

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. 12/2006

Made: February 10, 2006

Filed: February 13, 2006

Legal Aid General Regulations and Tariff of Fees

Order in Council 2006-54 dated February 10, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 27 of the *Legal Aid Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated January 24, 2006, and on the recommendation of the Nova Scotia Legal Aid Commission and pursuant to Section 27 of Chapter 252 of the Revised Statutes of Nova Scotia, 1989, the *Legal Aid Act*, is pleased to amend the Legal Aid General Regulations and Tariff of Fees, N.S. Reg. 77/77, made by the Governor in Council by Order in Council 77-954 dated August 9, 1977, to establish a new tariff of fees to be used in taxing lawyers' bills in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 10, 2006.

Schedule "A"

**Amendment to the Legal Aid General Regulations and Tariff of Fees
made by the Governor in Council pursuant to
Section 27 of Chapter 252 of the Revised Statutes
of Nova Scotia, 1989, the *Legal Aid Act***

- 1 Section 15 of the legal aid general regulations and tariff of fees, N.S. Reg. 77/77, made by the Governor in Council by Order in Council 77-954 dated August 9, 1977, is amended by
 - (a) striking out "Executive Director" and substituting "Commission";
 - (b) striking out "barrister" and substituting "lawyer"; and
 - (c) striking out "by a solicitor employed" immediately after "issued".
- 2 Section 16 of the regulations and tariff of fees is amended by striking out "Family and Civil Tariff for Preparation Times and Appearances as set out in Schedule B to Appendix "II", that is in force on the date of issue of the certificate" and substituting "Tariff for Family Law Matters, as set out in Tariff 2 in Schedule "B"".
- 3 Section 17 of the regulations and tariff of fees is amended by striking out "Criminal Tariff for Preparation Times and Appearances, as set out in Schedule A to Appendix "II", that is in force on the date of issue of the certificate" and substituting "Tariff for Criminal Law Matters Involving Adults and Young Persons, as set out in Tariff 1 in Schedule "B"".
- 4 The regulations and tariff of fees are further amended by adding the following Section immediately after Section 17:
 - 17A (1)** The rate to be paid under a certificate of eligibility is the rate set out in the applicable tariff in force on the date the certificate is issued.
 - (2)** The tariff in effect on the date the certificate is issued remains effective for that certificate until the services covered by that certificate are complete.

- 5 Sections 18 and 19 of the regulations and tariff of fees are amended by striking out “barrister” and substituting “lawyer”.
- 6 The regulations and tariff of fees are further amended by repealing Appendix “II” and substituting the attached Schedule “B”.

**Schedule “B”
Nova Scotia Legal Aid Commission
Tariff of Fees**

Introduction

The Nova Scotia Legal Aid Tariff of Fees (NSLA Tariff) sets out limits on preparation times and disbursements that may be expended in rendering authorized services under a legal aid certificate of eligibility (hereinafter referred to as “certificate”). Please note that these limits are maximums, not block fees. Lawyers rendering an account may bill only for **actual** preparation times and **actual** disbursements.

The NSLA Tariff reflects fees customarily paid by a client of modest means. The fees and preparation times provided for in the NSLA Tariff apply to the authorized services covered by a certificate. **However**, in certain exceptional circumstances, the Nova Scotia Legal Aid Commission may authorize issuing a certificate that extends the terms of the original certificate.

Extension of Terms of Certificate

Approval for an extension of the terms of a certificate should be sought by the lawyer providing services under the certificate **before** the limits contained in the certificate have been exceeded. The approval should be sought by the lawyer providing services under the certificate by writing to the office of the Nova Scotia Legal Aid Commission that issued the certificate to explain why an extension of the terms of the certificate is being sought.

If approval to extend the terms of a certificate is not granted, the Nova Scotia Legal Aid Commission is not responsible for the payment of any account that exceeds the limits imposed by the certificate or the NSLA Tariff.

In certain exceptional circumstances, the Nova Scotia Legal Aid Commission may approve an increase in preparation times allowed or in disbursement expenditures that exceed the strict maximums in the issued certificate or in the NSLA Tariff.

If the Nova Scotia Legal Aid Commission approves a request for an increase in preparation times or in disbursement expenditures, then the Nova Scotia Legal Aid Commission must issue an amended certificate in the matter or a letter granting the increase in preparation times or disbursement expenditures that has been approved.

The NSLA Tariff is composed of the above Introduction and Extension of Terms of Certificate, and all of the following:

Part 1 - Tariffs

- Tariff 1 - Tariff for Criminal Law Matters Involving Adults and Young Persons
- Tariff 2 - Tariff for Family Law Matters
- Tariff 3 - Tariff for Civil Law Matters

Tariff 4 - Tariff for Disbursements

Tariff 5 - Tariff for Matters Not Otherwise Provided for Herein

Part 2 - Forms

Part 1 - Tariffs

Tariff 1

Tariff for Criminal Law Matters Involving Adults and Young Persons

Lawyer fees based on experience

- 1 (1) A lawyer will be paid for preparation time and court appearances at the rates set out in the following table, according to the number of years experience the lawyer has practising law as a member of the Nova Scotia Barristers' Society or an equivalent organization in another jurisdiction:

Years experience	Rate per hour
less than 5	\$60.00
5 or more	\$70.00
10 or more	\$85.00 for offences for which the mandatory sentence is imprisonment for life (e.g. murder)

- (2) In this Section, years of experience are calculated as of the date that the lawyer is retained for services under a certificate.

Certificate covering multiple offences

- 2 The Commission may issue 1 certificate covering multiple offences, with the terms of that certificate being based on the most serious criminal offence charged, when a person is charged with multiple offences in relation to a set of events that are similar on some or all of the following characteristics:

- (a) date of alleged offence;
- (b) type of alleged offence;
- (c) location of alleged offence;
- (d) common purpose;
- (e) involvement of the same parties.

Travel allowance

- 3 An allowance of \$45.00 per hour, to a maximum of 6 hours per day, may be paid for time spent travelling a distance of 20 km or more, one way, if the lawyer satisfies the Commission that the travel is reasonable and necessary.

Supreme Court of Canada lawyer fees

- 4 Lawyer fees for hearings in the Supreme Court of Canada will be paid at the rates noted in Sections 1, 2 and 3 of this Tariff.

Court time maximums

- 5 A lawyer's fee for actual court time will be paid up to a maximum billing of 6 hours per day.

Preparation time maximums

- 6 A lawyer's fee for actual preparation time will be paid according to the authorized service and up to the maximum time limits as set out in the following table:

Tariff Item	Authorized Service	Maximum Hours
C.1	First degree and second degree murder punishable by mandatory life imprisonment	150
C.2	Homicide punishable by possible life imprisonment (e.g. manslaughter, criminal negligence causing death, impaired driving causing death)	75
C.3	Dangerous offender or long term offender application	100
C.4	Appeal to NS Court of Appeal on tariff items C.1, C.2 or C.3 matters	60
C.5	Electable indictable offence other than a hybrid offence for which the Crown proceeds summarily	15 (an additional 5 hours preparation time may be allowed if there is a preliminary hearing held)
C.6	Summary conviction offences including an absolute jurisdiction indictable offence and a hybrid offence for which the Crown proceeds summarily	4
C.7	<i>Canadian Charter of Rights and Freedoms</i> application arising in tariff items C.5 or C.6 only	15 (must be applied for and authorized by the Commission in writing in advance)
C.8	Appeal of conviction or conviction and sentence on tariff item C.5	25
C.9	Appeal of sentence on tariff item C.5	10
C.10	Appeal of conviction or conviction and sentence on tariff item C.6	13
C.11	Appeal of sentence on tariff item C.6	10
C.12	Application for leave to appeal to Supreme Court of Canada	60
C.13	Appeal to Supreme Court of Canada	40
C.14	YCJA application to determine whether a young person is liable to adult sentence	30
C.15	YCJA review of sentence	4
C.16	Independent legal advice or opinion – any offence (adult or young person)	1
C.17	Criminal Code Review Board matter	4 (may be increased to a maximum of 20 hours, depending upon the liberty interest involved, if approved by the Commission in advance)

Tariff Item	Authorized Service	Maximum Hours
C.18	Breach of a conditional sentence order	1 (may be increased to a maximum of 4 hours if approved by the Commission in advance)
C.25	Any other special matter – any offence (adult or young person)	as authorized by the Commission in advance

Tariff 2
Tariff for Family Law Matters

Lawyer fees based on experience

- 1 (1) A lawyer will be paid for preparation time and court appearances at the rates set out in the following table, according to the number of years experience the lawyer has practising law as a member of the Nova Scotia Barristers' Society or an equivalent organization in another jurisdiction:

Years experience	Rate per hour
less than 5	\$60.00
5 or more	\$70.00

- (2) In this Section, years of experience are calculated as of the date that the lawyer is retained for services under a certificate.

Travel allowance

- 2 An allowance of \$45.00 per hour, to a maximum of 6 hours per day, may be paid for time spent travelling a distance of 20 km or more, one way, if the lawyer satisfies the Commission that the travel is reasonable and necessary.

Court time maximum

- 3 A lawyer's fee for actual court time will be paid up to a maximum billing of 6 hours per day.

Preparation time maximums

- 4 A lawyer's fee for actual preparation time will be paid according to the authorized service and up to the maximum time limits as set out in the following table:

Tariff Item	Authorized Service	Maximum Hours
<i>Maintenance and Custody Act</i>		
F.1	Uncontested application or uncontested application to vary	5
F.2	Contested custody, or contested custody and one or more contested issues of maintenance, access or paternity	12
F.3	One or more contested issues of maintenance, access, paternity or contested application to vary any of them	7
<i>Divorce Act</i>		
F.11	Divorce proceedings – minimal issues only	7

Tariff Item	Authorized Service	Maximum Hours
F.12	Divorce proceedings with contested custody or with contested custody plus one or more contested issues of maintenance, access, paternity or <i>Matrimonial Property Act</i>	17
F.13	Divorce proceedings – with one or more contested issues of maintenance, access, paternity or <i>Matrimonial Property Act</i>	9
F.14	Independent legal advice or opinion for divorce proceedings	1
<i>Children and Family Services Act</i>		
F.21	Application for standing as a party	4
F.22	Representing parent or a party with standing and presenting plan for custody or return of child	20
F.23	Representing parent or a party with standing who is not seeking custody or return of child	5
F.24	Independent legal advice or opinion for <i>Children and Family Services</i> proceedings	as authorized by the Commission in advance
<i>Adult Protection Act</i>		
F.31	Application under Act	8
F.32	Review under Act	2
Other		
F.41	Negotiating, drafting or executing separation agreement	5
F.42	Independent legal advice or opinion on other family law matter	as authorized by the Commission in advance
F.51	Appeal to Nova Scotia Supreme Court on behalf of any party on family law matter	13
F.52	Appeal to Nova Scotia Court of Appeal on behalf of any party on family law matters	25
F.61	Any other special family law matter not otherwise covered in the Tariff for Family Law Matters, including appeal to Supreme Court of Canada on family law matter	as authorized by the Commission in advance

**Tariff 3
Tariff for Civil Law Matters**

Lawyer fees based on experience

- 1 (1) A lawyer will be paid for preparation time and court appearances at the rates set out in the following table, according to the number of years experience the lawyer has practising law as a member of the Nova Scotia Barristers' Society or an equivalent organization in another jurisdiction:

Years experience	Rate per hour
less than 5	\$60.00
5 or more	\$70.00

- (2) In this Section, years of experience are calculated as of the date that the lawyer is retained for services under a certificate.

Travel allowance

- 2 An allowance of \$45.00 per hour, to a maximum of 6 hours per day, may be paid for time spent travelling a distance of 20 km or more, one way, if the lawyer satisfies the Commission that the travel is reasonable and necessary.

Court time maximum

- 3 A lawyer's fee for actual court time will be paid or [up] to a maximum billing of 6 hours per day.

Preparation time maximums

- 4 A lawyer's fee for actual preparation time will be paid according to the authorized service and up to the maximum time limits as set out in the following table:

Tariff Item	Authorized Service	Maximum Hours
Civil		
E.1	Civil litigation on behalf of any party for all services for civil claims (pleadings, trial preparation, pre-trial applications or attendances)	15
E.2	Legal services for civil matter (not litigation)	2
E.3	Representing any party in any other special matter including administrative tribunals	as authorized by the Commission in advance

Tariff 4 Tariff for Disbursements

Disbursements properly accounted for

- 1 A lawyer will be paid for disbursements necessarily incurred in providing authorized services if they are properly accounted for in the Report and Account in accordance with this Tariff.

Report and Account for disbursements

- 2 (1) A lawyers [lawyer] cannot charge any accounts for disbursements directly to the Commission.
- (2) Disbursements must be billed to the account of the lawyer and claimed on a Report and Account form submitted to the Commission.
- (3) An Interim Report and Account form may be submitted for fees and disbursements if the total amount claimed is \$300 or more.

Maximum amount per item

- 3 Disbursements may not exceed \$200 per item unless approved in advance by the Commission.

Receipts for disbursements

- 4 Receipts for all disbursements, which clearly show the amount of harmonized sales tax paid, must accompany the Report and Account form.

Travel reimbursements

- 5 (1) Reimbursement for reasonable and necessary travel will be allowed at the rate per kilometer approved by the Province for its employees travelling on government business.
- (2) The Commission will not reimburse for taxi charges.

