

Royal Gazette

Part II Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 141/2005

Made: July 13, 2005

Filed: July 15, 2005

Proclamation of amendments to Acts, S. 3, S.N.S. 2005, c. 25

Order in Council 2005-290 dated July 13, 2005

Proclamation made by the Governor in Council

pursuant to Section 3 of

*An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act,
and Chapter 4 of the Acts of 1997, the Gas Distribution Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated June 13, 2005, pursuant to Section 3 of Chapter 25 of the Acts of 2005, *An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act, and Chapter 4 of the Acts of 1997, the Gas Distribution Act*, is pleased to order and declare by proclamation that Chapter 25 of the Acts of 2005, *An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act, and Chapter 4 of the Acts of 1997, the Gas Distribution Act*, come into force on and not before July 13, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 25 of the Acts of 2005, *An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act, and Chapter 4 of the Acts of 1997, the Gas Distribution Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 25 of the Acts of 2005, *An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act, and Chapter 4 of the Acts of 1997, the Gas Distribution Act*, come into force on and not before July 13, 2005;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 25 of the Acts of 2005, *An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act, and Chapter 4 of the Acts of 1997, the Gas Distribution Act*, come into force on and not before July 13, 2005, 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 Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 13th day of July, in the year of
Our Lord two thousand and five and in the fifty-
fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 142/2005

Made: July 13, 2005

Filed: July 15, 2005

Proclamation of amendments to Act, S. 2, S.N.S. 2005, c. 31

Order in Council 2005-298 dated July 13, 2005

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated June 26, 2005, pursuant to Section 2 of Chapter 31 of the Acts of 2005, *An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act*, is pleased to order and declare by proclamation that Chapter 31 of the Acts of 2005, *An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act*, come into force on and not before July 13, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 2 of Chapter 31 of the Acts of 2005, *An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 31 of the Acts of 2005, *An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act*, come into force on and not before July 13, 2005;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 31 of the Acts of 2005, *An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act*, come into force on and not before July 13, 2005, 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 Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 13th day of July, in the year of
Our Lord two thousand and five and in the fifty-
fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 143/2005

Made: July 13, 2005

Filed: July 15, 2005

Proclamation, S. 16, S.N.S. 2005, c. 11 – except S. 4 and 11

Order in Council 2005-301 dated July 13, 2005
Proclamation made by the Governor in Council
pursuant to Section 16
of the *Petroleum Products Pricing Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 5, 2005, pursuant to Section 16 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, except Sections 4 and 11, come into force on and not before July 13, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 16 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, except Sections 4 and 11, come into force on and not before July 13, 2005;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, except Sections 4 and 11, come into force on and not before July 13, 2005, 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 Her Honour the Honourable Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 13th day of July, in the year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 144/2005

Made: July 13, 2005

Filed: July 15, 2005

Petroleum Products Pricing Information Regulations

Order in Council 2005-302 dated July 13, 2005
Regulations made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 5, 2005, and pursuant to Section 14 of Chapter 11 of the Acts of 2005, the

Petroleum Products Pricing Act, is pleased to make regulations respecting pricing information in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 13, 2005.

Schedule "A"

**Regulations Respecting Information on the Pricing of Petroleum Products
made by the Governor in Council pursuant to Section 14
of Chapter 11 of the Acts of 2005,
the *Petroleum Products Pricing Act***

Citation

1 These regulations may be cited as the *Petroleum Products Pricing Information Regulations*.

Definitions

2 In these regulations,

- (a) "cross-lease arrangement" means an arrangement in which a wholesaler compensates a retailer for the use of the retailer's facilities to re-sell the wholesaler's petroleum products;
- (b) "exchange agreement" means an agreement that allows a refiner or wholesaler to exchange petroleum products with another refiner or wholesaler at an agreed rate of exchange;
- (c) "refiner" means the manufacturer or processor of petroleum products from crude oil.

Petroleum product pricing information from wholesaler

- 3 (1) After receiving a request from the Minister, a wholesaler must provide the Minister with all of the following petroleum product price information within the time frame specified by the Minister in the request:
- (a) the purchase price, in cents per litre, that the wholesaler paid to the refinery or other wholesaler for petroleum products intended for re-sale, and the volume purchased;
 - (b) if the wholesaler has an exchange agreement with a refiner or another wholesaler,
 - (i) the price,
 - (ii) the terms of the exchange agreement relating to petroleum products sold in the Province, and
 - (iii) the volume of petroleum products to be purchased or exchanged under the exchange agreement;
 - (c) if transportation costs are not included in a wholesale price, a schedule of the transportation costs charged by the wholesaler to each retailer;
 - (d) the wholesale price, in cents per litre, that is charged by the wholesaler to each retailer, wholesaler or reseller who purchased petroleum products intended for re-sale;
 - (e) the self-serve and full-serve retail price charged for each grade of gasoline by each of the wholesaler's controlled retailers, and the volumes sold;

- (f) any additional information required by the Minister.
- (2) Except as provided in Section 5, a wholesaler must inform the Minister of any changes to the petroleum product price information provided under subsection (1), along with the effective date of the changes, within the time frame specified by the Minister in a request made under subsection (1).
- (3) The petroleum product price information required by subsection (1) and any change to the petroleum product price information required by subsection (2) must
 - (a) be submitted with the following information attached:
 - (i) the name and street address of the wholesaler,
 - (ii) the name and grade of the petroleum products,
 - (iii) for gasoline price information, the name and location, sorted by county, of the controlled retailers to which the information applies; and
 - (b) be provided in the manner specified by the Minister.

