

# Royal



# Gazette

## Part II

# Regulations under the Regulations Act

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### *COMING IN APRIL*

The second issue for the 2000 subscription year of the Folio<sup>®</sup>-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, is now being prepared and will soon be available from the Office of the Registrar of Regulations. For information or subscriptions please call (902) 424-6723 or visit our website at [www.gov.ns.ca/just/regulations/cd](http://www.gov.ns.ca/just/regulations/cd).

N.S. Reg. 27/2000

Made: March 1, 2000

Filed: March 3, 2000

Nova Scotia Resources (Ventures) Limited  
Royalty Exemption Regulations

Order in Council 2000-87 made March 1, 2000  
Regulations made by the Governor in Council  
pursuant to Section 23  
of the *Offshore Petroleum Royalty Act*

The Governor in Council on the report and recommendation of the Minister responsible for Nova Scotia Resources Limited and the Minister responsible for the Nova Scotia Petroleum Directorate, dated January 27, 2000, pursuant to Section 23 of Chapter 9 of the Acts of 1987, the *Offshore Petroleum Royalty Act*, is pleased to:

- (a) make regulations respecting the exemption of Nova Scotia Resources (Ventures) Limited from royalty payments in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on, from and after March 1, 2000; and
- (b) authorize the Minister responsible for the Nova Scotia Petroleum Directorate to sign any documents necessary to implement this exemption.

#### Schedule "A"

**Regulations respecting the exemption of Nova Scotia Resources (Ventures) Limited from the payment of royalty made by the Governor in Council pursuant to Section 23 of Chapter 9 of the Acts of 1987, the *Offshore Petroleum Royalty Act***

#### Citation

- 1 These regulations may be cited as the *Nova Scotia Resources (Ventures) Limited Royalty Exemption Regulations*.

#### Interpretation

- 2 In these regulations,
  - (a) "Act" means the *Offshore Petroleum Royalty Act*;
  - (b) "Agreement" means the Sable Offshore Energy Project Royalty Agreement that was approved by the Governor in Council by Order in Council 1999-338 dated June 17, 1999, and signed by the Province and Nova Scotia Resources (Ventures) Limited;
  - (c) "Minister" means the Member of the Executive Council designated as the Minister responsible for the Nova Scotia Petroleum Directorate;

(d) “Regulations” means the *Offshore Petroleum Royalty Regulations*.

### **Exemption**

- 3** (1) Subject to subsection (3), Nova Scotia Resources (Ventures) Limited is exempt from the payment of royalty provided for in clause 2(1)(a) of the Agreement until such time as notice is provided by the Minister under subsection (2) to revoke this exemption.
- (2) This exemption may, with the approval of the Governor in Council, be revoked by the Minister by providing 30 days written notice to this effect to Nova Scotia Resources (Ventures) Limited, following which all royalty payable by Nova Scotia Resources (Ventures) Limited from the date of the revocation shall be paid in accordance with the terms and conditions of the Agreement and the Regulations.
- (3) All other terms and conditions of the Agreement and the Regulations remain in effect, and Nova Scotia Resources (Ventures) Limited shall be bound by and continue to fulfill all of the terms and conditions set out in the Agreement and Regulations, including, but not limited to
- (a) the continued and ongoing calculation of all royalty that would be payable pursuant to the Agreement and the Regulations but for the exemption made in subsection (1); and
  - (b) the obligation to provide estimates and royalty returns to the Minister pursuant to the Agreement and the Regulations.
- (4) Any royalty that would be payable by Nova Scotia Resources (Ventures) Limited to the Minister in accordance with the Agreement and the Regulations but for the exemption made in subsection (1) shall not be taken into account in determining the Allowed Cumulative Field Costs of Nova Scotia Resources (Ventures) Limited as defined in the Regulations.

### **Effective date**

- 5** These regulations are effective on, from and after March 1, 2000.

N.S. Reg. 28/2000

Made: March 1, 2000

Filed: March 3, 2000

Petroleum Resources Removal Permit Exemption Regulations

Order in Council 2000-88 made March 1, 2000  
Regulations made by the Governor in Council  
pursuant to Section 22  
of the *Petroleum Resources Removal Permit Act*

The Governor in Council on the report and recommendation of the Minister responsible for the Nova Scotia Petroleum Directorate dated February 15, 2000, pursuant to Section 22 of Chapter 7 the Acts of 1999, the *Petroleum Resources Removal Permit Act*, is pleased to make regulations respecting an exemption of petroleum producers from the Act in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on, from and after March 1, 2000.