Meal reimbursements

- 6 If approved in advance by the Commission, the following amounts will be allowed for meals:
- (a) breakfast - \$6.00;
 - (b) lunch - \$7.00;
 - (c) dinner - \$13.50;
 - (d) meal allowances approved by the Nova Scotia Public Service Commission.

No file administration fees

- 7 Lawyers are not permitted to charge a file administration fee.

Tariff 5**Tariff for Matters Not Otherwise Provided For**

- 1 (1) The Executive Director must allow a reasonable fee in respect of any matters, proceedings, actions or appeals under a certificate that are not covered by Tariffs 1 to 4.
- (2) In determining the fee to be paid under subsection (1), the Executive Director must take preparation times and fees allowed for comparable services in Tariffs 1 to 4 into account.

Part 2 - Forms

- 1 The Commission must determine the form and content of the certificate of eligibility to be used by the Commission in issuing certificates and the Report and Account Form to be used by lawyers when invoicing the Commission for the services provided under a certificate.
- 2 The Commission may direct the use of any forms it prepares and considers necessary for the effective operation of the Legal Aid Certificate System.
- 3 (1) The lawyer who has provided services under a certificate must attach to their Report and Account form a detailed time-keeping statement showing dates, the particulars of service and the time expended by date for all preparation, court and travel time.
- (2) The Commission may require the lawyer to provide any other documents the Commission considers necessary to enable the Commission to satisfy itself as to the accuracy of any Report and Account form submitted for payment, including whether it complies with the terms of the certificate and the NSLA Tariff.

N.S. Reg. 13/2006

Made: February 3, 2006 and February 10, 2006

Filed: February 13, 2006

Summary Offence Tickets Regulations

Order in Council 2006-59 dated February 10, 2006
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 February 3, 2006, 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 Town of Windsor Alarms By-law, Civic Addressing By-law and Solid Waste By-law, and the Town of Hantsport Regulation of Dogs By-law 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 February 10, 2006.

Order

I, Michael G. Baker, Q.C., 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*, 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 February 3, 2006, 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 Schedule 18-W 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 headings and items immediately before the heading "Dogs and Animal By-law":

Alarms By-law:

- | | | |
|---|-------|----------|
| 1. Failing to maintain current list of contact persons | 32.04 | \$215.00 |
| 2. Installing, maintaining or using audible alarm other than for heat, smoke or fire that is capable of being sounded outside for greater than 15 minutes | 32.06 | \$215.00 |

3. Owner causing or permitting false alarm contrary to by-law	32.07	\$215.00
4. Using, permitting, maintaining or installing automatic calling device contrary to by-law	32.10	\$215.00

Civic Addressing By-law:

1. Refusing to comply with assignment or re-assignment of civic number	31.4.4	\$215.00
2. Owner of private road failing to erect road sign according to specifications in by-law	31.6.2	\$215.00

- 2 Schedule 18-W of the regulations is further amended by adding the following heading and items immediately before the heading "Streets By-law":

Solid Waste By-law:

1. Depositing solid waste at place other than at applicable municipal solid waste management facility	16.04	\$215.00
2. Placing material or causing material to be placed in municipal solid waste management facility in contravention of by-law, resolution of council or directions of operator (specify)	16.05	\$215.00
3. Placing solid waste in or adjacent to municipal solid waste management facility when facility is not open or when operator or municipal staff refuse to accept solid waste (specify)	16.06	\$215.00
4. Placing solid waste or causing or permitting solid waste to be placed in municipal solid waste management facility that is not permitted to be placed or that is generated outside Town of Windsor (specify)	16.07	\$215.00
5. Placing solid waste or causing or permitting solid waste to be placed in municipal solid waste management facility that is not separated as required or that is falsely or misleadingly presented or packaged (specify)	16.08	\$215.00
6. Owner or occupant of property permitting accumulation of solid waste in or around property	16.10	\$215.00

- 3 The regulations are further amended by adding the following Schedule immediately after Schedule 18-Z:

**Schedule 18-AA
Town of Hantsport By-laws**

Offence	Section	Out of Court Settlement
Regulation of Dogs By-law:		
1. Failing to pay annual dog tax	4(1)	\$215.00
2. Owner of dog failing to have dog under control by means of harness or leash	7(1)	\$215.00
3. Owning dog that is running at large	7(2)	\$215.00
4. Owning dog that without provocation chases or bites an animal or person	7(3)(a)	\$215.00
5. Owning dog that without provocation damages property	7(3)(b)	\$215.00

6. Owner of fierce or dangerous dog failing to ensure dog confined while on owner's property	7(3)(c)(i)	\$215.00
7. Owner of fierce or dangerous dog failing to ensure dog muzzled and leashed as required while off owner's property	7(3)(c)(ii)	\$215.00
8. Owning dog that frightens or harasses passerby	7(3)(d)	\$215.00

N.S. Reg. 14/2006

Made: November 27, 2004

Approved: February 10, 2006

Filed: February 13, 2006

Nova Scotia Association of Optometrists By-laws

Order in Council 2006-61 dated February 10, 2006

Amendment to regulations made by the Council of the Nova Scotia Association of Optometrists and approved by the Governor in Council pursuant to subsection 6(1) and Section 28 of the *Optometry Act*

The Governor in Council on the report and recommendation of the Minister of Health dated January 24, 2006, and pursuant to subsection 6(1) and Section 28 of Chapter 328 of the Revised Statutes of Nova Scotia, 1989, the *Optometry Act*, is pleased to approve of amendments made by the Council of the Nova Scotia Association of Optometrists to the by-laws respecting optometrists, N.S. Reg 65/91, made by the Nova Scotia Association of Optometrists and approved by the Governor in Council by Order in Council 91-421 dated April 9, 1991, to outline the exemptions from annual licence fees and conditions for optometric practice associations, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 10, 2006.

Schedule "A"

**[Council of the] Nova Scotia Association of Optometrists
Certificate**

I certify that the Council of the Nova Scotia Association of Optometrists at its meeting on November 27, 2004, carried a motion to amend the Nova Scotia Association of Optometrists' By-laws made by the Council on April 9, 1991, and approved by Governor in Council by Order in Council 91-421, N.S. Reg 65/91, in the manner attached.

Signed at Halifax, Nova Scotia, this 13th day of September, 2005.

Council of Nova Scotia Association of Optometrists

Per: *Jeff Sangster*
Jeff Sangster
President

**Amendment to the By-laws Respecting Optometrists
made by the [Council of the] Nova Scotia Association of Optometrists pursuant to subsection 6(1)
and Section 28 of Chapter 328 of the Revised Statutes of Nova Scotia, 1989,
the *Optometry Act***

- 1 Section 14 of the by-laws respecting optometrists, N.S. Reg. 65/91, made by the [Council of the] Nova Scotia Association of Optometrists and approved by the Governor in Council by Order in Council 91-421 dated April 9, 1991, are amended by
- (a) repealing clause (c) and substituting the following clause:
 - (c) an annual licence fee ratified by the majority of the members present at a validly constituted meeting of the Association payable on or before December 31 in each year, subject to the following partial fee exemptions:
 - (i) for a member who practises or intends to practise optometry full time, there is no exemption,
 - (ii) for a member who practises or intends to practise optometry part-time for no more than 60 days a year, an exemption of 50% of the annual licence fee,
 - (iii) for a member who only performs the tasks and functions of optometry that are a necessary aspect of their academic activity and who
 - (A) is engaged in post-graduate studies related to visual science, or
 - (B) is a faculty member of a duly recognized school of health sciences,an exemption, if any, as determined at a validly constituted meeting of the Association;
 - (b) repealing clause (g) and substituting the following clause:
 - (g) any special fees or assessments ratified by a majority of at least two-thirds of the members present at a validly constituted meeting of the Association, subject to the following partial fee exemptions:
 - (i) for a member who practises or intends to practise optometry full time, there is no exemption,
 - (ii) for a member who practises or intends to practise optometry part-time for no more than 60 days a year, an exemption of 50% of the special fee or assessment,
 - (iii) for a member who only performs the tasks and functions of optometry that are a necessary aspect of their academic activity and who
 - (A) is engaged in post-graduate studies related to visual science, or
 - (B) is a faculty member of a duly recognized school of health sciences,an exemption, if any, as determined at a validly constituted meeting of the Association.
- 2 The by-laws are further amended by adding the following Sections immediately after Section 14:

Canadian Association of Optometrist fees

- 14A (1)** A member, other than an associate member, must also be a member of the Canadian Association of Optometrists.
- (2)** An annual fee payable by a member to the Canadian Association of Optometrists must be paid to the Secretary-Treasurer of the Association who shall forward the fee to the Canadian Association of Optometrists on the member's behalf.
- (3)** A member is exempt from the requirements of subsection (2) if the member has paid the required fee to another province where they are registered as a full-time member.

Associate members

- 14B (1)** At the discretion of the Council, a person may be admitted as an associate member of the Association if the person
- (a)** held a licence to practise for 5 or more consecutive years; and
 - (b)** is retired from practising optometry.
- (2)** An associate member shall pay the Association an annual membership fee equivalent to 10% of the annual licence fee.
- (3)** Despite anything in these by-laws, an associate member does not have the right to
- (a)** practise optometry;
 - (b)** vote at a meeting of the Association; or
 - (c)** serve as a member of Council.

3 The bylaws are further amended by adding the following Section immediately after Section 23:

Optometric practice associations

- 23A (1)** An optometrist may practise optometry in a variety of work environments, including an association with an ophthalmic dispensary.
- (2)** Except as exempted under subsection (3), a practice association must meet all of the following conditions:
- (a)** the location of the optometric practice must be accessible by the member, member's staff and patients 24 hours a day;
 - (b)** any public entrances or exits of the optometric practice that are within an ophthalmic dispensary must be sealed when the member or member's staff is not present;
 - (c)** the practice must have stationery, prescription pads, telephone services, mail delivery systems and digital or electronic records that are independent and separate from the ophthalmic dispensary;
 - (d)** patients must not be required to have their prescription for eyewear filled by a specific ophthalmic dispensary;

- (e) the member must have control and access over patient files and the member must ensure that access to patient files is restricted to the member and member's staff;
 - (f) the optometric practice must have a secure facility for storage of patient files and the member must ensure that access to the facility is restricted to the member and member's staff;
 - (g) the optometric practice must have a secure facility for storage of diagnostic and therapeutic pharmaceutical agents, and the member must ensure that access to the facility is restricted to the member and member's staff;
 - (h) any advertising respecting the optometric practice or member by the practice association must be in accordance with professional standards governing the practice of optometry;
 - (i) any rent paid by the member to the practice association must be normal for the market area of the optometric practice and must be unrelated to the volume of patients seen or number of patient referrals made to the practice association.
- (3) A practice association that includes an ophthalmic dispensary is not required to meet the conditions in subsection (2), if the ophthalmic dispensary is owned or controlled by a member.
-

N.S. Reg. 15/2006

Made: February 10, 2006

Filed: February 13, 2006

Designation of Additional Lands to Wilderness Areas Designated by Act

Order in Council 2006-63 dated February 10, 2006
Designation made by the Minister of Environment and Labour
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated January 26, 2006, and pursuant to Section 11 of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment and Labour of certain additional lands to Cloud Lake Wilderness Area in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation effective on and after February 10, 2006.

Schedule "A"**In the matter of subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*****- and -****In the matter of the designation of additional lands at Wilson Hill, Annapolis County,
to the Cloud Lake Wilderness Area**

I, Kerry Morash, Minister of Environment and Labour for the Province of Nova Scotia, pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, hereby designate certain lands at Wilson Hill, Annapolis County, as described in Appendix A and shown on the map in Appendix B, attached to

and forming part of this order, as an addition to Cloud Lake Wilderness Area as designated in item 7 of Schedule A to the *Wilderness Areas Protection Act*.

The written consent to the designation of these additional lands has been granted by the owner, the Nova Scotia Nature Trust, on the following conditions:

- (a) that the lands will be managed under the *Wilderness Areas Protection Act* in a manner consistent with the following objectives of the Nova Scotia Nature Trust:
 - (i) to protect and preserve for posterity natural areas and landscapes and their associated plant and communities, and
 - (ii) to foster in the people of Nova Scotia an awareness and appreciation of natural heritage;
- (b) that management plans or regulations made under the *Wilderness Areas Protection Act* that may affect the natural values of these additional lands being designated be subject to the prior review by the Nova Scotia Nature Trust;
- (c) that the Nova Scotia Nature Trust reserves the right to determine whether and to what extent such management plans or regulations made under the *Wilderness Areas Protection Act* will apply to these additional lands being designated.

A copy of the written consent has been filed with the Department of Environment and Labour.

This designation is effective on and after the date of approval by the Governor in Council.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, Jan 26 ~~2006~~, 2006.

Sgd.: *K. Morash*
Honourable Kerry Morash
Minister of Environment and Labour

Appendix A

Addition to Cloud Lake Wilderness Area - Description (Wilderness Area originally designated in Schedule A to the *Wilderness Areas Protection Act*)

All that certain lot of land and land covered by water situated near West Allen Lake in the vicinity of Cloud Lake (so called), in the County of Annapolis and more particularly described as follows:

Beginning at Post and Stones #3281;

Thence N33°W, a distance of 9.01 chains to Post and Stones #3280;

Thence S57° 15'W, a distance of 16.98 chains to Post and Stones #3279;

Thence N33° 15'W, a distance of 8.49 chains to a point;

Thence N32° 35'W, a distance of 18.84 chains to a point;

Thence N33°W, a distance of 9.93 chains to a point;

Thence N32° 05'W, a distance of 8.13 chains to Post and Stones #3284;

Thence N74°E, a distance of 21.94 chains to Post and Stones #3283 "A";

Thence N73°E, a distance of 21.00 chains to Post and Stones #3283;

Thence S39°E, a distance of 2.95 chains to Post and Stones #3272;

Thence S33° 30'E, a distance of 39.38 chains to Post and Stones #3282;

Thence S57° 05'W, a distance of 24.98 chains to Post and Stones #3281 at the place of beginning.