Petroleum product price information from retailers

- 4 (1) After receiving a request from the Minister, a retailer must provide the Minister with all of the following petroleum product price information within the time frame specified by the Minister in the request:
- (a) the wholesale price, in cents per litre, that the retailer paid to the wholesaler for the petroleum products, and the volume purchased;
 - (b) the self-serve and full-serve retail price charged by the retailer for each grade of gasoline, and the volume sold;
 - (c) if transportation costs are not included in the wholesale price, the transportation costs charged to a retailer.
- (2) Except as provided in Section 5, a retailer must inform the Minister of any changes to the petroleum product price information provided under subsection (1), along with the effective date of the changes, within the time frame specified by the Minister in a request under subsection (1).
- (3) The petroleum product price information required by subsection (1) and any change to the price information required by subsection (2) must be provided in the manner specified by the Minister.

Change in pricing information not required for tax increase or decrease

- 5 A wholesaler or retailer is not required to inform the Minister of a change in petroleum price information under subsection 3(2) or 4(2) if the increase or decrease in the price of a petroleum product is entirely a result of a change in taxation.

Cross-lease arrangements information

- 6 A wholesaler must provide the Minister with all of the following information about each cross-lease arrangement that the wholesaler is party to:
- (a) the amount, in cents per litre, that the wholesaler paid to the retailer;

- (b) the time frame during which the cross-lease arrangement is in effect;
- (c) other compensation provided to a retailer for selling the petroleum products of the wholesaler;
- (d) a copy of the cross-lease arrangement.

Supply contracts provided on request

- 7 (1) After a request from the Minister, a wholesaler must provide the Minister with the current supply contract between the wholesaler and a retailer within the time frame specified by the Minister in the request.
- (2) After a request from the Minister, a retailer must provide the Minister with the current supply contract between the retailer and a wholesaler within the time frame specified by the Minister in the request.

Contact information provided to Minister

- 8 (1) No later than 15 business days after the date these regulations come into force, a wholesaler must provide the Minister with all of the following contact information in writing:
- (a) mailing address;
 - (b) telephone number;
 - (c) fax number;
 - (d) e-mail address;
 - (e) the name and position title of an individual designated by the wholesaler to receive all communications from the Minister on behalf of the wholesaler.
- (2) A person who becomes a wholesaler after the date these regulations come into force must provide the Minister with the information required by subsection (1) no later than 20 business days after becoming a wholesaler.
- (3) A wholesaler must inform the Minister in writing of any changes to the wholesaler's contact information provided under subsections (1) and (2) no later than 15 business days after the change.

N.S. Reg. 145/2005

Made: July 21, 2005

Filed: July 22, 2005

Summary Offence Tickets Regulations

Order in Council 2005-310 dated July 21, 2005

Amendment to regulations made by the Minister of Justice and by 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 June 21, 2005, 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*, N.S. Reg. 4/2001,

made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to include certain offences under the *Apprenticeship and Trades Qualifications Act* and the *Apprenticeship and Trades Qualifications Act General Regulations* 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 July 21, 2005.

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 June 21, 2005, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd: *Michael G. 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***

The *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, are amended by adding the following schedules immediately after Schedule 32:

**Schedule 33
Apprenticeship and Trades Qualifications Act**

| Offence | Section | Out of Court Settlement |
|---|----------|-------------------------|
| 1. Practising compulsory certified trade without satisfying prescribed conditions | 22(2) | \$905.00 |
| 2. Employing prohibited person in compulsory certified trade | 22(3) | \$905.00 |
| 3. Contravening order or directive of Director (specify) | 27(1)(c) | \$905.00 |

Schedule 33A
Regulations made pursuant to the
Apprenticeship and Trades Qualifications Act

| Offence | Section | Out of Court Settlement |
|---|---------|-------------------------|
| Apprenticeship and Trades Qualifications Act General Regulations | | |
| 1. Failing to provide direct supervision for apprentice | 14(b) | \$905.00 |
| 2. Failing to maintain required ratio of journeyperson to apprentice | 23(1) | \$905.00 |
| 3. Failing to keep identity card in possession when practising designated trade | 34(2) | \$445.00 |
| 4. Failing to produce identity card upon request | 34(3) | \$905.00 |

N.S. Reg. 146/2005

Made: July 21, 2005

Filed: July 22, 2005

Summary Offence Tickets Regulations

Order in Council 2005-311 dated July 21, 2005

Amendment to regulations made by the Minister of Justice and by 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 June 21, 2005, 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*, N.S. Reg 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to include certain offences concerning public safety 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 July 21, 2005.

