

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 30, No. 16

September 1, 2006

Contents

Act	Reg. No.	Page
Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act		
Nova Scotia Offshore Area Petroleum Drilling Regulations – amendment	165/2006	586
Dairy Industry Act		
Milk House Water Quality Regulations	166/2006	587
Environment Act		
Industrial Air Emissions Fees Regulations	148/2006	559
Natural Products Act		
Nova Scotia Egg Producers' Marketing Plan – amendment	164/2006	579
Petroleum Products Pricing Act		
Prescribed Petroleum Products Prices	149/2006	561
Prescribed Petroleum Products Prices	150/2006	564
Sales Tax Act		
Sales Tax Act Regulations – amendment	151/2006	566
Wildlife Act		
Bear Harvesting Regulations – amendment	154/2006	573
Chignecto Game Sanctuary Regulations – amendment	155/2006	574
Deer Hunting Regulations – amendment	156/2006	574
Fur Harvesting Regulations – amendment	157/2006	575
General Wildlife Regulations – amendment	153/2006	571
Guide Regulations – amendment	158/2006	576
Hunter Education, Safety and Training Regulations – amendment	152/2006	569
Liscomb Game Sanctuary Regulations – amendment	159/2006	576

Wildlife Act (cont.)

Moose Hunting Regulations – amendment	160/2006	576
Small Game Hunting Regulations – amendment	161/2006	577
Tobeatic Wildlife Management Area Regulations – amendment	162/2006	578

Youth Criminal Justice Act

Designation of Cape Breton Youth Detention Facility	163/2006	578
---	----------	-----

Youth Justice Act

Designation of Cape Breton Youth Detention Facility	163/2006	578
---	----------	-----

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. 148/2006

Made: August 2, 2006

Filed: August 9, 2006

Industrial Air Emissions Fees Regulations

Order dated August 2, 2006
 Regulations made by the Minister of Environment and Labour
 pursuant to Section 8 of the *Environment Act*

In the matter of Section 8 of Chapter 1 of the Acts of 1994-96 [1994-95], the *Environment Act*

- and -

In the matter of ~~regulations respecting~~ [the] *Industrial Air Emission Fees Regulations*

Order

I, Mark Parent, Minister of Environment and Labour for the Province of Nova Scotia, pursuant to Section 8 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, do hereby

- (a) repeal the *Industrial Air Emissions Fees Regulations*, N.S. Reg. 102/2005, made by the Minister of Environment and Labour on April 1, 2005; and
- (b) make regulations respecting *Industrial Air Emissions Fees Regulations* in the form set forth in the attached, effective on and after April 1, 2006.

Dated and made at Halifax, Nova Scotia, August 2, 2006.

Sgd.: *Mark Parent*
 Hon. Mark Parent
 Minister of Environment and Labour

Schedule "A"

1. These regulations may be cited as the *Industrial Air Emission Fees Regulations*.
2. The industrial air emission fees for facilities in Nova Scotia are listed in the following tables:

Class 1

Pollutant	Threshold (tonnes/year)	Rate
Total Releases to Air including any combination of the following: Sulphur Dioxide, Particulate Matter ¹ , and other releases to air ²	≥30	\$3.85/tonne

Class 2

Pollutant	Threshold (tonnes/year)	Rate
Total Releases to Air including any combination of the following: Sulphur Dioxide, Particulate Matter ¹ , and other releases to air ²	<30	no fee

Appendix A - Other Releases to Air

Ammonia (total)
 Antimony (and its compounds)
 Carbon monoxide
 Chlorine
 Chromium (and its compounds)
 Cobalt (and its compounds)
 Copper (and its compounds)
 Cresol (mixed isomers and their salts)
 Diethanolamine (and its salts)
 Hydrochloric acid
 Hydrogen cyanide
 Hydrogen sulphide
 Manganese (and its compounds)
 Nickel (and its compounds)
 Oxides of nitrogen (expressed as NO₂)
 Phosphorus (total)
 Selenium (and its compounds)
 Sulphuric acid
 Vanadium (except when in an alloy) and its compounds
 Zinc (and its compounds)

and Volatile Organic Compounds (VOCs) that include (but are not limited to):

1,2,4-Trimethylbenzene
 7H-Dibenzo(c,g)carbazole
 Acetaldehyde
 Benzene
 Benzo(a)anthracene
 Benzo(a)phenanthrene
 Benzo(a)pyrene
 Benzo(b)fluoranthene
 Benzo(e)pyrene
 Benzo(g,h,i)perylene
 Benzo(j)fluoranthene
 Benzo(k)fluoranthene
 Biphenyl
 Chloromethane
 Cumene
 Cyclohexane
 Dibenz(a,j)acridine
 Dibenz(a,h)anthracene
 Dibenz(a,i)pyrene
 Dibutyl phthalate

Dichloromethane
Ethylbenzene
Ethylene
Ethylene glycol
Fluoranthene
Formaldehyde
Isopropyl alcohol
Methanol
Naphthalene
n-Hexane
Perylene
Phenanthrene
Phenol (and its salts)
Propylene
Pyrene
Styrene
Toluene
Trichloroethylene
Xylene (all isomers)

N.S. Reg. 149/2006

Made: August 9, 2006

Filed: August 16, 2006

Prescribed Petroleum Products Prices

Order dated August 9, 2006
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

Order

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated July 26, 2006, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on July 27, 2006; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on August 10, 2006.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 9, 2006.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"
Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 27, 2006

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	69.3
Mid-grade unleaded gasoline	72.3
Premium unleaded gasoline	75.3
Low sulfur diesel oil	67.6
Ultra low sulfur diesel oil	N/A

Table 2: Wholesale Margins, Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)

			Retail Mark-up				Retail Price (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1										
Regular Unleaded	6.3	101.1	4.0	5.5	4.0	7.5	119.8	121.5	119.8	123.8
Mid-Grade Unleaded	9.3	104.1	4.0	5.5	4.0	7.5	123.2	124.9	123.2	127.2
Premium Unleaded	12.3	107.1	4.0	5.5	4.0	7.5	126.7	128.4	126.7	130.6
Low-Sulfur Diesel	6.3	93.3	4.0	5.5	4.0	7.5	110.9	112.6	110.9	114.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

