

Royal



Gazette

Part II Regulations under the Regulations Act

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N.S. Reg. 25/2004

Made: March 9, 2004

Filed: March 12, 2004

Parking Meter Regulations for the Town of Lunenburg

Order dated March 9, 2004

Revocation of regulations made by the Minister of Transportation and Public Works
pursuant to subsection 152(6) of the *Motor Vehicle Act*

I, Ronald S. Russell, Minister of Transportation and Public Works, pursuant to subsection 152(6) of the *Motor Vehicle Act*, hereby revoke the regulations respecting parking meters for the Town of Lunenburg that were made pursuant to subsection 152(1) of the *Motor Vehicle Act* by the Traffic Authority for the Town of Lunenburg on May 18, 1993, and approved by the Minister of Transportation and Communications on June 15, 1993.

Sgd: *Ron Russell*

Ronald S. Russell, CD

Minister of Transportation and Public Works

Date: March 9, 2004

N.S. Reg. 26/2004

Made: March 12, 2004

Filed: March 16, 2004

Summary Offence Tickets Regulations

Order in Council 2004-103 dated March 12, 2004

Amendment to regulations made by the Minister of Justice and the Governor in Council
pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated February 12, 2004, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia 1989, the *Summary Proceedings Act*, is pleased to amend the *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to include certain offences under the Town of Bridgetown and Municipality of the District of West Hants By-laws as summary offence ticket offences and set the out of court settlement amounts for the offences in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 12, 2004.

Order

I, Michael G. Baker, Minister of Justice and Attorney General of Nova Scotia, do hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of an offence set out in amendments to the Schedules to the *Summary Offence Tickets Regulations* as set forth in Schedule "A", shall be the amount of the out of court settlement set out opposite the description of that offence, and the out of court settlement amount shall include the charge provided for, and in accordance with, Sections 8 and 9 of the Act.

This Order is effective on and after the making by the Governor in Council of the amendments to the *Summary Offence Tickets Regulations* set out in Schedule "A".

Dated and made February 12, 2004, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd: *Michael Baker*

Honourable Michael G. Baker, Q.C.

Minister of Justice and Attorney General of Nova Scotia

Schedule "A"

**Amendments to the *Summary Offence Tickets Regulations*
made by the Governor in Council pursuant to Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act***

- 1 (1) Schedule 18-I of the *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by striking out items 1 and 2 immediately following the heading "Fire Protection By-law" and substituting the following items:
- | | | |
|--|-------|----------|
| 1. Carrying out, causing, permitting or being responsible for (specify) open burning of designated material | 3(a) | \$215.00 |
| 2. Burning designated material without industrial permit issued by fire department chief, deputy or designated representative | 3(d) | \$215.00 |
| 3. Burning material outside controlled combustion unit | 4(a) | \$215.00 |
| 4. Carrying out, causing, permitting or being responsible for (specify) open burning of material between April 15 and October 15 without domestic permit | 4(c) | \$215.00 |
| 5. Carrying out, causing, permitting or being responsible for (specify) open burning of material, burning of material in barrel, drum, tank or other container or burning within furnace used for heating purposes that is external to building being heated (specify) within 30.48 m (100 ft.) of another property owner's building | 8(a) | \$215.00 |
| 6. Carrying out, causing, permitting or being responsible for (specify) burning of fire that is out of control | 11(a) | \$215.00 |
| 7. Person who carries out, causes, permits or is responsible for (specify) burning of fire failing to abide by <i>Environment Act</i> and regulations | 13 | \$215.00 |
| 8. Failing to comply with terms and conditions in burning permit or sheet attached to permit | 14 | \$215.00 |
| 9. Failing to immediately extinguish fire under burning permit that has been suspended or cancelled (specify) | 15(a) | \$215.00 |
| 10. Failing to surrender cancelled or suspended burning permit (specify) immediately upon request of fire department chief, deputy or designated representative, or by-law enforcement officer (specify) | 15(b) | \$215.00 |
- (2) Schedule 18-I of the regulations is further amended by striking out item 10 under the heading "Sewer By-law" and re-numbering items 11 to 13 as items 10 to 12 respectively.

- 2 The regulations are further amended by adding the following Schedule immediately after Schedule 18-W:

**Schedule 18-X
Town of Bridgetown By-laws**

Offence	Section	Out of Court Settlement
Skateboarding By-law		
1. Operating skateboard on sidewalk, street or other public place (specify)	2	\$111.50

N.S. Reg. 27/2004

Made: March 12, 2004

Filed: March 16, 2004

Revenue Act Regulations

Order in Council 2004-105 dated March 12, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 92 of the *Revenue Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated February 9, 2004, and pursuant to Section 92 of Chapter 17 of the Acts of 1995-96, the *Revenue Act*, is pleased to amend the *Revenue Act Regulations* made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, to change the time period used in calculating fuel shortages in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 12, 2004.