Order

I, Michael G. Baker, Minister of Justice and Attorney General of Nova Scotia, 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*, N.S. Reg. 4/2001, as set forth in Schedule "A", is the amount of the out of court settlement set out opposite the description of that offence, and the out of court settlement amount includes 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 June 21, 2005, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Michael G. Baker*
Honourable Michael G. Baker, Q.C.
Minister of Justice and Attorney General of Nova Scotia

Schedule "A"

Amendment 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 Schedule 27 of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by adding the following items immediately after item 4 under the heading "Crane Operators":
- | | | |
|---|-------|----------|
| 4A. Performing crane operator work without certificate | 16(1) | \$675.00 |
| 4B. Employing person to perform crane operator work without certificate | 16(1) | \$675.00 |
- 2 The regulations are further amended by adding Schedules 30, 31, 31A and 32 in the forms attached immediately after Schedule 29A.

Schedule 30 Amusement Devices Safety Act

| Offence | Section | Out of Court Settlement |
|---|----------|-------------------------|
| 1. Inspecting amusement device without certificate of competency | 6 | \$675.00 |
| 2. Operating amusement device without licence | 7 | \$675.00 |
| 3. Obstructing or attempting to obstruct (specify) inspector | 11(1) | \$387.50 |
| 4. Failing to comply with direction or request (specify) of inspector | 11(2) | \$387.50 |
| 5. Using amusement park, device or structure (specify) before directions of inspector complied with | 13(2)(a) | \$675.00 |
| 6. Removing notice of inspector's directions without authorization | 13(2)(b) | \$675.00 |
| 7. Owner failing to report accident in writing to Chief Inspector within 24 hours | 15 | \$387.50 |
| 8. Operating unsafe amusement device | 16(1) | \$675.00 |
| 9. Operating amusement device in unsafe manner | 16(2) | \$675.00 |
| 10. Operating amusement device in manner that does not comply with Act or regulations (specify) | 16(2) | \$675.00 |
| 11. Failing to produce drawings or specifications (specify) required by inspector | 17(2) | \$387.50 |
| 12. Providing false information to inspector | 17(2) | \$387.50 |
| 13. Failing to provide information required by inspector | 17(2) | \$387.50 |
| 14. Failing to comply with Act or regulations (specify) | 18 | \$387.50 |
| 15. Failing to comply with direction or notice (specify) | 18 | \$387.50 |

**Schedule 31
Elevators and Lifts Act**

| Offence | Section | Out of Court Settlement |
|--|----------------|--------------------------------|
| 1. Carrying out maintenance, inspections or tests (specify) on licensed elevating device without certificate of competency | 6(3) | \$675.00 |
| 2. Failing to comply with inspector's notice (specify) | 10(3) | \$675.00 |
| 3. Commencing new installation or major alteration of elevating device without installation permit | 12(1) | \$675.00 |
| 4. Failing to submit drawings or specifications, as required | 12(2) | \$387.50 |
| 5. Failing to submit stamped drawings or specifications, as required | 12(3) | \$387.50 |
| 6. Failing to report accident in writing to Chief Inspector within 24 hours | 13(1) | \$387.50 |
| 7. Hindering or obstructing inspector | 14 | \$387.50 |
| 8. Providing false information to inspector | 15 | \$387.50 |
| 9. Operating elevating device without licence | 16 | \$675.00 |
| 10. Operating unsafe elevating device | 17(1) | \$675.00 |
| 11. Operating elevating device in unsafe manner | 17(2) | \$675.00 |
| 12. Failing to comply with Act or regulations (specify) | 21(1) | \$387.50 |

**Schedule 31A
Regulations made pursuant to the Elevators and Lifts Act**

| Offence | Section | Out of Court Settlement |
|--|----------------|--------------------------------|
| Elevators and Lifts General Regulations | | |
| 1. Owner failing to maintain elevating device | 27(1)(b) | \$387.50 |
| 2. Removing safety device | 29(1) | \$675.00 |
| 3. Entering, using or operating (specify) elevating device when safety device not in good working order | 29(2)(a) | \$675.00 |
| 4. Failing to prevent elevating device from being entered, used or operated when safety device not in good working order | 29(2)(b) | \$675.00 |