			Retail Mark-up				Retail Price (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 2										
Regular Unleaded	6.7	101.5	4.0	5.5	4.0	7.5	120.3	122.0	120.3	124.3
Mid-Grade Unleaded	9.7	104.5	4.0	5.5	4.0	7.5	123.7	125.4	123.7	127.7
Premium Unleaded	12.7	107.5	4.0	5.5	4.0	7.5	127.1	128.8	127.1	131.1
Low-Sulfur Diesel	6.7	93.7	4.0	5.5	4.0	7.5	111.4	113.1	111.4	115.4
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 3										
Regular Unleaded	7.2	102.0	4.0	5.5	4.0	7.5	120.8	122.6	120.8	124.8
Mid-Grade Unleaded	10.2	105.0	4.0	5.5	4.0	7.5	124.3	126.0	124.3	128.3
Premium Unleaded	13.2	108.0	4.0	5.5	4.0	7.5	127.7	129.4	127.7	131.7
Low-Sulfur Diesel	7.2	94.2	4.0	5.5	4.0	7.5	111.9	113.7	111.9	115.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 4										
Regular Unleaded	7.2	102.0	4.0	5.5	4.0	7.5	120.8	122.6	120.8	124.8
Mid-Grade Unleaded	10.2	105.0	4.0	5.5	4.0	7.5	124.3	126.0	124.3	128.3
Premium Unleaded	13.2	108.0	4.0	5.5	4.0	7.5	127.7	129.4	127.7	131.7
Low-Sulfur Diesel	7.2	94.2	4.0	5.5	4.0	7.5	111.9	113.7	111.9	115.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 5										
Regular Unleaded	7.2	102.0	4.0	5.5	4.0	7.5	120.8	122.6	120.8	124.8
Mid-Grade Unleaded	10.2	105.0	4.0	5.5	4.0	7.5	124.3	126.0	124.3	128.3
Premium Unleaded	13.2	108.0	4.0	5.5	4.0	7.5	127.7	129.4	127.7	131.7
Low-Sulfur Diesel	7.2	94.2	4.0	5.5	4.0	7.5	111.9	113.7	111.9	115.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 6										
Regular Unleaded	8.0	102.8	4.0	5.5	4.0	7.5	121.8	123.5	121.8	125.7
Mid-Grade Unleaded	11.0	105.8	4.0	5.5	4.0	7.5	125.2	126.9	125.2	129.2
Premium Unleaded	14.0	108.8	4.0	5.5	4.0	7.5	128.6	130.3	128.6	132.6
Low-Sulfur Diesel	8.0	95.0	4.0	5.5	4.0	7.5	112.9	114.6	112.9	116.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

N.S. Reg. 150/2006

Made: August 14, 2006

Filed: August 16, 2006

Prescribed Petroleum Products Prices

Order dated August 14, 2006
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*
made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

Order

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated August 9, 2006, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on August 10, 2006; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on August 15, 2006.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 14, 2006.

Sgd.: *Jamie Muir*
Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Schedule "A"
Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on July 27, 2006

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	61.3
Mid-grade unleaded gasoline	64.3
Premium unleaded gasoline	67.3
Low sulfur diesel oil	67.6
Ultra low sulfur diesel oil	N/A

Table 2: Wholesale Margins, Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)										
			Retail Mark-up				Retail Price (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1										
Regular Unleaded	6.3	93.1	4.0	5.5	4.0	7.5	110.7	112.4	110.7	114.7
Mid-Grade Unleaded	9.3	96.1	4.0	5.5	4.0	7.5	114.1	115.8	114.1	118.1
Premium Unleaded	12.3	99.1	4.0	5.5	4.0	7.5	117.5	119.2	117.5	121.5
Low-Sulfur Diesel	6.3	93.3	4.0	5.5	4.0	7.5	110.9	112.6	110.9	114.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 2										
Regular Unleaded	6.7	93.5	4.0	5.5	4.0	7.5	111.2	112.9	111.2	115.1
Mid-Grade Unleaded	9.7	96.5	4.0	5.5	4.0	7.5	114.6	116.3	114.6	118.6
Premium Unleaded	12.7	99.5	4.0	5.5	4.0	7.5	118.0	119.7	118.0	122.0
Low-Sulfur Diesel	6.7	93.7	4.0	5.5	4.0	7.5	111.4	113.1	111.4	115.4
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 3										
Regular Unleaded	7.2	94.0	4.0	5.5	4.0	7.5	111.7	113.4	111.7	115.7
Mid-Grade Unleaded	10.2	97.0	4.0	5.5	4.0	7.5	115.1	116.9	115.1	119.1
Premium Unleaded	13.2	100.0	4.0	5.5	4.0	7.5	118.6	120.3	118.6	122.6
Low-Sulfur Diesel	7.2	94.2	4.0	5.5	4.0	7.5	111.9	113.7	111.9	115.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

			Retail Mark-up				Retail Price (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 4										
Regular Unleaded	7.2	94.0	4.0	5.5	4.0	7.5	111.7	113.4	111.7	115.7
Mid-Grade Unleaded	10.2	97.0	4.0	5.5	4.0	7.5	115.1	116.9	115.1	119.1
Premium Unleaded	13.2	100.0	4.0	5.5	4.0	7.5	118.6	120.3	118.6	122.6
Low-Sulfur Diesel	7.2	94.2	4.0	5.5	4.0	7.5	111.9	113.7	111.9	115.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 5										
Regular Unleaded	7.2	94.0	4.0	5.5	4.0	7.5	111.7	113.4	111.7	115.7
Mid-Grade Unleaded	10.2	97.0	4.0	5.5	4.0	7.5	115.1	116.9	115.1	119.1
Premium Unleaded	13.2	100.0	4.0	5.5	4.0	7.5	118.6	120.3	118.6	122.6
Low-Sulfur Diesel	7.2	94.2	4.0	5.5	4.0	7.5	111.9	113.7	111.9	115.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Zone 6										
Regular Unleaded	8.0	94.8	4.0	5.5	4.0	7.5	112.6	114.3	112.6	116.6
Mid-Grade Unleaded	11.0	97.8	4.0	5.5	4.0	7.5	116.1	117.8	116.1	120.0
Premium Unleaded	14.0	100.8	4.0	5.5	4.0	7.5	119.5	121.2	119.5	123.5
Low-Sulfur Diesel	8.0	95.0	4.0	5.5	4.0	7.5	112.9	114.6	112.9	116.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

N.S. Reg. 151/2006

Made: August 17, 2006

Filed: August 17, 2006

Sales Tax Act Regulations

Order in Council 2006-362 dated August 17, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 13 of the *Sales Tax Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated August 10, 2006, and pursuant to Section 13 of Chapter 31 of the Acts of 1996, the *Sales Tax Act*, is pleased to amend the *Sales Tax Act Regulations*, N.S. Reg. 33/97, made by the Governor in Council by Order in Council 97-208 dated April 1, 1997, to provide for a point of sale rebate of the Provincial portion of the harmonized sales tax on composite property, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 1, 2006.

