

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. 368/2007

Made: August 23, 2007

Filed: August 24, 2007

Prescribed Petroleum Products Prices

Order dated August 23, 2007
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

**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 16, 2007, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on August 17, 2007; 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 24, 2007.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 23, 2007.

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 August 24, 2007**

Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)	
Regular unleaded gasoline	54.1
Mid-grade unleaded gasoline	57.1
Premium unleaded gasoline	60.1
Ultra low-sulfur diesel oil	58.1

Table 2: 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	
	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	85.9	4.0	5.5	4.0	999.9	102.5	104.2	102.5	999.9
Mid-Grade Unleaded	88.9	4.0	5.5	4.0	999.9	105.9	107.6	105.9	999.9
Premium Unleaded	91.9	4.0	5.5	4.0	999.9	109.3	111.0	109.3	999.9
Ultra Low-Sulfur Diesel	83.8	4.0	5.5	4.0	999.9	100.1	101.8	100.1	999.9
Zone 2									
Regular Unleaded	86.3	4.0	5.5	4.0	999.9	102.9	104.7	102.9	999.9
Mid-Grade Unleaded	89.3	4.0	5.5	4.0	999.9	106.4	108.1	106.4	999.9
Premium Unleaded	92.3	4.0	5.5	4.0	999.9	109.8	111.5	109.8	999.9
Ultra Low-Sulfur Diesel	84.2	4.0	5.5	4.0	999.9	100.5	102.3	100.5	999.9
Zone 3									
Regular Unleaded	86.8	4.0	5.5	4.0	999.9	103.5	105.2	103.5	999.9
Mid-Grade Unleaded	89.8	4.0	5.5	4.0	999.9	106.9	108.6	106.9	999.9
Premium Unleaded	92.8	4.0	5.5	4.0	999.9	110.4	112.1	110.4	999.9
Ultra Low-Sulfur Diesel	84.7	4.0	5.5	4.0	999.9	101.1	102.8	101.1	999.9
Zone 4									
Regular Unleaded	86.8	4.0	5.5	4.0	999.9	103.5	105.2	103.5	999.9
Mid-Grade Unleaded	89.8	4.0	5.5	4.0	999.9	106.9	108.6	106.9	999.9
Premium Unleaded	92.8	4.0	5.5	4.0	999.9	110.4	112.1	110.4	999.9
Ultra Low-Sulfur Diesel	84.7	4.0	5.5	4.0	999.9	101.1	102.8	101.1	999.9
Zone 5									
Regular Unleaded	86.8	4.0	5.5	4.0	999.9	103.5	105.2	103.5	999.9
Mid-Grade Unleaded	89.8	4.0	5.5	4.0	999.9	106.9	108.6	106.9	999.9
Premium Unleaded	92.8	4.0	5.5	4.0	999.9	110.4	112.1	110.4	999.9
Ultra Low-Sulfur Diesel	84.7	4.0	5.5	4.0	999.9	101.1	102.8	101.1	999.9

Zone 6									
Regular Unleaded	87.6	4.0	5.5	4.0	999.9	104.4	106.1	104.4	999.9
Mid-Grade Unleaded	90.6	4.0	5.5	4.0	999.9	107.8	109.6	107.8	999.9
Premium Unleaded	93.6	4.0	5.5	4.0	999.9	111.3	113.0	111.3	999.9
Ultra Low-Sulfur Diesel	85.5	4.0	5.5	4.0	999.9	102.0	103.7	102.0	999.9

N.S. Reg. 369/2007

Made: August 21, 2007

Filed: August 29, 2007

Ministerial Order to Town of Westville

Order dated August 21, 2007
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 456 of the *Municipal Government Act*

***Ministerial Order to
Town of Westville
Made Pursuant to Section 456 of the
Municipal Government Act***

Whereas Section 456 of the *Municipal Government Act* authorizes the Minister of Service Nova Scotia and Municipal Relations to order a municipality to do anything necessary or desirable in the interests of the municipality;

And whereas a report by Richard G. Ramsay Management Consultants Inc. entitled “The Town of Westville – A Study to Determine the Most Effective Long-Term Governance Option”, dated July 2007, indicates no current ability for the Town of Westville to provide services to residents once the agreement with the Town of New Glasgow expires in February 2008, and outlines the critical decisions facing the Town;

