) the nature of the contravention;
- (b) the length or persistence of the contravention;
- (c) whether the council member's contravention was intentional;
- (d) whether the council member has taken any steps to remedy the contravention;
- (e) whether the council member has previously contravened the code of conduct;
- (f) any external factors that are relevant to the council member's contravention, including personal issues and health issues;
- (g) the resources necessary to fulfilling the council member's responsibilities as a council member.

Sanctions for contravention of code of conduct

18 (1) The sanctions to be imposed by Council under Section 23D of the Act may include 1 or more of the following prescribed sanctions:

- (a) a letter of formal reprimand or warning;
- (b) a requirement that the council member provide a letter acknowledging their contravention and an apology no later than 15 days after the date the council imposes the sanction;
- (c) a requirement that the council member attend training that is appropriate to address the action or conduct that contravened the code of conduct;
- (d) a public censure;
- (e) limiting the council member's access to certain local government facilities, equipment or property;

- (f) suspending or removing the council member as deputy head of council or the chair of any committee;
 - (g) suspending or removing the council member, for a period [of] no longer than 6 months, from some or all municipal committees or boards;
 - (h) limiting the council member's participation on behalf of a municipality;
 - (i) limiting the council member's travel or expense reimbursement on behalf of a municipality;
 - (j) a fine of up to \$1000 per contravention of the code of conduct, that must be paid no later than 6 months after the date that council imposes the sanction;
 - (k) reducing the council member's remuneration, for a period [of] no longer than 6 months;
 - (l) requiring the council member to repay any direct monetary loss realized by a municipality as a result of the council member's contravention, in an amount determined by the investigator;
 - (m) requiring the council member to repay any direct monetary gain they obtained as a result of their contravention, in an amount determined by the investigator.
- (2) A council member who is determined by council to have contravened the code of conduct must complete additional code of conduct training.

**Schedule "A"—Model Code of Conduct for Municipalities
prescribed by the Minister under subsection 520(1) of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

Title

1 The title of this code of conduct is the *Code of Conduct for Elected Officials of the [insert name of municipality]*.

Definitions

2 In this Code, the following definitions apply:

“Act” means the *Municipal Government Act*;

“CAO” means chief administrative officer;

“clerk” means the clerk of the municipality;

“closely connected” to a council member, means any of the following:

- (i) a family member of the council member,
- (ii) an agent of the council member,
- (iii) a business partner of the council member,
- (iv) an employer of the council member;

“Code” means the *Code of Conduct for Elected Officials of the [insert name of municipality, as in title]*;

“complaint” means a complaint regarding an alleged breach of the Code;

“confidential information” includes any information in the possession of the municipality that the municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under Part XX of the Act or other legislation, or that pertains to the business of the municipality and is generally considered to be of a confidential nature, including information about any of the following:

- (i) the security of the municipality’s property,
- (ii) a proposed or pending acquisition or disposition of land or other property,
- (iii) a tender that has or will be issued but that has not been awarded,
- (iv) contract negotiations,
- (v) employment and labour relations,
- (vi) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been deliberated in a meeting open to the public,
- (vii) law enforcement matters,
- (viii) litigation or potential litigation, including matters before administrative tribunals,
- ~~(xi)~~[(ix)] advice that [is] solicitor-client privileged;

“council” means the council of the municipality;

“discrimination” has the same meaning as in the *Human Rights Act*;

“elected official” means any council member, including the mayor or warden;

“family member” means, in relation to a person, any of the following, and includes a step-family member:

- (i) spouse,
- (ii) parent or guardian,
- (iii) child,
- (iv) sibling,
- (v) sibling of a parent,
- (vi) child of a sibling,
- (vii) grandchild,

- (viii) grandparent,
- (ix) parent-in-law,
- (x) sibling-in-law,
- (xi) spouse of a child;

“harass” has the same meaning as in the *Human Rights Act*;

“investigator” means a person or entity appointed by a municipality under subsection 23C(1) of the Act to receive and investigate complaints;

“mayor” means the council member elected at large to be the chair of the council;

“municipality” means the regional municipality, town or county or district municipality, except where the context otherwise requires;

“poisoned environment” means an environment where harassing or discriminatory conduct causes significant and unreasonable interference with a person’s work environment;

“sexual harassment” has the same meaning as in the *Human Rights Act*;

“warden” means the council member chosen by the council to be the chair of the council.

General purpose

- 3 (1) The purpose of this Code is to set out the expectations for the behaviour of members elected to council in carrying out their functions and making decisions that benefit the constituents in their municipality.
- (2) Nothing in this Code is intended to prevent elected officials from sharing or expressing dissenting opinions.

Interaction with laws and policies

- 4 (1) This Code is intended to operate together with, and as a supplement to, the applicable common law, the *Criminal Code* of Canada, the Act, the *Municipal Conflict of Interest Act* and any other applicable legislation.
- (2) This Code is intended to operate together with, and as a supplement to, the other bylaws and policies of a municipality.
- (3) This Code prevails in any conflict between the Code and any municipal resolution, policy or bylaw.

Guiding principles

- 5 All of the following are the guiding principles for council members’ conduct:

Collegiality: council members must work together to further the best interests of the municipality in an honest and honourable way.

Respect: council members must demonstrate respect towards one another, the democratic decision-making process and the role of staff. Council members must not act in a manner that negatively impacts the municipality or tarnishes the municipality’s reputation.

Integrity: council members must act lawfully and adhere to strong ethical principles by prioritizing the municipality's interests over individual interests.

Professionalism: council members must create and maintain an environment that is respectful and free from all forms of discrimination and harassment, including sexual harassment. Council members must show consideration for every person's values, beliefs and contributions, and support and encourage others to participate in council activities.

Transparency: council members must be truthful and open about their decisions and actions and make every effort to accurately communicate information openly to the public.

Responsibility: council members are responsible for the decisions that they make and must be held accountable for their actions and outcomes. Council members must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

General conduct

- 6 (1) A council member must be truthful and forthright and not deceive or knowingly mislead Council, the CAO, staff or the public.
- (2) A council member must show respect for chairs of council meetings, chairs of committee meetings, colleagues, staff and members of the public that present during council meetings or other meetings of the municipality.
- (3) A council member must adhere to the direction of the chairs of meetings with respect to rules of procedure.
- (4) A council member must conduct council business and all duties in an open and transparent manner, other than for those matters that council is authorized by law to carry out in private.
- (5) A council member must not be impaired by alcohol or drugs while attending any council meeting or other meeting of the municipality.
- (6) A council member must comply with any sanction imposed under this Code, and failing to comply with a sanction imposed is considered a breach of the Code.

Confidential information

- 7 (1) A council member must not disclose or release any confidential information to the public in oral, written or any other form, other than when required by policy or law or authorized by the council to do so.
- (2) A council member must not use confidential information for personal or private gain or for the private gain of any other person or entity.
- (3) A council member must not access or attempt to access confidential information in the custody of the municipality unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the bylaws or policies of the municipality.
- (4) A council member must not discuss any matters relating to an active investigation under the Code with anyone other than the investigator or their own legal counsel, unless required by law.

Gifts and benefits

- 8 (1) A council member must not accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, other than the

following exceptions:

- (a) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (b) a suitable memento of a function honouring the council member;
 - (c) sponsorships and donations for community events organized or run by a council member or by a third party on behalf of a council member;
 - (d) compensation authorized by the municipality.
- (2) A fee, advance, cash, gift, gift certificate or personal benefit paid or provided to a person closely connected to a council member, with the council member's knowledge, is deemed to be a gift to the council member.