Schedule "A"

**Amendment to the *Sales Tax Act Regulations*
made by the Governor in Council pursuant to
Section 13 of Chapter 31 of the Acts of 1996,
the *Sales Tax Act***

- 1 Subsection 8(1) of the *Sales Tax Act Regulations*, N.S. Reg. 33/97, made by the Governor in Council by Order in Council 97-208 dated April 1, 1997, is amended by:
- (a) relettering clause (a) as clause (ab);
 - (b) adding the following clauses immediately before clause (ab):
 - (a) "composite property" means property that is wrapped, packaged or otherwise prepared for sale as a single product, the only components of which product are a printed book and
 - (i) a read-only medium that contains material all or substantially all of the value of which is reasonably attributable to one or more of the following:
 - (A) a reproduction of the printed book,
 - (B) material that makes specific reference to the printed book and the content of it and that supplements, and is integrated with, that content, or
 - (ii) if the product is specially designed for use by students enrolled in a qualifying course, a read-only medium or a right to access a website, or both of them, that contains material that is related to the subject matter of the printed book;
 - (aa) "exempt supply" has the meaning assigned to it under subsection 123(1) of the *Excise Tax Act* (Canada);
 - (c) striking out "and includes an update of a printed book, an audio recording, all or substantially all of which is a spoken reading of a printed book, and a bound or unbound printed version of scripture of any religion" in clause (c);
 - (d) adding the following clauses immediately after clause (d):
 - (da) "qualifying course" means a course instructing individuals the service of which
 - (i) is an exempt supply included in Part III of Schedule V to the *Excise Tax Act* (Canada), or
 - (ii) would be an exempt supply included in Part III, Schedule V to the *Excise Tax Act* (Canada) but for the fact that the supplier of the service has made an election under a section of that Part;
 - (db) "qualifying property" means property that is
 - (i) a printed book,
 - (ii) a composite property,

- (iii) an update of a printed book,
 - (iv) an audio recording, all or substantially all of which is a spoken reading of a printed book, or
 - (v) a bound or unbound printed version of scripture of any religion;
- (dc) “read-only medium” means a tangible medium that is designed for the read-only storage of information and other material in digital format;
- 2 Subsections 8(2) to (5) of the regulations are amended by striking out “printed book” wherever it appears and substituting “qualifying property”.
-

N.S. Reg. 152/2006 to 162/2006

Made: August 17, 2006

Filed: August 17, 2006

Various Wildlife Regulations

Order in Council 2006-365 dated August 17, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 113 of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated August 15, 2006, and pursuant to Section 113 of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased, on and after August 17, 2006, to amend the following regulations to implement a Wildlife Resources Card with a unique numeric identifier which will be issued to all resident hunters, will contain information on the name, address, eligibility and certifications of the hunter, will enable more efficient licensing, wildlife draws and reporting of harvest information and will replace three current training certificates, in the following manner:

- (a) the *Hunter Education, Safety and Training Regulations*, N.S. Reg. 208/87, made by the Governor in Council by Order in Council 87-1184 dated September 29, 1987, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation;
- (b) the *General Wildlife Regulations*, N.S. Reg. 205/87, made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation;
- (c) the *Bear Harvesting Regulations*, N.S. Reg. 60/88, made by the Governor in Council by Order in Council 88-349 dated March 29, 1988, in the manner set forth in Schedule “C” attached to and forming part of the report and recommendation;
- (d) the *Chignecto Game Sanctuary Regulations*, N.S. Reg. 138/94, made by the Governor in Council by Order in Council 94-681 dated August 17, 1994, in the manner set forth in Schedule “D” attached to and forming part of the report and recommendation;
- (e) the *Deer Hunting Regulations*, N.S. Reg. 59/88, made by the Governor in Council by Order in Council 88-348 dated March 29, 1988, in the manner set forth in Schedule “E” attached to and forming part of the report and recommendation;

- (f) the *Fur Harvesting Regulations*, N.S. Reg. 165/87, made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, in the manner set forth in Schedule “F” attached to and forming part of the report and recommendation;
- (g) the *Guide Regulations*, N.S. Reg. 206/87, made by the Governor in Council by Order in Council 87-1182 dated September 29, 1987, in the manner set forth in Schedule “G” attached to and forming part of the report and recommendation;
- (h) the *Liscomb Game Sanctuary Regulations*, N.S. Reg. 113/96, made by the Governor in Council by Order in Council 96-478 dated June 25, 1996, in the manner set forth in Schedule “H” attached to and forming part of the report and recommendation;
- (i) the *Moose Hunting Regulations*, N.S. Reg. 90/88, made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, in the manner set forth in Schedule “I” attached to and forming part of the report and recommendation;
- (j) the *Small Game Hunting Regulations*, N.S. Reg. 166/87, made by the Governor in Council by Order in Council 87-957 dated August 18, 1987, in the manner set forth in Schedule “J” attached to and forming part of the report and recommendation; and
- (k) the *Tobeatic Wildlife Management Area Regulations*, N.S. Reg. 139/94, made by the Governor in Council by Order in Council 94-682 dated August 17, 1994, in the manner set forth in Schedule “K” attached to and forming part of the report and recommendation.

N.S. Reg. 152/2006

Hunter Education, Safety and Training Regulations

Schedule “A”

**Amendment to the *Hunter Education, Safety and Training Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Hunter Education, Safety and Training Regulations*, N.S. Reg. 208/87, made by the Governor in Council by Order in Council 87-1184 dated September 29, 1987, is amended by
 - (a) repealing clause (c);
 - (b) repealing clause (g) and substituting the following clause:
 - (g) “hunter education course” means a course relating to firearms, bows or fur harvesting that is approved by the Department and that includes education, training and safety components;
 - (c) striking out “the hunter safety course approved by the Minister” and substituting “a hunter education course” in clause (h).
- 2 Section 3 of the regulations is repealed.
- 3 (1) Subsection 6(2) of the regulations is amended by striking out “, club or organization”.

- (2) Clause 6(2)(b) of the regulations is amended by striking out “and bows” and substituting “, bows or fur harvesting”.
- 4 (1) Subsections 7(2) and (3) of the regulations are repealed.
- (2) Subsection 7(4) of the regulations is amended by striking out “Subject to subsection (3), a” and substituting “A”.
- (3) Subsection 7(5) of the regulations is repealed and the following subsection substituted:
- (5) If the Minister is satisfied that special circumstances exist preventing a person from taking the examination mentioned in subsection (4), the Minister may authorize an instructor to conduct an oral examination of that person, and if the person demonstrates to the satisfaction of the instructor that they are qualified to hunt with a firearm or bow, or are qualified to be a fur harvester, the person is deemed to have successfully completed the appropriate hunter education course.
- 5 Section 8 of the regulations and the immediately preceding heading are repealed and the following Section and heading substituted:

Certification

8 (1) The Minister may certify that a person is

- (a) qualified to hunt with a firearm;
- (b) qualified to hunt with a bow; or
- (c) a qualified fur harvester.