And whereas this Report leaves the Minister with serious concerns for the citizens of the Town of Westville;

And whereas it is the responsibility of the Members of Council of the Town of Westville to decide on the course of action for the future of the Town, and making these decisions is both necessary and desirable in the interest of the Town;

Now therefore, I hereby order the Town of Westville to provide me with a comprehensive, acceptable long term plan to respond to the findings of the Ramsay Report, to be submitted to my office no later than October 15th, 2007, and must as a minimum include the following:

- 1 A Council resolution that recognizes the critical governance issues facing the Town and indicating which of the three options set out in 2(a), (b), and (c) below will be implemented by Council.
- 2 Clear articulation of why the selected option is in the best long term interests of the residents of Westville, including but not limited to tax burden analysis, service delivery efficiency and long term effective governance, and including:
 - (a) If the selected option includes an arrangement to be made with another service provider (for example, the Town of New Glasgow), such an agreement must be in place by October 15th, and a copy provided. As well, a statement of intentions on how Council intends to improve relationship management and long term governance;

- (b) If the selected option is to provide services directly by the Town, then a detailed service delivery model must be provided detailing what services are to be provided by February 2008, how much they will cost, what staff will be required, how an accounting software package and other office materials will be procured and implemented, and a statement of intentions on how Council intends to improve relationship management and long term governance;
 - (c) If the selected option is to merge with the Municipality of the County of Pictou, then a detailed plan on how to manage this transition including correspondence to the County, and milestones for future negotiations and eventual application to the Nova Scotia Utility and Review Board. How services will be provided post February 2008 must also be identified.
- 3 Public consultation undertaken before October 15th, 2007.

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

August 21, 2007

N.S. Reg. 370/2007

Made: August 30, 2007

Filed: August 31, 2007

Prescribed Petroleum Products Prices

Order dated August 30, 2007
 made by the Minister of Service Nova Scotia and Municipal Relations
 pursuant to Section 14 of the *Petroleum Products Pricing Act*

**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 23, 2007, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on August 24, 2007; 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 31, 2007.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 30, 2007.

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 August 31, 2007**

Product	Price (cents/litre)
Regular unleaded gasoline	59.7
Mid-grade unleaded gasoline	62.7
Premium unleaded gasoline	65.7
Ultra low-sulfur diesel oil	61.2

	Fixed Wholesale Price (excludes GST)	Retail Mark-up				Retail Price (includes all taxes)			
		Self-Service		Full-Service		Self-Service		Full-Service	
		Min	Max	Min	Max	Min	Max	Min	Max
Zone 1									
Regular Unleaded	91.5	4.0	5.5	4.0	999.9	108.9	110.6	108.9	999.9
Mid-Grade Unleaded	94.5	4.0	5.5	4.0	999.9	112.3	114.0	112.3	999.9
Premium Unleaded	97.5	4.0	5.5	4.0	999.9	115.7	117.4	115.7	999.9
Ultra Low-Sulfur Diesel	86.9	4.0	5.5	4.0	999.9	103.6	105.3	103.6	999.9
Zone 2									
Regular Unleaded	91.9	4.0	5.5	4.0	999.9	109.3	111.0	109.3	999.9
Mid-Grade Unleaded	94.9	4.0	5.5	4.0	999.9	112.7	114.5	112.7	999.9
Premium Unleaded	97.9	4.0	5.5	4.0	999.9	116.2	117.9	116.2	999.9
Ultra Low-Sulfur Diesel	87.3	4.0	5.5	4.0	999.9	104.1	105.8	104.1	999.9
Zone 3									
Regular Unleaded	92.4	4.0	5.5	4.0	999.9	109.9	111.6	109.9	999.9
Mid-Grade Unleaded	95.4	4.0	5.5	4.0	999.9	113.3	115.0	113.3	999.9
Premium Unleaded	98.4	4.0	5.5	4.0	999.9	116.7	118.4	116.7	999.9
Ultra Low-Sulfur Diesel	87.8	4.0	5.5	4.0	999.9	104.7	106.4	104.7	999.9