Use of municipal property, equipment and services

- 9 (1) A council member must not use, or request the use of, any municipal property, including surplus material or equipment, for personal convenience or profit, unless the property meets 1 of the following:
- (a) it is generally available for use by the public and the council member is receiving no special preference in its use;
 - (b) it is made available to the council member in the course of carrying out council activities and duties, and is used for purposes connected with the discharge of municipal duties.
- (2) A council member must not obtain, or attempt to obtain, personal financial gain from the use or sale of intellectual property developed by the municipality.
- (3) A council member must not use information, or attempt to use information, gained in the course of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- (4) A council member, or a person closely connected to a council member, must not tender on the sale of surplus municipal property, including old or extra equipment.

Building, development, planning, or procurement proposals before council

- 10 A council member must not solicit or accept support in any form from an individual, group or corporation with any building, development, planning or procurement proposal before council.

Improper use of influence

- 11 A council member must not use the influence of their office for any purpose other than for the exercise of their official duties.

Business relations

- 12 (1) A council member must not allow any prospect of their future employment by a person or entity to affect the performance of their duties to the municipality.
- (2) A council member must not borrow money from any person who regularly does business with the municipality, unless the person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

- (3) A council member must not act as an agent of a person or entity before council or a committee of council or any agency, board or committee of the municipality.

Employment of persons closely connected to council members

- 13 (1) A council member must not attempt to influence any municipal employee to hire or promote a person closely connected to the member.
- (2) A council member must not make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.

Fairness

- 14 (1) A council member must not give special consideration, treatment or advantage to any individual or entity beyond that which is given to all.
- (2) A council member must not give special consideration, treatment or advantage to an organization or group because the council member, or a person closely connected to the member, is involved with the organization or group.

Adherence to policies, procedures, bylaws and other laws

- 15 (1) Council members must adhere to all applicable federal and provincial legislation.
- (2) Council members must adhere to the procedures, resolutions, policies and bylaws of the municipality.
- (3) Council members must adhere to the expense and hospitality policy of the municipality.

Respect for council as a decision-making body

- 16 (1) A council member must abide by, and act in accordance with, any decision made by council, whether or not the member voted in favour of the decision.
- (2) A council member must not encourage non-compliance with any legislation, regulation, bylaw, resolution, policy or procedure.

Communicating on behalf of council

- 17 (1) A council member, other than the mayor or warden, must not claim to speak on behalf of council unless the council member is authorized to do so.
- (2) The mayor, warden or an individual designated by council may speak on behalf of council and must make every effort to convey the intent of council's decision accurately.

Interactions of council with staff and service providers

- 18 (1) A council member must respect the role of the CAO as head of the administrative branch of the municipality's government and must not involve themselves directly in the administration of the affairs of the municipality, including, without limitation, the administration of contracts.
- (2) A council member must not direct, or attempt to direct, the CAO or clerk other than through a direction provided by the council as a whole.
- (3) A council member must be respectful of the role of the CAO and municipal employees to advise based on political neutrality and objectivity and without undue influence from any individual member or group of the council.

- (4) A council member must not direct or influence, or attempt to direct or influence any municipal employees in the exercise of their duties or functions, unless council is fulfilling the responsibilities of the CAO under clause 29(a) of the Act, and unless council as a whole has provided direction regarding [the] same.
- (5) If a CAO has been appointed under Section 28 of the Act, a council member must not direct municipal employees except through the CAO.
- (6) Contractors, tenderers, consultants or other service providers to the municipality must not be issued instructions by council members
 - (a) if a CAO has been appointed under Section 28 of the Act; or
 - (b) unless council is fulfilling the responsibilities of the CAO under clause 29(a) of the Act and council as a whole has provided direction regarding [the] same.
- (7) A council member must not require or request that a municipal employee undertake personal chores or tasks for the member that are unrelated to municipal business.
- (8) A council member must not make public statements that are critical of specific or identifiable municipal employees or service providers.

Respectful interactions

- 19** (1) A council member must not engage in discrimination or harassment as prohibited by the *Human Rights Act*.
- (2) A council member must not sexually harass any person.
- (3) A council member must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at 1 or more individuals or groups that creates a poisoned environment.

Reprisals

- 20** A council member must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code or any person providing relevant information in relation to a matter under this Code.

N.S. Reg. 220/2024

Made: October 15, 2024

Filed: October 15, 2024

Code of Conduct for Village Elected Officials Regulations

Order dated October 15, 2024

Regulations made by the Minister of Municipal Affairs and Housing
pursuant to subsection 520(1) of the *Municipal Government Act***In the matter of subsection 520(1) of Chapter 18 of the Acts of 1998,
the *Municipal Government Act*****-and-****In the matter of regulations respecting a code of conduct
for elected officials of villages****Order**

I, John Lohr, Minister of Municipal Affairs and Housing for the Province of Nova Scotia, pursuant to subsection 520(1) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, hereby make regulations respecting a code of conduct for elected officials of villages in the form set forth in the attached Schedule “A”.

This order is effective on and after October 20, 2024.

Dated and made October 15, 2024, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *John Lohr*

Honourable John Lohr

Minister of Municipal Affairs and Housing

Schedule “A”**Regulations Respecting a Code of Conduct for Village Elected Officials
made [by the Minister of Municipal Affairs and Housing]
under Section 520 of Chapter 18 of the Acts of 1998,
the *Municipal Government Act*****Interpretation****Citation**

1 These regulations may be cited as the *Code of Conduct for Village Elected Officials Regulations*.

Definitions

2 In these regulations,

“Act” means the *Municipal Government Act*;

“complaint” means a complaint regarding an alleged breach of the code of conduct;

“elected official” means a village commissioner;

“investigator” means a person or entity appointed by a village under subsection 408AD(1) of the Act to receive and investigate complaints;

“model code of conduct” means the model code of conduct prescribed in Schedule “A”.

Code of Conduct

Application

- 3 (1) The code of conduct referred to in these regulations is a code of conduct established under Section 408AB of the Act.
- (2) The code of conduct applies to elected officials at all times and in all locations.

Adoption of code of conduct and notice to Minister

- 4 (1) A village must adopt the model code of conduct on or before December 19, 2024.
- (2) A village must report to the Minister and provide a notice confirming adoption of the model code of conduct on or before December 19, 2024.

When code of conduct applies

- 5 (1) The code of conduct applies to each village commissioner from the time that they are declared elected until the earliest of the following:
- (a) the date of their resignation;
 - (b) the date they are disqualified from office;
 - (c) the date their successor is sworn into office, or the date of the meeting at which a successor would have been sworn into office if there is no successor.
- (2) The code of conduct does not apply to action or conduct that occurred before the earlier of the following dates:
- (a) date that the code is adopted by a village;
 - (b) December 19, 2024.

Complaint and Investigation Process

Appointment of investigator by village

- 6 (1) An investigator must have experience conducting investigations and applying the principles of natural justice and procedural fairness.
- (2) A village must include an investigator’s contact information on its publicly accessible website or by posting notices in conspicuous places in the village.
- (3) A village must ensure that no conflict of interest exists between the investigator and the parties involved in a complaint.

Timeline for complaints

- 7 (1) A complaint must be made to an investigator no later than 6 months after the date that the complaint is discovered.

- (2) For the purposes of this Section, a complaint is discovered on the following applicable date:
- (a) the date that the complainant first knew or ought reasonably to have known that the village commissioner's conduct or action was potentially in breach of the code of conduct;
 - (b) for conduct or an action that is continuous, the date that the village commissioner's action or conduct ceases;
 - (c) for conduct or a series of actions that is repeated, the date that the village commissioner's last act or conduct in the series occurs.