**Schedule 32
Fire Safety Act**

| Offence | Section | Out of Court Settlement |
|---|----------------|--------------------------------|
| 1. Failing to comply with reasonable request of fire official | 23(10)(a) | \$387.50 |
| 2. Failing to comply with reasonable request of fire official carrying out fire investigation | 33(8)(a) | \$387.50 |
| 3. Failing to notify Fire Marshall of activation of system within 48 hours of discharge | 37 | \$387.50 |

| Offence | Section | Out of Court Settlement |
|---|----------|-------------------------|
| 4. Tampering with device intended to enable escape during fire | 44(1)(a) | \$387.50 |
| 5. Entering on or tampering with closed land or premises without approval of authorized fire official | 44(1)(b) | \$675.00 |
| 6. Removing copy of posted order or notice without approval of appropriate fire official | 44(1)(c) | \$675.00 |
| 7. Providing false or misleading information to fire official | 44(1)(d) | \$387.50 |
| 8. Hindering or obstructing fire official | 44(1)(e) | \$387.50 |
| 9. Refusing or neglecting to give evidence before fire official or inquiry when summoned | 44(1)(f) | \$387.50 |
| 10. Failing to comply with order (specify) | 44(1)(g) | \$675.00 |
| 11. Failing to comply with Act, regulations or Fire Code (specify) | 44(1)(h) | \$387.50 |

N.S. Reg. 147/2005

Made: July 21, 2005

Filed: July 22, 2005

Proclamation, S. 24, S.N.S. 2005, c. 30

Order in Council 2005-312 dated July 21, 2005

Proclamation made by the Governor in Council

pursuant to Section 24 of

An Act to Change the Name of the University College of Cape Breton and to Amend Chapter 484 of the Revised Statutes, 1989, the University College of Cape Breton Act, and Related Statutes

The Governor in Council on the report and recommendation of the Minister of Education dated June 29, 2005, pursuant to Section 24 of Chapter 30 of the Acts of 2005, *An Act to Change the Name of the University College of Cape Breton and to Amend Chapter 484 of the Revised Statutes, 1989, the University College of Cape Breton Act, and Related Statutes*, is pleased to order and declare by proclamation that Chapter 30 of the Acts of 2005, *An Act to Change the Name of the University College of Cape Breton and to Amend Chapter 484 of the Revised Statutes, 1989, the University College of Cape Breton Act, and Related Statutes*, come into force on and not before July 21, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: *Elizabeth A. Roscoe*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 24 of Chapter 30 of the Acts of 2005, *An Act to Change the Name of the University College of Cape Breton and to Amend Chapter 484 of the Revised Statutes, 1989, the University College of Cape Breton Act, and Related Statutes*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 30 of the Acts of 2005, *An Act to Change the Name of the University College of Cape Breton and to Amend Chapter 484 of the Revised Statutes, 1989, the University College of Cape Breton Act, and Related Statutes*, come into force on and not before July 21, 2005;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 30 of the Acts of 2005, *An Act to Change the Name of the University College of Cape Breton and to Amend Chapter 484 of the Revised Statutes, 1989, the University College of Cape Breton Act, and Related Statutes*, come into force on and not before July 21, 2005, 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 Her Honour the Honourable Elizabeth A. Roscoe, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 21th day of July, in the year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 148/2005

Made: July 21, 2005

Filed: July 22, 2005

Proclamation of amendments to Act, S. 4, S.N.S. 2005, c. 29

Order in Council 2005-313 dated July 21, 2005
Proclamation made by the Governor in Council
pursuant to Section 4 of

An Act to Amend Chapter 31 of the Acts 2002, the Université Sainte-Anne - Collège de l'Acadie Act

The Governor in Council on the report and recommendation of the Minister of Education dated June 29, 2005, pursuant to Section 4 of Chapter 29 of the Acts of 2005, *An Act to Amend Chapter 31 of the Acts of 2002, the*

Université Sainte-Anne - Collège de l'Acadie Act, is pleased to order and declare by proclamation that Chapter 29 of the Acts of 2005, *An Act to Amend Chapter 31 of the Acts of 2002, the Université Sainte-Anne - Collège de l'Acadie Act*, come into force on and not before September 1, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: *Elizabeth A. Roscoe*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 4 of Chapter 29 of the Acts of 2005, *An Act to Amend Chapter 31 of the Acts of 2002, the Université Sainte-Anne - Collège de l'Acadie Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 29 of the Acts of 2005, *An Act to Amend Chapter 31 of the Acts of 2002, the Université Sainte-Anne - Collège de l'Acadie Act*, come into force on and not before September 1, 2005;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 29 of the Acts of 2005, *An Act to Amend Chapter 31 of the Acts of 2002, the Université Sainte-Anne - Collège de l'Acadie Act*, come into force on and not before September 1, 2005, 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 Her Honour
the Honourable Elizabeth A. Roscoe,
Administrator of the Government of the
Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 21st day of July, in the year of
Our Lord two thousand and five and in the fifty-
fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 149/2005

Made: July 21, 2005

Filed: July 22, 2005

Proclamation of amendments to Act, S. 2, S.N.S. 2005, c. 22

Order in Council 2005-315 dated July 21, 2005

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 6, 2005, pursuant to Section 2 of Chapter 22 of the Acts of 2005, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, is pleased to order and declare by proclamation that Chapter 22 of the Acts of 2005, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, come into force on and not before July 21, 2005.