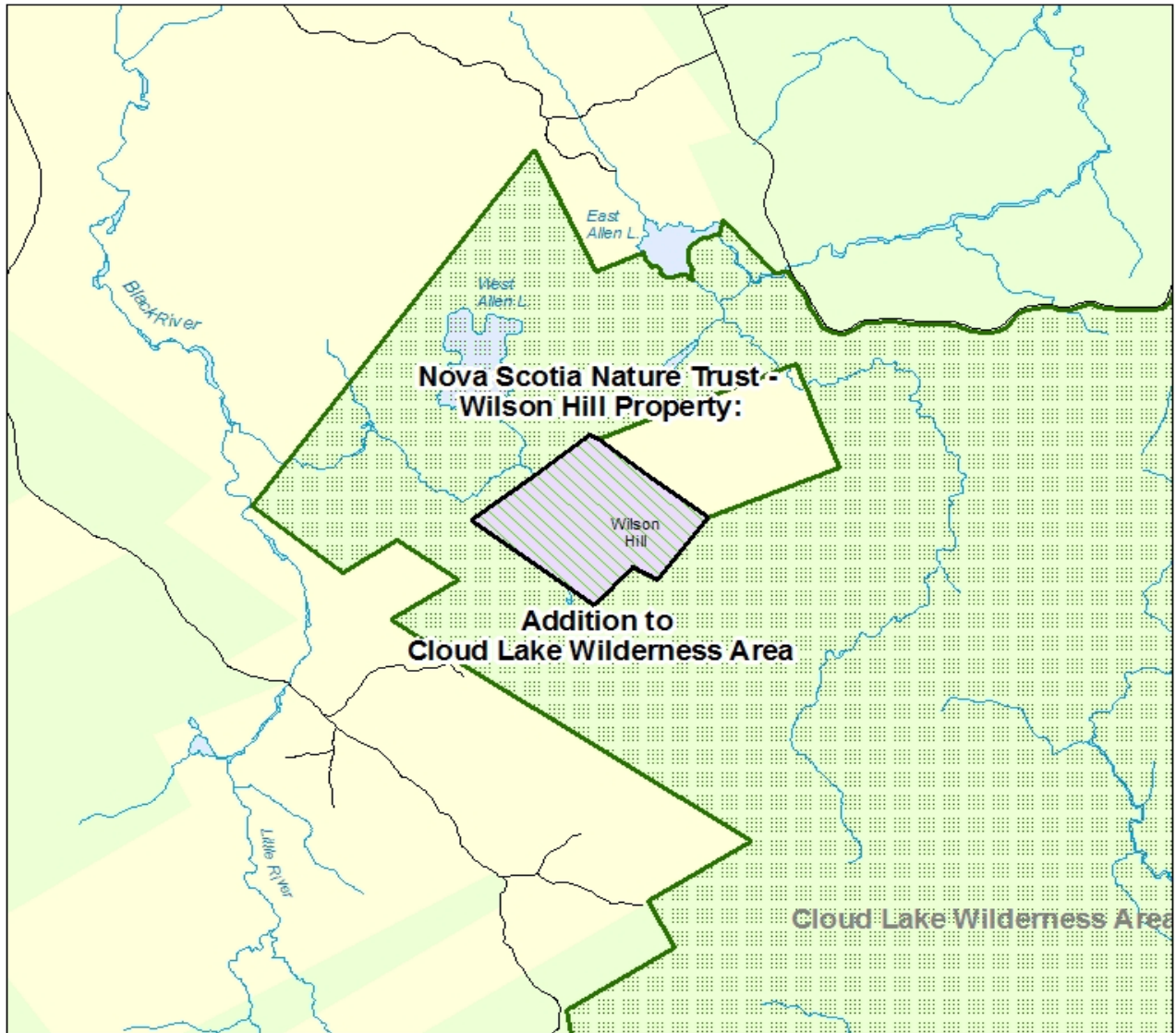
Containing 185 acres more or less.

Being and intended to be Crown Grant #5274 as granted to James Wilson.

And further being Lot #6 in the conveyed from Nafthal Maritimes Limited to Bowaters Mersey Paper Company Limited in a Deed dated May 5th, 1967 and recorded in the Registry of Deeds for the County of Annapolis on May 10th, 1967 in Book 231 on Page 621.

Appendix B

Map of the Nova Scotia Nature Trust's Wilson Hill Property - Addition to Cloud Lake Wilderness Area



Nova Scotia Nature Trust - Wilson Hill Property
Addition to Cloud Lake Wilderness Area



Legend	
	Lands of the Nova Scotia Nature Trust
	Other private land
	Provincial Crown land
	Addition to Cloud Lake Wilderness Area
	Cloud Lake Wilderness Area

Map produced by the Protected Areas Branch of the NS Department of Environment and Labour, January, 2006.

This map is a geographic representation only. The NS Department of Environment and Labour accepts no liability for any errors or omissions contained herein.

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Environment and Labour
 Environmental and Natural Areas Management Division
 Protected Areas Branch

N.S. Reg. 16/2006

Made: February 10, 2006

Filed: February 13, 2006

Fishing Regulations

Order in Council 2006-65 dated February 10, 2006
 Amendment to regulations made by the Governor in Council
 pursuant to Sections 53 and 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated January 27, 2006, and pursuant to Sections 53 and 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Fishing Regulations*, N.S. Reg. 29/88, made by the Governor in Council by Order in Council 88-131 dated February 9, 1988, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 10, 2006.

Schedule "A"

**Amendment to the *Fishing Regulations*
 made pursuant to subsections 53(1) and 113(1) of Chapter 504 of the Revised
 Statutes of Nova Scotia, 1989, the *Wildlife Act***

Section 3 of the *Fishing Regulations*, N.S. Reg. 29/88, made by the Governor in Council by Order in Council 88-131 dated February 9, 1988, is amended by

- (a) adding the following clause immediately after clause 3(1)(f) in subsection 3(1):
- (fa) Resident and Non-resident General Fishing Licence (1 day) \$10.33
- (b) adding the following subsections immediately after subsection 3(6):
- (7) A licence issued pursuant to clause (1)(fa) authorizes the holder to fish for one day during the open season prescribed by law for angling of the species of fish covered by the licence.
- (8) Notwithstanding subsection (5), a licence issued under clause (1)(fa) expires at the end of the day of the expiration date marked or stamped on the licence.

N.S. Reg. 17/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 97, S.N.S. 2005, c. 37

Order in Council 2006-71 dated February 10, 2006
 Proclamation made by the Governor in Council
 pursuant to Section 97
 of the *Correctional Services Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 3, 2006, pursuant to Section 97 of Chapter 37 of the Acts of 2005, the *Correctional Services Act*, is pleased to order and

declare by proclamation that Chapter 37 of the Acts of 2005, the *Correctional Services Act*, do come into force on and not before July 1, 2006.

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 97 of Chapter 37 of the Acts of 2005, the *Correctional Services Act*, it is enacted as follows:

97 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 37 of the Acts of 2005, the *Correctional Services Act*, come into force on and not before July 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 37 of the Acts of 2005, the *Correctional Services Act*, come into force on and not before July 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 18/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 5, S.N.S. 2005, c. 40

Order in Council 2006-72 dated February 10, 2006
Proclamation made by the Governor in Council
pursuant to Section 5
of the *Enforcement of Court Orders Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 3, 2006, pursuant to Section 5 of Chapter 40 of the Acts of 2005, the *Enforcement of Court Orders Act*, is pleased to order and declare by proclamation that Chapter 40 of the Acts of 2005, the *Enforcement of Court Orders Act*, do come into force on and not before July 1, 2006.

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 5 of Chapter 40 of the Acts of 2005, the *Enforcement of Court Orders Act*, it is enacted as follows:

- 5** 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 40 of the Acts of 2005, the *Enforcement of Court Orders Act*, come into force on and not before July 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 40 of the Acts of 2005, the *Enforcement of Court Orders Act*, come into force on and not before July 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year

of Our Lord two thousand and six 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. 19/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 13, S.N.S. 2001, c. 30 and S. 6, S.N.S. 2005, c. 49

Order in Council 2006-73 dated February 10, 2006

Proclamation made by the Governor in Council

pursuant to

Section 13 of the *Enforcement of Canadian Judgments and Decrees Act* and
Section 6 of *An Act to Amend Chapter 30 of the Acts of 2001,*
the Enforcement of Canadian Judgments and Decrees Act

The Governor in Council on the report and recommendation of the Minister of Justice dated February 3, 2006, pursuant to Section 13 of Chapter 30 of the Acts of 2001, the *Enforcement of Canadian Judgments and Decrees Act*, and Section 6 of Chapter 49 of the Acts of 2005, *An Act to Amend Chapter 30 of the Acts of 2001, the Enforcement of Canadian Judgments and Decrees Act*, is pleased to order and declare by proclamation that Chapter 30 of the Acts of 2001, the *Enforcement of Canadian Judgments and Decrees Act*, and Chapter 49 of the Acts of 2005, *An Act to Amend Chapter 30 of the Acts of 2001, the Enforcement of Canadian Judgments and Decrees Act*, do come into force on and not before July 1, 2006.

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 13 of Chapter 30 of the Acts of 2001, the *Enforcement of Canadian Judgments and Decrees Act*, it is enacted as follows:

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

AND WHEREAS in and by Section 6 of Chapter 49 of the Acts of 2005, *An Act to Amend Chapter 30 of the Acts of 2001, the Enforcement of Canadian Judgments and Decrees Act*, it is enacted as follows:

- 6 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 2001, the *Enforcement of Canadian Judgments and Decrees Act*, and Chapter 49 of the Acts of 2005, *An Act to Amend Chapter 30 of the Acts of 2001, the Enforcement of Canadian Judgments and Decrees Act*, come into force on and not before July 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 30 of the Acts of 2001, the *Enforcement of Canadian Judgments and Decrees Act*, and Chapter 49 of the Acts of 2005, *An Act to Amend Chapter 30 of the Acts of 2001, the Enforcement of Canadian Judgments and Decrees Act*, come into force on and not before July 1, 2006.

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 10th day of February, in the year of Our Lord two thousand and six 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. 20/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 5, S.N.S. 2005, c. 38

Order in Council 2006-74 dated February 10, 2006

Proclamation made by the Governor in Council

pursuant to Section 5 of

An Act to Further Discourage Criminal Offences Involving the Use of a Motor Vehicle

The Governor in Council on the report and recommendation of the Minister of Justice dated February 3, 2006, pursuant to Section 5 of Chapter 38 of the Acts of 2005, *An Act to Further Discourage Criminal Offences Involving the Use of a Motor Vehicle*, is pleased to order and declare by proclamation that Chapter 38 of the Acts of 2005, *An Act to Further Discourage Criminal Offences Involving the Use of a Motor Vehicle*, do come into force on and not before July 1, 2006.

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 5 of Chapter 38 of the Acts of 2005, *An Act to Further Discourage Criminal Offences Involving the Use of a Motor Vehicle*, it is enacted as follows:

- 5 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 38 of the Acts of 2005, *An Act to Further Discourage Criminal Offences Involving the Use of a Motor Vehicle*, come into force on and not before July 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 38 of the Acts of 2005, *An Act to Further Discourage Criminal Offences Involving the Use of a Motor Vehicle*, come into force on and not before July 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 21/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 50(3), S.N.S. 2001, c. 5

Order in Council 2006-75 dated February 10, 2006
Proclamation made by the Governor in Council
pursuant to subsection 50(3)
of the *Justice Administration Amendment (2001) Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 3, 2006, pursuant to subsection (3) of Section 50 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) 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 Section 36 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*, do come into force on and not before December 1, 2006.

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 subsection (3) of Section 50 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*, it is enacted as follows:

- 50 (3)** Sections 5, 10 to 25, 30, 32 and 36 come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 36 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*, come into force on and not before December 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 Section 36 of Chapter 5 of the Acts of 2001, the *Justice Administration Amendment (2001) Act*, come into force on and not before December 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of February in the year of Our Lord two thousand and six 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. 22/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 17, S.N.S. 2005, c. 36

Order in Council 2006-76 dated February 10, 2006
Proclamation made by the Governor in Council
pursuant to Section 17
of the *Commercial Mediation Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated January 12, 2006, pursuant to Section 17 of Chapter 36 of the Acts of 2005, the *Commercial Mediation Act*, is pleased to order and declare by proclamation that Chapter 36 of the Acts of 2005, the *Commercial Mediation Act*, do come into force on and not before April 1, 2006.