Complaints during elections

- 8 (1) A complaint brought forward between nomination day, if a village has a nomination bylaw under Section 410 of the Act, and election day must not be investigated until the election is concluded.
- (2) An investigation in progress on an election's nomination day, if a village has a nomination bylaw under Section 410 of the Act, must continue, but may be paused between nomination day and election day.
- (3) An investigation in progress for a complaint made about the conduct of an elected official will not continue if the official is not re-elected.

Initial complaint process

- 9 (1) An investigator must notify the clerk whenever a complaint is received.
- (2) An investigator must determine if there is merit to a complaint and then take 1 of the following actions:
- (a) notify the clerk that it is dismissed in accordance with subsection 23C(3) of the Act;
 - (b) if the investigator finds that the complaint has merit, the investigator must
 - (ii)(i) notify the village commissioner who is the subject of the complaint that a complaint has been made about them, and that it is proceeding to an investigation, and
 - (iii)(ii) begin their investigation and notify the commission in camera of the fact that a complaint is proceeding to the investigation phase.

Confidentiality

- 10 An investigator must protect the confidentiality of all of the following to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness:
- (a) the complainant;
 - (b) all persons who are the subject of the complaint;
 - (c) all persons involved in the investigation.

Reporting on investigation

- 11 (1) Except as provided in subsection (2), the report on the investigation required by subsection 408AD(2) of the Act to be presented to the commission must be presented no later than 6 months after a complaint is made.

- (2) The commission may grant an investigator additional time to present a report in exceptional circumstances, including a delay caused by a village election period.
- (3) A village commissioner who is the subject of a complaint must be given an opportunity to review and respond to the information in an investigator's report, and to make submissions to the commission before the commission determines whether there was a breach of the code of conduct.

Investigator report on failing to comply with sanction

12 Despite Sections 9, 10 and 11, if a village commissioner fails to comply with a sanction as required by the code of conduct, the investigator is not required to conduct an investigation but must present a report to the commission with a recommendation on an appropriate sanction.

Determinations

13 After receiving the investigator's report and hearing any submissions from any village commissioner who is the subject of the complaint, the commission must determine if a breach occurred any appropriate sanctions to impose in accordance with Sections 17 and 18. [*sic*]

Conflict of interest—village commissioner present at meeting

- 14** If a village commissioner who is the subject of a complaint or who has made a complaint under the code of conduct is present at a commission meeting at which the complaint is discussed, the commissioner must
- (a) withdraw from their place as a village commissioner and take 1 of the following applicable actions while the complaint is being considered:
 - (i) for a closed meeting, leave the room where the meeting is held,
 - (ii) for a meeting that is open to the public, either
 - (A) leave the room where the meeting is held, or
 - (B) attend only in part of the room set aside for the general public; and
 - (b) not vote on any issue related to the complaint.

Public record

- 15** After a commission's determination of a complaint, the commission must make a record that is open to the public outlining all of the following:
- (a) the section of the code of conduct under which the complaint was made;
 - (b) the investigator's recommendations;
 - (c) the commission's determination and any sanction imposed.

The commission determination final

16 A commission's determination regarding a complaint is final and binding on all parties.

Sanctions and Sanction Framework**Sanctions framework**

17 A commission must consider all of the following criteria before imposing a sanction on a village commissioner for a contravention of the code of conduct:

- (a) the nature of the contravention;
- (b) the length or persistence of the contravention;
- (c) whether the village commissioner's contravention was intentional;
- (d) whether the village commissioner has taken any steps to remedy the contravention;
- (e) whether the village commissioner has previously contravened the code of conduct;
- (f) any external factors that are relevant to the village commissioner's contravention, including personal issues and health issues;
- (g) the resources necessary to fulfilling the village commissioner's responsibilities as a village commissioner.

Sanctions for contravention of code of conduct

18 (1) The sanctions to be imposed by the commission under 408E of the Act may include 1 or more of the following prescribed sanctions:

- (a) a letter of formal reprimand or warning;
- (b) a requirement that the village commissioner provide a letter acknowledging their contravention and an apology no later than 15 days after the date the commission imposes the sanction;
- (c) a requirement that the village commissioner attend training that is appropriate to address the action or conduct that contravened the code of conduct;
- (d) a public censure;
- (e) limiting the village commissioner's access to certain local government facilities, equipment or property;
- (f) suspending or removing the village commissioner as chair or vice-chair of the commission or the chair of any committee;
- (g) suspending or removing the village commissioner, for a period [of] no longer than 6 months, from some or all village committees or boards;
- (h) limiting the village commissioner's participation on behalf of a village;
- (i) limiting the village commissioner's travel or expense reimbursement on behalf of a village;
- (j) a fine of up to \$1000 per contravention of the code of conduct, that must be paid no later than 6 months after the date that the commission imposes the sanction;
- (k) reducing the village commissioner's remuneration, for a period [of] no longer than 6 months;
- (l) requiring the village commissioner to repay any direct monetary loss realized by a village as a result of the village commissioner's contravention, in an amount determined by the investigator;

- (m) requiring the village commissioner to repay any direct monetary gain they obtained as a result of their contravention, in an amount determined by the investigator.
- (2) A village commissioner who is determined by the commission to have contravened the code of conduct must complete additional code of conduct training.

**Schedule “A”—Model Code of Conduct for Municipalities
prescribed by the Minister under subsection 520(1) of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

Title

1 The title of this code of conduct is the *Code of Conduct for Elected Officials of the [insert name of village]*.

Definitions

2 In this Code, the following definitions apply:

“Act” means the *Municipal Government Act*;

“clerk” means the clerk of the village;

“closely connected” to a village commissioner, means any of the following:

- (i) a family member of the village commissioner,
- (ii) an agent of the village commissioner,
- (iii) a business partner of the village commissioner,
- (iv) an employer of the village commissioner;

“Code” means the *Code of Conduct for Elected Officials of the [insert name of village, as in title]*;

“commission” means the commission of the village;

“complaint” means a complaint regarding an alleged breach of the Code;

“confidential information” includes any information in the possession of the village that the village is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under Part XX of the Act or other legislation, or that pertains to the business of the village and is generally considered to be of a confidential nature, including information about any of the following:

- (i) the security of the village’s property,
- (ii) a proposed or pending acquisition or disposition of land or other property,
- (iii) a tender that has or will be issued but that has not been awarded,
- (iv) contract negotiations,

- (v) employment and labour relations,
- (vi) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been deliberated in a meeting open to the public,
- (vii) law enforcement matters,
- (viii) litigation or potential litigation, including matters before administrative tribunals,
- ~~(xi)~~[(ix)] advice that [is] solicitor-client privileged;

“discrimination” has the same meaning as in the *Human Rights Act*;

“elected official” means a village commissioner;

“family member” means, in relation to a person, any of the following, and includes a step-family member:

- (i) spouse,
- (ii) parent or guardian,
- (iii) child,
- (iv) sibling,
- (v) sibling of a parent,
- (vi) child of a sibling,
- (vii) grandchild,
- (viii) grandparent,
- (ix) parent-in-law,
- (x) sibling-in-law,
- (xi) spouse of a child;

“harass” has the same meaning as in the *Human Rights Act*;

“investigator” means a person or entity appointed by a village under subsection 408AD(1) of the Act to receive and investigate complaints;

“poisoned environment” means an environment where harassing or discriminatory conduct causes significant and unreasonable interference with a person’s work environment;

“sexual harassment” has the same meaning as in the *Human Rights Act*.