**Schedule "A"**

**Regulations respecting the exemption of petroleum producers made by the Governor in Council pursuant to Section 22 of Chapter 7 of the Acts of 1999, the *Petroleum Resources Removal Permit Act***

**Citation**

1 These regulations may be cited as the *Petroleum Resources Removal Permit Exemption Regulations*.

**Interpretation**

2 In these regulations,

- (a) "Act" means the *Petroleum Resources Removal Permit Act*;
- (b) "Agreement" means a Petrochemical Supply Agreement, signed by the Province and a petroleum producer, that covers subject matter similar to that contained in the Nova Scotia Petrochemical Supply Agreement referred to in Section 4, as amended from time to time.

**Duration of exemption**

3 An exemption made under these regulations applies as long as the Agreement signed by the persons to whom the exemption applies remains in effect.

**Sable Offshore Energy Producers**

4 (1) For the purposes of these regulations,

- (a) "Sable Offshore Energy Producers" means Mobil Oil Canada Properties, Shell Canada Limited, Imperial Oil Resources Limited, Nova Scotia Resources (Ventures) Limited and Mosbacher Operating Ltd., their affiliates, successors and permitted assigns;

- (b) “SOEP Fields” means those portions of the offshore area within, upon or under SDLs 2254 (Venture), 2255A and 2255B (South Venture), 2255F, 2255G and 2283C (Thebaud), 2269, 2276B and 2276C (North Triumph), 2277A and 2277B (Alma) and 2299A (Glenelg);
  - (c) “SOEP Products” means the liquid and gaseous products obtained from the processing of the hydrocarbons produced from the SOEP Fields.
- (2) Pursuant to clause 22(1)(aa) of the Act, the Sable Offshore Energy Producers are hereby exempt from the removal permit requirements in the Act, effective on, from and after March 1, 2000, by virtue of their having entered into the Nova Scotia Petrochemical Supply Agreement that was approved by the Governor in Council by Order in Council 1999-339 dated June 17, 1999, was signed by the parties on June 22, 1999, and became effective on July 27, 1999.
- (3) The exemption made in subsection (2) includes any agents, brokers, marketers, shippers, transporters and customers of SOEP Products from the SOEP Fields.

N.S. Reg. 29/2000

Made: February 24, 2000

Filed: March 3, 2000

Selling Mobile Homes at Tax Sale Definitions Regulations

Order dated February 24, 2000

made under Section 520 of the

*Municipal Government Act*

**Regulations prescribing Definitions related to Selling Mobile Homes  
at Tax Sale made pursuant to Section 520 of Chapter 18 of the  
Statutes of Nova Scotia, 1998, the *Municipal Government Act***

I hereby prescribe the following definitions, pursuant to Section 520 of Chapter 18 of the Statutes of Nova Scotia, 1998, the *Municipal Government Act*:

- 1 For the purposes of Section 137, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, the first and second time it appears in clause 151(a), clause 151(b), the second times it appears in clause 151(c), sections 152, 153, 154, 155, 156 and 157, “land” and “lands” include a mobile home.
- 2 For purposes of Section 137 and subsections 140(1), 140(2), and 141(4), “lot” includes a mobile home.
- 3 For purposes of clauses 140(3)(a) and 142(2)(c), “lot of land” includes a mobile home.
- 4 For the purposes of subsections 150(1), 150(2) and 150(4) and Section 151, “certificate of sale” and “certificate” include a certificate of sale for taxes with respect to a mobile home in Form F prescribed pursuant to the Act, or to like effect.
- 5 For purposes of subsections 150(2) and 155(1) and Section 156, “deed”, “deed to land” and “deed to the land” include an agreement for sale for taxes with respect to a mobile home in Form H prescribed pursuant to the Act, or to like effect.
- 6 For the purposes of clauses 151(c), 152(2)(e) and 152(2)(f) and subsection 153(1), “buildings on the land” includes a mobile home.