Zone 4									
Regular Unleaded	92.4	4.0	5.5	4.0	999.9	109.9	111.6	109.9	999.9
Mid-Grade Unleaded	95.4	4.0	5.5	4.0	999.9	113.3	115.0	113.3	999.9
Premium Unleaded	98.4	4.0	5.5	4.0	999.9	116.7	118.4	116.7	999.9
Ultra Low-Sulfur Diesel	87.8	4.0	5.5	4.0	999.9	104.7	106.4	104.7	999.9
Zone 5									
Regular Unleaded	92.4	4.0	5.5	4.0	999.9	109.9	111.6	109.9	999.9
Mid-Grade Unleaded	95.4	4.0	5.5	4.0	999.9	113.3	115.0	113.3	999.9
Premium Unleaded	98.4	4.0	5.5	4.0	999.9	116.7	118.4	116.7	999.9
Ultra Low-Sulfur Diesel	87.8	4.0	5.5	4.0	999.9	104.7	106.4	104.7	999.9
Zone 6									
Regular Unleaded	93.2	4.0	5.5	4.0	999.9	110.8	112.5	110.8	999.9
Mid-Grade Unleaded	96.2	4.0	5.5	4.0	999.9	114.2	115.9	114.2	999.9
Premium Unleaded	99.2	4.0	5.5	4.0	999.9	117.6	119.4	117.6	999.9
Ultra Low-Sulfur Diesel	88.6	4.0	5.5	4.0	999.9	105.6	107.3	105.6	999.9

N.S. Reg. 371/2007

Made: August 31, 2007

Filed: August 31, 2007

Proclamation, S. 44(1), S.N.S. 2007, c. 9

Order in Council 2007-463 dated August 31, 2007

Proclamation made by the Governor in Council

pursuant to subsection 44(1) of the

Financial Measures (2007) Act

The Governor in Council on the report and recommendation of the Minister of Finance dated August 28, 2007, and pursuant to subsection (1) of Section 44 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) 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 Section 28 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before August 31, 2007.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

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 44 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, it is enacted as follows:

- 44 (1)** This Act, except Sections 4 to 7, 13 to 19, 21, 23, 25 to 27, 29, 30, 33 to 37, 39 and 41 to 43, come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 28 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before August 31, 2007;

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 28 of Chapter 9 of the Acts of 2007, the *Financial Measures (2007) Act*, do come into force on and not before August 31, 2007, 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 Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 31st day of August in the year
of Our Lord two thousand and seven and in the
fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 372/2007

Made: August 31, 2007

Filed: August 31, 2007

Petroleum Products Pricing Regulations

Order in Council 2007-464 dated August 31, 2007
Amendment to regulations made by the Governor in Council
pursuant to Section 14 of the *Petroleum Products Pricing Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 10, 2007, and pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, is pleased to amend the *Petroleum Products Pricing Regulations*, N.S. Reg. 97/2006, made by the Governor in Council by Order in Council 2006-290 dated June 22, 2006, to delegate to the Minister the authority set out in clause 14(1)(d) of the *Petroleum Products Pricing Act*, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 31, 2007.

Schedule "A"

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

Section 10 of the *Petroleum Products Pricing Regulations*, N.S. Reg. 97/2006, made by the Governor in Council by Order in Council 2006-290 dated June 22, 2006, is amended by

- (a) adding "of the Act" immediately after "subclause 14(1)(c)(ii)" in clause (c);
- (b) adding "of the Act" immediately after "subclause 14(1)(c)(iii)" in clause (d);
- (c) striking out the period at the end of clause (d) and substituting a semi-colon; and
- (d) adding the following clause immediately after clause (d):
 - (e) the power to set fees to be charged to wholesalers to cover the costs of administering the Act and its regulations as set out in clause 14(1)(d) of the Act.

N.S. Reg. 373/2007

Made: August 31, 2007

Filed: August 31, 2007

Proclamation, S. 3, S.N.S. 2006, c. 25

Order in Council 2007-465 dated August 31, 2007

Proclamation made by the Governor in Council

pursuant to Section 3 of

An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated July 31, 2007, and pursuant to Section 3 of Chapter 25 of the Acts of 2006, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection 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 18A and 18T of the *Consumer Protection Act*, as enacted by Section 2 of Chapter 25 of the Acts of 2006, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act*, do come into force on and not before August 31, 2007.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 3 of Chapter 25 of the Acts of 2006, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection 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 Sections 18A and 18T of the *Consumer Protection Act*, as enacted by Section 2 of Chapter 25 of the Acts of 2006, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act*, do come into force on and not before August 31, 2007;

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 that Sections 18A and 18T of the *Consumer Protection Act*, as enacted by Section 2 of Chapter 25 of the Acts of 2006, *An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act*, do come into force on and not before August 31, 2007, 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 Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 31st day of August in the year of Our Lord two thousand and seven and in the fifty-sixth year of Our Reign.