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 17 of Chapter 36 of the Acts of 2005, the *Commercial Mediation Act*, it is enacted as follows:

17 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 36 of the Acts of 2005, the *Commercial Mediation Act*, come into force on and not before 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 36 of the Acts of 2005, the *Commercial Mediation Act*, come into

force on and not before 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 23/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 3, S.N.S. 2005, c. 58

Order in Council 2006-77 dated February 10, 2006

Proclamation made by the Governor in Council
pursuant to Section 3 of

An Act to Amend Chapter 430 of the Revised Statutes, 1989, the Small Claims Court Act

The Governor in Council on the report and recommendation of the Minister of Justice dated January 12, 2006, pursuant to Section 3 of Chapter 58 of the Acts of 2005, *An Act to Amend Chapter 430 of the Revised Statutes, 1989, the Small Claims Court Act*, is pleased to order and declare by proclamation that Chapter 58 of the Acts of 2005, *An Act to Amend Chapter 430 of the Revised Statutes, 1989, the Small Claims Court Act*, do come into force on and not before April 1, 2006.

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 58 of the Acts of 2005, *An Act to Amend Chapter 430 of the Revised Statutes, 1989, the Small Claims Court 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 58 of the Acts of 2005, *An Act to Amend Chapter 430 of the Revised Statutes, 1989, the Small Claims Court Act*, come into force on and not before 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 58 of the Acts of 2005, *An Act to Amend Chapter 430 of the Revised Statutes, 1989, the Small Claims Court Act*, come into force on and not before 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 Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of February in the year of Our Lord two thousand and six 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. 24/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 18, S.N.S. 2004, c. 40 and S. 2, S.N.S. 2005, c. 53

Order in Council 2006-78 dated February 10, 2006

Proclamation made by the Governor in Council pursuant to

Section 18 of *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act* and Section 2 of *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated January 12, 2006, pursuant to Section 18 of Chapter 40 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, and Section 2 of Chapter 53 of the Acts of 2005, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, is pleased to order and declare by proclamation that

Chapter 40 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, and Chapter 53 of the Acts of 2005, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, do come into force on and not before April 1, 2006.

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 18 of Chapter 40 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, it is enacted as follows:

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

AND WHEREAS in and by Section 2 of Chapter 53 of the Acts of 2005, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement 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 40 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, and Chapter 53 of the Acts of 2005, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act* come into force on and not before 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 40 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, and Chapter 53 of the Acts of 2005, *An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act*, come into force on and not before 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 25/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 5, S.N.S. 2005, c. 60

Order in Council 2006-84 dated February 10, 2006

Proclamation made by the Governor in Council

pursuant to Section 5 of

An Act to Amend Chapter 12 of the Acts of 1993, the Social Workers Act

The Governor in Council on the report and recommendation of the Minister of Community Services dated January 24, 2006, pursuant to Section 5 of Chapter 60 of the Acts of 2005, *An Act to Amend Chapter 12 of the Acts of 1993, the Social Workers Act*, is pleased to order and declare by proclamation that Chapter 60 of the Acts of 2005, *An Act to Amend Chapter 12 of the Acts of 1993, the Social Workers Act*, do come into force on and not before February 10, 2006.

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 5 of Chapter 60 of the Acts of 2005, *An Act to Amend Chapter 12 of the Acts of 1993, the Social Workers Act*, it is enacted as follows:

- 5 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 60 of the Acts of 2005, *An Act to Amend Chapter 12 of the Acts of 1993, the Social Workers Act*, come into force on and not before February 10, 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 60 of the Acts of 2005, *An Act to Amend Chapter 12 of the Acts of 1993, the Social Workers Act*, come into force on and not before February 10, 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 26/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 2, S.N.S. 2005, c. 52

Order in Council 2006-85 dated February 10, 2006

Proclamation made by the Governor in Council
pursuant to Section 2 of

An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Housing Development Corporation Act

The Governor in Council on the report and recommendation of the Minister of Community Services dated January 24, 2006, pursuant to Section 2 of Chapter 52 of the Acts of 2005, *An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Housing Development Corporation Act*, is pleased to order and declare by proclamation that Chapter 52 of the Acts of 2005, *An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Housing Development Corporation Act*, do come into force on and not before February 10, 2006.

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 52 of the Acts of 2005, *An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Housing Development Corporation 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 52 of the Acts of 2005, *An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Housing Development Corporation Act*, come into force on and not before February 10, 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 52 of the Acts of 2005, *An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Housing Development Corporation Act*, come into force on and not before February 10, 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 Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of February in the year of Our Lord two thousand and six 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. 27/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 12, S.N.S. 2005, c. 55

Order in Council 2006-86 dated February 10, 2006

Proclamation made by the Governor in Council

pursuant to Section 12 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 January 25, 2006, pursuant to Section 12 of Chapter 55 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 55 of the Acts of 2005, *An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act*, do come into force on and not before February 10, 2006.

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 12 of Chapter 55 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:

- 12** 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 55 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 February 10, 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 55 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 February 10, 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 28/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 13, S.N.S. 2005, c. 47

Order in Council 2006-87 dated February 10, 2006

Proclamation made by the Governor in Council

pursuant to Section 13 of

An Act to Amend Chapter 46 of the Revised Statutes, 1989, the Building Code Act

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 2, 2006, pursuant to Section 13 of Chapter 47 of the Acts of 2005, *An Act to Amend Chapter 46 of the Revised Statutes, 1989, the Building Code Act*, is pleased to order and declare by proclamation that Chapter 47 of the Acts of 2005, *An Act to Amend Chapter 46 of the Revised Statutes, 1989, the Building Code Act*, do come into force on and not before July 1, 2006.

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 13 of Chapter 47 of the Acts of 2005, *An Act to Amend Chapter 46 of the Revised Statutes, 1989, the Building Code Act*, it is enacted as follows:

- 13** 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 47 of the Acts of 2005, *An Act to Amend Chapter 46 of the Revised Statutes, 1989, the Building Code Act*, come into force on and not before July 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 47 of the Acts of 2005, *An Act to Amend Chapter 46 of the Revised Statutes, 1989, the Building Code Act*, come into force on and not before July 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of February in the year of Our Lord two thousand and six 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. 29/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 5, S.N.S. 2005, c. 32

Order in Council 2006-94 dated February 10, 2006

Proclamation made by the Governor in Council

pursuant to Section 5 of

An Act to Amend Chapter 38 of the Acts of 2001, the Youth Justice Act, and Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 6, 2006, pursuant to Section 5 of Chapter 32 of the Acts of 2005, *An Act to Amend Chapter 38 of the Acts of 2001, the Youth Justice Act, and Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 3 and 4 of Chapter 32 of the Acts of 2005, *An Act to Amend Chapter 38 of the Acts of 2001, the Youth Justice Act, and Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, do come into force on and not before June 1, 2006.

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 5 of Chapter 32 of the Acts of 2005, *An Act to Amend Chapter 38 of the Acts of 2001, the Youth Justice Act, and Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, it is enacted as follows:

- 5 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 Sections 3 and 4 of Chapter 32 of the Acts of 2005, *An Act to Amend Chapter 38 of the Acts of 2001, the Youth Justice Act, and Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, come into force on and not before June 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 Section 3 and 4 of Chapter 32 of the Acts of 2005, *An Act to Amend Chapter 38 of the Acts of 2001, the Youth Justice Act, and Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act*, come into force on and not before June 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 Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of February in the year of Our Lord two thousand and six 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. 30/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 21(1), S.N.S. 2005, c. 8

Order in Council 2006-95 dated February 10, 2006
Proclamation made by the Governor in Council
pursuant to subsection 21(1)
of the *Justice Administration Amendment (2005) Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 6, 2006, pursuant to subsection (1) of Section 21 of Chapter 8 of the Acts of 2005, the *Justice Administration Amendment (2005) 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 Sections 9 to 15 of Chapter 8 of the Acts of 2005, the *Justice Administration Amendment (2005) Act*, do come into force on and not before June 1, 2006.

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 subsection (1) of Section 21 of Chapter 8 of the Acts of 2005, the *Justice Administration Amendment (2005) Act*, it is enacted as follows:

- 21 (1)** This Act, except Sections 7 and 8, comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 9 to 15 of Chapter 8 of the Acts of 2005, the *Justice Administration Amendment (2005) Act*, come into force on and not before June 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 Section 9 to 15 of Chapter 8 of the Acts of 2005, the *Justice Administration Amendment (2005) Act*, come into force on and not before June 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 10th day of February in the year
of Our Lord two thousand and six 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. 31/2006

Made: February 10, 2006

Filed: February 13, 2006

Proclamation, S. 16, S.N.S. 2003, c. 3

Order in Council 2006-96 dated February 10, 2006
Proclamation made by the Governor in Council
pursuant to Section 16
of the *Farm Machinery Dealers and Vendors Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated February 7, 2006, pursuant to Section 16 of Chapter 3 of the Acts of 2003, the *Farm Machinery Dealers and Vendors Act*, is pleased to order and declare by proclamation that Chapter 3 of the Acts of 2003, the *Farm Machinery Dealers and Vendors Act*, do come into force on and not before March 1, 2006.

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 3 of the Acts of 2003, the *Farm Machinery Dealers and Vendors 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 3 of the Acts of 2003, the *Farm Machinery Dealers and Vendors Act*, come into force on and not before March 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 3 of the Acts of 2003, the *Farm Machinery Dealers and Vendors Act*, come into force on and not before March 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 Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 10th day of February in the year of Our Lord two thousand and six 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. 32/2006

Made: February 10, 2006

Approved: February 10, 2006

Filed: February 13, 2006

Special Operating Agency Designation - Nova Scotia Pension Agency

Order in Council 2006-97 dated February 10, 2006

Designation made by the Treasury and Policy Board and approved by the Governor in Council pursuant to Section 16 of the *Public Service Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated February 6, 2006, and pursuant to Sections 4 and 16 of Chapter 376 of the Revised Statutes of Nova Scotia, 1989, the *Public Service Act*, and Section 10 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, is pleased, effective on and after February 10, 2006, to

- (a) approve the designation of the Pensions and Investments Branch of the Department of Finance as the Nova Scotia Pension Agency, a special operating agency, made by Treasury and Policy Board in the form set out in Schedule "A" attached to and forming part of the report and recommendation;
[This paragraph only filed as N.S. Reg. 32/2006]
- (b) appoint John W. Traves as Chief Executive Officer of the Nova Scotia Pension Agency for a term of not less than twelve months and not exceeding eighteen months;
- (c) designate John W. Traves as a Deputy Head within the meaning of the *Civil Service Act* and direct that he receive all customary benefits associated with the position of Deputy Head including continued participation in the Province of Nova Scotia Long Term Disability Plan;
- (d) fix and determine the salary of John W. Traves to continue at the rate of MCL 32 (127%) and direct that John W. Traves shall further be entitled in any year in which Deputy Ministers receive pay for performance pursuant to the Pay for Performance for Senior Officials Policy;
- (e) designate John W. Traves to be and to have been an employee for the purposes of the *Public Service Superannuation Act*; and
- (f) amend paragraph (a) of Order in Council 81-1097G, dated August 28, 1981, as amended, respecting the retirement of senior public servants by adding "John W. Traves" to the special class of persons listed therein.

Schedule "A"**In the Matter of a Designation by Treasury and Policy Board
made pursuant to Section 16 of Chapter 376 of the
Revised Statutes of Nova Scotia, 1989,
the *Public Service Act***

The Treasury and Policy Board, pursuant to clause 16(1)(a) of Chapter 376 of the Revised Statutes of Nova Scotia, 1989, the *Public Service Act*, hereby designates the Pensions and Investments Branch of the Department of Finance as the Nova Scotia Pension Agency, a special operating agency.

Dated and made at Halifax, Nova Scotia, February 10, 2006.

Sgd.: *Michael Baker*
Michael G. Baker, Q.C.
Chair, Treasury and Policy Board

N.S. Reg. 33/2006

Made: February 14, 2006

Filed: February 15, 2006

Definitions Regulations

Order in Council 2006-100 dated February 14, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 8
of the *Retail Business Uniform Closing Day Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 7, 2006, and pursuant to Section 8 of Chapter 402 of the Revised Statutes of 1989, the *Retail Business Uniform Closing Day Act*, is pleased to amend the regulations respecting definitions, N.S. Reg. 271/92, made by the Governor in Council by Order in Council 92-1212 dated December 15, 1992, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 1, 2006.

Schedule "A"**Amendment to the Regulations Respecting Definitions
made by the Governor in Council pursuant to Section 8
of Chapter 402 of the Revised Statutes of 1989,
the *Retail Business Uniform Closing Day Act***

The regulations respecting definitions, N.S. Reg. 271/92, made by the Governor in Council by Order in Council 92-1212 dated December 15, 1992, are amended by adding the following Section immediately after Section 1:

- 2 For the purposes of clause 3(2)(a) of the Act, a "drug store" does not include either of the following:
 - (a) a retail business that includes a retail sales area that is
 - (i) larger than 2000 ft.² in total,

- (ii) open to the public, and
 - (iii) dedicated to food items;
- (b) a retail business in which the total retail sales area that is open to the public is larger than 20,000 ft.²
-

N.S. Reg. 34/2005

Made: January 11, 2006

Approved: February 14, 2006

Filed: February 20, 2006

Nova Scotia Cattle Producers Regulations

Order dated February 14, 2006
made by Nova Scotia Cattle Producers and approved by the Natural Products Marketing Council
pursuant to Sections 6 and 9 of the *Natural Products Act*

Schedule "A"

I certify that the Nova Scotia Cattle Producers, at its meeting on January 11, 2006, carried a motion to make regulations respecting *Nova Scotia Cattle Producers Regulations* in the form attached.

