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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. 226/2006

Made: December 14, 2006

Filed: December 14, 2006

Securing Loads on Vehicles Regulations

Order in Council 2006-546 dated December 14, 2006
Regulations made by the Governor in Council
pursuant to subsection 199(3) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Public Works dated November 2, 2006, and pursuant to subsection 199(3) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased, effective on and after December 14, 2006, to

- (a) repeal the regulations respecting the securing of loads on vehicles, N.S. Reg. 213/83, made by the Governor in Council by Order in Council 83-1101 dated September 27, 1983; and
- (b) make new regulations respecting the securing of loads on vehicles in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting Securing Loads on Vehicles
made by the Governor in Council pursuant to subsection 199(3)
of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

Interpretation**Citation**

1 These regulations may be cited as the *Securing Loads on Vehicles Regulations*.

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Motor Vehicle Act*;
- (b) “carrier” means a carrier as defined in clause 303A(a) of the Act;
- (c) “Department” means the Department of Transportation and Public Works;
- (d) “driver” means a driver as defined in clause 2(l) of the Act;
- (e) “load”, except in the term “working load limit”, has the same meaning as “cargo” in the National Standard;
- (f) “National Standard” means the National Safety Code Standard 10: Cargo Securement, as amended from time to time, published by the Canadian Council of Motor Transport Administrators and assigned ISBN number 0-921795-71-8;
- (g) “sealed load” means a load that is placed within a means of containment so that the driver of the vehicle carrying it does not have access to the load.

- (2) Unless otherwise defined in the Act, terms defined in the National Standard have the same meanings when used in these regulations.

Application of regulations

3 These regulations apply to every vehicle that carries a load on a highway.

Responsibilities of Carriers, Drivers and Shippers

Compliance with regulations

- 4 (1) A carrier and each agent and employee of the carrier must comply with these regulations in connection with any vehicle that is owned, leased or otherwise the responsibility of the carrier and that carries a load on a highway.
- (2) A driver must comply with these regulations in connection with any vehicle that is driven, operated or otherwise under the charge of the driver and that carries a load on a highway.

If load secured in carrier's or driver's absence

- 5 (1) If a shipper of goods or the shipper's agent or employee loads a vehicle in the absence of the carrier, the carrier's agent or employee, or the driver, the shipper must ensure that the load is secured in compliance with these regulations.
- (2) If a carrier or the carrier's agent or employee loads a vehicle in the absence of the driver, the carrier must ensure that the load is secured in compliance with these regulations.

Owner must provide devices and post regulations

- 6 An owner or lessee of a vehicle engaged in carrying a load on a highway for commercial purposes must
- (a) provide the load-securing devices required by these regulations; and
 - (b) post the requirements of these regulations in a conspicuous location so that they are readily accessible to all drivers, or otherwise take steps to ensure that all drivers are made aware of the requirements of these regulations.

Covering Loads

Light-weight or fine particles

- 7 (1) Except as provided in subsection (2), a load consisting in whole or in part of light-weight or fine particles that are loosely packed, including any of the following, must be covered entirely by a tarpaulin or other covering so that none of the load can escape from the vehicle:
- (a) sawdust, shavings or wood chips;
 - (b) sand;
 - (c) salt;
 - (d) paper;
 - (e) shredded metal;
 - (f) waste.
- (2) Subsection (1) does not apply to either of the following:

- (a) a vehicle while it is being operated to apply sand, salt, a mixture of sand and salt, or any similar substance to a highway for the purpose of winter highway maintenance;
- (b) a vehicle while it is being operated to collect waste.

Bulk, liquid or semi-liquid materials

- 8 (1)** Except as provided in subsection (2), a load consisting of bulk, liquid or semi-liquid materials, including any of the following, must be covered entirely by a tarpaulin or other covering so that none of the load can escape from the vehicle:
- (a) firewood, Christmas trees or tree branches;
 - (b) moss or seaweed;
 - (c) gravel, crushed stone or rock;
 - (d) coal.
- (2)** Subsection (1) does not apply if the vehicle carrying the load is adequately constructed or loaded to prevent any portion of the load from escaping from the vehicle.

Vehicles Weighing 4500 kg or Less**Application of Sections 10 to 13**

- 9** Sections 10 to 13 apply to a vehicle that has a registered gross vehicle weight of 4500 kg or less and that carries a load on a highway.