(2) No person shall be certified under subsection (1) unless the person meets one of the following applicable criteria:

- (a) the person has successfully completed the relevant hunter education course;
- (b) the person has been previously certified by the Department as a qualified firearm hunter;
- (c) the person held a valid fur harvester’s licence before August 1, 1986;
- (d) the person produces proof satisfactory to the Department of having successfully completed a hunter education course in another province, state or country that is equivalent to the relevant hunter education course offered in Nova Scotia;
- (e) the person is a non-resident and produces proof satisfactory to the Department that the person is entitled to hunt with a firearm or bow in another jurisdiction.

(3) No person shall produce a false or misleading document for the purpose of being certified under subsection (1).

6 Section 9 of the regulations is repealed.

7 Section 10 of the regulations is repealed and the following Section substituted:

- 10 The Minister may refuse to test any person who applies to take or has taken a hunter education course, or may refuse to certify or cancel any certification issued to a person under Section 8 if the Minister considers it necessary for the protection and safety of the public.
- 8 Section 11 of the regulations is amended by striking out “issued a certificate” and substituting “certified”.
- 9 Section 12 of the regulations is repealed and the following Section substituted:
- 12 Except as otherwise authorized, no person shall, while in a wildlife habitat, possess or hunt with
- (a) a firearm, unless the person has been certified to hunt with a firearm under Section 8;
 - (b) a bow, unless the person has been certified to hunt with a bow under Section 8; or
 - (c) a trap or snare, unless the person has been certified as a qualified fur harvester under Section 8.

N.S. Reg. 153/2006

General Wildlife Regulations

Schedule “B”

**Amendments to the *General Wildlife Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Subsection 2(1) of the *General Wildlife Regulations*, N.S. Reg. 205/87, made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, is amended by
- (a) striking out the period at the end of clause (l) and substituting a semicolon; and
 - (b) adding the following clause immediately after clause (l):
 - (m) “Wildlife Resources Card” means a card issued to an individual by the Department that contains information unique to the holder, including a unique numeric identifier, and that is valid.
- 2 (1) Subsection 3(7) of the regulations is amended by striking out “provided the person is the holder of a valid Firearm Hunting Certificate or Bowhunter Hunting Certificate” and substituting “if the person has been certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act.”
- (2) Section 3 of the regulations is further amended by
- (a) striking out “provided” in subsection (8) and substituting “if”;
 - (b) repealing clause (8)(a) and substituting the following clause:
 - (a) the person has been certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act;

(c) repealing clause (8)(c) and substituting the following clause:

- (c) the person is under the immediate supervision of their parent or guardian or any other responsible person 18 years of age or over who has been certified under the *Hunter Education, Safety and Training Regulations* made under the Act to hunt with a firearm or bow, as applicable; and

3 The regulations are further amended by adding the following heading and Section immediately after Section 3B:

Wildlife Resources Card

3C (1) A resident must hold a Wildlife Resources Card before that person may be issued any of the following:

- (a) a base licence;
- (b) a Bear Hunting Licence or Resident Bear Snaring Licence under the *Bear Hunting Regulations* made under the Act;
- (c) a Deer Hunting Licence issued under the *Deer Hunting Regulations* made under the Act;
- (d) a Dog Field Trial Permit, Dog Training Permit or Raccoon Dog Night Hunting Permit issued under the *Dog Hunting and Training Regulations* made under the Act;
- (e) a Weapon Discharge Permit issued under the *Firearm and Bow Regulations* made under the Act;
- (f) a Fur Buyer Licence, Hide Dealer Licence or Taxidermist Licence issued under the *Fur Buyers, Hide Dealers and Taxidermists Regulations* made under the Act;
- (g) a Fur Harvester's Licence issued under the *Fur Harvesting Regulations* made under the Act;
- (h) a Nuisance Wildlife Operator's Licence, Falconry Permit, or Falconry Breeding Permit issued under these regulations;
- (i) a registered guide licence or special permit to guide issued under the *Guide Regulations* made under the Act;
- (j) a companion moose hunting stamp or a moose hunting licence issued under the *Moose Hunting Regulations* made under the Act;
- (k) a pheasant shooting preserve operator's licence issued under the *Pheasant Shooting Preserve Regulations* made under the Act;
- (l) a Small Game Hunting Licence issued under the *Small Game Hunting Regulations* made under the Act.
- (2)** Except as provided in subsection (3), the fee to obtain, renew or replace a Wildlife Resources Card is \$6.25 plus applicable taxes.

- (3) A person who held a valid Firearm Hunting Certificate, Bowhunter Hunting Certificate or Fur Harvester's Certificate on December 31, 2005, may obtain a Wildlife Resources Card free of charge before January 1, 2007.
 - (4) A resident who holds a Wildlife Resources Card must
 - (a) not lend their Wildlife Resources Card to another person or permit another person to have or use their Wildlife Resources Card;
 - (b) carry their Wildlife Resources Card while hunting; and
 - (c) produce their Wildlife Resources Card while hunting, if requested to do so by a conservation officer.
 - (5) Except as provided in the Act and regulations, no person shall possess a firearm, bow, trap or snare in a wildlife habitat unless the person is also carrying their Wildlife Resources Card.
- 4 The regulations are further amended by repealing clause 5(9)(b) and substituting the following clause:
- (b) is certified as a qualified fur harvester under the *Hunter Education, Safety and Training Regulations* made under the Act;

N.S. Reg. 154/2006

Bear Harvesting Regulations

Schedule "C"

**Amendment to the *Bear Harvesting Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Bear Harvesting Regulations*, N.S. Reg. 60/88, made by the Governor in Council by Order in Council 88-349 dated March 29, 1988, is amended by repealing clauses (e) and (g).
- 2 Subsection 4(1) of the regulations is amended by striking out "issued a valid Firearm Hunting Certificate or Bowhunter Hunting Certificate" and substituting "certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act".
- 3 Subsection 4(2) of the regulations is amended by striking out "issued a valid Fur Harvesters Certificate by the Department or is a bona fide fur harvester registered with the Department" and substituting "certified as a qualified fur harvester under the *Hunter Education, Safety and Training Regulations* made under the Act."
- 4 Subsection 4(3) of the regulations is amended by striking out "issued a valid Firearm Hunting Certificate or Bowhunter Hunting Certificate" and substituting "certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act".
- 5 Clause 4(6)(b) of the regulations is amended by striking out "possesses a valid Firearm Hunting Certificate if the hunting is done with a firearm, or a valid Bowhunter Hunting Certificate if the hunting is done with

a bow” and substituting “is certified under the *Hunter Education, Safety and Training Regulations* made under the Act to hunt with a firearm or bow, as applicable”.

- 6 Subsections 4(7) and (8) of the regulations are repealed and the following subsections substituted:
- (7) No person shall take, hunt or kill or attempt to take, hunt or kill bear with a firearm or bow unless that person
- (a) holds a valid Bear Hunting Licence; and
 - (b) is certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act.
- (8) No person shall snare for bear unless that person
- (a) holds a valid Resident Bear Snaring Licence; and
 - (b) is certified as a qualified fur harvester under the *Hunter Education, Safety and Training Regulations* made under the Act.