General purpose

- 3 (1) The purpose of this Code is to set out the expectations for the behaviour of village commissioners in carrying out their functions and making decisions that benefit the constituents in their village.

- (2) Nothing in this Code is intended to prevent elected officials from sharing or expressing dissenting opinions.

Interaction with laws and policies

- 4 (1) This Code is intended to operate together with, and as a supplement to, the applicable common law, the *Criminal Code* of Canada, the Act, the *Municipal Conflict of Interest Act* and any other applicable legislation.
- (2) This Code is intended to operate together with, and as a supplement to, the other bylaws and policies of a village.
- (3) This Code prevails in any conflict between the Code and any village resolution, policy or bylaw.

Guiding principles

- 5 All of the following are the guiding principles for village commissioners' conduct:

Collegiality: village commissioners must work together to further the best interests of the village in an honest and honourable way.

Respect: village commissioners must demonstrate respect towards one another, the democratic decision-making process and the role of staff. Village commissioners must not act in a manner that negatively impacts the village or tarnishes the village's reputation.

Integrity: village commissioners must act lawfully and adhere to strong ethical principles by prioritizing the village's interests over individual interests.

Professionalism: village commissioners must create and maintain an environment that is respectful and free from all forms of discrimination and harassment, including sexual harassment. Village commissioners must show consideration for every person's values, beliefs and contributions, and support and encourage others to participate in commission activities.

Transparency: village commissioners must be truthful and open about their decisions and actions and make every effort to accurately communicate information openly to the public.

Responsibility: village commissioners are responsible for the decisions that they make and must be held accountable for their actions and outcomes. Village commissioners must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

General conduct

- 6 (1) A village commissioner must be truthful and forthright and not deceive or knowingly mislead the commission, the clerk and treasurer, staff or the public.
- (2) A village commissioner must show respect for chairs of commission meetings, chairs of committee meetings, colleagues, staff and members of the public that present during commission meetings or other meetings of the village.
- (3) A village commissioner must adhere to the direction of the chairs of meetings with respect to rules of procedure.
- (4) A village commissioner must conduct commission business and all duties in an open and transparent manner, other than for those matters that the commission is authorized by law to carry out in private.
- (5) A village commissioner must not be impaired by alcohol or drugs while attending any commission

meeting or other meeting of the village.

- (6) A village commissioner must comply with any sanction imposed under this Code, and failing to comply with a sanction imposed is considered a breach of the Code.

Confidential information

- 7 (1) A village commissioner must not disclose or release any confidential information to the public in oral, written or any other form, other than when required by policy or law or authorized by the commission to do so.
- (2) A village commissioner must not use confidential information for personal or private gain or for the private gain of any other person or entity.
- (3) A village commissioner must not access or attempt to access confidential information in the custody of the village unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the bylaws or policies of the village.
- (4) A village commissioner must not discuss any matters relating to an active investigation under the Code with anyone other than the investigator or their own legal counsel, unless required by law.

Gifts and benefits

- 8 (1) A village commissioner must not accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, other than the following exceptions:
- (a) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- (b) a suitable memento of a function honouring the village commissioner;
- (c) sponsorships and donations for community events organized or run by a village commissioner or by a third party on behalf of a village commissioner;
- (d) compensation authorized by the village.
- (2) A fee, advance, cash, gift, gift certificate or personal benefit paid or provided to a person closely connected to a village commissioner, with the village commissioner's knowledge, is deemed to be a gift to the village commissioner.

Use of village property, equipment and services

- 9 (1) A village commissioner must not use, or request the use of, any village property, including surplus material or equipment, for personal convenience or profit, unless the property meets 1 of the following:
- (a) it is generally available for use by the public and the village commissioner is receiving no special preference in its use;
- (b) it is made available to the village commissioner in the course of carrying out commission activities and duties, and is used for purposes connected with the discharge of commission duties.
- (2) A village commissioner must not obtain, or attempt to obtain, personal financial gain from the use or sale of intellectual property developed by the village.

- (3) A village commissioner must not use information, or attempt to use information, gained in the course of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- (4) A village commissioner, or a person closely connected to a village commissioner, must not tender on the sale of surplus village property, including old or extra equipment.

Building, development, planning, or procurement proposals before commission

- 10 A village commissioner must not solicit or accept support in any form from an individual, group or corporation with any building, development, planning or procurement proposal before the commission.

Improper use of influence

- 11 A village commissioner must not use the influence of their office for any purpose other than for the exercise of their official duties.

Business relations

- 12 (1) A village commissioner must not allow any prospect of their future employment by a person or entity to affect the performance of their duties to the village.
- (2) A village commissioner must not borrow money from any person who regularly does business with the village, unless the person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- (3) A village commissioner must not act as an agent of a person or entity before the commission or a committee of the commission or any agency, board or committee of the village.

Employment of persons closely connected to village commissioners

- 13 (1) A village commissioner must not attempt to influence any village employee to hire or promote a person closely connected to the commissioner.
- (2) A village commissioner must not make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the commissioner.

Fairness

- 14 (1) A village commissioner must not give special consideration, treatment or advantage to any individual or entity beyond that which is given to all.
- (2) A village commissioner must not give special consideration, treatment or advantage to an organization or group because the village commissioner, or a person closely connected to the member, is involved with the organization or group.

Adherence to policies, procedures, bylaws and other laws

- 15 (1) Village commissioners must adhere to all applicable federal and provincial legislation.
- (2) Village commissioners must adhere to the procedures, resolutions, policies and bylaws of the village.
- (3) Village commissioners must adhere to the expense and hospitality policy of the village.

Respect for commission as a decision-making body

- 16 (1) A village commissioner must abide by, and act in accordance with, any decision made by the commission, whether or not the commissioner voted in favour of the decision.

- (2) A village commissioner must not encourage non-compliance with any legislation, regulation, bylaw, resolution, policy or procedure.

Communicating on behalf of commission

- 17 (1) A village commissioner, other than the chair, must not claim to speak on behalf of the commission unless the commissioner is authorized to do so.
- (2) The chair or an individual designated by the commission may speak on behalf of the commission and must make every effort to convey the intent of the commission's decision accurately.

Interactions of commission with staff and service providers

- 18 (1) A village commissioner must not direct, or attempt to direct, the clerk and treasurer or staff other than through a direction provided by the commission as a whole.
- (2) A village commissioner must be respectful of the role of the clerk and treasurer and staff to advise based on political neutrality and objectivity and without undue influence from any individual commissioner or group of the commission.
- (3) A village commissioner must not issue instructions to any of the contractors, tenderers, consultants or other service providers to the village unless the commission as a whole has provided direction regarding [the] same.
- (4) A village commissioner must not require or request that a village employee undertake personal chores or tasks for the member that are unrelated to village business.
- (5) A village commissioner must not make public statements that are critical of specific or identifiable village employees or service providers.

Respectful interactions

- 19 (1) A village commissioner must not engage in discrimination or harassment as prohibited by the *Human Rights Act*.
- (2) A village commissioner must not sexually harass any person.
- (3) A village commissioner must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at 1 or more individuals or groups that creates a poisoned environment.

Reprisals

- 20 A village commissioner must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code or any person providing relevant information in relation to a matter under this Code.