The regulations are effective on and after the date they are approved by the Natural Products Marketing Council.

Signed at Truro, in the County of Colchester, Nova Scotia, on Jan. 11, 2006.

Sgd.: *P. MacDonald*
Patton MacDonald
General Manager
Nova Scotia Cattle Producers

Approved by the Natural Products Marketing Council at Truro, Nova Scotia on February 14, 2006.

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

**Regulations Respecting Beef Cattle
made by the Nova Scotia Cattle Producers
under Sections 6 and 9 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989,
the *Natural Products Act***

Citation

1 These regulations may be cited as the *Nova Scotia Cattle Producers Regulations*.

Definitions

2 In these regulations,

- (a) “Act” means the *Natural Products Act*;
- (b) “Agency” means the Canadian Beef Cattle Research, Market Development and Promotion Agency, established under the *Farm Products Agencies Act* (Canada);
- (c) “beef cattle” means live domesticated bulls, cows, steers, heifers and calves of the bovine species or their carcasses and includes bob calves, veal calves, cull cows and dairy cattle and draft animals of the bovine species;
- (d) “Commodity Board” means the Nova Scotia Cattle Producers;
- (e) “Council” means the Natural Products Marketing Council;
- (f) “certificate of registration” means a permit issued by the Commodity Board under these regulations to a producer or purchaser;
- (g) “federal levy” means a levy imposed under the *Beef Cattle Research, Market Development and Promotion Levies Order* made under the *Farm Products Agencies Act* (Canada);
- (h) “inspector” means an inspector appointed as an inspector by the Council under subsection 5(3) of the Act;
- (i) “levy” means a levy on the sale of beef cattle imposed under Section 7;
- (j) “livestock dealer” means a person who acts as an agent in buying or selling beef cattle and includes an auctioneer, an auction market and a public sale yard operator;
- (k) “person” includes a board, association, corporation, firm and partnership;
- (l) “producer” means a person who markets beef cattle in the regulated area for the purpose of sale or distribution, and includes all of the following:
 - (i) a livestock dealer,
 - (ii) a slaughterhouse operator,
 - (iii) a drover;
- (m) “public sale yard operator” means a person who operates a public auction as a business;
- (n) “purchaser” means a person who buys beef cattle from a producer and includes

- (i) a producer who buys beef cattle from another producer, and
- (ii) a person who buys beef cattle in the regulated area but who does not reside in the regulated area;
- (o) “regulated area” means all of the Province;
- (p) “slaughterhouse operator” means a person who operates a slaughterhouse where beef cattle are slaughtered.

Certificate of registration required

3 Only a person who holds a valid certificate of registration issued by the Commodity Board is permitted to act as a producer or purchaser.

Certificate of registration

- 4 (1)** The Commodity Board may issue a certificate of registration and a registration number to an applicant who submits a completed application for a certificate of registration to the Commodity Board on the form prescribed by the Commodity Board and includes all information prescribed by the Commodity Board, together with all of the following information:
- (a) the applicant’s name and address;
 - (b) the civic address of the applicant’s residence;
 - (c) information about all of the applicant’s purchases of beef cattle in the 12 months immediately preceding the application, including all the following:
 - (i) the producer’s name and address and registration number,
 - (ii) the number of beef cattle purchased,
 - (iii) the place of purchase,
 - (iv) the date of purchase;
 - (d) information about all of the applicant’s sales of beef cattle in the 12 months immediately preceding the application, including all of the following:
 - (i) the purchaser’s name and address and registration number,
 - (ii) the number of beef cattle sold,
 - (iii) the place of sale,
 - (iv) the date of sale.
- (2)** A certificate of registration expires on December 31 in the year it is issued or renewed.
- (3)** An applicant for renewal of a certificate of registration must submit a completed application to the Commodity Board on a form prescribed by the Commodity Board

- (a) no later than 60 days after the date they receive a renewal notice from the Commodity Board;
or
 - (b) if the Commodity Board does not issue a renewal notice to the applicant, no later than December 1 in each year.
- (4) The Commodity Board may refuse to issue or renew a certificate of registration if
- (a) the application is not complete; or
 - (b) the Commodity Board considers that the applicant is not complying with the Act, the Plan or the regulations made under the Act.
- (5) A certificate of registration is not transferrable.

Annual reporting

- 5 When their certificate of registration expires or is renewed, each producer and purchaser must give the Commodity Board the following information in a form prescribed by the Commodity Board:
- (a) the details of all purchases of beef cattle made by the producer or purchaser during the term of their certificate, including all the following:
 - (i) the producer's name and address,
 - (ii) the number of beef cattle purchased,
 - (iii) the place of purchase,
 - (iv) the date of the purchase;
 - (b) the details of all sales of beef cattle made by the producer or purchaser during the term of the certificate, including all of the following:
 - (i) date of the sale,
 - (ii) name and address of the purchaser,
 - (iii) number of beef cattle sold,
 - (iv) place of sale.

Levy amount

- 6 (1) A person who sells beef cattle in intraprovincial trade in the regulated area must pay a levy of \$2.00 to the Commodity Board, in accordance with Section 7, for each head of beef cattle sold.
- (2) A person who slaughters beef cattle in the regulated area must pay a levy of \$2.00 to the Commodity Board for each head of beef cattle slaughtered, unless a levy is payable under subsection (1) for the same head of cattle.

Deducting and remitting levy

- 7 (1) A purchaser must deduct the levy imposed under Section 6 from the amount paid to a producer.

- (2) A purchaser must remit the deducted levy to the Commodity Board no later than the 15th day of the month following the month in which the purchase occurred, together with all of the following information in the form prescribed by the Commodity Board:
 - (a) the producer's name, address and registration number;
 - (b) the purchaser's name, address and registration number;
 - (c) the date and place of the purchase;
 - (d) the number of beef cattle purchased.
- (3) If a purchaser fails to deduct and remit a levy as required, the producer who is selling the beef cattle must remit the levy to the Commodity Board no later than the 15th day of the month following the month in which the sale occurred, together with the all of following information in the form prescribed by the Commodity Board:
 - (a) the producer's name, address and registration number;
 - (b) the purchaser's name, address and registration number;
 - (c) the date and place of the sale;
 - (d) the number of beef cattle sold.
- (4) If a purchaser or producer fails to remit a levy to the Commodity Board in accordance with this Section, the producer and purchaser are jointly and severally liable to the Commodity Board for the amount of the levy.

Inspecting books, records, premises and transport vehicles

9 An inspector may inspect the books, records, premises and transport vehicles of a producer or purchaser at the times determined by the Commodity Board.

Commodity Board may enter administrative agreements

- 10 The Commodity Board may enter into an administrative agreement with any one or all of the following:
- (a) the Agency, to give effect to the federal levy in the regulated area and to enable the Commodity Board to act as an agent for the Agency;
 - (b) a provincial agency, to give effect to the federal levy;
 - (c) the Agency and a provincial agency or agencies, to provide for collecting, remitting and enforcing the federal levy in the regulated area and accounting for the federal levy to the Agency and the other provincial agencies.

N.S. Reg. 35/2005

Made: January 19, 2006

Approved: February 14, 2006

Filed: February 20, 2006

Milk Pricing Regulations

Order dated February 14, 2005
made by 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 January 19, 2006, the Dairy Farmers of Nova Scotia, pursuant to clause 14(1)(c) and 15(1)(g) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, and clause 2(1)(c) of the *Delegation of Power 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 March 1, 2006.

Dated and signed at Truro, Nova Scotia, Feb. 13, 2006.

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

Approved by the Natural Products Marketing Council at Truro, Nova Scotia on February 14, 2006.

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 14(1)(c) and 15(1)(g) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

1. Subsection 8(1) of the *Milk Pricing Regulations* [N.S. Reg. 61/2002,] made by Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on ~~February 14, 2006~~ [November 21, 2001], is amended by
 - (1) striking out "\$0.095" and substituting "\$0.12".
 - (2) striking out "(excluding contract export milk)".

N.S. Reg. 36/2006

Made: February 17, 2006

Filed: February 21, 2006

Proclamation, S. 49, S.N.S. 2001, c. 13

Order in Council 2006-103 dated February 17, 2006
Proclamation made by the Governor in Council
pursuant to Section 49
of the *Veterinary Medical Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated February 15, 2006, pursuant to Section 49 of Chapter 13 of the Acts of 2001, the *Veterinary Medical Act*, is pleased to order and declare by proclamation that Chapter 13 of the Acts of 2001, the *Veterinary Medical Act*, do come into force on and not before March 1, 2006.

PROVINCE OF NOVA SCOTIA

Sgd: J. Michael MacDonald

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 49 of Chapter 13 of the Acts of 2001, the *Veterinary Medical Act*, it is enacted as follows:

- 49** 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 13 of the Acts of 2001, the *Veterinary Medical Act*, come into force on and not before March 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 13 of the Acts of 2001, the *Veterinary Medical Act*, come into force on and not before March 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 His Honour
the Honourable J. Michael MacDonald,
Administrator of the Government of the Province
of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 17th day of February in the year of Our Lord two thousand and six and in the fifty-fifth year of Our Reign.

BY COMMAND:

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

N.S. Reg. 37/2006

Made: April 1, 2001
Approved: February 17, 2006
Filed: February 21, 2006
Veterinary Medical Regulations

Order in Council 2006-104 dated February 17, 2006
Regulations made by the Nova Scotia Veterinary Medical Association Council
and approved by the Governor in Council
pursuant to Section 6
of the *Veterinary Medical Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated January 11, 2006, and pursuant to Section 6 of Chapter 13 of the Acts of 2001, the *Veterinary Medical Act*, is pleased to approve the making of new regulations respecting veterinary medicine by the Nova Scotia Veterinary Medical Association Council in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 1, 2006.

Schedule "A"

March 8, 2005

I certify that the Nova Scotia Veterinary Medical Association at its special meeting of April 1, 2001, carried a motion to make regulations respecting veterinary medicine in the form attached or with such changes as do not materially alter the substance of the regulations.

The regulations are effective on and after the date that Chapter 13 of the Acts of 2001, the *Veterinary Medical Act* is proclaimed in force.

Dated and signed at Halifax, Nova Scotia, March 8, 2005.

Nova Scotia Veterinary Medical Association Council

Per:

Sgd. *Dr. K. Lamey*

Dr. Kathrine Lamey, President

Regulations Respecting Veterinary Medicine
made by the Council of the Nova Scotia Veterinary Medical Association
pursuant to Section 6 of Chapter 13 of the Acts of 2001,
the *Veterinary Medical Act*

Interpretation

Citation

1 These regulations may be cited as the *Veterinary Medical Regulations*.

Definitions

2 (1) In these regulations,

- (a) “accredited facility” means a facility that holds a current accreditation certificate or an interim accreditation certificate;
- (b) “Act” means the *Veterinary Medical Act*;
- (c) “corporate permit” means a permit issued by the Registrar or Council under the Act and these regulations that allows a corporation to carry on the practice of veterinary medicine in the Province;
- (d) “emergency” means a situation in which an illness or injury occurs to an animal that requires immediate veterinary attention;
- (e) “large animal” means
 - (i) an animal that is of a species that typically resides in a farm environment as an agricultural animal, and includes horses, cattle, sheep, goats, poultry and other food and fibre-producing animals,
 - (ii) a zoo or circus animal, or
 - (iii) a wild animal;
- (f) “major surgery” means surgery in which viscera, bones or extensive areas of tissue are exposed, and includes surgery that is required when an otherwise minor surgical procedure fails and endangers the life or organ function of an animal;
- (g) “National Examining Board” means the National Examining Board of the Canadian Veterinary Medical Association;
- (h) “non-practising licence” means a non-practising licence issued under clause 11(b) of the Act;
- (i) “nursing care” means assistance with or provision of diagnostic procedures in the surgical, medical and custodial care of animals;
- (j) “prescribed fee” means an applicable fee fixed by the method established in the by-laws under the Act;
- (k) “Register” means the Register established and maintained under Section 10 of the Act;

- (l) “small animal” means an animal that is of a species that typically resides as a pet in a home environment, and includes dogs, cats, small rodents and reptiles;
 - (m) “temporary licence” means a licence issued under clause 11(d) of the Act.
- (2) The definitions set out in the Act apply to these regulations.

Registration and Licensing

Continuation of membership and licences

- 3 (1) On the coming into force of the Act, the name of every person who is a member of the Association under the former Act must be entered in the Register.
- (2) A general licence issued to a person under the former Act continues in effect as a general practice licence until the earliest of
- (a) December 31 of the year the Act comes into force;
 - (b) the date that a general practice licence is issued to replace it; and
 - (c) the date that the licence is suspended or revoked.
- (3) A general non-practising licence issued to a person under the former Act continues in effect as a non-practising licence until the earliest of
- (a) December 31 of the year the Act comes into force;
 - (b) the date that a non-practising licence is issued to replace it; and
 - (c) the date that the licence is suspended or revoked.
- (4) Every life membership or honorary status in the Association granted under the former Act continues as a life membership or honorary status under the Act and these regulations.

Membership and licence categories

- 4 (1) The categories of membership are as follows:
- (a) general practising;
 - (b) non-practising;
 - (c) life; and
 - (d) non-active.
- (2) The categories of licence are as follows:
- (a) general practice;
 - (b) non-practising; and
 - (c) temporary.