N.S. Reg. 155/2006

Chignecto Game Sanctuary Regulations

Schedule “D”

**Amendment to the *Chignecto Game Sanctuary Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Clause 4(1)(a) of the *Chignecto Game Sanctuary Regulations*, N.S. Reg. 138/94, made by the Governor in Council by Order in Council 94-681 dated August 17, 1994, is repealed and the following clause substituted:

- (a) the person is certified to hunt with a bow under the *Hunter Education, Safety and Training Regulations* made under the Act;

N.S. Reg. 156/2006

Deer Hunting Regulations

Schedule “E”

**Amendment to the *Deer Hunting Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Deer Hunting Regulations*, N.S. Reg. 59/88, made by the Governor in Council by Order in Council 88-348 dated March 29, 1988, is amended by repealing clauses (f) and (r).

- 2 Subsections 4(1) and (2) of the regulations are amended by striking out “issued a valid Firearm Hunting Certificate or Bowhunter Hunting Certificate” wherever it appears and substituting “certified under the *Hunter Education, Safety and Training Regulations* made under the Act to hunt with a firearm or bow, as applicable”.
- 3 Clause 4(4)(b) of the regulations is amended by striking out “who possesses a valid Firearm Hunting Certificate if the hunting is done with a firearm or a valid Bowhunter Hunting Certificate if the hunting is done with a bow” and substituting “is certified under the *Hunter Education, Safety and Training Regulations* made under the Act to hunt with a firearm or bow, as applicable”.
- 4 Subsection 4(5) of the regulations is repealed and the following subsection substituted:
 - (5) No person shall take, hunt or kill or attempt to take, hunt or kill deer unless that person holds a valid Deer Hunting Licence.

N.S. Reg. 157/2006

Fur Harvesting Regulations

Schedule “F”

**Amendment to the *Fur Harvesting Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Fur Harvesting Regulations*, N.S. Reg. 165/87, made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, is amended by repealing clauses (g), (h) and (ha).
- 2 Subsection 3(1) of the regulations is repealed and the following subsections substituted:
 - 3 (1) Except as provided in subsection (2), the Minister may issue a Fur Harvester’s Licence to any person who
 - (a) is 16 years of age or over;
 - (b) is a resident; and
 - (c) is certified as a qualified fur harvester under the *Hunter Education, Safety and Training Regulations* made under the Act.
 - (1A) A Fur Harvester’s Licence must not be issued to any person who has not held a valid Fur Harvester’s Licence during the previous 4 years and has not taken a hunter education course related to fur harvesting that is approved by the Department, unless the Department exempts the person from this subsection.
- 3 Section 5 of the regulations is repealed.
- 4 Subsection 11(19) of the regulations is amended by striking out “their fur harvester identification number” and substituting “the unique trap identification number issued to that person by the Department”.

N.S. Reg. 158/2006

Guide Regulations

Schedule “G”

**Amendment to the *Guide Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 4(2) of the *Guide Regulations*, N.S. Reg. 206/87, made by the Governor in Council by Order in Council 87-1182 dated September 29, 1987, is amended by striking out “provided that the person is the holder of a Firearm Hunting Certificate or Bowhunter Hunting Certificate” and substituting “if the person is certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act”.

N.S. Reg. 159/2006

Liscomb Game Sanctuary Regulations

Schedule “H”

**Amendment to the *Liscomb Game Sanctuary Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 4(1) of the *Liscomb Game Sanctuary Regulations*, N.S. Reg. 113/96, made by the Governor in Council by Order in Council 96-478 dated June 25, 1996, is amended by striking out “possesses a valid Firearm Hunting Certificate and” and substituting “is certified to hunt with a firearm under the *Hunter Education, Safety and Training Regulations* made under the Act and possesses”.

N.S. Reg. 160/2006

Moose Hunting Regulations

Schedule “I”

**Amendment to the *Moose Hunting Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

1 Section 2 of the *Moose Hunting Regulations*, N.S. Reg. 90/88, made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, is amended by

- (a) striking out the period at the end of clause (e) and substituting a semicolon; and
- (b) adding the following clause immediately after clause (e):
 - (f) “Wildlife Resources Card” means a card issued to an individual under the *General Wildlife Regulations* made under the Act.

- 2 Subsection 3(2) of the regulations is amended by striking out “the master number of the Firearm Hunting Certificate or the Bowhunter Hunting Certificate issued to the applicant, and other” and substituting “the applicant’s Wildlife Resources Card number and any additional”.
- 3 Subsection 4(5) of the regulations is repealed and the following subsection substituted:
 - (5) No person shall take, hunt or kill or attempt to take, hunt or kill moose unless that person
 - (a) holds a valid moose hunting licence or a valid companion moose hunting stamp and is hunting in the Moose Management Zone specified on the stamp; and
 - (b) is certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act.
- 4 Clause 4A(1)(b) of the regulations is amended by striking out “holders of valid Firearm Hunting Certificates or valid Bowhunter Hunting Certificates” and substituting “certified to hunt with a firearm or bow under the *Hunter Education, Safety and Training Regulations* made under the Act”.
- 5 Clause 4A(2)(a) of the regulations is amended by striking out “Firearm Hunting Certificate or Bowhunter Hunting Certificate master number(s)” and substituting “Wildlife Resources Card number”.

N.S. Reg. 161/2006

Small Game Hunting Regulations

Schedule “J”

**Amendment to the *Small Game Hunting Regulations*
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 The *Small Game Hunting Regulations*, N.S. Reg. 166/87, made by the Governor in Council by Order in Council 87-957 dated August 18, 1987, are amended by repealing clause 4(4)(a) and substituting the following clause:
 - (a) the person is certified under the *Hunter Education, Safety and Training Regulations* made under the Act to hunt with a firearm or bow, as applicable.
- 2 Clause 4(4)(c) of the regulations is repealed and the following clause substituted:
 - (c) the person is under the immediate supervision of their parent or guardian or any other responsible person 18 years of age or older who is certified under the *Hunter Education, Safety and Training Regulations* made under the Act to hunt with a firearm or bow, as applicable.

N.S. Reg. 162/2006

Tobeatic Wildlife Management Area Regulations

Schedule "K"

**Amendment to the Tobeatic Wildlife Management Area Regulations
made by the Governor in Council
pursuant to Section 113 of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 4(1) of the *Tobeatic Wildlife Management Area Regulations*, N.S. Reg. 139/94, made by the Governor in Council by Order in Council 94-682 dated August 17, 1994, is amended by striking out "possesses a valid Firearm Hunting Certificate and" and substituting "is certified to hunt with a firearm under the *Hunter Education, Safety and Training Regulations* made under the Act and possesses".