N.S. Reg. 221/2024

Made: October 17, 2024

Filed: October 17, 2024

Prescribed Petroleum Products Prices

Order dated October 17, 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. 222/2024

Made: October 21, 2024

Filed: October 21, 2024

Proclamation of amendments to Act, S. 19, S.N.S. 2017, c. 13–S. 3, 7, 11, 14 and 18;
and S. 12, S.N.S. 2021, c. 13; and proclamation of Act, S. 111, S.N.S. 2024, c. 3–S. 25 to 27, 72 to 74
and 102 to 104

Order in Council 2024-378 dated October 21, 2024

Proclamation made by the Governor in Council

pursuant to Section 19 of *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*,
Section 12 of *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Codes of Conduct*
and Section 111 of the *Financial Measures (2024) Act*

The Governor in Council on the report and recommendation of the Minister of Municipal Affairs and Housing dated October 16, 2024, pursuant to Section 19 of Chapter 13 of the Acts of 2017, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, Section 12 of Chapter 13 of the Acts of 2021, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Codes of Conduct*, Section 111 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) 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 3, 7 (to the extent that Section 7 enacts Sections 408AB and 408AC of the *Municipal Government Act*), 11, 14 and 18 (to the extent that Section 18 enacts clauses 383(1)(ca) and (cb) of the *Halifax Regional Municipality Charter*) of Chapter 13 of the Acts of 2017, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, Chapter 13 of the Acts of 2021, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Codes of Conduct*, and Sections 25 to 27, 72 to 74 and 102 to 104 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, do come into force on and not before October 21, 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 19 of Chapter 13 of the Acts of 2017, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, it is enacted as follows:

- 19** Sections 2, 3, 6 to 8, 11, 13, 14, 17 and 18 come into force on such day as the Governor in Council orders and declares by proclamation.

Whereas in and by Section 12 of Chapter 13 of the Acts of 2021, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Codes of Conduct*, it is enacted as follows:

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

Whereas in and by Section 111 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, it is enacted as follows:

- 111** Sections 2 to 9, 20 to 27, 37 to 39, 45 to 53 and 72 to 74, subsections 86(1) to (4) and (7), 87(2) and (4) and 92(2) and (3), Sections 102 to 104 and 107 to 110 have effect on such day as the Governor in Council orders and declares by proclamation.

And Whereas it is deemed expedient that Sections 3, 7 (to the extent that Section 7 enacts Sections 408AB and 408AC of the *Municipal Government Act*), 11, 14 and 18 (to the extent that Section 18 enacts clauses 383(1)(ca) and (cb) of the *Halifax Regional Municipality Charter*) of Chapter 13 of the Acts of 2017, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, Chapter 13 of the Acts of 2021, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Codes of Conduct*, and Sections 25 to 27, 72 to 74 and 102 to 104 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, do come into force on and not before October 21, 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 Sections 3, 7 (to the extent that Section 7 enacts Sections 408AB and 408AC of the *Municipal Government Act*), 11, 14 and 18 (to the extent that Section 18 enacts clauses 383(1)(ca) and (cb) of the *Halifax Regional Municipality Charter*) of Chapter 13 of the Acts of 2017, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter*, Chapter 13 of the Acts of 2021, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Codes of Conduct*, and Sections 25 to 27, 72 to 74 and 102 to 104 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, do come into force on and not before October 21,

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 21st day of October in the year of Our Lord two thousand and twenty-four and in the Third year of Our Reign.

By Command:

**PROVINCIAL SECRETARY
ATTORNEY GENERAL AND MINISTER OF JUSTICE**

N.S. Reg. 223/2024

Made: October 21, 2024

Filed: October 21, 2024

Forest Utilization Licence Agreements Regulations

Order in Council 2024-379 dated October 21, 2024
Regulations made by the Governor in Council
pursuant to Section 51 of the *Crown Lands Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources and Renewables dated July 18, 2024, and pursuant to Section 51 of Chapter 114 of the Revised Statutes of Nova Scotia, 1989, the *Crown Lands Act*, is pleased to make regulations respecting forest utilization licence agreements, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 21, 2024.

Schedule “A”

**Regulations Respecting Forest Utilization Licence Agreements
made by the Governor in Council under Section 51
of Chapter 114 of the Revised Statutes of Nova Scotia, 1989,
the *Crown Lands Act***

Citation

1 These regulations may be cited as the *Forest Utilization Licence Agreements Regulations*.

Definition

2 In these regulations, “Act” means the *Crown Lands Act*.

Application of regulations

3 For the purposes of Section 32 of the Act, “a person who owns or operates a wood-processing facility” means either of the following:

- (a) a sole proprietorship, general partnership or limited partnership that owns or operates a wood-processing facility as part of its core operations; or
- (b) a corporation where one or more of its shareholders owns or operates a wood-processing facility as part of its core operations.

N.S. Reg. 224/2024

Made: October 10, 2024

Approved: October 16, 2024

Filed: October 22, 2024

Bulk Haulage Regulations—amendment

Order dated October 22, 2024

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

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

I certify that on October 10, 2024, the Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, carried a motion to amend the *Bulk Haulage Regulations*, N.S. Reg. 23/2003, made by the Dairy Farmers of Nova Scotia on July 17, 2002, and approved by the Natural Products Marketing Council on August 13, 2002, in the manner set forth in the attached Schedule “A”, effective on and after November 1, 2024.

Signed at Truro, in the County of Colchester, Nova Scotia on October 22, 2024.

Dairy Farmers of Nova Scotia

per: sgd. *J Fewer*
Jo Ann Fewer
General Manager

Approved by the Natural Products Marketing Council at Bible Hill, in the County of Colchester, Nova Scotia on October 16, 2024.

Natural Products Marketing Council

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

Schedule "A"

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

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

(a) for farm milk pick-up that occurs on a set schedule of every second day:

Transporter	Maximum Rate/100 L
Fisher Transport Limited	\$3.18
Burghardt Transport Limited	\$3.61

N.S. Reg. 225/2024

Made: October 22, 2024

Filed: October 22, 2024

Marine Renewable-energy General Regulations—amendment

Order in Council 2024-385 dated October 22, 2024

Amendment to regulations made by the Governor in Council
pursuant to subsections 71(1) and (2) of the *Marine Renewable-energy Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources and Renewables dated September 27, 2024, and pursuant to subsections 71(1) and (2) of Chapter 32 of the Acts of 2015, the *Marine Renewable-energy Act*, is pleased to amend the *Marine Renewable-energy General Regulations*, N.S. Reg. 8/2018, made by the Governor in Council by Order in Council 2018-14 dated January 23, 2018, to clarify licensing and permit terms and conditions, renewals and approvals, establish an application window and prescribe exceptional circumstances, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 22, 2024.

Schedule "A"

**Amendment to the *Marine Renewable-energy General Regulations*
made by the Governor in Council under subsections 71(1) and (2)
of Chapter 32 of the Acts of 2015,
the *Marine Renewable-energy Act***

1 Section 2 of the *Marine Renewable-energy General Regulations*, N.S. Reg. 8/2018, made by the Governor in Council by Order in Council 2018-14 dated January 23, 2018, is amended by

(a) in the definition of "Department", striking out "Energy" and substituting "Natural Resources and

Renewables”; and

(b) repealing the definition of “Department of Natural Resources”.

2 Subclause 4(1)(d)(i) of the regulations is amended by adding “business” immediately after “30th”.

3 Clause 6(a) of the regulations is amended by

(a) adding “business” immediately after “first”; and

(b) adding “business” immediately after “no earlier than 1”.

4 The regulations are further amended by adding the following Section immediately after Section 6:

Application window for demonstration permit

6A Notice of an application window for a demonstration permit must meet all of the following requirements:

(a) it must be published on the Department’s website for a period of time beginning at least 1 week before the first business day on which an applicant may apply for a demonstration permit and ending no earlier than 1 business day after the last day on which an applicant may apply for a demonstration permit;

(b) it must include all of the following information:

(i) the period of time during which the application window is open,

(ii) how to apply for a demonstration permit,

(iii) the criteria that will be used to evaluate an application for a demonstration permit.