Entry on Register as member

5 An applicant is qualified to become a member of the Association and to have their name entered on the Register under subsection 10(2) of the Act, if the applicant submits a completed registration application to the Registrar on the form approved by the Registrar together with all of the following:

- (a) the prescribed fee;
- (b) such information as the Registrar requires to establish that the applicant
 - (i) is a graduate in veterinary medicine from a university, college or school recognized by the Canadian Veterinary Medical Association and meets one of the following qualifications:
 - (A) holds a Certificate of Qualification from the National Examining Board of the Canadian Veterinary Medical Association,
 - (B) is a member in good standing of a veterinary medical association of another jurisdiction with comparable registration criteria as determined by Council, and is licensed or entitled to practise veterinary medicine under the law of that jurisdiction,
 - (C) is a member in good standing of a veterinary medical association of another province or territory that is a signatory to any agreement under the Agreement on Internal Trade that is signed by the Association and that mandates registration of the applicant in Nova Scotia,
 - (ii) is not subject to a disciplinary finding that prohibits the applicant from engaging in the practice of veterinary medicine,
 - (iii) has completed the examinations approved by Council, including an examination demonstrating knowledge of the Act, regulations and by-laws,
 - (iv) is competent and of such character to safely and ethically engage in the practice of veterinary medicine, and
 - (v) if their first language is other than English, has passed the Test of English as a Foreign Language or another test that Council determines, with a score determined by Council.

General practice licence application

6 (1) A member who has not held a general practice licence in the immediately preceding calendar year may apply to the Registrar for a general practice licence by submitting a completed licence application to the Registrar on the form approved by the Registrar together with all of the following:

- (a) the prescribed fee;
- (b) such information as the Registrar requires to establish that the member
 - (i) has done one of the following:
 - (A) graduated in veterinary medicine in the 5 years immediately before the application from a university, college or school recognized by the Canadian Veterinary Medical Association,

- (B) obtained a Certificate of Qualification from the National Examining Board in the 5 years immediately before the application,
 - (C) engaged in the practice of veterinary medicine for at least 1000 hours in the 5 years immediately before the application,
 - (D) engaged in the practice of veterinary medicine for at least 300 hours in the 12 months immediately before the application,
 - (ii) is not subject to a disciplinary finding that prohibits the applicant from engaging in the practice of veterinary medicine,
 - (iii) is competent and of such character to safely and ethically engage in the practice of veterinary [medicine],
 - (iv) undertakes to engage in the practice of veterinary medicine in a professional and becoming manner and in accordance with the provisions of the Act, regulations, by-laws and any code of ethics adopted by the Association;
- (c) such information as the Registrar requires to establish that the facility or facilities in or from which the member intends to practise are accredited facilities.
- (2) A member who holds a general practice licence from another jurisdiction and who seeks to obtain a general practice licence must meet the requirements of clauses (1)(a) and (b).

General practice licence term and renewal

- 7 (1) A general practice licence is valid for the calendar year in which it is issued, unless otherwise suspended or revoked.
- (2) A member may renew their general practice licence on or before the expiry date by submitting a completed renewal application to the Registrar on the form approved by the Registrar together with all of the following:
- (a) the prescribed fee;
 - (b) such information as the Registrar requires to establish that the member has met the professional development requirements approved by resolution of Council;
 - (c) the information required by subclauses 6(1)(b)(ii) to (iv) and clause 6(1)(c).

General practice licence entitlements

- 8 A member who holds a general practice licence is
- (a) entitled to practise veterinary medicine in or from an accredited facility;
 - (b) eligible for election to Council;
 - (c) eligible to hold a position on a Committee appointed by Council and to vote at any meeting of a Committee on which they hold a position; and
 - (d) eligible to vote at any meeting of the Association.

Non-practising licence application

9 A member may apply to the Registrar for a non-practising licence or renewal of a non-practising licence by submitting a completed licence application to the Registrar on the form approved by the Registrar together with all of the following:

- (a) the prescribed fee;
- (b) such information as the Registrar requires to establish that the applicant undertakes not to engage in the practice of veterinary medicine.

Non-practising licence term and renewal

10 (1) A non-practising licence is valid for the calendar year in which it is issued, unless otherwise suspended or revoked.

- (2) A member may renew a non-practising licence on or before the expiry date in accordance with Section 9.

Non-practising membership entitlements

11 A member who holds a non-practising licence has all of the privileges and obligations of a member who holds a general practice licence, except that a non-practising member is not entitled to engage in the practice of veterinary medicine.

Life membership

12 (1) A member becomes a life member if

- (a) the member is 65 years or older;
 - (b) the member has been a member for 10 or more consecutive years;
 - (c) Council determines the member has taken an active interest in the affairs of the Association;
 - (d) the member is nominated for life membership by 3 members and Council approves the nomination; and
 - (e) a vote is passed at an Annual General Meeting approving the entry of the member into the life membership category.
- (2) A life member is not required to pay a fee to maintain the status of life member, but must pay other prescribed fees as applicable.

Life membership entitlements

13 A life member has all of the privileges and obligations of a member who holds a general practice licence, except that a life member is not permitted to engage in the practice of veterinary medicine unless the life member also holds a general practice licence.

Non-active members

14 (1) A member who is not licensed in any category must be listed on the Register as a non-active member.

- (2) A non-active member is

- (a) not entitled to engage in the practice of veterinary medicine;

- (b) not eligible for election to Council;
- (c) not eligible to hold a position on a Committee approved by Council, nor to vote at a meeting of a Committee; and
- (d) not eligible to vote at a meeting of the Association.

Temporary licence application

15 (1) The following people may apply for a temporary licence:

- (a) a member who meets all of the criteria for renewal of a general practice licence in subsection 7(2), except for the professional development requirements under clause 7(2)(b);
 - (b) a member who holds a general practice licence on behalf of a non-member who is a veterinarian registered in another jurisdiction and is recognized as a specialist in accordance with criteria established by resolution of Council, for purposes of examining and treating animals only at an accredited facility and within the scope of their specialty;
 - (c) a person intending to practise veterinary medicine for a period no longer than 60 days at a time, if the person meets all the criteria for a general practice licence in subsection 6(1) except for the requirement to be a member of the Association.
- (2)** A person may apply for a temporary licence by submitting a completed licence application to the Registrar on the form approved by the Registrar together with the prescribed fee and such information as the Registrar requires to establish that the applicant meets the requirements of subsection (1).

Temporary licence term and renewal

16 A temporary licence is valid for a term determined by the Registrar that is no longer than 60 days, unless renewed by the Registrar.

Temporary licence restrictions

17 A person who holds a temporary licence may engage in the practice of veterinary medicine only in or from an accredited facility.

Honorary status

- 18 (1)** Honorary status may be granted by resolution of Council to a veterinarian or non-veterinarian who has rendered distinguished or valuable service to the profession of veterinary medicine.
- (2)** A person who is granted honorary status is entitled to such rights and privileges as granted by Council.

Information on registration or licensing status

19 Anyone may request verification of a member's registration or licensing status from the Registrar.

Removal of name from Register and revocation of licence

- 20 (1)** The Registrar must remove the name of a member from the Register if
- (a) the member requests it and surrenders their membership card and any licence;
 - (b) the member's name is incorrectly entered on the Register;

- (c) the Registrar is notified of the member's death;
 - (d) the member fails to pay fees levied under the Act or these regulations;
 - (e) the member is suspended, for the term of the suspension; or
 - (f) the registration of the member is revoked.
- (2) The Registrar must revoke a member's licence if
- (a) the member has made a request under clause (1)(a);
 - (b) the member's name is incorrectly entered on their licence;
 - (c) the Registrar is notified of the member's death;
 - (d) the member fails to pay fees levied under the Act or these regulations; or
 - (e) the registration of the member is revoked.
- (3) The Registrar may restore a person's name to the Register and re-issue an applicable licence to the person on
- (a) application by the person;
 - (b) payment of the prescribed fee; and
 - (c) satisfaction of the applicable requirements for registration and licensing.

Corporate Permits

Corporate permit application

- 21 (1) A corporation may apply for a corporate permit by submitting a completed permit application to the Registrar on the form approved by the Registrar together with all of the following:
- (a) the prescribed fee;
 - (b) such information as the Registrar requires to establish that
 - (i) the corporation is in good standing,
 - (ii) the name of the corporation and any business name or names used by the corporation are fit and proper names for a corporation engaged in the practice of veterinary medicine,
 - (iii) the corporation meets the shareholding requirements of the Act,
 - (iv) a majority of the directors and officers of the corporation hold general practice licences, and
 - (v) each person who will engage in the practice of veterinary medicine for and on behalf of the corporation holds a general practice licence.

- (2) The Registrar must issue a corporate permit to a corporation that meets the requirements of subsection (1).
- (3) The Registrar must maintain a Register of Corporate Permits, showing the name and business address of the corporation, together with all of the following:
 - (a) a list of the directors and officers of the corporation;
 - (b) the names of the persons who hold general practice licences;
 - (c) the names of the persons who will engage in the practice of veterinary medicine for and on behalf of the corporation;
 - (d) any additional information determined by the Registrar.

Corporate permit term and renewal

- 22** (1) A corporate permit is valid for the calendar year in which it is issued.
- (2) A corporation may renew its corporate permit on or before the expiry date by submitting a completed permit application to the Registrar on the form approved by the Registrar together with all of the following:
- (a) the prescribed fee;
 - (b) such information as the Registrar requires to establish that the corporation continues to meet the requirements of subclauses 21(1)(b)(i) to (v).

Suspension, revocation or refusal to renew corporate permit

- 23** If it appears to the Council that a corporation that holds a corporate permit fails to meet any of the requirements of subclauses 21(1)(b)(i) to (v), the Council must
- (a) notify the corporation in writing of the specific requirements that the corporation failed to meet; and
 - (b) suspend, revoke or refuse to renew the corporate permit.

Permit displayed at premises

- 24** A corporation must display its current corporate permit, or a copy of it, in a conspicuous place at its premises at all times.

Registrar notified of changes to corporation

- 25** Within 15 days of the change, a corporation must notify the Registrar in writing with the specifics of any changes to its
- (a) voting shareholders;
 - (b) officers;
 - (c) directors; or
 - (d) persons who engage in the practice of veterinary medicine for and on behalf of the corporation.

Records of corporate permit holder

26 A corporation that holds a corporate permit must, in accordance with generally accepted accounting principles and business standards,

- (a) have financial statements prepared at the end of each fiscal year;
- (b) maintain current financial records;
- (c) maintain current patient records in accordance with the standards set out in the by-laws; and
- (d) maintain records about its employees.

Notice to and from corporate permit holder

- 27** (1) A notice required to be given to a corporation under the Act or these regulations may be sent by pre-paid registered mail to the address recorded on the Register of Corporate Permits and is deemed to have been received on the 3rd day after the notice is sent.
- (2) Notice of any act or thing that is required to be given to the Registrar or the Council by a corporation under the Act or these regulations must be in writing and sent by pre-paid registered mail and is deemed to have been received on the 3rd day after the notice is sent.

Professional-Conduct Process**Complaint**

- 28** (1) A complaint must be either originated by or sent to the Registrar.
- (2) The Registrar must forward a copy of a complaint to each of
- (a) the respondent; and
 - (b) the Chair of the Complaints Committee.
- (3) Despite subsections (1) and (2), if the Registrar is the subject of a complaint or may otherwise be involved in the substance of a complaint, the complaint must be sent directly to the Chair of the Complaints Committee, and the Chair must request that Council appoint an Acting Registrar for the purposes of the professional-conduct process concerning the complaint.
- (4) The parties to a complaint are the Association and the respondent.

Preservation of evidence in complaint that is not dismissed

29 Evidence obtained by a panel of the Professional Conduct Committee and information obtained by a panel of the Complaints Committee and an investigator in a complaint that is not dismissed by the Complaints Committee, must be preserved for at least 5 years from the date the evidence or information was obtained.

Panel of Complaints Committee

- 30** (1) A panel of the Complaints Committee must consist of at least 5 persons, one of whom must be a non-member, and one of whom may be the Chair of the Complaints Committee.
- (2) If the Chair of the Complaints Committee is
- (a) appointed to a panel of the Complaints Committee, the Chair of the Complaints Committee must act as chair of the panel; or

- (b) not appointed to a panel of the Complaints Committee, the Chair of the Complaints Committee must appoint a chair for the panel.
- (3) Any 3 persons of a panel of the Complaints Committee, regardless of whether they are members or non-members, constitutes a quorum of the panel.
- (4) A decision of a panel of the Complaints Committee requires the vote of a majority of the quorum of the panel that is reviewing the matter.
- (5) A panel of the Complaints Committee retains jurisdiction over a complaint until the commencement of a hearing before the Professional Conduct Committee or the acceptance of a settlement proposal by the Professional Conduct Committee.

Investigation of complaint

- 31** (1) During an investigation, an investigator may
- (a) request additional written or oral explanations from the complainant, the respondent or a third party;
 - (b) request an interview with the complainant, the respondent or a third party; and
 - (c) investigate any additional matter that arises in the course of the investigation relating to the respondent and that may constitute professional misconduct, conduct unbecoming the profession, incompetence or incapacity.
- (2) A respondent may submit both medical information and other information relevant to the complaint to the investigator investigating the complaint.
- (3) If an investigator recommends in their written report to a panel that the panel exercise a power under subsection 32(2), the investigator must also send a statement to the respondent, advising them of the recommendation.
- (4) The failure of an investigator to send a statement under subsection (3) does not affect the jurisdiction of the Complaints Committee to exercise its power under subsection 32(2).