Signed: *Angus MacIsaac*

Angus MacIsaac

Minister of Housing and Municipal Affairs

24 February, 2000

N.S. Reg. 30/2000

Made: February 24, 2000

Filed: March 3, 2000

Selling Mobile Homes at Tax Sale Forms Regulations

Order dated February 24, 2000

made under Section 520 of the

*Municipal Government Act*

**Regulations prescribing Forms related to Selling Mobile Homes at Tax  
Sale made pursuant to Section 520 of Chapter 18 of the  
Statutes of Nova Scotia, 1998, the *Municipal Government Act***

I hereby prescribe Forms F, G and H, as set forth in Schedule "A", attached, pursuant to Section 520 of Chapter 18 of the Statutes of Nova Scotia, 1998, the *Municipal Government Act*.

Signed: *Angus MacIsaac*

Angus MacIsaac

Minister of Housing and Municipal Affairs

24 February, 2000

**Schedule "A"**

Form F

Certificate of Sale for Taxes with Respect to a Mobile Home

THIS IS TO CERTIFY that on (date), (purchaser) of (address) purchased for the sum of \$ the mobile home described in Schedule "A" hereto annexed, which was sold for arrears of taxes due to the (Municipality), the same having been assessed to (assessed owner).

A contract for sale for taxes transferring the mobile home to the purchaser or as directed by the purchaser will be provided upon payment of the prescribed fee at any time after six months from the date of the sale if the mobile home is not redeemed.

Given under the hand of the treasurer and the seal of the (Municipality) this day of , 2 .

\_\_\_\_\_  
Treasurer

Form G  
Certificate of Discharge with Respect to a Mobile Home

THIS IS TO CERTIFY that the (Municipality) has been paid the amount required to redeem the mobile home described in Schedule "A" hereto annexed, which had been assessed to (assessed owner) and was on (date) sold for arrears of taxes to (purchaser), and with respect to which a certificate of sale for taxes with respect to a mobile home was issued.

The certificate of sale for taxes with respect to a mobile home is now released.

Given under the hand of the treasurer and the seal of the (Municipality) this day of , 2 .

\_\_\_\_\_  
Treasurer

Form H  
Agreement for Sale for Taxes with Respect to a Mobile Home

THIS AGREEMENT FOR SALE FOR TAXES is made this day of , 2

BETWEEN:

The Municipality of , hereinafter called the "Vendor"  
OF THE ONE PART

- and -

*The Purchaser's Name*, hereinafter called the "Purchaser"  
OF THE OTHER PART

Whereas the Vendor did advertise and sell on (date) the mobile home assessed to described in Schedule "A" hereto annexed for arrears of taxes, interest and expenses.

Now This Agreement Witnesses that in consideration of the sum of One Dollar and other good and valuable consideration, the Vendor hereby sells to the Purchaser the mobile home described in Schedule "A".

In Witness Whereof, we have set our hands and affixed the seal of the Municipality the day and year written above.

SIGNED, SEALED AND DELIVERED  
in the presence of

\_\_\_\_\_  
\_\_\_\_\_

MUNICIPALITY OF

per: \_\_\_\_\_  
Mayor/ Warden

per: \_\_\_\_\_  
Clerk

N.S. Reg. 31/2000

Made: March 8, 2000

Filed: March 9, 2000

Reporting Requirements for HIV Positive Persons Regulations

Order in Council 2000-101 made March 8, 2000  
Regulations approved by the Governor in Council  
pursuant to Section 12  
of the *Health Act*

The Governor in Council on the report and recommendation of the Minister of Health dated January 18, 2000, pursuant to Section 12 of Chapter 195 of the Revised Statutes of Nova Scotia, 1989, the *Health Act*, is pleased to approve of regulations made by the Minister of Health respecting the reporting requirements of HIV positive persons in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

**Schedule "A"**

**Regulations respecting the reporting requirements for HIV positive persons approved by the Governor in Council pursuant to Section 12 of Chapter 195 of the Revised Statutes of Nova Scotia, 1989, the *Health Act***

- 1 These regulations may be cited as the *Reporting Requirements for HIV Positive Persons Regulations*.