PROVINCE OF NOVA SCOTIA

Sgd: *Elizabeth A. Roscoe*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 2 of Chapter 22 of the Acts of 2005, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 22 of the Acts of 2005, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, come into force on and not before July 21, 2005;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 22 of the Acts of 2005, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, come into force on and not before July 21, 2005, 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 Her Honour
the Honourable Elizabeth A. Roscoe,
Administrator of the Government of the
Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 21st day of July, in the year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 150/2005

Made: July 21, 2005

Filed: July 22, 2005

Proclamation, S. 20, S.N.S. 2005, c. 9

Order in Council 2005-316 dated July 21, 2005
Proclamation made by the Governor in Council
pursuant to Section 20 of the
Municipal Law Amendment (2005) Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 6, 2005, pursuant to Section 20 of Chapter 9 of the Acts of 2005, the *Municipal Law Amendment (2005) Act*, is pleased to order and declare by proclamation that Chapter 9 of the Acts of 2005, the *Municipal Law Amendment (2005) Act*, come into force on and not before July 21, 2005, with effect on and after April 1, 2006.

PROVINCE OF NOVA SCOTIA

Sgd: *Elizabeth A. Roscoe*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 20 of Chapter 9 of the Acts of 2005, the *Municipal Law Amendment (2005) Act*, it is enacted as follows:

- 20** This Act has effect on and after April 1, 2006, upon the Governor in Council so ordering and declaring by proclamation.

AND WHEREAS it is deemed expedient that Chapter 9 of the Acts of 2005, the *Municipal Law Amendment (2005) Act*, come into force on and not before July 21, 2005, with effect on and after April 1, 2006;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 9 of the Acts of 2005, the *Municipal Law Amendment (2005) Act*, come into force on and not before July 21, 2005, with effect on and after April 1, 2006, 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 Her Honour the Honourable Elizabeth A. Roscoe, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 21st day of July, in the year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 151/2005

Made: July 21, 2005

Filed: July 22, 2005

Pork Marketing Plan

Order in Council 2005-317 dated July 21, 2005
Regulations made by the Governor in Council
pursuant to Section 11 of the *Natural Products Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated June 22, 2005, and pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, is pleased, effective on and from July 21, 2005, to:

- (a) approve the repeal by the Natural Products Marketing Council of the *Nova Scotia Pork Marketing Plan* approved by Order in Council 90-331 dated March 13, 1990; and
- (b) approve the making by the Natural Products Marketing Council of a new marketing plan for pork in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

I certify that the Natural Products Marketing Council, at its meeting on October 14, 2003, carried a motion to

- (a) repeal the *Nova Scotia Pork Marketing Plan*, established by the Council on January 17, 1990 and approved by the Governor in Council by Order in Council 90-331 dated March 13, 1990; and
- (b) establish a new Nova Scotia marketing plan for pork in the form attached.

Signed at Truro in the County of Colchester, Nova Scotia on November 3, 2003

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

Nova Scotia Pork Marketing Plan
made by the Natural Products Marketing Council
pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act*

Citation

1 This Plan may be cited as the *Pork Marketing Plan*.

Definitions

2 In this Plan,

- (a) “Act” means the *Natural Products Act*;
- (b) “Commodity Board” means Pork Nova Scotia, a body corporate constituted under Section 5;
- (c) “Council” means the Natural Products Marketing Council;
- (d) “hog” means a member of the species *Sus Scrofa L.* (domestic pig) produced in the regulated area and includes a hog carcass;
- (e) “licensed producer” means a producer licensed to produce or market hogs in the regulated area;
- (f) “own” means to have ownership of or title in;
- (g) “person” includes a board, association, corporation, firm or partnership;
- (h) “pork” means the flesh or meat or any part or parts of a hog;
- (i) “processing” means altering the nature, size, quality or condition of hogs or pork by mechanical means or otherwise and includes the slaughtering of hogs;
- (j) “processor” means any person engaged in processing;
- (k) “producer” means a person who owns hogs that are raised in, or marketed in or from the regulated area;
- (l) “regulated area” means all of the Province; and

- (m) “zone” means a zone within the regulated area, as described in Section 6.

Purposes of Plan

3 This Plan has the following purposes:

- (a) to control and regulate all aspects of the marketing of hogs;
- (b) to stimulate, increase and improve the marketing and production of pork and pork products in the regulated area;
- (c) to provide forums for the dissemination of information concerning the production and marketing of pork to producers carrying on business in the regulated area.

Discontinuation of Plan

4 If at least 50% of the licensed producers sign a request to vote on discontinuing this Plan and submit the request to the Council, the Council must submit the question of continuing the Plan to a vote of the licensed producers and if a majority satisfactory to the Council do not vote in support of the Plan, the Council may recommend that the Plan be discontinued.