Decision of panel of Complaints Committee

- 32** (1) A panel of the Complaints Committee must
- (a) if it determines that it is in the interest of the respondent, the complainant, the public and the Association to do so, consider an informal resolution to the complaint;
 - (b) if it determines that a complaint is not within the jurisdiction of the Association or is incapable of substantiation, frivolous or vexatious, dismiss the complaint and advise the complainant and respondent of their decision; or
 - (c) if it determines that clauses (a) and (b) do not apply, provide the complainant, the respondent or other person the opportunity to appear before the panel and to submit representations or explanations, and then
 - (i) dismiss the complaint,
 - (ii) counsel the respondent,

- (iii) caution the respondent,
 - (iv) counsel and caution the respondent,
 - (v) with the consent of the respondent, reprimand the respondent and order that the reprimand be communicated to the respondent, the complainant and such other person as the panel considers appropriate,
 - (vi) informally resolve the complaint, or
 - (vii) if the panel determines that the matter or matters before it warrant a hearing, refer the matter or matters to the Professional Conduct Committee.
- (2) Before making a decision under clause (1)(c), a panel of the Complaints Committee may require the respondent to do one or both of the following:
- (a) submit to a review of the respondent's practice by a person or persons whom the panel considers qualified to perform the review, and authorize the provision of a copy of the review to the panel;
 - (b) produce any records kept with respect to the respondent's practice as considered appropriate by the panel.
- (3) If a respondent fails to comply with an action required under subsection (2), a panel of the Complaints Committee may direct the Registrar to suspend the respondent under Section 25 of the Act.
- (4) The cost of complying with a requirement under subsection (2) must be initially borne by the Association, but may be awarded as costs against the respondent under Section 49.

Caution or counsel

33 A counsel or a caution issued under subclause 32(1)(c)(ii), (iii) or (iv) is not considered a disciplinary finding against the respondent and must not be published or disclosed to the public, but must be disclosed to

- (a) the respondent;
- (b) the complainant;
- (c) any additional person the panel of the Complaints Committee considers appropriate; and
- (d) the Complaints Committee in any subsequent complaints filed against the respondent.

Reprimand

34 A reprimand issued under subclause 32(1)(c)(v) is considered a disciplinary finding against the respondent.

Matter referred directly to Professional Conduct Committee

35 (1) A respondent who has been suspended under Section 25 of the Act may request that a panel of the Complaints Committee refer their matter directly to the Professional Conduct Committee.

- (2) Despite Section 32, after receiving a request under subsection (1), a panel must refer the matter to the Professional Conduct Committee.

Preparation of settlement proposal

- 36** (1) A settlement proposal tendered in writing to the other party must include an admission or admissions by the respondent to one or more of the allegations set out in the notice of hearing and the respondent's consent to a specified disposition, conditional upon the acceptance of the settlement proposal by the Professional Conduct Committee.
- (2) A settlement proposal may include any disposition that could be ordered by a panel of the Professional Conduct Committee under Section 47.
 - (3) If all parties agree, they may use a mediator to help prepare a settlement proposal, and the costs of the mediator must be divided equally between the Association and the respondent, unless otherwise agreed by the parties.
 - (4) To enter into a settlement proposal under Section 28 of the Act, a panel of the Complaints Committee must be satisfied that
 - (a) the public is protected;
 - (b) the conduct of the respondent or its causes can be, or has been, successfully remedied or treated, and if appropriate, the respondent is likely to successfully pursue remediation or treatment; and
 - (c) settlement is in the best interests of the public and the veterinary medical profession.

Amendment of settlement proposal by Complaints Committee

- 37** (1) A Complaints Committee may suggest amendments to a settlement proposal and return it to the Association and the respondent for review.
- (2) If either the respondent or the Association does not accept amendments suggested under subsection (1), the matter must continue to a Professional Conduct Committee for hearing.

Acceptance of settlement proposal by Professional Conduct Committee

- 38** (1) A panel of the Complaints Committee must refer a settlement proposal that it has entered into to a panel of the Professional Conduct Committee for acceptance.
- (2) If the panel of the Professional Conduct Committee accepts the settlement proposal,
 - (a) the settlement proposal forms part of the order of the Professional Conduct Committee disposing of the matter; and
 - (b) unless the settlement proposal is breached, there is no hearing before the Professional Conduct Committee.
 - (3) If the panel of the Professional Conduct Committee does not accept a settlement proposal, the Professional Conduct Committee may
 - (a) suggest amendments to the settlement proposal and return it to the parties for review, and

- (i) if both parties do not agree with the Professional Conduct Committee's amendments, the settlement proposal is deemed to be rejected and the matter must be referred to another panel of the Professional Conduct Committee for a hearing, or
- (ii) if both parties agree with the Professional Conduct Committee's amendments, the settlement proposal is sent back to the panel of the Complaints Committee, who may
 - (A) accept the settlement proposal, or
 - (B) reject the settlement proposal and refer the matter to another panel of the Professional Conduct Committee for a hearing; or
- (b) reject the settlement proposal, in which case the matter must be forwarded to another panel of the Professional Conduct Committee for a hearing.

Breach of accepted settlement proposal

39 An alleged breach by a respondent of an undertaking or a condition set out in a settlement proposal that is accepted by the Professional Conduct Committee must be referred to the Professional Conduct Committee and may form the subject of a hearing before a panel of the Professional Conduct Committee.

Panel of the Professional Conduct Committee

- 40** (1) A panel of the Professional Conduct Committee must consist of at least 5 persons from the Professional Conduct Committee, one of whom must be a non-member, and one of whom may be the Chair of the Professional Conduct Committee.
- (2) If the Chair of the Professional Conduct Committee is
- (a) appointed to a panel of the Professional Conduct Committee, the Chair of the Professional Conduct Committee must act as chair of the panel; or
 - (b) not appointed to a panel of the Professional Conduct Committee, the Chair of the Professional Conduct Committee must appoint a chair for the panel.
- (3) Any 3 persons from a panel of the Professional Conduct Committee, regardless of whether they are members or non-members, constitutes a quorum of the panel.
- (4) A decision of a panel of the Professional Conduct Committee requires the vote of a majority of the quorum of the panel that is reviewing the matter.
- (5) A person who sat on a panel of the Professional Conduct Committee that reviewed a rejected settlement proposal must not sit on the panel that conducts the hearing with respect to the same matter.

Notice of hearing

- 41** (1) Service of a notice of hearing required by subsection 27(3) of the Act must be either by personal service or by pre-paid registered mail to the respondent's or the complainant's last known address.
- (2) A notice of hearing that is sent by mail is deemed to have been received on the 3rd day after it was sent.
- (3) A notice of hearing must state the details of the complaint and must specify the time and place of the hearing and state that the respondent may be represented by counsel.

Amendment of notice of hearing

- 42 (1) At any time before or during a hearing, a panel of the Professional Conduct Committee may amend or alter the notice of hearing to correct an alleged defect in substance or form, or to make the notice conform to the evidence if there appears to be a discrepancy between the evidence and the notice, or if the evidence discloses potential professional misconduct, conduct unbecoming the profession, incapacity or incompetence that is not alleged in the notice.
- (2) If an amendment or alteration is made by a panel of the Professional Conduct Committee under subsection (1), a respondent must be given sufficient opportunity to prepare an answer to the amendment or alteration.
- (3) If a panel of the Professional Conduct Committee determines that an amendment or alteration sought by a party to the notice of hearing is not appropriate, the Professional Conduct Committee may refuse to make the amendment, and if considered appropriate, may refer any new allegations to the Registrar as a new complaint.

Conducting Professional Conduct Committee hearing

- 43 (1) A complainant is not entitled to participate as a party at a hearing before a panel of the Professional Conduct Committee.
- (2) A complainant or other persons wishing to attend a hearing of the Professional Conduct Committee may do so, but a panel of the Professional Conduct Committee may at any time exclude a non-party from a hearing, or determine conditions for a person to remain at a hearing.
- (3) The Professional Conduct Committee may impose a publication ban on such information arising from a hearing of the Professional Conduct Committee as it considers appropriate.
- (4) A respondent is responsible for all expenses incurred in the respondent's defence.
- (5) Subject to the Act and these regulations, the Professional Conduct Committee may determine its own rules of procedure for a hearing, which must, at a minimum, provide for the direct examination and cross-examination of witnesses called by the Association and the respondent as required by subsection 30(2) of the Act.
- (6) The testimony of a witness at a hearing of the Professional Conduct Committee must be taken under oath or affirmation, administered by a member of the panel of the Professional Conduct Committee or other person in attendance authorized by law to administer oaths or affirmations.
- (7) A hearing must proceed without reference to any rejected settlement proposal or any admission contained in a rejected settlement proposal until such time as the Professional Conduct Committee has determined whether professional misconduct, conduct unbecoming the profession, incompetence or incapacity have been proven.

Failure to attend Professional Conduct Committee hearing

- 44 If a respondent does not attend a hearing of the Professional Conduct Committee, a panel of the Professional Conduct Committee, upon proof of service of the notice of hearing, may proceed with the hearing in the respondent's absence and, without further notice to the respondent, take such action as it is authorized to take under the Act or these regulations.

Witness fees for Professional Conduct Committee hearing

- 45 A witness present under subpoena at a hearing is entitled to the same allowances as a witness attending a trial of an action in the Supreme Court of Nova Scotia.

Recording of evidence at Professional Conduct Committee hearing

- 46 (1)** All evidence submitted to a panel of the Professional Conduct Committee must be reduced to writing, taken down in shorthand or mechanically recorded by a person authorized by the Association.
- (2)** Subject to subsections 30(2) and (3) of the Act, evidence may be given before a panel of the Professional Conduct Committee in any manner that the panel considers appropriate, and the panel is not bound by the rules of law respecting evidence applicable to judicial proceedings.

Disposition by Professional Conduct Committee

- 47 (1)** If a panel of the Professional Conduct Committee finds professional misconduct, conduct unbecoming the profession, incompetence or incapacity on the part of a respondent, the panel may
- (a)** revoke the registration and licence of the respondent and order that the respondent's name be removed from the Register;
 - (b)** suspend the licence of the respondent for a specific period of time, during which the respondent loses all privileges pertaining to the licence;
 - (c)** suspend the respondent from the practice of veterinary medicine pending the satisfaction and completion of any conditions that are ordered by the Professional Conduct Committee;
 - (d)** impose restrictions and conditions on the respondent for a period designated by the committee and record the restrictions and conditions on the licence if the Committee considers it necessary;
 - (e)** reprimand the member and, if the Committee considers it warranted, direct that the fact of the reprimand be recorded;
 - (f)** direct that the respondent must pass a particular course of study or satisfy the Professional Conduct Committee or any other committee established under this Act as to the respondent's competence generally or in a field of practice;
 - (g)** direct the respondent to obtain medical treatment;
 - (h)** direct the respondent to obtain counselling that, in the opinion of the Professional Conduct Committee, is appropriate;
 - (i)** publish its findings in a manner it considers appropriate;
 - (j)** inform such persons as it considers appropriate of its findings; or
 - (k)** carry out any combination of the above.
- (2)** Before making a decision under subsection (1), a panel of the Professional Conduct Committee may require the respondent to do one or both of the following:
- (a)** submit to a review of the respondent's practice by a person or persons whom the panel considers qualified to perform the review, and authorize the provision of a copy of the review to the panel;

- (b) produce any records kept with respect to the respondent's practice as considered appropriate by the panel.
- (3) If a respondent fails to comply with an action required under subsection (2), a panel of the Professional Conduct Committee may resolve that the respondent be suspended until the respondent complies.
- (4) The costs of complying with a requirement under subsection (2) must be borne initially by the Association, but may be awarded as costs against a respondent under Section 49.

Written decision of Professional Conduct Committee

48 A panel of the Professional Conduct Committee must prepare a written report of its decision and the reasons for the decision and send a copy of the report within a reasonable time frame by pre-paid registered mail or personal service to each of

- (a) the respondent;
- (b) the complainant; and
- (c) any additional persons considered appropriate by the Professional Conduct Committee.

Costs of Professional Conduct Committee

49 (1) For the purposes of this Section, "costs of the Professional Conduct Committee" include

- (a) expenses incurred by the Association, the Council, the investigator, the Complaints Committee and the Professional Conduct Committee; and
 - (b) solicitor and client costs, disbursements and HST of the Association, the Council, the investigator, the Complaints Committee and the Professional Conduct Committee, relating to the investigation, hearing and adjudication of the complaint.
- (2) If a panel of the Professional Conduct Committee decides against a respondent, it may order that the respondent pay the costs of the Professional Conduct Committee in whole or in part.
- (3) A panel of the Professional Conduct Committee may consider any rejected settlement proposal exchanged between the parties when awarding costs of the Professional Conduct Committee.
- (4) If a respondent is ordered to pay the costs of the Professional Conduct Committee under subsection (2), a panel of the Professional Conduct Committee may make it a condition of the registration or licence of the respondent that the costs be paid immediately, or at the time and on the terms that the panel fixes, and direct that if a respondent fails to pay the costs of the Professional Conduct Committee within the time ordered, the Registrar may suspend the respondent's licence until payment is made or satisfactory arrangements for payment have been established.