Schedule "A"

**Amendments to the *Revenue Act Regulations*
made by the Governor in Council pursuant to Section 92 of
Chapter 17 of the Acts of 1995-96, the *Revenue Act***

- 1 Section 13 of the *Revenue Act Regulations* made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, is repealed and the following Section substituted:
- 13 (1)** The total combined amounts reported in returns by an agent in respect of clause 12(1)(c) for the months of April to March, inclusive, of each year, that an agent cannot account for, shall not exceed an amount equal to 0.50% of the gasoline acquired by the agent during those months.
- (2)** The total combined amounts reported in returns by an agent in respect of clause 12(1)(c) for the months of April to March, inclusive, of each year, that an agent cannot account for, shall not exceed an amount equal to 0.25% of the diesel oil acquired by the agent during those months.
- 2 Section 28 of the regulations is amended by adding " between April 1 and March 31, inclusive, of each year" after "sold".

N.S. Reg. 28/2004

Made: March 12, 2004

Filed: March 16, 2004

Release of Patient Information Fees Regulations

Order in Council 2004-106 dated March 12, 2004
Regulations made by the Governor in Council
pursuant to Section 17 of the *Hospitals Act*

The Governor in Council on the report and recommendation of the Minister of Health dated January 27, 2004, and pursuant to Section 17 of Chapter 208 of the Revised Statutes of Nova Scotia, 1989, the *Hospitals Act*, is pleased to make regulations respecting fees for the release of information in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2004.

Schedule "A"**Regulations Respecting Fees for the Release of Patient Information
made pursuant to Section 17 of Chapter 208 of the
Revised Statutes of Nova Scotia, 1989, the *Hospitals Act*****Citation**

1 These regulations may be cited as the *Release of Patient Information Fees Regulations*.

Definitions

2 In these regulations,

- (a) "Act" means the *Hospitals Act*;
- (b) "hospital" means a hospital as defined in clause 2(f) of the Act;
- (c) "patient information" means a hospital's records and particulars concerning a patient or former patient of the hospital;
- (d) "police officer" means a member of the Royal Canadian Mounted Police or a member of a municipal police force.

Fees

3 A hospital is permitted to charge no more than the following fees for the release of patient information:

- (a) for a request that can be answered by the hospital's health record department with
 - (i) a computerized printout of a patient visit history, or
 - (ii) a letter indicating the hospital service for a specific period of time,an administrative fee of \$10.00; and
- (b) for a request for a copy of a health record that exists in paper, microfiche or microfilm format
 - (i) an administrative fee of \$50.00 per request for a particular patient, up to a maximum of \$100.00 for any subsequent requests from the same origin for additional information in

support of the original request, and

- (ii) a reproduction fee of \$10.00 for every 30 minutes or part thereof.

Subpoenas and orders for production

4 A request referred to in Section 3 includes a subpoena or an order for production pursuant to the Nova Scotia *Civil Procedure Rules* and is subject to the fees in clauses 3(a) and (b).

Viewing patient information

5 A request by a patient to view their patient information is not subject to a fee but if copies are requested as a result of the viewing, the fees in clause 3(b) apply.

Exemptions

6 The fees in Section 3 do not apply to

- (a) a request from a Legal Aid (Nova Scotia) client;
- (b) a request from an accused for the purposes of appearing before a Review Board pursuant to Section 672 of the *Criminal Code* (Canada);
- (c) a request from a patient for the purposes of appearing before a review board pursuant to Section 63 of the Act;
- (d) a request from the Workers' Compensation Board of Nova Scotia;
- (e) a search warrant presented to a hospital by a police officer pursuant to Section 487 of the *Criminal Code* (Canada);
- (f) a request by a police officer or probation officer who is entitled to patient information pursuant to a consent made under subsection 71(1) or (2) of the Act;
- (g) a request from a health professional body created by statute that has been authorized by the Minister to access patient records pursuant to clause 71(5)(e) of the Act and that is using the information for the purposes of regulating the health profession;
- (h) a request from a health professional who is licensed by a health professional body created by statute and who is entitled to patient information pursuant to a consent made under subsection 71(1) or (2) of the Act;
- (i) a request from a district health authority that requires patient information in order to apply to a government department or agency on a patient's behalf for assistance for the patient's ongoing health care needs; or
- (j) a request from a government department or agency that is conducting an assessment of a patient's ongoing health care needs at the request of a physician.