Constitution and composition of Commodity Board

5 (1) The Commodity Board is hereby constituted and must consist of a maximum of 7 members, each of whom is

- (a) an individual who
 - (i) is a licensed producer who processes only those hogs that they own or is the appointed representative of a licensed producer that is a partnership or corporate body that processes only those hogs that it owns, and
 - (ii) is resident in the regulated area; and
 - (b) is elected, nominated or appointed to the Commodity Board in accordance with the Plan and regulations.
- (2) A licensed producer that is a partnership or corporate body may have no more than 1 appointed representative serve as a member on the Commodity Board.

Regulated area divided into zones

6 (1) For the purposes of electing the members of the Commodity Board, the regulated area is divided into the following 3 zones:

Zone 1: Counties of Antigonish, Cape Breton, Colchester, Cumberland, Guysborough, Halifax, Hants, Inverness, Pictou, Richmond, and Victoria;

Zone 2: Counties of Kings and Lunenburg;

Zone 3: Counties of Annapolis, Digby, Queen’s, Shelburne, and Yarmouth.

- (2) A licensed producer must belong to one of the 3 zones set out in subsection (1).
- (3) Each zone must elect 2 individuals to serve on the Commodity Board.

- (4) A licensed producer who is resident in the regulated area may elect to belong to any 1 zone in which hogs they own are being raised.
- (5) A licensed producer who is not resident in the regulated area may elect to belong to any 1 zone in which hogs they own are being raised.
- (6) An election by a licensed producer under subsection (4) or (5) must be submitted to the Commodity Board in writing and is effective for 12 months.

Term of office for Commodity Board members

- 7 (1) A term of office for a member of the Commodity Board begins on the first meeting of the Commodity Board after the first annual general meeting of licensed producers following the member's election and ends with the meeting of the Commodity Board that follows the 3rd annual general meeting of the licensed producers since the beginning of their term.
- (2) A member may serve a maximum of 2 consecutive terms and is not eligible for re-election, renomination or reappointment for at least 1 year after the end of their 2nd term.

Election of Commodity Board members

- 8 (1) An election of members of the Commodity Board by the licensed producers in each zone must be held at an annual meeting of the zone or a meeting called for that purpose.
- (2) Before a member of the Commodity Board's term expires, the licensed producers of the zone that the member represents must elect or nominate an individual from the same zone to serve as a member upon the completion of the retiring member's term.
- (3) If the licensed producers of a zone fail to elect or nominate a member under subsection (2), the current member for that zone is, if eligible, deemed to have been re-elected for a second term.
- (4) If the licensed producers of a zone fail to elect or nominate a member under subsection (2) and the current or retiring member is ineligible as a candidate for a further term, the Commodity Board may appoint an eligible licensed producer from the zone to represent the zone until an election is held or nomination is made.

Executive of Commodity Board

- 9 (1) The Commodity Board must hold a meeting within 6 weeks after the date of an annual meeting of licensed producers, and at that meeting the Commodity Board must elect from its members an executive consisting of the following:
- (a) a chair;
 - (b) a vice-chair;
 - (c) a representative to the Canadian Pork Council, and such other representatives and appointments as may be needed.
- (2) If no member of the Commodity Board is willing and able to serve as the Commodity Board's representative to the Canadian Pork Council, the Commodity Board may appoint a licensed producer who is not a Commodity Board member to be the representative without voting privileges on the Commodity Board.

Executive manager of Commodity Board

- 10** (1) The Commodity Board is responsible for hiring an executive manager.
- (2) Despite subsection 9(1), the executive manager may be appointed or elected by the members of the Commodity Board to serve as secretary, treasurer or secretary treasurer of the Commodity Board, without voting privileges.

Duties of Commodity Board chair

- 11** (1) The chair of the Commodity Board must preside over all meetings of the Commodity Board, the annual and special meetings of licensed producers and the meetings of the Commodity Board executive.
- (2) The chair is an *ex officio* member of all standing and special committees.
- (3) The chair must perform all duties that usually pertain to the office of chair.
- (4) The chair must represent the Commodity Board in all of its regular transactions, except those for which another person has been elected.

Duties of Commodity Board vice-chair

- 12** (1) The vice-chair of the Commodity Board must, in the absence of the chair, preside at all meetings of the Commodity Board, the annual and special meetings of licensed producers and the meetings of the executive.
- (2) The vice-chair must perform all duties that usually pertain to the office of vice-chair or as may be assigned by the chair or the executive.

Calling Commodity Board meetings

- 13** (1) The Commodity Board must meet at least quarterly and otherwise as the business of the Commodity Board requires or as may be required under this Plan.
- (2) A meeting of the Commodity Board
- (a) may be called by the secretary, the executive manager, the chair or any 4 members of the Commodity Board; or
- (b) may be held without notice at the close of an annual meeting of licensed producers.
- (3) A meeting of the Commodity Board must be held at the office of the Commodity Board or at such other place as the person or persons calling the meeting determine.