BY COMMAND:

sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 374/2007

Made: August 31, 2007

Filed: August 31, 2007

Summary Offence Tickets Regulations

Order in Council 2007-471 dated August 31, 2007

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

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated July 23, 2007, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia 1989, the *Summary Proceedings Act*, is pleased to amend Schedule 15 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, to include an offence under the *Wildlife Act* as a summary offence ticket offence and set the out-of-court settlement amount for the offence in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after August 31, 2007.

Order

I, Murray K. Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of an offence set out in amendments to the Schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, as set forth in Schedule "A", is the amount of the out-of-court settlement set out opposite the description of that offence, and the out-of-court settlement amount includes the charge provided for, and in accordance with, Sections 8 and 9 of the Act.

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

Dated and made July 23, 2007, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Murray Scott*

Honourable Murray K. Scott, M.B.

Minister of Justice and Attorney General of Nova Scotia

Schedule "A"

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

- 1 Schedule 15 of the 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 renumbering items 38 through 63 as 39 through 64.
- 2 Schedule 15 of the regulations is further amended by adding the following item immediately following item 37 under the heading "Big game":

38.	Owner of dog allowing dog to run at large in wildlife habitat	41(5)	\$164.50
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N.S. Reg. 375/2007 and 376/2007

Made: August 31, 2007

Filed: August 31, 2007

Designation of Persons Who May Access Records
and Youth Justice Regulations

Order in Council 2007-472 dated August 31, 2007

Designation made by the Governor in Council

pursuant to clause 119(1)(r) of the

Youth Criminal Justice Act (Canada)

and

Amendment to regulations made by the Governor in Council

pursuant to Section 37 of the

Youth Justice Act

The Governor in Council on the report and recommendation of the Minister of Justice dated July 23, 2007, is pleased, effective August 31, 2007,

- (a) pursuant to paragraph 119(1)(r) of Chapter 1 of the Statutes of Canada, 2002, the *Youth Criminal Justice Act*, to designate the following persons as classes of persons who shall have access to a record kept under section 114 and may be given access to a record kept under sections 115 and 116 of the *Youth Criminal Justice Act*:
- (i) employees of the Victim Services Unit of the Nova Scotia Department of Justice, for the purposes of carrying out their duties under the *Victims' Rights and Services Act*,
- (ii) the Director of Public Safety and government enforcement agents of the Nova Scotia Department of Justice, for the purposes of carrying out a responsibility or exercising a power under the *Safer Communities and Neighbourhoods Act*;

[N.S. Reg. 375/2007: Designation of Persons Who May Access Records]

- (b) pursuant to Section 37 of Chapter 38 of the Acts of 2001, the *Youth Justice Act*, to amend the *Youth Justice Regulations*, N.S. Reg. 191/2003, made by the Governor in Council by Order in Council 2003-472 dated November 14, 2003, to designate persons referred to in clause (a) as persons to whom records may be disclosed for the purposes of subsection 32(1) of the Act in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

N.S. Reg. 376/2007

Youth Justice Regulations

Schedule "A"**Amendment to the *Youth Justice Regulations* made
by the Governor in Council pursuant to Section 37 of
Chapter 38 of the Acts of 2001, the *Youth Justice Act***

Section 3 of the *Youth Justice Regulations*, N.S. Reg. 191/2003, made by the Governor in Council by Order in Council 2003-472 dated November 14, 2003, is repealed and the following Section substituted:

- 3** For the purposes of subsection 32(1) of the *Youth Justice Act*, records concerning an offence by a young person may be disclosed to any of the following:

- (a) persons employed by the Department of Justice or the Department of Service Nova Scotia and Municipal Relations whose duties include the collection of money paid in fines or the collection of statistical data, for the purpose of the collection of the fines or statistical data;
 - (b) the Director of Finance, Corporate Services Unit in the Department of Justice, the Executive Director of Program Management and Corporate Services in the Department of Service Nova Scotia and Municipal Relations and the Director of Financial Services, Corporate Services Unit in the Department of Finance, for the purpose of fulfilling their duties;
 - (c) the Auditor General of Nova Scotia, for the purpose of fulfilling duties under the *Auditor General Act*;
 - (d) the Registrar of Motor Vehicles, for the purpose of recording in the Registry of Motor Vehicles the name and offence of any young person who is found guilty of a motor vehicle-related offence;
 - (e) insurers, at the discretion of the Registrar of Motor Vehicles and in accordance with Section 241 of the *Motor Vehicle Act* and limited to records held by the Registry of Motor Vehicles respecting young persons who have been found guilty of motor vehicle-related offences;
 - (f) persons employed by the Department of Justice in the Security Programs office, for the purposes of making inquiries and investigation under Section 6 of the *Private Investigators and Private Guards Act*;
 - (g) a person employed by a municipality whose duties include the collection of money paid in fines or the collection of statistical data, for the purpose of the collection of the fines or statistical data;
 - (h) persons employed in the Mi'kmaq Court Worker Program administered by the Mi'kmaq Legal Support Network, for the purpose of providing advice and support to youth offenders;
 - (i) persons employed in the Victim Services Unit of the Department of Justice for the purposes of carrying out their duties under the *Victims' Rights and Services Act*;
 - (j) the Director of Public Safety and government enforcement agents of the Department of Justice for the purposes of carrying out a responsibility or exercising a power under the *Safer Communities and Neighbourhoods Act*.
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N.S. Reg. 377/2007

Made: August 31, 2007

Filed: August 31, 2007

Proclamation, S. 11, S.N.S. 2007, c. 10

Order in Council 2007-473 dated August 31, 2007
Proclamation made by the Governor in Council
pursuant to Section 11 of the
Justice Administration Amendment (2007) Act

The Governor in Council on the report and recommendation of the Minister of Justice dated July 23, 2007, and pursuant to Section 11 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) 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 Section 10 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, do come into force on and not before August 31, 2007.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

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 11 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, it is enacted as follows:

- 11** 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 Section 10 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, do come into force on and not before August 31, 2007;

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 10 of Chapter 10 of the Acts of 2007, the *Justice Administration Amendment (2007) Act*, do come into force on and not before August 31, 2007, 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 Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 31st day of August in the year
of Our Lord two thousand and seven and in the
fifty-sixth year of Our Reign.

BY COMMAND:

sgd: **Murray K. Scott**
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 378/2007

Made: August 31, 2007

Filed: August 31, 2007

Freedom of Information and Protection of Privacy Regulations

Order in Council 2007-474 dated August 31, 2007
Amendment to regulations made by the Governor in Council
pursuant to Section 49 of the *Freedom of Information and Protection of Privacy Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated July 31, 2007, and pursuant to Section 49 of Chapter 5 of the Acts of 1993, the *Freedom of Information and Protection of Privacy Act*, is pleased to amend the *Freedom of Information and Protection of Privacy Regulations*, N.S. Reg. 105/94, made by the Governor in Council by Order in Council 94-537 dated June 28, 1994, to reflect amendments to the Act that add 2 free hours of time for locating and retrieving a record and remove the authority to prescribe a review fee, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective August 31, 2007.

Schedule "A"

**Amendment to the *Freedom of Information and Protection of Privacy Regulations*
made by the Governor in Council pursuant to Section 49
of Chapter 5 of the Acts of 1993, the *Freedom of Information and Protection of Privacy Act***

The *Freedom of Information and Protection of Privacy Regulations*, N.S. Reg. 105/94, made by the Governor in Council by Order in Council 94-537 dated June 28, 1994, are amended by

- (a) adding "after the first 2 hours" after "time" in clause 6(3)(a); and
- (b) repealing subsection 6(10).

N.S. Reg. 379/2007

Made: August 31, 2007

Filed: August 31, 2007

Summary Offence Tickets Regulations

Order in Council 2007-475 dated August 31, 2007
Amendment to regulations made by the Minister of Justice and the Governor in Council
pursuant to Section 8 of the
Summary Proceedings Act

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated July 31, 2007, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia 1989, the *Summary Proceedings Act*, is pleased to amend Schedule 9A 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, to designate certain offences under the *On-Site Sewage Disposal System Regulations*, N.S. Reg. 194/2007, 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 August 31, 2007.