Taxes

7 The fees in Section 3 do not include any applicable taxes.

N.S. Reg. 29/2004

Made: March 12, 2004

Filed: March 16, 2004

Moose Hunting Regulations

Order in Council 2004-116 dated March 12, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated February 25, 2004, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Moose Hunting Regulations* made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, to add a winter open hunting season in Moose Management Zone 1, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"**Amendments to the *Moose Hunting Regulations* made by the Governor
in Council pursuant to subsection 113(1) of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Section 5 of the *Moose Hunting Regulations* made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, is amended by

- (a) striking out "There shall be 2 open seasons for hunting moose:" in subsection (1) and substituting "In all Moose Management Zones, there shall be the following open seasons for hunting moose:";
- (b) renumbering subsection (1A) as (1B); and
- (c) adding the following subsection immediately after subsection (1):

(1A) In Moose Management Zone 1, there shall be a winter open season for hunting moose from the second Tuesday in December until the following Thursday in any year.

N.S. Reg. 30/2004

Made: March 12, 2004

Filed: March 16, 2004

Automobile Insurance Prohibited Risk-Classification Factors Regulations

Order in Council 2004-118 dated March 12, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 159 of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Insurance Act* dated March 11, 2004, and pursuant to Section 159 of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased, effective on and after March 12, 2004, to amend the *Automobile Insurance Prohibited Risk-Classification Factors Regulations* made by the Governor in Council by Order in Council 2003-458 dated October 31, 2003, by repealing Section 7 and substituting the following Section:

7 These regulations come into effect on November 1, 2004.

N.S. Reg. 31/2004

Made: February 10, 2004

Filed: March 16, 2004

Bulk Haulage Regulations

Order dated February 10, 2004
Amendment to regulations made by 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

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on January 22, 2004, amended the *Bulk Haulage Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after February 10, 2004.

Dated and signed at Truro, Nova Scotia, February 11, 2004

Sgd: *Brian Cameron*
Brian Cameron
General Manager
Dairy Farmers of Nova Scotia

APPROVED BY the Natural Products Marketing Council at Truro, Nova Scotia, February 10, 2004.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause[s] 15(1)(b) and
15(1)(e) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act***

Clause 7(a) of the *Bulk Haulage Regulations* made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on August 13, 2002, is amended by

- (a) striking out "\$2.24" directly opposite "Bedford Transport Limited" and substituting "\$2.26";
- (b) striking out "\$2.52" directly opposite "Scotsburn Co-op Services Limited" and substituting "\$2.54";
- (c) striking out "\$1.78" directly opposite "Fisher Transport Limited" and substituting "\$1.80";
- (d) striking out "\$2.48" directly opposite "Rudy Burghardt" and substituting "\$2.54";
- (e) striking out "\$2.13" directly opposite "Cook's Dairy Farm Limited" and substituting "\$2.12".

N.S. Reg. 32/2004

Made: March 18, 2004

Filed: March 19, 2004

Sprinkler System Installer Trade - Specification as a Compulsory Certified Trade

Order in Council 2004-126 dated March 18, 2004

Regulations made by the Governor in Council

pursuant to subsection 22(1) of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Education dated February 4, 2004, and pursuant to subsection 22(1) of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to specify that the Sprinkler System Installer Trade, a designated trade, is a compulsory certified trade.

N.S. Reg. 33/2004 to 34/2004

Made: March 18, 2004

Filed: March 19, 2004

Fire Safety Regulations and Fuel Safety Regulations

Order in Council 2004-127 dated March 18, 2004

Amendment to regulations made by the Governor in Council

pursuant to Section 51 of the *Fire Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated January 20, 2004, and pursuant to Section 51 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, is pleased, effective on and after March 18, 2004, to

- (a) amend the *Fire Safety Regulations* made by the Governor in Council by Order in Council 2003-83 dated February 28, 2003, to remove the Fire Safety Advisory Council as the Fire Safety Appeal Board by repealing Section 7; and **[N.S. Reg. 33/2004]**
- (b) amend the *Fuel Safety Regulations* approved by the Governor in Council by Order in Council 1999-525 dated October 27, 1999, to designate the Fire Safety Appeal Board to hear fuel safety appeals and the Fuel Safety Advisory Board to act exclusively as the advisory board, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

N.S. Reg. 34/2004

Fuel Safety Regulations

Schedule "A"

**Amendments to the *Fuel Safety Regulations*
made by the Governor in Council pursuant to Section 51
of Chapter 6 of the Acts of 2002, the *Fire Safety Act***

1 Subsection 2(1) of the *Fuel Safety Regulations* made by the Minister of Labour and approved by the Governor in Council by Order in Council 1999-525 dated October 27, 1999, is amended by

- (a) repealing clause (b) and substituting the following clause:

- (b) “Advisory Board” means the Fuel Safety Advisory Board established under Section 41;
 - (b) adding the following clause immediately after clause (b):
 - (ba) “Board” means the Fire Safety Appeal Board as defined in the *Fire Safety Act*;
 - (c) adding “Advisory” immediately before “Board” in clause (d); and
 - (d) adding “Advisory” immediately before “Board” in clause (e).
- 2 Section 40 of the regulations is repealed and the following Section substituted:
- 40** If the Chief Inspector is satisfied that a certificate or endorsement on a certificate has been issued on the basis of incorrect or false information or that the holder of a certificate has failed to comply with these regulations, the Chief Inspector may suspend or cancel the certificate.
- 3 Subsection 41(2) of the regulations is amended by striking out “to the Board”.
- 4 The regulations are further amended by adding “Advisory” immediately before “Board” wherever it occurs in Sections 3 to 42.
-

N.S. Reg. 35/2004

Made: March 18, 2004

Filed: March 19, 2004

Fire Safety Regulations

Order in Council 2004-128 dated March 18, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 51 of the *Fire Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated January 20, 2004, and pursuant to Section 51 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, is pleased to amend the *Fire Safety Regulations* made by the Governor in Council by Order in Council 2003-83 dated February 28, 2003, to clarify the portable fire extinguisher provisions, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 18, 2004.

Schedule “A”

**Amendments to the *Fire Safety Regulations*
made by the Governor in Council pursuant to Section 51 of
Chapter 6 of the Acts of 2002, the *Fire Safety Act***

Section 35 of the *Fire Safety Regulations* made by the Governor in Council by Order in Council 2003-83 dated February 28, 2003, is amended by

- (a) striking out “5 ABC” and substituting “2A” in Sentence 8.1.1.20.(1); and
- (b) striking out “10 ABC” and substituting “2A10BC” in Sentence 8.1.1.20.(2).

N.S. Reg. 36/2004

Made: January 7, 2004

Filed: March 23, 2004

Milk Pricing Regulations

Order dated January 7, 2004
 Amendment to regulations made by the Dairy Farmers of Nova Scotia
 and approved by the Natural Products Marketing Council
 pursuant to clauses 14(1)(c) and 15(1)(g) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

At a meeting held on December 5, 2003, the Dairy Farmers of Nova Scotia, pursuant to clause[s] 14(1)(c) and 15(1)(g) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, and clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, amended the *Milk Pricing Regulations* in the ~~matter~~ [manner] set out in the form attached to this certificate as Schedule "A", effective on and after February 1, 2004.

Dated and signed at Truro, Nova Scotia, February 6, 2004.

Sgd: *Brian Cameron*
 Brian Cameron
 General Manager
 Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia on January 7, 2004.

Sgd: *G. Burris*
 George D. Burris
 General Manager
 Natural Products Marketing Council

Schedule "A"

**Amendments to the *Milk Pricing Regulations*
 made by the Dairy Farmers of Nova Scotia pursuant to clause[s] 14(1)(c) and
 15(1)(g) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act***

† Subsection 2 (1) of the *Milk Pricing Regulations* made by Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on January 8, 2002, is amended by repealing the table immediately following "basis:" and substituting the following table:

Component Prices - Per Kilogram for Classes 1, 2, 3, and 4

Class of Milk	\$ Per kg Butterfat	\$ Per kg Protein	\$ Per kg Other Solids	\$ Per hl Solids-non-fat
1(a)	6.5942			51.4551
1(b)	6.5942			40.9451
1(c)	6.5942			51.1351
2	6.5942	5.0080	5.0080	

3(a)	6.5942	11.5523	0.7251
3(b)	6.5942	11.0980	0.7251
4(a)	6.5942	4.4516	4.4516
4(b)	6.5942	4.5602	4.5602
4(c)	6.5942	4.4516	4.4516
4(d)	6.5942	4.4516	4.4516

N.S. Reg. 37/2004

Made: January 21, 2004

Filed: March 23, 2004

Milk Pricing Regulations

Order dated January 21, 2004

Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clauses 14(1)(c) and 15(1)(g) of the *Dairy Industry Act*

At a meeting held on November 27, 2003, the Dairy Farmers of Nova Scotia, pursuant to clause[s] 14(1)(c) and 15(1)(g) of Chapter 24 of the Acts 2000, the *Dairy Industry Act*, and clause 2(1)(c) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, amended the *Milk Pricing Regulations* in the ~~matter~~ [manner] set out in the form attached to this certificate as Schedule "A", effective on and after February 1, 2004.

Dated and signed at Truro, Nova Scotia, March 2, 2004.

Sgd: *Brian Cameron*
Brian Cameron
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia on January 21, 2004.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendment to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia pursuant to clause[s] 14(1)(c) and
15(1)(g) of Chapter 24 of the Acts of 2000 the *Dairy Industry Act***

† Subsection 8(2) of the *Milk Pricing Regulations* made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on January 8, 2002, is amended by

- (a) striking out "\$0.29" and substituting "\$0.32"; and
- (b) striking out "(excluding contract export milk)".