N.S. Reg. 163/2006

Made: August 17, 2006

Filed: August 17, 2006

Revocation of Designation of the Cape Breton Young Offender Detention Centre
and Designation of Cape Breton Youth Detention Facility

Order in Council 2006-368 dated August 17, 2006
Revocation of Designation and Designation made by the Governor in Council
pursuant to Section 25 of the *Youth Justice Act* and
subsections 30(1) and 85(2) of the *Youth Criminal Justice Act* (Canada)

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated July 6, 2006, and pursuant to Section 25 of Chapter 38 of the Acts of 2001, the *Youth Justice Act*, and subsections 30(1) and 85(2) of Chapter 1 of the Statutes of Canada, 2002, the *Youth Criminal Justice Act*, is pleased, effective on and after July 1, 2006, to

- (a) revoke the designation of the Cape Breton Young Offender Detention Centre, N.S. Reg. 92/2003, made by the Governor in Council by Order in Council 2003-131 dated March 28, 2003, as a place of detention and custody, a place of temporary detention, a facility with the least degree of restraint of the young person and a place of closed/secure custody; and
- (b) designate the Cape Breton Youth Detention Facility at the Cape Breton Correctional Facility as
 - (i) a place of detention and custody pursuant to subsection 25(1) of the *Youth Justice Act*;
 - (ii) a place of temporary detention pursuant to subsection 30(1) of the *Youth Criminal Justice Act*; and
 - (iii) a youth custody facility with one or more levels of custody pursuant to subsection 85(2) of the *Youth Criminal Justice Act*.

N.S. Reg. 164/2006

Made: June 13, 2006

Approved: August 17, 2006

Filed: August 17, 2006

Nova Scotia Egg Producers' Marketing Plan

Order in Council 2006-374 dated August 17, 2006
Amendment to regulations made by the Natural Products Marketing Council
and approved by the Governor in Council
pursuant to Section 11 of the *Natural Products Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated July 27, 2006, and pursuant to Section 11 of Chapter 308 of the Revised Statutes of Nova Scotia, 1989, the *Natural Products Act*, is pleased to approve of amendments made by the Natural Products Marketing Council to the *Nova Scotia Egg Producers' Marketing Plan*, N.S. Reg. 239/82, made by the Natural Products Marketing Council and approved by the Governor in Council by Order in Council 82-1416 dated November 23, 1982, to repeal and replace Part I of the Plan in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 17, 2006.

Schedule "A"

I certify that at a meeting held June 13, 2006, the Natural Products Marketing Council passed a motion to amend the *Nova Scotia Egg Producers' Marketing Plan*, N.S. Reg. 239/82, made by the Natural Products Marketing Council and approved by the Governor in Council by Order in Council 82-1416 dated November 23, 1982, in the manner set forth in the attached.

The amendments are effective on and after the date they are approved by the Governor in Council.

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

Natural Products Marketing Council

Sgd.: *E. A. Crouse*
Elizabeth A. Crouse
Acting General Manager

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

Part I of the *Nova Scotia Egg Producers' Marketing Plan* is repealed and the following Part substituted:

Part I**Citation**

1 These regulations may be cited as the *Nova Scotia Egg Producers' Marketing Plan*.

Interpretation

2 In these regulations, unless the context otherwise requires,

(a) "Act" means the *Natural Products Act*;

- (b) “Agency” means the Canadian Egg Marketing Agency established by the Canadian Egg Marketing Agency Proclamation issued under the *Farm Products Agencies Act* (Canada);
- (c) “Commodity Board” or “Board” means the Nova Scotia Egg Producers;
- (d) “Council” means the Natural Products Marketing Council;
- (e) “egg” means an egg of a hen;
- (f) “grading” means sorting and classifying eggs at an egg station registered under Section 7 of the *Egg Regulations* made under the *Canada Agricultural Products Act*;
- (g) “hen” means a female of any class of domestic fowl belonging to the species *Gallus domesticus*;
- (h) “layer” means a laying hen that is 19 weeks of age or older;
- (i) “licence” means a licence issued by the Board to authorize a person to engage in an activity specified in Section 20;
- (j) “marketing” includes advertising, buying, selling, storing, packing, transporting, shipping, pricing, processing, shipping for sale or storage, offering for sale and any other act necessary to prepare eggs and pullets in a form, or make them available at a place and time, for purchase, consumption or use, and also includes sale by peddlers, hawkers and traders;
- (k) “person” includes a board, association, corporation, firm and partnership;
- (l) “Plan” means the *Nova Scotia Egg Producers’ Marketing Plan*;
- (m) “processing” includes breaking, filtering, blending, heat treating, stabilizing, mixing, cooling, freezing or drying eggs;
- (n) “processor” means a person engaged in processing eggs;
- (o) “proclamation” means the Canadian Egg Agency Proclamation issued under the *Farm Products Marketing Agencies Act* (Canada);
- (p) “producer” means a person engaged in producing eggs or pullets in the regulated area;
- (q) “pullet” means a hen that is less than 19 weeks of age and has been produced for the purpose of laying eggs for human consumption;
- (r) “quota” means
 - (i) in reference to egg production, the maximum number of layers that a producer is entitled to house in their facilities for producing and marketing eggs, as determined by the Board,
 - (ii) in reference to pullet production, the maximum number of pullets that a producer is entitled to grow in their facilities, as determined by the Board;
- (s) “regulated area” means all of the Province.

Purposes of Plan

- 3** The purposes of the Plan are to promote and regulate egg production and marketing in Nova Scotia, and in particular to
- (a) provide for a supply of eggs in volumes agreed upon with the Agency or an agency of a provincial government; and
 - (b) establish a framework for the Commodity Board to administer the Plan through activities including
 - (i) setting quotas for egg producers,
 - (ii) setting quotas for pullet producers,
 - (iii) facilitating cooperation with marketing boards, marketing commissions or marketing agencies established by the Government of Canada or any province in Canada for the purpose of producing and marketing eggs, and
 - (iv) fixing fair or minimum market prices to be paid to a producer for eggs of any class, variety, grade, or size.