Order

I, Murray K. Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be entered on a summons in respect of an offence set out in amendments to the Schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, as set forth in Schedule “A”, is the amount of the out-of-court settlement set out opposite the description of that offence, and the out-of-court settlement amount includes the charge provided for, and in accordance with, Sections 8 and 9 of the Act.

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

Dated and made July 31, 2007, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Murray Scott*
Honourable Murray K. Scott, M.B.
Minister of Justice and Attorney General of Nova Scotia

Schedule “A”

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

Schedule 9A 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 repealing items 1 through 59 immediately after the heading “On-site Sewage Disposal System Regulations” and substituting the following items:

1.	Failing to prepare and submit required documentation regarding owner of lot to be subdivided to development officer and Department	6(1)(a)	\$682.00
2.	Failing to prepare and submit required documentation regarding subdivider to development officer and Department	6(1)(b)	\$682.00
3.	Failing to prepare and submit required documentation regarding all owners of land abutting lot to be subdivided to development officer and Department	6(1)(c)	\$682.00
4.	Failing to prepare and submit required proof from owner that subdivider appointed as agent of owner to development officer and Department	6(1)(d)	\$682.00
5.	Failing to prepare and submit required plan or sketch of lot to be subdivided showing all required information to development officer and Department	6(1)(e)	\$682.00
6.	Failing to prepare and submit required explanation of system to development officer and Department	6(1)(f)	\$682.00
7.	Failing to submit assessment report including evaluation of results of soil assessment to Department	6(2)(a)	\$682.00

8	Failing to submit assessment report including proposed system selected or designed for lot to Department	6(2)(b)	\$682.00
9.	Failing to submit assessment report including any information required by Department to Department	6(2)(c)	\$682.00
10.	Subdividing land to construct or install system without meeting minimum lot size requirements	7(1)	\$682.00
11.	Subdividing land to create waterfront lot without meeting minimum lot size requirements	7(2)	\$682.00
12.	Subdividing land to construct or install system without meeting required clearance distances	7(4)(b)	\$682.00
13	Failing to apply for approval to install or construct system or replace existing system following discharge of sewage	8(1)	\$682.00
14.	Failing to uncover for inspection system installed or constructed without approval by Minister	8(2)(a)	\$682.00
15.	Failing to remove system installed or constructed without approval by Minister	8(2)(b)	\$682.00
16.	Failing to modify system installed or constructed without approval by Minister	8(2)(c)	\$682.00
17.	Constructing, installing, using or operating (specify) system that may result in adverse effect	8(3)	\$682.00
18.	Failing to include location of any well or other source of water supply on lot or adjoining lots in system selection or design (specify)	9(1)(a)	\$682.00
19.	Failing to include topography of lot in system selection or design (specify)	9(1)(b)	\$682.00
20.	Failing to include maximum elevation of groundwater table of lot in system selection or design (specify)	9(1)(c)	\$682.00
21.	Failing to include elevation of bedrock on lot in system selection or design (specify)	9(1)(d)	\$682.00
22.	Failing to include soil characteristics of lot in system selection or design (specify)	9(1)(e)	\$682.00
23.	Failing to include area available for system on lot in system selection or design (specify)	9(1)(f)	\$682.00
24.	Failing to include expected occupancy and intended use of any existing or proposed dwelling, building or structure to be serviced by system in system selection or design (specify)	9(1)(g)	\$682.00
25.	Failing to include capacity of system in system selection or design (specify)	9(1)(h)	\$682.00
26.	Failing to locate system on lot on which building or dwelling the system serves is located	9(3)	\$682.00

27.	Constructing or installing system without obtaining amendment to issued approval	9(4)	\$682.00
28.	Selecting or designing more than 1 system on lot without meeting minimum lot size requirements	9(5)(a)	\$682.00
29.	Selecting or designing more than 1 system on lot with total minimum lot size requirements for each system exceeding actual lot size	9(5)(b)	\$682.00
30.	Selecting or designing more than 1 system on lot without each system meeting prescribed clearance distances	9(5)(c)	\$682.00
31.	Selecting or designing more than 1 system on lot without ability to create separate lot containing dwelling, building or structure (specify) and system	9(5)(d)	\$682.00
32.	Person other than qualified person, inspector or departmental engineer selecting system for single unit detached dwelling or structure	10(1)	\$682.00
33.	Person other than level 1 qualified person or departmental engineer designing system for single unit detached dwelling or structure	10(2)	\$682.00
34.	Person other than level 1 qualified person or departmental engineer designing system for commercial, institutional, industrial or residential structure	10(3)	\$682.00
35.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 3 m from all boundaries	13(1)(a)(i)	\$682.00
36.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 9 m from downslope boundary	13(1)(a)(ii)	\$682.00
37.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 15.2 m from a drilled well with casing extending more than 6.1 m below surface	13(1)(a)(iii)	\$682.00
38.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 30.5 m from dug well or other domestic water supply (specify)	13(1)(a)(iv)	\$682.00
39.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 8 m from cistern or contained water system (specify)	13(1)(a)(v)	\$682.00