Reinstatement application

50 An application for reinstatement under Section 32 of the Act must be on the prescribed form and must include all of the following:

- (a) the prescribed fee;
- (b) such information as required by the Reinstatement Committee to establish that the objects of the professional-conduct process will be met if reinstatement is granted.

Investigation respecting reinstatement application

- 51 (1) If the Registrar receives an application for reinstatement, the Reinstatement Committee may order that an investigation be conducted to gather relevant and appropriate information concerning the application.
- (2) If an investigation is ordered under subsection (1), an investigator must give the Reinstatement Committee and the applicant a written report that includes all material relevant to the application, including the original decision of the panel of the Professional Conduct Committee and any relevant information gathered during the investigation.

Date, time and place of reinstatement hearing

- 52 After an investigation under Section 51 is completed, the Reinstatement Committee must set a date, time and place for the hearing of an application for reinstatement and must advise the applicant of the date, time and place.

Conducting reinstatement hearing

- 53 (1) An applicant and a representative of the Association may appear before the Reinstatement Committee at a hearing with or without legal counsel.
- (2) Subject to the Act and these regulations, the Reinstatement Committee may determine its own rules of procedure, which must, at a minimum, provide for the direct examination and cross-examination of witnesses called by the Association and the applicant.
- (3) All evidence submitted to the Reinstatement Committee must be reduced to writing, taken down in shorthand or mechanically recorded by a person authorized by the Association.
- (4) For purposes of a reinstatement hearing, each person on the Reinstatement Committee has all of the rights, powers and privileges of a commissioner appointed under the *Public Inquiries Act*.

Decision of Reinstatement Committee

- 54 (1) A decision of the Reinstatement Committee must be communicated in writing to the applicant and to the Registrar.
- (2) If an application for reinstatement is accepted, the Reinstatement Committee may impose the terms and conditions it considers appropriate on the applicant's reinstatement and the applicant must satisfy all criteria required for the issuing of a new licence under these regulations.
- (3) A decision of the Reinstatement Committee concerning an application for reinstatement is final.
- (4) Despite subsection (3), if an application is rejected, the applicant may resubmit an application for reinstatement after a year has elapsed following the date of the decision of the Reinstatement Committee, or at a later date set out in its decision.

Costs of Reinstatement Committee

- 55 The Reinstatement Committee may recover costs from an applicant, including any of the following:
- (a) expenses incurred by the Association and the Reinstatement Committee in investigating the application for reinstatement;
- (b) expenses incurred by the Association and the Reinstatement Committee for the role of the Association or the Reinstatement Committee in the reinstatement application process;

- (c) solicitor and client costs, disbursements and HST of the Association and the Reinstatement Committee relating to the investigation and hearing and adjudication of the application for reinstatement, including the solicitor and client costs, disbursements and HST of the Association's counsel;
- (d) fees for obtaining an expert's report or for preparing any necessary transcripts of the proceedings;
- (e) travel costs and reasonable expenses of any witnesses required to appear before the Reinstatement Committee.

Code of Ethics and Standards of Practice

56 Council must by resolution approve the Code of Ethics and the Standards of Practice that apply to all members.

Accreditation and Categories of Facilities

Application for interim accreditation certificate

- 57** (1) A member seeking to engage in the practice of veterinary medicine in a facility that does not hold a current accreditation certificate must apply to the Accreditation Committee for an interim accreditation certificate by submitting a completed application to the Registrar on a form approved by the Registrar, indicating the category or categories of facility, together with the prescribed fee.
- (2) On receiving an application under subsection (1), the Accreditation Committee must appoint an inspector to inspect the facility.
- (3) If an inspector is satisfied that a facility meets the standards for the applicable category or categories of facility as set out in the by-laws, with the exception of those standards that can only be met once the facility is in operation, the inspector must issue an interim accreditation certificate to the facility in the applicable category or categories.

Term of interim accreditation certificate

58 An interim accreditation certificate must be issued for a term of no longer than 60 days.

Notification of interim accreditation certificate to Accreditation Committee

59 An inspector must notify the Registrar and the Chair of the Accreditation Committee when they issue an interim accreditation certificate.

Denial of interim accreditation certificate

- 60** (1) If an inspector does not issue an interim accreditation certificate to an applicant, the inspector must give the Accreditation Committee a written recommendation for denial, including the reasons for the recommendation.
- (2) On receiving a recommendation for denial from an inspector, the Accreditation Committee must notify the applicant of the recommendation and invite the applicant to present any further relevant information to the Accreditation Committee either orally or in writing, as determined by the Accreditation Committee.
- (3) On receiving information from an applicant under subsection (2), and after reviewing the information with the inspector if the Accreditation Committee considers it necessary, the Accreditation Committee must issue or deny an interim accreditation certificate.

Issue of accreditation certificate

- 61** (1) Before an interim accreditation certificate expires, an inspector must revisit a facility to conduct a further inspection of the facility and determine whether all of the standards set out in the by-laws for the applicable category of facility are met.
- (2) On reinspecting a facility, if an inspector is satisfied that the facility meets the standards for the applicable category or categories of facility as set out in the by-laws, the inspector must issue an accreditation certificate for the applicable category or categories of the facility.

Term of accreditation certificate

- 62** (1) An accreditation certificate must be issued for a term of no longer than 3 years.
- (2) An accreditation certificate expires on the earliest of
- (a) the expiration date of the accreditation certificate;
 - (b) 30 days from the date of a change in the majority of the owners of a facility, unless the member or members operating in or from the facility have given notification of the change in ownership under Section 67;
 - (c) the date that the accreditation certificate is revoked under Section 69; and
 - (d) the date that a member refuses to comply with an inspection required under these regulations.

Renewal of accreditation certificate

- 63** (1) At least 90 days before the expiry date of a facility's current accreditation certificate, a member engaged in the practice of veterinary medicine in the facility must be
- (a) sent a renewal application form approved by the Registrar; and
 - (b) notified by the Accreditation Committee that the member must apply for renewal of the facility's accreditation certificate.
- (2) A member may apply for renewal of an accreditation certificate by submitting a completed renewal application to the Accreditation Committee on a form approved by the Registrar together with the prescribed fee at least 60 days before the expiry date of the current accreditation certificate.
- (3) On receiving an application under subsection (2), the Accreditation Committee must appoint an inspector to conduct an inspection of a facility and the inspector must conduct the inspection before the expiry of the facility's current accreditation certificate.
- (4) If an inspector is satisfied that a facility inspected under subsection (3) meets the standards for the applicable category or categories of facility as set out in the by-laws, the inspector must issue a new accreditation certificate to the facility in the applicable category or categories.

Notification of accreditation certificate to Accreditation Committee

- 64** An inspector must notify the Registrar and the Chair of the Accreditation Committee when they grant or renew an accreditation certificate.

Denial of accreditation certificate

- 65** (1) If an inspector does not issue an accreditation certificate under subsection 61(2) or 63(4), the inspector must give the Accreditation Committee a written recommendation for denial, including reasons for the recommendation.
- (2) On receiving a recommendation for denial from an inspector, the Accreditation Committee must notify the applicant of the recommendation, and invite the applicant to present any further relevant information to the Accreditation Committee either orally or in writing, as determined by the Accreditation Committee.
- (3) On receiving information from an applicant under subsection (2), and after reviewing the information with the inspector, if the Accreditation Committee considers it necessary, the Accreditation Committee must issue or deny an accreditation certificate.

Appeal from denial of renewal of accreditation certificate

- 66** A member or members who have been denied renewal of an accreditation certificate under Section 65 may appeal the decision of the Accreditation Committee to the Accreditation Appeal Committee in the same manner as an appeal from a denial of an accreditation certificate under Section 41 of the Act.

Change in ownership of facility

- 67** (1) If the majority of the owners of a facility changes during the term of an accreditation certificate, or if the majority of the voting shareholders of a corporate owner of a facility changes during the term of an accreditation certificate, the member or members who intend to practise in the facility following the change in ownership must notify the Registrar of the change in majority ownership and reapply for an interim accreditation certificate in accordance with Section 57 within 30 days of the change.
- (2) An accreditation certificate of a facility in effect before a change in the majority of owners remains in effect until an interim accreditation certificate is issued or denied.

Re-inspection of facility suspected of non-compliance

- 68** (1) If the Accreditation Committee has reasonable and probable grounds to believe that a facility that holds a current accreditation certificate is no longer in compliance with the standards required for that category of facility as set out in the by-laws, the Accreditation Committee must direct an inspector to conduct an immediate re-inspection of the facility.
- (2) If an inspector determines that a facility suspected of non-compliance complies with the standards required for that category of facility as set out in the by-laws, the inspector must notify the Registrar and the Chair of the Accreditation Committee of the facility's compliance, and no further action is required.

Revocation of accreditation certificate

- 69** (1) If an inspector determines that a facility suspected of non-compliance does not meet the standards required for that category of facility as set out in the by-laws, the inspector must give the Accreditation Committee a report of the inspection, including details of the non-compliance.
- (2) On receiving an inspector's report under subsection (1), the Accreditation Committee must notify the member or members engaged in the practice of veterinary medicine in the facility of the inspector's report, and invite the member or members to present any further relevant information to the Accreditation Committee either orally or in writing, as determined by the Accreditation Committee.

- (3) On receiving information from a member or members under subsection (2), and after reviewing the information with the inspector, if the Accreditation Committee considers it necessary, the Accreditation Committee must revoke or uphold the accreditation certificate of the facility.
- (4) A member or members engaged in the practice of veterinary medicine in a facility for which the accreditation certificate is revoked may appeal the decision of the Accreditation Committee to the Accreditation Appeal Committee in the same manner as an appeal from a denial of an accreditation certificate under Section 41 of the Act.

Categories of facilities

70 The categories of facilities are as follows:

- (a) small animal hospital;
- (b) small animal clinic;
- (c) small animal mobile service;
- (d) small animal house call service;
- (e) large animal hospital;
- (f) large animal clinic;
- (g) large animal mobile service; and
- (h) emergency clinic.

Small animal hospital

- 71** (1) The scope of practice for a small animal hospital is limited to examination, diagnostic and prophylactic services and medical and surgical treatment for small animals, including major surgery.
- (2) A small animal hospital must be equipped to provide housing and nursing care for small animals during illness, convalescence and major surgery.

Small animal clinic

- 72** (1) The scope of practice for a small animal clinic is limited to examination, diagnostic and prophylactic services and medical and surgical treatment for small animals, and does not include major surgery.
- (2) Despite subsection (1), ovariohysterectomies may be performed in a small animal clinic if anaesthetic services, overnight compartments and an area for major surgical procedures, as required by the standards for a small animal hospital set out in the by-laws, are provided within the small animal clinic.
- (3) A small animal clinic must be associated with a small animal hospital that is located within reasonable proximity to the area served by the small animal clinic and that has agreed to provide hospitalization, surgery and other services not provided by the small animal clinic.

Small animal mobile service

- 73** (1) The scope of practice for a small animal mobile service is limited to examination, diagnostic and prophylactic services and minor surgical procedures for small animals that require only local

anaesthesia, not general anaesthesia or sedation, only if the equipment required in the standards for a small animal mobile service is available, and does not include radiology and major surgery.

- (2) A small animal mobile service may provide the same services as a small animal clinic if there is no small animal clinic or small animal hospital within an 80-km driving distance of the small animal mobile service or if approved by the Accreditation Committee.
- (3) A small animal mobile service must be conducted from a vehicle and must be operated from, and under the same ownership as, a small animal hospital.

Small animal house call service

- 74 (1) The scope of practice for a small animal house call service is limited to the same services as a small animal mobile service, if the standards for a small animal mobile service as set out in the by-laws are met.
- (2) A small animal house call service must be operated from, and under the same ownership as, a small animal hospital and the services must be performed during visits to clients' residences.

Large animal hospital

- 75 (1) The scope of practice for a large animal hospital is limited to examination, diagnostic and prophylactic services and medical and surgical treatment for large animals, including major surgery.
- (2) A large animal hospital must be equipped to provide housing and nursing care for large animals during illness, convalescence and major surgery.

Large animal clinic

- 76 The scope of practice for a large animal clinic is limited to the same services as a large animal hospital, if the standards for a large animal hospital as set out in the by-laws are met.

Large animal mobile service

- 77 (1) The scope of practice for a large animal mobile service is limited to the same services as a large animal hospital, if the standards for a large animal hospital as set out in the by-laws are met.
- (2) A large animal mobile service must be conducted from a vehicle and must be operated from, and under the same ownership as, a large animal hospital or large animal clinic.

Emergency clinic

- 78 (1) The scope of practice for an emergency clinic is limited to examination, diagnostic and prophylactic services and medical and surgical treatment for small animals, including major surgery.
- (2) An emergency clinic must be open only during hours that are outside the regular business hours of small animal hospitals or small animal clinics in the vicinity of the emergency clinic.
 - (3) An emergency clinic must
 - (a) be operated, equipped and staffed to provide emergency services;
 - (b) have a member who holds a general practice licence and sufficient staff to provide timely and appropriate care in attendance at all times during the operation of the facility;
 - (c) specify its hours of operation, which must principally be the hours when most other categories of facilities are not providing client services;

- (d) transfer patients' records to the primary care provider of each patient on the next available business day;
- (e) when the clinic closes, arrange for the transfer of a patient to the patient's primary care provider if necessary;
- (f) meet the standards for small animal hospitals as set out in the by-laws; and
- (g) have the equipment required for emergency clinics as specified in the standards set out in the by-laws.