Recommendation to discontinue Plan

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

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

- 5 (1)** Under subsection 6(2) of the Act, the Council delegates to the Commodity Board the power to
- (a) do any acts, make any orders and issue any directions that are necessary to enforce the Act, the Plan and the regulations (clause 6(1)(c) of the Act);
 - (b) investigate the cost of producing, distributing and transporting eggs and pullets, prices, price spreads, trade practices, methods of financing, management, grading, policies and other matters relating to marketing or producing eggs and pullets (clause 6(1)(b) of the Act);
 - (c) determine fair or minimum prices that must be paid to producers or to the Board for any class, variety, grade or size of eggs or pullets (clause 6(1)(g) of the Act);
 - (d) exempt from the Plan or any order or direction of the Commodity Board any person or class of persons engaged in producing or marketing eggs or pullets, or producing or marketing a class, variety or grade of eggs or pullets (clause 6(1)(h) of the Act);
 - (e) require persons engaged in producing or marketing eggs or pullets to register with the Commodity Board their names, addresses and occupations and the quantity of eggs and pullets produced or marketed by them, and require persons engaged in producing or marketing eggs or pullets to furnish such additional information as the Commodity Board may determine and inspect the books, records and premises of persons engaged in production or marketing (clause 6(1)(i) of the Act);

- (f) cooperate and act conjointly with a marketing board, commodity board, marketing commission or marketing agency of Canada or a province or territory in Canada established for the purpose of marketing eggs and pullets (clause 6(1)(l) of the Act);
 - (g) cooperate and act conjointly with boards or agencies in the Province for the purpose of sharing information or resources (clause 6(1)(l) of the Act);
 - (h) require any person engaged in marketing or producing eggs or pullets to furnish security or proof of financial responsibility (clause 6(1)(n) of the Act);
 - (i) require persons designated by the Board who are engaged in marketing eggs or pullets to deduct licence fees, levies or charges established under the Plan from any amount payable by them to producers, and to remit all amounts so deducted to the Council or Board (clause 6(1)(j) of the Act);
 - (j) require the person in charge of any vehicle thought to be conveying any eggs or pullets to stop the vehicle and to permit any person appointed by the Council for that purpose to inspect the vehicle and its contents (clause 6(1)(k) of the Act);
 - (k) investigate, arbitrate, adjudicate upon, adjust or otherwise settle any dispute between any 2 or more producers, distributors or transporters of eggs or pullets or any dispute between producers, distributors or transporters of eggs or pullets as classes of persons (clause 6(1)(a) of the Act);
 - (l) prohibit any person from marketing or producing eggs or pullets (clause 6(1)(m) of the Act).
- (2) Under clause 6(1)(e) of the Act, the Council authorizes the Board to borrow money for the purpose of carrying out any provision of the Plan.

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

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

- (a) regulating and controlling the marketing or production of eggs and pullets within the regulated area (clause 9(1)(a) of the Act);
- (b) providing for licensing persons to permit them to engage in producing or marketing eggs or pullets (clause 9(1)(b) of the Act);
- (c) providing for
 - (i) marketing or producing eggs and pullets on a quota basis (subclause 9(1)(c)(i) of the Act),
 - (ii) fixing and allotting quotas to persons for marketing or producing eggs or pullets on any basis that the Board considers proper (subclause 9(1)(c)(ii) of the Act),
 - (iii) refusing to fix and allot a quota to a person for marketing or producing eggs or pullets for any reason the Board considers proper (subclause 9(1)(c)(iii) of the Act),
 - (iv) transferring quota among producers and the terms and conditions under which the transfers may take place (subclause 9(1)(c)(iv) of the Act), and

- (v) cancelling or reducing, or refusing to increase, a quota fixed and allotted to a person for marketing or producing eggs or pullets for any reason that the Board considers proper (subclause 9(1)(c)(v) of the Act);
- (d) prohibiting
 - (i) a person to whom a quota has not been fixed and allotted for marketing or producing eggs or pullets from marketing or producing any eggs or pullets (subclause 9(1)(d)(i) of the Act), and
 - (ii) a person to whom a quota has been fixed and allotted for marketing or producing eggs or pullets from marketing or producing any eggs or pullets in excess of the quota (subclause 9(1)(d)(ii) of the Act);
- (e) providing for the form of licences and the terms and conditions upon which licences may be issued, renewed, suspended or revoked (clause 9(1)(e) of the Act);
- (f) providing for the furnishing of security or proof of financial responsibility by persons who purchase farm products for resale (clause 9(1)(h) of the Act);
- (g) respecting licence fees, levies or charges to be paid by producers and processors in relation to the administration of this Plan and the regulations (clause 9(1)(hb) of the Act);
- (h) exempting a person or class of persons from any or all of the regulations (clause 9(1)(i) of the Act); and
- (i) providing for the making of returns or the furnishing of information by any person licensed under this Plan (clause 9(1)(f) of the Act).

Council retains authority to exercise powers

7 Despite the delegation of powers to the Board in Sections 5 and 6, if the Board refuses to act or is unable to act, the Council retains the authority to exercise the powers that have been delegated to the Board.

Composition of Commodity Board

- 8 (1) For the purpose of electing the members of the Board who represent licensed egg producers, the regulated area is divided into the following 4 zones:
- (a) the Eastern Zone, comprising the counties of Inverness, Richmond, Cape Breton, Victoria, Antigonish and Guysborough;
 - (b) the Central Zone, comprising the counties of Pictou, Cumberland, Colchester, Halifax and Hants;
 - (c) the Western Zone, comprising the counties of Kings and Annapolis;
 - (d) the Southern Zone, comprising the counties of Lunenburg, Queens, Shelburne, Yarmouth and Digby.
- (2) The Board must consist of 8 members elected or appointed as follows:
- (a) 2 licensed egg producers elected or appointed by licensed egg producers in each of the Eastern, Central and Western Zones;

- (b) 1 licensed egg producer elected or appointed by licensed egg producers in the Southern Zone;
 - (c) 1 licensed pullet producer elected or appointed by licensed pullet producers in the regulated area.
- (3) Subject to subsection (4), each Board member must be resident or carrying on business in the zone or area that they represent.
- (4) A licensed egg producer who resides in a county that borders on a zone different from the zone in which that county is situate may affiliate with the neighboring zone and, if so affiliated, is eligible to be elected or appointed to represent the neighboring zone.

Election or appointment of Board members

- 9 (1) The licensed egg producers in each zone must elect or appoint the Commodity Board members for their zone at their annual zone meeting or at a meeting called for that purpose.
- (2) The licensed pullet producers in the regulated area must elect or appoint their representative Commodity Board member at their annual meeting or at a meeting called for that purpose.
- (3) If a zone or area fails or refuses to elect or appoint a representative to the Commodity Board, the Board may appoint a licensed producer of the zone or area to represent the zone or area on the Board.

Term of office of Board member

- 10 (1) The term of office for a Commodity Board member is 3 years and begins at the first annual general meeting of the Board following the member's election or appointment.
- (2) A licensed producer is eligible for re-election or re-appointment to the Board upon the expiry of their term of office.
- (3) If a member dies, resigns or is otherwise removed during their term of office, the licensed producers resident or carrying on business in the zone or area represented by that member may elect or appoint another member to complete the term.
- (4) If the licensed producers resident or carrying on business in a zone or area fail or refuse to elect or appoint another member as provided for in subsection (3), the Board may appoint a licensed producer from the zone or area to represent the zone or area on the Board.