**Part I - General**

**Interpretation**

2 In these regulations,

- (a) "Act" means the *Health Act*
- (b) "agency" means a facility designated by the Minister to provide anonymous HIV testing services;
- (c) "AIDS" means Acquired Immune Deficiency Syndrome;
- (d) "anonymous testing" means HIV testing
  - (i) in which results can be linked to the person being tested by a code known only by the person and the counsellor performing the test, and
  - (ii) that is only provided by counsellors at sites that are specifically designated by the Minister to perform anonymous testing;
- (e) "case definition" means a standard set of clinical and laboratory criteria that definitively identify a disease;

- (f) “Chief Medical Officer” means the Chief Medical Officer of Health appointed by the Minister pursuant to the Act;
- (g) "code" means a series of numbers and letters used to replace the name of a positive person in accordance with subsection 7(4) or subsection 8(3);
- (h) "counsellor" means an individual who has been hired or designated by an agency to provide anonymous HIV testing services, but does not include a physician;
- (i) "donation of blood or other tissues" includes donations, whether for compensation or not, of blood, semen, organs, breast milk, cornea or other tissues or cells, whether replaceable by natural processes of repair or not;
- (j) “Health Unit Director” means the director of the health unit appointed by the Minister pursuant to subsection 6(3) of the Act;
- (k) “Health Unit Associate Director” means the associate director of the health unit appointed by the Minister pursuant to subsection 6(3) of the Act;
- (l) "HIV" means Human Immunodeficiency Virus;
- (m) “nominal testing” means HIV testing in which results can be linked to the person being tested by their full name;
- (n) “non-nominal testing” means HIV testing in which results can be linked to the person being tested by a code known only by the person and the physician performing the test;
- (o) “occupational exposure” means exposure to blood, blood products or body fluids, or sharps injury sustained in the performance of work related duties;
- (p) “partner” means an individual with whom a positive person has, since the probable earliest date of infection of the positive person,
  - (i) engaged in unprotected anal, vaginal, or oral sexual intercourse, or
  - (ii) shared injection drug use equipment, or
  - (iii) engaged in some other behaviour which, in the opinion of a physician, carries a significant risk of infection with HIV;
- (q) “physician” means a physician who is a member of the College of Physicians and Surgeons of Nova Scotia pursuant to the *Medical Act*;
- (r) “positive person” means

- (i) a person who has tested positive for HIV or any of its antibodies,  
or
- (ii) a person whom a physician has diagnosed as having AIDS;
  
- (s) “probable earliest date of infection” means the date determined by a physician, using information from the positive person or other sources, to be the earliest probable date on which the positive person became infected with HIV;
  
- (t) “risk factor” means an aspect of personal behaviour or lifestyle that is known to be associated with HIV infection.

**Duty of physician**

- 3** (1) Where a physician has a patient who requests to be tested for HIV, the physician shall comply with the requirements of Part II.
- (2) Where a physician has a patient who is a positive person, the physician shall
- (a) comply with the requirements of Parts III and V in respect of that positive person; or
  - (b) where the physician is unable to comply with the requirements of Parts III and V, the physician shall
    - (i) identify a physician who is willing to comply with the requirements of Parts III and V,
    - (ii) with the consent of the positive person, transfer responsibility for the positive person’s case to the other physician,
    - (iii) provide all relevant information about the positive person within the physician’s knowledge to the other physician, and
    - (iv) inform the Health Unit Associate Director that the physician has transferred responsibility for the positive person pursuant to subclause (ii), identifying the physician to whom the responsibility for the positive person has been transferred and
      - (A) the positive person by non-nominal code if the person tested positive by non-nominal testing, or
      - (B) the positive person by name if the person tested positive by nominal testing.

**Duty of counsellor**

- 4** (1) Where a person requests anonymous testing from a counsellor, the counsellor shall comply with the requirements of Part II.

- (2) Where a person has tested positive by anonymous testing, the counsellor shall comply with the requirements of Part IV and V.

### **Part II - Counselling Requirements**

#### **Pre-test counselling**

- 5 (1) Before a physician or counsellor initiates an HIV test, the physician or counsellor shall counsel the person to be tested, in accordance with pre-test counselling guidelines approved by the Department.
- (2) Where the person to be tested has had an occupational exposure to HIV, the physician or counsellor shall counsel the person in accordance with occupational exposure guidelines approved by the Department.

#### **Post-test counselling**

- 6 (1) When a physician or counsellor communicates the result of an HIV test to a person, the physician or counsellor shall
- (a) counsel the person in accordance with post-test counselling guidelines approved by the Department; and
  - (b) if the person has tested positive, advise the person of the partner notification requirements in accordance with Section 9.
- (2) When a physician or counsellor communicates the result of an HIV test to a person who has had an occupational exposure to HIV, the physician or counsellor shall counsel the person in accordance with occupational exposure guidelines approved by the Department.