40.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 30.5 m from surface watercourse, wetland or marine water body (specify)	13(1)(a)(vi)	\$682.00
41.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 15 m from downslope drain or ditch or artificial water body (specify), other than interceptor ditch	13(1)(a)(vii)	\$682.00
42.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 6 m from municipal or private water distribution system (specify)	13(1)(a)(viii)	\$682.00
43.	Constructing or installing system or causing system to be constructed or installed (specify) with part, other than septic tank, pump or siphon chamber and effluent pipe, less than 6 m from foundation drainage system	13(1)(a)(ix)	\$682.00
44.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 3 m from all boundaries	13(1)(b)(i)	\$682.00
45.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 9 m from downslope boundary	13(1)(b)(ii)	\$682.00
46.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 15.2 m from drilled well with casing extending more than 6.1 m below surface	13(1)(b)(iii)	\$682.00
47.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 30.5 m from dug well or other domestic water supply (specify)	13(1)(b)(iv)	\$682.00
48.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 5 m from cistern or contained water system (specify)	13(1)(b)(v)	\$682.00
49.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 15.2 m from surface watercourse or marine water body (specify)	13(1)(b)(vi)	\$682.00
50.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 30.5 m from wetland	13(1)(b)(vii)	\$682.00

51.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 3 m from municipal or private water distribution system (specify)	13(1)(b)(viii)	\$682.00
52.	Constructing or installing system or causing system to be constructed or installed (specify) with septic tank, pump or siphon chamber or effluent pipe (specify) less than 1.5 m from foundation drainage system	13(1)(b)(ix)	\$682.00
53.	Installing or constructing system or causing system to be installed or constructed (specify) with less than 1 m vertical separation between bottom of distribution trench of disposal field and bedrock	13(2)(a)	\$682.00
54.	Installing or constructing system or causing system to be installed or constructed with less than 1 m vertical separation between bottom of distribution trench of disposal field and maximum groundwater table	13(2)(b)	\$682.00
55.	Installing or constructing system or causing system to be installed or constructed with less than 1 m vertical separation between bottom of distribution trench of disposal field and soil with permeability greater than 500×10^{-6} metres per second	13(2)(c)	\$682.00
56.	Installing or constructing system or causing system to be installed or constructed (specify) not in accordance with Act	14(1)(a)	\$682.00
57.	Installing or constructing system or causing system to be installed or constructed (specify) not in accordance with regulations	14(1)(b)	\$682.00
58.	Installing or constructing system or causing system to be installed or constructed (specify) not in accordance with Technical Guidelines	14(1)(c)	\$682.00
59.	Installing or constructing system or causing system to be installed or constructed (specify) not in accordance with approval	14(1)(d)	\$682.00
60.	Failing to notify qualified person, inspector or departmental engineer (specify) of proposed date of installation or construction of system	14(2)	\$682.00
61.	Failing to notify Department before installation or construction of system	14(3)	\$682.00
62.	Failing to notify qualified person, inspector or departmental engineer (specify) that installation or construction of system is complete	14(4)	\$682.00
63.	Failing to notify qualified person, inspector or departmental engineer (specify) of change in conditions before or during installation or construction of system	14(5)(a)	\$682.00
64.	Failing to cease installation or construction of system after change in conditions during installation or construction of system	14(5)(b)	\$682.00