5 Section 7 of the regulations is amended by

(a) adding the following clause immediately after clause (a):

(aa) proof that the applicant is registered and in good standing with the Registry of Joint Stock Companies;

(b) adding the following clauses immediately after clause (k):

(ka) a list of the directors of the applicant, including the name, address, e-mail address and telephone number of each director;

(kb) the financial information required in the call for applications and accompanying guidance document, including any projected sources of income and financing;

(kc) a statement confirming the applicant’s ability to carry out the proposed project;

(kd) a list of all the permits or approvals the applicant will be required to obtain for the project and a plan for obtaining them;

(c) adding “, anchor” immediately after “cable” wherever it appears.

- 6 Section 8 of the regulations is amended by striking out “10” and substituting “20”.
- 7 Section 9 of the regulations is amended by
- (a) adding the following clause immediately after clause (a):
 - (aa) proof that the applicant is registered and in good standing with the Registry of Joint Stocks Companies;
 - (b) adding the following clauses immediately after clause (n):
 - (na) a list of the directors of the applicant, including the name, address, e-mail address and telephone number of each director;
 - (nb) the financial information required in the application form and accompanying guidance document, including any projected sources of income and financing;
 - (nc) a statement confirming the applicant’s ability to carry out the proposed project;
 - (nd) a list of all the permits or approvals the applicant will be required to obtain for the project and a plan for obtaining them;
 - (c) adding “, anchor” immediately after “cable” wherever it appears.
- 8 (1) Subsection 10(1) of the regulations is amended by adding “, anchor” immediately after “cable” wherever it appears.
- (2) Subsection 10(2) of the regulations is repealed.
- 9 The regulations are further amended by adding the following Section immediately after Section 11:

Simultaneous issuance of permits under clause 35(1)(b) of Act

- 11A (1)** Upon awarding a licence after a call for applications, the Minister may also issue a permit under clause 35(1)(b) of the Act for cables, anchors or any other equipment or structure used or intended to be used with a generator under the licence without requiring a separate application or application fee for the issuance of that permit.
- (2)** If an applicant who applies for a permit under clause 35(1)(a) or 35(1)(c) of the Act indicates on their application that there are cables, anchors or any other equipment or structure used or intended to be used with a generator, the Minister may also issue a permit under clause 35(1)(b) of the Act at the same time without requiring a separate application or application fee for the issuance of that permit.
- (3)** A permit under clause 35(1)(b) of the Act issued in accordance with this Section must be issued at the same time as the licence or permit under clause 35(1)(a) or 35(1)(c) of the Act.

- 10 Section 13 of the regulations is repealed and the following Section substituted:

Activity reports

- 13** Each licence holder and demonstration permit holder must send reports to the Minister about the activities carried on under the licence or demonstration permit in accordance with the reporting requirements under the terms and conditions of their marine renewable-electricity licence or permit.

11 Section 14 of the regulations is amended by

- (a) adding the following clauses immediately after clause (a):
 - (aa) a statement confirming the person's compliance with the licence or permit;
 - (ab) a list of all sources of financing, including all of the following:
 - (i) a list of investors,
 - (ii) a list of any grants or loans for which the applicant has applied or will apply,
 - (iii) a list of any grants or loans that the applicant has received or will receive;
 - (ac) a list of all the permits or approvals the applicant has obtained or will be required to obtain for the project and a plan for obtaining them;
 - (ad) a description of any changes to the corporate structure of the applicant since the licence or permit was issued;
 - (ae) a list of the directors of the applicant, including the name, address, e-mail address and telephone number of each director;
- (b) adding the following subsection immediately after subsection (4):
 - (5) A person who holds a licence or permit must apply to the Minister to renew the licence or permit at least 6 months, but no more than 1 year, before the date the licence or permit expires.

12 The regulations are further amended by adding the following Section immediately after Section 14:

Amending licences and permits, including licence and permit areas

- 14A (1)** The process and requirements for altering a licence area or permit area or amending, adding or deleting a term or condition of a licence or permit under Section 46 of the Act are as prescribed in this Section.
- (2) A person who holds a licence or permit may apply to the Minister to alter a licence area or permit area or amend, add or delete a term or condition of a licence or permit by providing the Minister with all of the following:
 - (a) a written request outlining the nature of and rationale for the request;
 - (b) any additional information the Minister considers necessary to decide on the request;
 - (c) the prescribed fee as provided in the *Marine Renewable-energy Fees Regulations* made under the Act.
 - (3) The Minister must not alter a licence area or permit area or amend, add or delete a term or condition of a licence or permit if the Minister believes that doing so would not be in the public interest or would not be consistent with the Department's policies and programs.
 - (4) The Minister must not consider an application to alter a licence area or permit area or amend, add or delete a term or condition made under subsection (2) if

- (a) the licence or permit holder is not in compliance with its existing approval; and
- (b) the Minister believes the alteration or amendment would not bring the licence or permit holder into compliance.

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

Exceptional circumstances for extending period for review and decision on permit applications

15A (1) For the purpose of these regulations, “exceptional circumstances” includes all of the following:

- (a) any circumstances that generally constitute *force majeure*, including, but not limited to, acts of God, storm, flood, terrorism, earthquake, war, rebellion, revolution or strike, pandemic, or any other event, happening or occurrence beyond the reasonable control of the applicant;
 - (b) any other circumstances that could not be reasonably foreseen and that cannot be attributed to the applicant.
- (2)** If exceptional circumstances exist, an applicant may apply to the Minister to extend the period of time for review and decision on their permit application by providing the Minister with all of the following:
- (a) a written request outlining the nature of the exceptional circumstances and the rationale for the request;
 - (b) any additional information the Minister considers necessary to decide on the request;
 - (c) the prescribed fee as provided in the *Marine Renewable-energy Fees Regulations* made under the Act.
- (3)** The Minister must not extend the period of time for review and decision on a permit application if the Minister believes that doing so would not be in the public interest or would not be consistent with the Department’s policies and programs.

14 Clause 16(1)(d) of the regulations is amended by adding “, anchor” immediately after “cable”.

15 Clause 18(a) of the regulations is amended by

- (a) striking out the semicolon and [at] the end of subclause (iv) and substituting a comma; and
- (b) adding the following subclause immediately after subclause (iv):
 - (v) health and safety risks;

16 Subsection 19(2) of the regulations is amended by adding “, anchor” immediately after “cable”.

17 Section 20 of the regulations is amended by adding “, anchor” immediately after “cable” wherever it appears.

18 Clause 21(1)(b) of the regulations is amended by adding “calendar” immediately after “last”.

19 Subsection 22(3) of the regulations is repealed and the following subsection substituted:

- (3) On receiving an application to amend an approved decommissioning, abandonment and rehabilitation plan, the Minister may amend the plan, subject to any terms or conditions that the Minister considers appropriate, or deny the application.

20 Section 23 of the regulations is amended by

- (a) adding “under subsection (6) or” immediately after “unless waived” in subsection (3);
- (b) striking out “60 days” and substituting “60 calendar days” wherever it appears in the table in subsection (3);
- (c) adding “calendar” immediately before “day” in clause (4)(b); and
- (d) adding the following subsection immediately after subsection (5):
- (6) If a licence, demonstration permit or unconnected permit holder also has a permit under clause 35(1)(b) of the Act and
- (a) the permit area is entirely or partially located within the licence, demonstration permit or unconnected permit area, as described in the licence, demonstration permit or unconnected permit, then the rent for the permit under clause 35(1)(b) of the Act may be waived; or
- (b) the permit area is located entirely outside of the licence, demonstration permit or unconnected permit area, then a separate rental fee will be charged for the permit under clause 35(1)(b) of the Act.