Means of securing load

- 10 (1)** A load carried on a vehicle must be secured by one of the following means to prevent the load from shifting on or falling from the vehicle:
- (a) sides, sideboards or stakes, and a rear endgate, endboard or stakes, each of which
 - (i) is securely attached to the vehicle,
 - (ii) has sufficient strength and height, and
 - (iii) has no opening large enough to permit any of the load to pass through;
 - (b) at least 1 tiedown that meets the requirements of Section 11 for each 3.04 linear metres of the load or fraction of 3.04 linear metres, and as many additional tiedowns that meet the requirements of Section 11 as are necessary to secure each part of the load, either by direct contact between the tiedown and the load or contact between the tiedown and dunnage that is in contact with the load;
 - (c) any other means that prevents a load from shifting or falling that is similar to, and at least as effective as, the means specified in clauses (a) and (b).
- (2)** A tiedown is deemed to comply with the requirements for contact in clause (1)(b) if it meets both of the following criteria:
- (a) it is in contact with the exterior topmost items of the load, or with dunnage that is in contact with the exterior topmost items of the load;

- (b) it securely holds each interior and lower item of the load.
- (3) A means of securing a load on a vehicle required by subsection (1) must be strong enough to prevent the load from shifting in a forward direction when the vehicle decelerates at a rate of 6 m per second or faster.
- (4) This Section does not apply to either of the following:
 - (a) a vehicle carrying a load that, because of its size, shape or weight, must be carried on a special-purpose vehicle or must be fastened by special methods, if the load is securely and adequately fastened to the vehicle;
 - (b) a vehicle being operated by or on behalf of an authority having jurisdiction and control over a highway to apply materials used in constructing, maintaining or marking lines on the highway.

Tiedowns

- 11** (1) The working load limit of a tiedown or tiedown component that is marked by its manufacturer with a numeric working load limit is deemed to be the marked working load limit.
- (2) The working load limit of a tiedown or tiedown component that is not marked by its manufacturer with a numeric working load limit is deemed to be the working load limit of the lowest grade or classification for that type and size of tiedown or tiedown component, as set out in Part 3 of the National Standard.
- (3) The working load limit of a tiedown is the working load limit of the weakest component of that tiedown.
- (4) Each anchor point of a tiedown must be strong enough to sustain the force exerted by the tiedown regardless of the direction of that force.
- (5) A tiedown must not be used in any of the following circumstances:
 - (a) the portion of the tiedown that would be used to secure a load has a knot in it;
 - (b) any of the tiedown's components exhibit stretch, deformation, wear or damage beyond the limits specified by the manufacturer;
 - (c) the tiedown has been repaired or shortened other than in accordance with the manufacturer's specifications.
- (6) If a lever-type tensioning device is used on a tiedown, the handle must be locked in place and secured by an adequate secondary means to prevent its inadvertent release.
- (7) Except in the case of steel, fibre or synthetic strapping that is permanently crimped, tiedowns used on a vehicle to secure a load against movement in any direction must be designed, constructed and maintained so that the driver of the vehicle can tighten the tiedowns while in transit.

Timber used in securing loads

- 12** Timber used on or in a vehicle as dunnage, chocks or cradles or for blocking or bracing must be strong enough so that it will not be split or crushed by the load or the tiedowns.

Inspecting load while in transit

- 13** (1) Except as provided in this Section, a driver of a vehicle carrying a load on a highway must periodically and adequately inspect the load and its load-securing devices while in transit, and adjust the load and its load-securing devices as necessary to maintain the security of the load.
- (2) A driver of a vehicle carrying a sealed load is not required to inspect or adjust the sealed load or its load-securing devices if the driver has been ordered not to open the sealed load for inspection or adjustment.
- (3) A driver of a vehicle carrying a sealed load with the means of containment of the load secured or required to be secured to the vehicle must periodically and adequately inspect the means of containment and its load-securing devices while in transit, and adjust the means of containment and its load-securing devices as necessary to maintain the security of the means of containment.
- (4) A driver of a vehicle carrying a load that has been loaded in a manner that makes any portion of the load or its load-securing devices inaccessible is not required to inspect or adjust the portion of the load or load-securing devices that is inaccessible.
- (5) A driver of a vehicle carrying a load that has been loaded in a manner that makes any portion of the load or its load-securing devices inaccessible must periodically and adequately inspect the portions of the load and load-securing devices that are accessible as necessary to maintain the security of the load.

Vehicles Weighing Over 4500 kg**Application of Sections 15 and 16**

- 14** Sections 15 and 16 apply to a vehicle that has a registered gross vehicle weight of more than 4500 kg and that carries a load on a highway.