Notice of Commodity Board meetings

- 14** (1) Notice to the members of the Commodity Board of a Commodity Board meeting called
- (a) by the chair, secretary or executive manager must be given at least 3 days before the date of the meeting;
- (b) by 4 members of the Commodity Board must be given at least 7 days before the date of the meeting.
- (2) Notice of a Commodity Board Meeting must be given in writing and must specify the time and place of the meeting, and by whom it is called.

If Chair absent from Commodity Board meeting

15 If the chair is absent from a meeting of the Commodity Board, the vice-chair must act as chair of the meeting, and if neither the chair nor the vice-chair is present at a meeting, the members present must elect a chair for the meeting.

Voting at Commodity Board meetings

- 16** (1) Unless excluded from voting privileges under subsection 9(2) or 10(2), each member of the Commodity Board, including the chair, is entitled to 1 vote at meetings of the Commodity Board.
- (2) If there is a tied vote, the chair does not have a second vote and the motion is considered to have been defeated.

Quorum at Commodity Board meeting

17 Four members of the Commodity Board with voting privileges constitute a quorum at a meeting of the Commodity Board.

Vacancy on Commodity Board

18 If a vacancy occurs on the Commodity Board because a Commodity Board member dies, resigns, is removed or otherwise vacates the office, the remaining Commodity Board members may appoint an eligible licensed producer to fill the vacancy until the zone elects or nominates a member to represent the zone for the remainder of the term.

Removal of Commodity Board member

- 19** The Commodity Board may remove from office any Commodity Board member who
- (a) is convicted of an offence under the Act; or
 - (b) fails to attend 3 consecutive meetings of the Commodity Board without reasonable cause.

Irregularity does not invalidate Commodity Board action

20 Despite an irregularity in the appointment, election or qualification of a member, every act of the Commodity Board is as valid as if the member were duly appointed, elected or qualified.

Powers delegated to Commodity Board by Council under subsection 6(2) of Act

- 21** Under subsection 6(2) of the Act, the Council delegates to the Commodity Board the power to
- (a) require persons engaged in the production or marketing of hogs or pork to register their names, addresses and occupations with the Commodity Board (clause 6(1)(i) of the Act);
 - (b) prohibit any person or persons from engaging in the marketing or processing of hogs except under the authority of a license issued by the Commodity Board (clause 6(1)(m) of the Act);
 - (c) prohibit a person from processing hogs that have not been sold by or through the Commodity Board (clause 6(1)(m) of the Act);
 - (d) cooperate and act conjointly with a marketing board, commodity board, marketing commission or marketing agency of Canada or a province in Canada established for the purpose of marketing hogs (clause 6(1)(l) of the Act);
 - (e) cooperate and act conjointly with other marketing boards, agencies, organizations or corporations in the province of Nova Scotia for the purpose of sharing information or resources (clause 6(1)(l) of the Act);

- (f) exempt from this Plan or the regulations a person or class of persons engaged in the production or marketing of hogs, or the production or marketing of a class, variety or grade of pork or hog (clause 6(1)(h) of the Act);
- (g) determine the price or prices at which hogs or a class or grade of pork or hog may be bought or sold in the regulated area (clause 6(1)(g) of the Act);
- (h) inspect the books and premises of persons engaged in the marketing of hogs, if the inspection takes place during normal business hours (clause 6(1)(i) of the Act);
- (i) borrow money for the purpose of carrying out any provision of this Plan (clause 6(1)(e) of the Act); and
- (j) do such acts, make such orders and regulations and issue such directions as are necessary to enforce the Act, this Plan and the regulations (clause 6(1)(c) of the Act).

Regulation-making powers delegated to Commodity Board by Council under clause 11(d) of the Act

22 In accordance with clause 11(d) of the Act, the Commodity Board may exercise the Council's power under subsection 9(1) to make regulations

- (a) requiring persons engaged in the production or marketing of hogs or pork to furnish such information relating to the production or marketing of hogs or pork, including completing and filing of returns, as the Commodity Board determines (clause 9(1)(f) of the Act);
- (b) prescribing the manner in which all hogs produced in the regulated area must be marketed (clause 9(1)(a) of the Act);
- (c) designating an agency or agencies through which hogs produced in the regulated area must be marketed (clause 9(1)(a) of the Act);
- (d) fixing and determining licence fees, levies and charges to be paid by producers and processors in relation to the administration of this Plan and the regulations (clause 9(1)(hb) of the Act);
- (e) providing for the licensing of persons permitting them to engage in the production or marketing of hogs or pork (clause 9(1)(b) of the Act);
- (f) providing the form of licences and the terms and conditions upon which licences may be issued, renewed, suspended or revoked (clause 9(1)(e) of the Act);
- (g) providing for
 - (i) the production or marketing of hogs on a quota basis (subclause 9(1)(c)(i) of the Act),
 - (ii) the fixing and allotting to persons of quotas for the production or marketing of hogs on such basis as the Commodity Board considers proper (subclause 9(1)(c)(ii) of the Act),
 - (iii) the refusal to fix and allot to any person a quota for the production or marketing of hogs for reasons that the Commodity Board considers proper (subclause 9(1)(c)(iii) of the Act),
 - (iv) the transfer of quota among producers and the terms and conditions under which such transfers may take place (subclause 9(1)(c)(iv) of the Act), and