N.S. Reg. 226/2024

Made: October 22, 2024

Filed: October 22, 2024

Green Choice Program Regulations—amendment

Order in Council 2024-388 dated October 22, 2024

Amendment to regulations made by the Governor in Council
pursuant to Section 4BC of the *Electricity Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources and Renewables dated October 11, 2024, and pursuant to Section 4BC of Chapter 25 of the Acts of 2004, the *Electricity Act*, is pleased to amend the *Green Choice Program Regulations*, N.S. Reg. 155/2023, made by the Governor in Council by Order in Council 2023-234 dated August 29, 2023, to make changes to terminology, units of measurement, timing and provisions about costs, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 22, 2024.

Schedule "A"

**Amendment to the *Green Choice Program Regulations*
made by the Governor in Council under
Section 4BC of Chapter 25 of the Acts of 2004,
the *Electricity Act***

- 1 Subsection 2(2) of the *Green Choice Program Regulations*, N.S. Reg. 155/2023, made by the Governor in Council by Order in Council 2023-234 dated August 29, 2023, is amended by
 - (a) in the definition of "aggregate partnership",
 - (i) striking out "10 000 MWh" and substituting "10 000 000 kWh", and
 - (ii) striking out "per year" and substituting "annually";
 - (b) in the definition of "eligible electricity", striking out "facilities" and substituting "NSPI service locations"; and
 - (c) in the definition of "subscribed electricity", striking out "the amount of".
- 2 Clause 3(a) of the regulations is amended by
 - (a) striking out "1 000 MWh" in subclause (iv) and substituting "1 000 000 kWh";
 - (b) striking out "10 000 MWh" wherever it appears and substituting "10 000 000 kWh"; and
 - (c) striking out "per year" wherever it appears and substituting "annually".
- 3 Subclause 5(d)(i) of the regulations is amended by striking out "per year" and substituting "annually".
- 4 Clause 9(1)(d) of the regulations is amended by striking out "facilities" and substituting "NSPI service locations".
- 5 Section 11 of the regulations is amended by
 - (a) striking out "generation facilities" and substituting "NSPI service locations"; and
 - (b) striking out "350 MW" and substituting "1 500 000 000 kWh".
- 6 (1) Subsection 12(2) of the regulations is amended by
 - (a) striking out "\$1.00 per MWh" and substituting "\$0.001 per kWh"; and
 - (b) striking out "per year" and substituting "annually".(2) Section 12 of the regulations is further amended by adding the following subsection immediately after subsection (2):
 - (3) A participant who is charged a fixed administrative cost by NSPI under these regulations or who receives a credit under subsection 4BB(2) of the Act must receive a billing adjustment that consists of two separate line items on the participant's bill.

- 7 (1) Subsection 16(1) of the regulations is amended by striking out “NSPI must update the terms and conditions of the subscriptions of all participants in collaboration with the participants” and substituting “NSPI must, in collaboration with the participants, update the participants’ subscriptions”.
- (2) Subsection 16(4) of the regulations is repealed and the following subsection substituted:
- (4) A participant may be charged costs and receive credits when
- (a) the first supplier in the Green Choice Program begins commercial operation, as defined in the supplier’s power purchase agreement; and
- (b) the participant receives renewable low-impact electricity from the first supplier in the Green Choice Program to begin commercial operation.
- 8 Clause 17(4)(b) of the regulations is amended by striking out “facilities” and substituting “NSPI service locations”.
- 9 Clause 20(1)(b) of the regulations is amended by striking out “on a first-come, first-served basis”.
- 10 The centred heading immediately after Section 20 of the regulations is amended by striking out “Credits” and substituting “Certificates”.
- 11 (1) The heading immediately before Section 21 of the regulations is amended by striking out “credits” and substituting “certificates”.
- (2) Section 21 of the regulations is amended by striking out “credit” wherever it appears and substituting “certificate”.
- 12 Section 25 of the regulations is amended by striking out “5 years from the date that these regulations come into effect” and substituting “December 31, 2030”.

N.S. Reg. 227/2024

Made: August 26, 2024

Approved: October 22, 2024

Filed: October 22, 2024

Medical Imaging and Radiation Therapy Professionals Regulations—amendment

Order in Council 2024-389 dated October 22, 2024

Amendment to regulations made by the Board of the Nova Scotia College

of Medical Imaging and Radiation Therapy Professionals

and approved by the Governor in Council

pursuant to subsection 11(1) of the *Medical Imaging and Radiation Therapy Professionals Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated September 12, 2024, and pursuant to subsection 11(1) of Chapter 7 of the Acts of 2013, the *Medical Imaging and Radiation Therapy Professionals Act*, is pleased to approve amendments made by the Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals to the *Medical Imaging and Radiation Therapy Professionals Regulations*, N.S. Reg. 115/2020, made by the Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals and approved by the Governor in Council by Order in

Council 2020-235 dated September 8, 2020, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 29, 2024.

Schedule “A”

Certificate of Resolution

I hereby certify that the Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals, at a duly convened meeting of the Board held on August 26th, 2024, and pursuant to subsection 11(1) of Chapter 7 of the Acts of 2013, the *Medical Imaging and Radiation Therapy Professionals Act*, resolved to amend the *Medical Imaging and Radiation Therapy Professionals Regulations*, N.S. Reg. 115/2020, made by the Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals and approved by the Governor in Council by Order in Council 2020-235 dated September 8, 2020, in the manner set out in the attached.

The amendments to the regulations referred to above are effective seven days after the date they are approved by the Governor in Council.

Dated and signed at Halifax, Nova Scotia, on August 27, 2024.

Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals

per: sgd. *K Zhan*

Kenny Zhan

Chair of the Board of the Nova Scotia College of

Medical Imaging and Radiation Therapy Professionals

**Amendment to the *Medical Imaging and Radiation Therapy Professionals Regulations*
made by the Board of the Nova Scotia College of Medical Imaging and
Radiation Therapy Professionals
under subsection 11(1) of Chapter 7 of the Acts of 2013,
the *Medical Imaging and Radiation Therapy Professionals Act***

- 1 Subsection 2(1) of the *Medical Imaging and Radiation Therapy Professionals Regulations*, N.S. Reg. 115/2020, made by the Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals and approved by the Governor in Council by Order in Council 2020-235 dated September 8, 2020, is amended by adding the following definitions where they belong in alphabetical order:

“advanced practice” means an area of practice within the broader scope of practice of medical imaging or radiation therapy that the Board has determined a registrant can only engage in if they have completed the Board-approved authorization process, including any prerequisite requirements;

“authorized registrant” means a registrant licensed by the College who is authorized to practise 1 or more designated aspects of another discipline;

“interdisciplinary authorization process” means the process to authorize registrants licensed in 1 discipline to engage in the practice of 1 or more designated aspects of another discipline that is approved by the Board in accordance with subsection 22(2) of the Act;

- 2 The regulations are further amended by adding the following Sections immediately after Section 25:

Interdisciplinary Authorization Process

Board approval of interdisciplinary authorization process requirements and standards of practice for practising designated aspect of another discipline

25A The Board must approve the requirements of the interdisciplinary authorization process that registrants must meet and the standards of practice that authorized registrants must adhere to when practising a designated aspect of another discipline and may establish any of the following as part of those approvals:

- (a) the designated aspects of another discipline that a registrant can practise and whether the registrant requires authorization prior to practising a designated aspect;
- (b) restrictions and conditions under which an authorized registrant must practise when practising a designated aspect of another discipline, including in relation to the practice setting and supervision requirements;
- (c) application requirements, including forms and fees;
- (d) educational requirements, including approved schools or programs;
- (e) examination requirements;
- (f) currency of practice requirements;
- (g) continuing competence requirements;
- (h) standards of practice;
- (i) any other requirements the registrant must meet to ensure that they possess the capacity, competence and character to safely and ethically engage in the practice of a designated aspect of another discipline.