National Standard adopted by reference

- 15** The National Standard is adopted with respect to every vehicle that has a registered gross vehicle weight of more than 4500 kg and that carries a load on a highway.

Exemption from National Standard

- 16** Subsections 5(1) and (2) and Section 9 of the National Standard do not apply to either of the following:
- (a) a vehicle carrying a load that, because of its size, shape or weight, must be carried on a special-purpose vehicle or must be fastened by special methods, if the load is securely and adequately fastened to the vehicle;
 - (b) a vehicle being operated by or on behalf of an authority having jurisdiction and control over a highway to apply materials used in constructing, maintaining or marking lines on the highway.

N.S. Reg. 227/2006

Made: December 14, 2006

Filed: December 15, 2006

Prescribed Petroleum Products Prices

Order dated December 14, 2006
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 December 1, 2006, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on December 1, 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 December 15, 2006.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on December 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 December 1, 2006

| | |
|-----------------------------|------|
| Regular unleaded gasoline | 50.2 |
| Mid-grade unleaded gasoline | 53.2 |
| Premium unleaded gasoline | 56.2 |
| Ultra low-sulfur diesel oil | 56.3 |

| | | Retail Mark-up | | | | Retail Price (includes all taxes) | | | | |
|-------------------------|---|----------------|-----|--------------|-----|--------------------------------------|-------|--------------|-------|--|
| | | Self-Service | | Full-Service | | Self-Service | | Full-Service | | |
| | | Min | Max | Min | Max | Min | Max | Min | Max | |
| | Fixed Wholesale Price (excludes GST) | | | | | | | | | |
| Zone 1 | | | | | | | | | | |
| Regular Unleaded | 82.0 | 4.0 | 5.5 | 4.0 | 7.5 | 98.0 | 99.8 | 98.0 | 102.0 | |
| Mid-Grade Unleaded | 85.0 | 4.0 | 5.5 | 4.0 | 7.5 | 101.5 | 103.2 | 101.5 | 105.5 | |
| Premium Unleaded | 88.0 | 4.0 | 5.5 | 4.0 | 7.5 | 104.9 | 106.6 | 104.9 | 108.9 | |
| Ultra Low-Sulfur Diesel | 82.0 | 4.0 | 5.5 | 4.0 | 7.5 | 98.0 | 99.8 | 98.0 | 102.0 | |
| Zone 2 | | | | | | | | | | |
| Regular Unleaded | 82.4 | 4.0 | 5.5 | 4.0 | 7.5 | 98.5 | 100.2 | 98.5 | 102.5 | |
| Mid-Grade Unleaded | 85.4 | 4.0 | 5.5 | 4.0 | 7.5 | 101.9 | 103.6 | 101.9 | 105.9 | |
| Premium Unleaded | 88.4 | 4.0 | 5.5 | 4.0 | 7.5 | 105.3 | 107.0 | 105.3 | 109.3 | |
| Ultra Low-Sulfur Diesel | 82.4 | 4.0 | 5.5 | 4.0 | 7.5 | 98.5 | 100.2 | 98.5 | 102.5 | |
| Zone 3 | | | | | | | | | | |
| Regular Unleaded | 82.9 | 4.0 | 5.5 | 4.0 | 7.5 | 99.1 | 100.8 | 99.1 | 103.1 | |
| Mid-Grade Unleaded | 85.9 | 4.0 | 5.5 | 4.0 | 7.5 | 102.5 | 104.2 | 102.5 | 106.5 | |
| Premium Unleaded | 88.9 | 4.0 | 5.5 | 4.0 | 7.5 | 105.9 | 107.6 | 105.9 | 109.9 | |
| Ultra Low-Sulfur Diesel | 82.9 | 4.0 | 5.5 | 4.0 | 7.5 | 99.1 | 100.8 | 99.1 | 103.1 | |
| Zone 4 | | | | | | | | | | |
| Regular Unleaded | 82.9 | 4.0 | 5.5 | 4.0 | 7.5 | 99.1 | 100.8 | 99.1 | 103.1 | |
| Mid-Grade Unleaded | 85.9 | 4.0 | 5.5 | 4.0 | 7.5 | 102.5 | 104.2 | 102.5 | 106.5 | |
| Premium Unleaded | 88.9 | 4.0 | 5.5 | 4.0 | 7.5 | 105.9 | 107.6 | 105.9 | 109.9 | |
| Ultra Low-Sulfur Diesel | 82.9 | 4.0 | 5.5 | 4.0 | 7.5 | 99.1 | 100.8 | 99.1 | 103.1 | |
| Zone 5 | | | | | | | | | | |
| Regular Unleaded | 82.9 | 4.0 | 5.5 | 4.0 | 7.5 | 99.1 | 100.8 | 99.1 | 103.1 | |
| Mid-Grade Unleaded | 85.9 | 4.0 | 5.5 | 4.0 | 7.5 | 102.5 | 104.2 | 102.5 | 106.5 | |
| Premium Unleaded | 88.9 | 4.0 | 5.5 | 4.0 | 7.5 | 105.9 | 107.6 | 105.9 | 109.9 | |
| Ultra Low-Sulfur Diesel | 82.9 | 4.0 | 5.5 | 4.0 | 7.5 | 99.1 | 100.8 | 99.1 | 103.1 | |
| Zone 6 | | | | | | | | | | |
| Regular Unleaded | 83.7 | 4.0 | 5.5 | 4.0 | 7.5 | 100.0 | 101.7 | 100.0 | 104.0 | |
| Mid-Grade Unleaded | 86.7 | 4.0 | 5.5 | 4.0 | 7.5 | 103.4 | 105.1 | 103.4 | 107.4 | |
| Premium Unleaded | 89.7 | 4.0 | 5.5 | 4.0 | 7.5 | 106.8 | 108.5 | 106.8 | 110.8 | |
| Ultra Low-Sulfur Diesel | 83.7 | 4.0 | 5.5 | 4.0 | 7.5 | 100.0 | 101.7 | 100.0 | 104.0 | |