### **Part III - Reporting Requirements for Nominal and Non-nominal Testing**

#### **Request for nominal or non-nominal testing**

- 7 (1) After pre-test counselling pursuant to Part II, a person seeking an HIV test from a physician shall request either nominal or non-nominal testing.

#### **Reporting of nominal test result**

- (2) Where a person who requested nominal testing has tested positive, the physician shall report to the Health Unit Associate Director
- (a) the name of the positive person;
  - (b) the risk factors that may have caused HIV infection in the positive person;
  - (c) the date or dates on which and the location or locations where the positive person may have received blood or other tissues;
  - (d) the positive person's history of donations of blood or other tissues;

- (e) confirmation that partners have been notified in accordance with Part V; and
- (f) any other epidemiological information required in accordance with guidelines approved by the Chief Medical Officer.

#### **Reporting of non-nominal test result**

- (3) Where a person who requested non-nominal testing has tested positive, the physician shall report to the Health Unit Associate Director
- (a) the test result using the non-nominal code in accordance with subsection (4); and
  - (b) the information required pursuant to clauses (2)(b) to (f).

#### **Composition of non-nominal code**

- (4) The non-nominal code shall be composed of the following:

Full date of birth:	<u>  </u> / <u>  </u> / <u>  </u>	(6 numbers)
	day/month/year	
Gender:	—	(1 letter, either M or F)
County where resident:	— — —	(first 3 letters)
3 letters chosen by individual	— — —	(3 letters)

#### **Circumstances for reporting of name**

- (5) Despite any other provisions of these regulations, a physician of a positive person shall report the name of the positive person and all relevant information obtained from the positive person to the Health Unit Associate Director where
- (a) prior to testing positive, the positive person has made a donation of blood or other tissues; or
  - (b) the Health Unit Associate Director, after consultation with the physician of the positive person, is of the opinion that the protection of the public health requires it.

### **Part IV - Reporting Requirements for Anonymous Testing**

#### **Anonymous reporting**

- 8 (1) Where a person has tested positive by anonymous testing, the counsellor shall report risk factor information regarding that positive person to the Health Unit Director in accordance with the guidelines approved by the Department.
- (2) Where a person has tested negative by anonymous testing, the counsellor shall report risk factor information regarding that negative person to the Health Unit Director in accordance with the guidelines approved by the Department.

**Composition of anonymous code**

(3) The anonymous code shall be composed of the following:

Year of birth:	----	(4 numbers)
Gender:	-	(1 letter, either M or F)
County where resident:	---	(first 3 letters)
Testing site identification:	--	(2 numbers assigned by the Health Unit Director)
Client number:	----	(minimum of 4 numbers, sequentially assigned to clients by counsellor)

**Part V - Partner Notification****Advice of requirement for partner notification**

9 As part of the counselling provided to the positive person pursuant to subsection 6(1), the physician or counsellor of a positive person shall advise the positive person about

- (a) the positive person's responsibility to inform every partner of the positive person about their risk of exposure to HIV;
- (b) the partner notification guidelines approved by the Health Unit Director; and
- (c) the positive person's ability to transfer responsibility for partner notification to a physician or public health nurse who will notify partners on behalf of the positive person.

**Responsibility of positive person**

10 Where a person has tested positive, the positive person shall

- (a) notify partners in accordance with partner notification guidelines approved by the Health Unit Director; or
- (b) transfer responsibility for partner notification to a physician or public health nurse who will notify partners on behalf of the positive person in accordance with partner notification guidelines approved by the Health Unit Director, in which case the positive person shall make all reasonable efforts to provide the names and other relevant information about every partner of the positive person to the physician or public health nurse.

**Additional requirements**

- 11** Despite any other provisions of this Part, if the physician of a positive person is not satisfied that a partner or a prospective partner of the positive person has been informed that he or she is at risk of infection with HIV, the physician of the positive person shall consult the Health Unit Associate Director.

MADE and dated at Halifax, Nova Scotia, this 18<sup>th</sup> day of January, 2000.

Signed: *Jamie Muir*  
Honourable Jamie Muir  
Minister of Health