- (v) the cancellation or reduction of, or the refusal to increase, a quota fixed or allotted to a person for the production or marketing of hogs for reasons that the Commodity Board considers proper (subclause 9(1)(c)(v) of the Act);
- (h) prohibiting
 - (i) a person to whom a quota has not been fixed and allotted for the production or marketing of hogs from producing or marketing hogs (subclause (9)(1)(d)(i) of the Act),
 - (ii) a person to whom a quota has been fixed and allotted for the production or marketing of hogs from producing or marketing hogs in excess of such quota (subclause 9(1)(d)(ii) of the Act);
- (i) regulating and controlling the marketing or production of hogs and pork, including the agency through which hogs and pork may be marketed, within the regulated area (clause 9(1)(a) of the Act).

Body corporate activity

23 The Commodity Board may do such acts and things as are incidental to, conducive to, or consequential to the operations of the Commodity Board as a body corporate.

Regulations made by Commodity Board

24 (1) Regulations made by the Commodity Board must be approved by the Council.

- (2) Any regulations or changes to regulations made by the Commodity Board must be presented at zone annual meetings and at the annual general meeting of licensed producers for information and discussion purposes either before or after they are made by the Commodity Board.

Commodity Board fiscal year, audit and reports

25 (1) Unless otherwise decided by the Commodity Board, the fiscal year of the Commodity Board is from January 1 to December 31 in each year, inclusive of both dates.

- (2) The Commodity Board must keep proper books of account, which must be audited at the end of each fiscal year by an auditor nominated by the licensed producers at the annual general meeting of licensed producers and approved by the Council.
- (3) Not later than 3 months after the end of each fiscal year of the Commodity Board, the Commodity Board must send a copy of its audited financial statements, consisting of the balance sheet and statement of income and expenditures for the fiscal year, together with the auditor's report, accompanied by a report of its operations, to the Council.
- (4) A copy of the audited financial statements and accompanying report must be presented at the annual general meeting of licensed producers following the end of the fiscal year for which the report was prepared.

Copies of orders, directions and determinations

26 (1) A copy of every order, direction and determination of the Commodity Board and a copy of the minutes of every meeting of the Commodity Board must be sent to the Council.

- (2) Upon request, the Commodity Board must make a copy of any order, direction, or determination available to a licensed producer who is in good standing on the records of the Commodity Board.

Meetings of licensed producers

- 27 (1) No later than 4 months after the end of the Commodity Board's fiscal year, the licensed producers must hold an annual general meeting at such time and place as the Commodity Board prescribes.
- (2) The Commodity Board must call a special meeting of licensed producers if it receives a written request for a special meeting from the licensed producers of a zone or from at least 15 licensed producers from any zone stating the purpose of the request.
- (3) A special meeting of licensed producers must be held at a place in the regulated area that the Commodity Board considers appropriate and on a date that is no later than 60 days after the date on which the request for the special meeting was received.
- (4) The Commodity Board may hold such other meetings or special meetings of licensed producers as the Commodity Board considers appropriate.

Quorum at meetings of licensed producers

- 28 Twenty percent of the licensed producers in good standing in any given year constitutes a quorum at any annual or special meeting of the licensed producers.

Notice of meeting of licensed producers

- 29 Notice of annual and special meetings of the licensed producers must be given to members at least 10 days before the date of the meeting.

Annual zone meetings

- 30 Each zone must hold an annual zone meeting no later than 2 months after the Commodity Board's fiscal year end.

Voting at meetings

- 31 (1) A licensed producer has one vote at any meeting of licensed producers, including a zone meeting.
- (2) A vote of a licensed producer that is either a limited company or a partnership may be cast by any representative appointed by the company or partnership to vote on its behalf.

Mandatory business at the annual general meeting

- 32 In addition to any other business, at an annual general meeting the following must be presented and dealt with by licensed producers:
- (a) the annual report of the Commodity Board;
 - (b) the financial report from the Executive including the audited financial statements of the Commodity Board;
 - (c) nominating auditors.

Mandatory business at annual zone meetings

- 33 In addition to any other business, at an annual zone meeting the licensed producers must elect a licensed producer from the zone to be a member of the Commodity Board if a vacancy for that zone exists on the Commodity Board.