Board operating year and annual general meeting

- 11 (1) An operating year of the Board begins on the day immediately after the end of a 52- or 53-week production year established by the Agency and ends at the end of the next following production year established by the Agency.
- (2) The Board must hold an annual general meeting no later than 4 months after the last day of an operating year.

Election of Chair and Vice-Chair of Board

- 12 At the first Board meeting after an annual general meeting of the Board, the members of the Board must elect a Chair and a Vice-Chair from among the members, and may appoint any other officers that they consider necessary.

Notice of Board meeting

13 A meeting of the Board may be called at any time

- (a) by the Chair, by giving each member at least 3 days' notice of the meeting; or
- (b) by any 4 members of the Board, by giving each member at least 7 days' notice of the meeting.

If Chair absent from Board meeting

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

Quorum for Board meetings

15 At all meetings of the Board, 5 members constitute a quorum.

Removal of Board member from office

16 The Commodity Board may remove a Board member from office if the member fails to attend 3 consecutive meetings of the Board without adequate cause, or for any other reason that the Board considers sufficient.

Acts of Board valid despite irregularity or temporary vacancy

17 Despite any irregularity in the appointment, election or qualification of any member of the Board, or any temporary vacancy on the Board, every act of the Board is as valid as if the Board were duly constituted and every member duly appointed, elected and qualified.

Copies of Board records to Council

18 The Board must promptly send all of the following to the Council:

- (a) certified copies of all orders, directions, regulations and determinations of the Board;
- (b) copies of the minutes of all Board meetings.

Board Financial statements and other annual reporting

- 19** (1) The Board must keep proper books of account that must be audited at the end of each operating year by an auditor who has been appointed by the Board members at the Board's most recent annual general meeting and who is acceptable to the Council.
- (2) No later than 3 months after the last day of an operating year, the Board must send a complete set of the financial statements of the Board, together with the auditor's report, to the Council.
- (3) At least 10 days before the date of an annual general meeting, the Board must mail all of the following to each licensed producer:
- (a) a copy of the financial statements of the Board for the past operating year, together with the auditor's report;
 - (b) a report of the Chair setting out the activities of the Board during the past operating year.

Requirement to hold licence

20 A person must not produce pullets or eggs or grade or process eggs in the regulated area except under the authority of a licence issued by the Board.

Suspension, revocation and refusal to renew licence

21 The Board may recommend that the Council suspend, revoke or refuse to renew a licence, in whole or in part, for failure to observe, perform or carry out the provisions of the Act, the Plan, or any regulations made or direction issued by the Board.

Requirement to register, provide information

22 (1) Each producer, grader and processor must register their name, address and occupation with the Board.

(2) Each person who markets or produces eggs or pullets must give the Board any information relating to the production or marketing of eggs or pullets that the Board requires, including information in the form of returns to be completed and filed with the Board.

N.S. Reg. 165/2006

Made: August 17, 2006

Filed: August 17, 2006

Nova Scotia Offshore Area Petroleum Drilling Regulations

Order in Council 2006-376 dated August 17, 2006

Amendment to regulations made by the Governor in Council

pursuant to Section 146 of the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated July 25, 2006, and pursuant to Section 146 of Chapter 3 of the Acts of 1987, the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, is pleased to amend the *Nova Scotia Offshore Area Petroleum Drilling Regulations*, N.S. Reg. 137/92, made by the Governor in Council by Order in Council 92-679 dated July 7, 1992, to replace provisions about mandatory flow testing on all wells drilled in the Nova Scotia offshore area, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective December 31, 2006.

Schedule "A"

**Amendment to the *Nova Scotia Offshore Area Petroleum Drilling Regulations*
made by the Governor in Council
pursuant to Section 146 of Chapter 3 of the Acts of 1987,
the *Canada-Nova Scotia Offshore Petroleum Resources Accord*
*Implementation (Nova Scotia) Act***

1 Section 170 of the *Nova Scotia Offshore Area Petroleum Drilling Regulations*, N.S. Reg. 137/92, made by the Governor in Council by Order in Council 92-679 dated July 7, 1992, is repealed and the following Section substituted:

Testing and sampling formations

170 Every operator shall ensure that every formation in a well is tested and sampled in a manner to obtain reservoir pressure data and fluid samples from the formation, if there is an indication that such data or samples would contribute substantially to the geological and reservoir evaluation.

2 Section 171 of the regulations is repealed and the following Section substituted:

Formation flow test

- 171 (1)** An operator may conduct a formation flow test on a well drilled on a geological feature if, prior to conducting that test, the operator
- (a) submits to the Board a detailed testing program; and
 - (b) obtains the approval of the Board to conduct the test.
- (2)** The Board shall approve a formation flow test if it determines that the test will be conducted safely and in accordance with good oilfield practices and that the test will enable the operator to
- (a) obtain data on the deliverability or productivity of the well;
 - (b) establish the characteristics of the reservoir; and
 - (c) obtain representative samples of the formation fluids.
- (3)** The Board may require that the operator conduct a formation flow test on a well drilled on a geological feature, other than the first well, if there is an indication that such a test would contribute substantially to the geological and reservoir evaluation.

N.S. Reg. 166/2006

Made: July 11, 2006

Approved: August 14, 2006

Filed: August 22, 2006

Milk House Water Quality Regulations

Order dated August 14, 2006

made by the Natural Products Marketing Council and approved by the Minister of Agriculture pursuant to clause 9(q) and Section 11 of the *Dairy Industry Act*

Natural Products Marketing Council

The Natural Products Marketing Council, pursuant to clause 9(q) and Section 11 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on July 11, 2006, made regulations respecting the quality of milk house water in the form attached to this certificate as Schedule "A", effective on and after August 1, 2006.

Dated and signed at Truro, Nova Scotia on July 11, 2006.

Natural Products Marketing Council

per: Sgd.: *E. A. Crouse*
Elizabeth Crouse
General Manager

Approved by the Minister of Agriculture at Halifax, Nova Scotia on August 14, 2006.

per: Sgd.: *Brooke Taylor*
The Honourable Brooke Taylor
Minister of Agriculture

Schedule "A"

Regulations Respecting Milk House Water Quality made under clause 9(q) and Section 11 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*

Citation

1 The regulations may be cited as the *Milk House Water Quality Regulations*.

Interpretation

2 In these regulations, "milk house" means a building or structure

- (a) in which milk is cooled or stored; or
- (b) that contains milking equipment.

Water quality requirements

3 Water that is used to clean equipment and building surfaces in a milk house must meet all of the following quality requirements:

- (a) it must be delivered through a plumbing system that is safe for delivering potable water;
- (b) when tested, it must contain less than 1 part per million *Escherichia coli* bacteria;
- (c) when tested, it must test less than 10 parts per million total coliform bacteria.

Laboratory must perform tests

4 Tests referred to in Section 3 must be conducted by a nationally accredited laboratory.