65.	Covering system or causing system to be covered (specify) without permission from qualified person, inspector or departmental engineer (specify)	15(1)	\$682.00
66.	Failing to complete completion of work form	16(1)	\$682.00
67.	Failing to supply completion of work form to qualified person, inspector or departmental engineer (specify)	16(2)	\$682.00
68.	Failing to complete certificate of installation	17(1)	\$682.00
69.	Person other than qualified person, inspector or departmental engineer who designed or selected system (specify) issuing certificate of installation	17(2)	\$682.00
70.	Failing to supply copy of certificate of installation to Department	17(4)(a)	\$682.00
71.	Failing to supply copy of certificate of installation to building inspector	17(4)(b)	\$682.00
72.	Failing to supply copy of certificate of installation to approval holder	17(4)(c)	\$682.00
73.	Failing to supply copy of certificate of installation to installer	17(4)(d)	\$682.00
74.	Failing to uncover system for inspection and to repair or replace system (specify) within prescribed time period	18(4)	\$682.00
75.	Failing to remedy system deficiencies as required by Department within set time period	19(3)(b)	\$682.00
76.	Failing to maintain system	20(1)	\$682.00
77.	Failing to ensure proper functioning of system and failing to replace, alter, or repair (specify) malfunctioning system	21(1)	\$682.00
78.	Installer failing to notify Department of minor alteration	22(2)	\$682.00
79.	Person other than installer installing or constructing holding tank or causing holding tank to be installed or constructed (specify)	23(1)	\$682.00
80.	Installing or constructing holding tank without approval	23(2)	\$682.00
81.	Person other than level 1 qualified person designing cluster system	24(1)	\$682.00
82.	Level 1 qualified person failing to comply with Act	25(2)(a)	\$682.00
83.	Level 1 qualified person failing to comply with regulations	25(2)(b)	\$682.00
84.	Level 1 qualified person failing to comply with departmental guidelines, standards and policies	25(2)(c)	\$682.00
85.	Holding oneself out to be level 2 qualified person without holding certificate of qualification	26(1)(a)	\$682.00
86.	Performing services of level 2 qualified person without holding certificate of qualification	26(1)(b)	\$682.00
87.	Level 2 qualified person failing to comply with Act	26(6)(a)	\$682.00

88.	Level 2 qualified person failing to comply with regulations	26(6)(b)	\$682.00
89.	Level 2 qualified person failing to comply with departmental guidelines, standards and policies	26(6)(c)	\$682.00
90.	Level 2 qualified person failing to comply with certificate of qualification	26(6)(d)	\$682.00
91.	Level 2 qualified person failing to present valid certificate of qualification to inspector	29(2)	\$682.00
92.	Holding oneself out as installer without certificate of qualification	31(1)(a)	\$682.00
93.	Installing, constructing, repairing, modifying or altering (specify) without certificate of qualification	31(1)(b)(i)	\$682.00
94.	Causing system to be installed, constructed, repaired, modified or altered without certificate of qualification (specify)	31(1)(b)(ii)	\$682.00
95.	Installer failing to comply with Act	31(5)(a)	\$682.00
96.	Installer failing to comply with regulations	31(5)(b)	\$682.00
97.	Installer failing to comply with departmental guidelines, standards and policies	31(5)(c)	\$682.00
98.	Installer failing to comply with <i>Canadian Electrical Code</i>	31(5)(d)	\$682.00
99.	Installer failing to comply with <i>National Plumbing Code of Canada</i>	31(5)(e)	\$682.00
100.	Installer failing to comply with certificate of qualification	31(5)(f)	\$682.00
101.	Installer failing to present valid certificate of qualification to inspector	34(2)	\$682.00
102.	Holding oneself out to be septic-tank cleaner without holding certificate of qualification	36(1)(a)	\$682.00
103.	Pumping, repairing or modifying (specify) septic tank, holding tank or vault privy (specify) or causing septic tank, holding tank or vault privy (specify) to be pumped, repaired or modified (specify) without holding certificate of qualification	36(1)(b)	\$682.00
104.	Pumping portable rest rooms or causing portable rest rooms to be pumped without holding certificate of qualification	36(1)(c)	\$682.00
105.	Cleaning system without holding certificate of qualification	36(1)(d)	\$682.00
106.	Septic-tank cleaner failing to comply with Act	36(5)(a)	\$682.00
107.	Septic-tank cleaner failing to comply with regulations	36(5)(b)	\$682.00
108.	Septic-tank cleaner failing to comply with departmental guidelines, standards and policies	36(5)(c)	\$682.00
109.	Septic-tank cleaner failing to comply with certificate of qualification	36(5)(d)	\$682.00

110.	Septic-tank cleaner failing to present valid certificate of qualification to inspector	39(2)	\$682.00
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