Application for authorization to practise designated aspect of another discipline

25B (1) A registrant seeking authorization by the Registrar to practise 1 or more designated aspects of another discipline must apply for that authorization by submitting all of the following:

- (a) a completed application, in a form prescribed by the Board and within the time period determined by the Registrar;
- (b) payment of the applicable fee, within the time period determined by the Registrar and through a method acceptable to the Registrar;
- (c) proof the registrant meets all of the criteria described in subsection (2);
- (d) any additional information required by the Registrar or Credentials Committee to assess whether the applicant meets the criteria described in subsection (2).

(2) A registrant applying to the Registrar for authorization to practise 1 or more designated aspects of another discipline must meet all of the following criteria established by the Board:

- (a) they have completed 1 of the following:
 - (i) educational requirements approved by the Board, if any, within the time frame

established by the Board,

- (ii) education that, in the opinion of the Credentials Committee and when combined with the registrant's existing education and relevant experience, provides the registrant with competencies comparable to those of a person who completed the educational requirements approved by the Board;
 - (b) they have successfully completed any examinations approved by the Board within the time frame established by the Board;
 - (c) they possess the capacity, competence and character to safely and ethically engage in the practice of 1 or more designated aspects of another discipline;
 - (d) they have proof satisfactory to the Registrar that they satisfy the currency of practice requirements approved by the Board;
 - (e) they have no outstanding complaints, prohibitions, conditions, agreements or restrictions originating from any registration or licensing authority that would preclude authorization.
- (3) Despite this Section, any requirements for application for authorization to practise 1 or more designated aspects of another discipline may be waived if it is determined by the Registrar or Credentials Committee to be in the public interest to do so.
- (4) The Registrar must review an application for authorization to practise 1 or more designated aspects of another discipline submitted under subsection (1) and, after reviewing the application, do 1 of the following:
- (a) request additional information from the registrant;
 - (b) if the Registrar determines that the criteria described in subsection (2) have been met, approve the application and authorize the registrant to practise 1 or more designated aspects of another discipline without conditions or restrictions;
 - (c) refer the application to the Credentials Committee if the Registrar determines any of the following:
 - (i) it is unclear whether the registrant meets the criteria described in subsection (2),
 - (ii) the registrant does not meet the criteria described in subsection (2),
 - (iii) conditions or restrictions may need to be imposed on the registrant's practice of 1 or more designated aspects of another discipline.

Authorization to practise designated aspect of another discipline by Credentials Committee

- 25C (1)** If the Registrar refers an application for authorization to practise 1 or more designated aspects of another discipline to the Credentials Committee under clause 25B(4)(c), the Credentials Committee must review the application and any other information provided by the Registrar.
- (2) The Credentials Committee may do any of the following when reviewing an application for authorization to practise 1 or more designated aspects of another discipline:
- (a) request that the Registrar obtain and submit additional information from the registrant;

- (b) require the registrant to satisfactorily complete any competence assessments and bridging education the Credentials Committee determines is necessary.
- (3) After reviewing an application for authorization to practise 1 or more designated aspects of another discipline and any other information received under subsections (1) or (2), the Credentials Committee must direct the Registrar to do 1 of the following:
 - (a) if the Credentials Committee determines that the criteria described in subsection 25B(2) have been met, approve the application and authorize the registrant to practise 1 or more designated aspects of another discipline without conditions or restrictions;
 - (b) approve the application and authorize the registrant to practise 1 or more designated aspects of another discipline with conditions or restrictions;
 - (c) deny the application.
- (4) If the Credentials Committee determines that a registrant does not meet the criteria described in subsection 25B(2) and directs the Registrar to deny the application or directs the Registrar to approve the application and authorize the registrant to practise 1 or more designated aspects of another discipline with conditions or restrictions, the Credentials Committee must provide its decision to the registrant in writing.
- (5) A decision made by the Credentials Committee under subsection (3) is final.

Required activities of authorized registrant

25D An authorized registrant must do all of the following:

- (a) practise within the registrant's individual scope of practice;
- (b) practise within the restrictions and conditions outlined in the standards of practice approved by the Board under Section 25A;
- (c) practise as authorized by the Registrar and in accordance with any conditions and restrictions imposed by the Credentials Committee.

Term of authorization to practise designated aspect of another discipline

25E (1) Except as provided in subsection (2), an authorization to practise 1 or more designated aspects of another discipline remains in effect until the end of the licensing year in which it is issued or an earlier expiry date specified on the authorization by the Registrar or Credentials Committee.

- (2) An authorization ceases to be valid if any of the following occurs:
 - (a) the authorization is suspended or revoked;
 - (b) the authorized registrant's licence is suspended or revoked;
 - (c) the authorized registrant fails to continue to meet the criteria for a practising licence;
 - (d) the authorized registrant fails to continue to meet the criteria described in subsection 25B(2);
 - (e) the authorized registrant surrenders their licence;

- (f) the authorized registrant's licence expires;
- (g) there are conditions or restrictions placed on the authorized registrant through agreement or as a result of a decision made under a regulatory process under the Act that preclude the registrant from practising 1 or more designated aspects of another discipline.

Renewal of authorization to practise designated aspect of another discipline

25F An authorized registrant applying to renew an authorization to practise 1 or more designated aspects of another discipline must submit all of the following to the Registrar:

- (a) a completed application, in a form prescribed by the Board, together with payment of the applicable fee and any penalties incurred for late application, no later than the deadline determined by the Registrar and through a method acceptable to the Registrar;
- (b) proof satisfactory to the Registrar that the registrant continues to meet the criteria described in subsection 25B(2).

Publication of authorized registrants

25G The Registrar may publish on the College's website and in any other manner determined by the Board a record of all authorized registrants and any conditions or restrictions imposed on those authorized registrants by the Credentials Committee.

Advanced Practice

Application and approval process

25H Under clause 11(1)(c) of the Act and as authorized by these regulations, the Board may prescribe any of the following:

- (a) the procedures for identifying and approving advanced practice areas;
- (b) the prerequisites a registrant must satisfy to obtain approval to engage in advanced practice;
- (c) the application and approval process for registrants seeking to engage in advanced practice.

Criteria for engagement in advanced practice

25I A registrant may engage in advanced practice if the registrant has

- (a) met the prerequisites for approval to engage in advanced practice as prescribed by the Board under clause 25H(b); and
- (b) been approved to engage in advanced practice in accordance with the process prescribed by the Board under clause 25H(c).

Record of registrants authorized to engage in advanced practice

25J The Registrar must keep a record of all registrants authorized to engage in advanced practice that includes all of the following information:

- (a) the nature of advanced practice a registrant is engaged in;
- (b) any conditions or restrictions on a registrant's ability to engage in advanced practice.

Publication of registrants authorized to engage in advanced practice

25K The Registrar must publish on the College's website and in any other manner determined by the Board a record of all registrants authorized to engage in advanced practice and any conditions or restrictions imposed on those registrants.