N.S. Reg. 228/2006

Made: December 6, 2006

Approved: December 18, 2006

Filed: December 19, 2006

Weights and Dimensions of Vehicles Regulations

Order in Council 2006-547 dated December 18, 2006
Amendment to regulations made by the Minister of Transportation and Public Works
and approved by the Governor in Council
pursuant to subsection 191(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Public Works dated December 6, 2006, and pursuant to subsection 191(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve of amendments to the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, to extend the period for which certain weight tolerances are allowed, to increase certain penalties and to clarify certain defined terms, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 18, 2006.

Schedule "A"

**In the Matter of subsection 191(1) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

- and -

**In the Matter of the *Weights and Dimensions of Vehicles Regulations*
made by the Minister of Transportation and Public Works
pursuant to subsection 191(1) of the *Motor Vehicle Act***

Order

I, Angus MacIsaac, Minister of Transportation and Public Works for the Province of Nova Scotia, pursuant to subsection 191(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, hereby amend the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, to extend the period for which certain weight tolerances are allowed, to increase certain penalties and to clarify certain defined terms, in the manner set out in the attached, effective on and after the date this Order is approved by the Governor in Council.

Dated and made at Halifax Regional Municipality, Nova Scotia, Dec. 6, 2006.

Sgd.: *Angus MacIsaac*
Honourable Angus MacIsaac
Minister of Transportation and Public Works

**Amendment to the *Weights and Dimensions of Vehicles Regulations*
made by the Minister of Transportation and Public Works
pursuant to subsection 191(1) of Chapter 293 of the
Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

- 1 (1) Clause 2(af) of the *Weights and Dimensions of Vehicles Regulations*, N.S. Reg. 137/2001, made by the Minister of Transportation and Public Works and approved by the Governor in Council by Order in Council 2001-526 dated November 15, 2001, is repealed and the following clause substituted:
- (af) “implement of husbandry” means a vehicle, with or without motive power, that is designed and used for agricultural purposes, and includes
- (i) farm machinery,
 - (ii) a farm wagon,
 - (iii) a trailer when towed by a farm tractor or when towed unloaded by any other motor vehicle to or from a farm equipment dealer or repair facility or to or from a field or farm, and
 - (iv) a farm tractor;
- (2) Clause 2(bn) of the regulations is repealed and the following clause substituted:
- (bn) “tridem equivalent axle” means an axle group that is made up of 3 consecutive, equally spaced axles within a vehicle and that has
- (i) all lift axles lowered,
 - (ii) the same number and size of tires on each axle, and
 - (iii) each of its axles attached to the vehicle by identical pneumatic suspensions that automatically provide load equalization;
- 2 Subsection 4(5) of the regulations is amended by striking out “Any” and substituting “An”.
- 3 Subsection 6(5) of the regulations is amended by striking out “December 31, 2006” and substituting “December 31, 2007”.
- 4 Subsection 8(4) of the regulations is amended by striking out “December 31, 2006” and substituting “December 31, 2007”.
- 5 Section 13 of the regulations is repealed and the following Sections substituted:

Truck prohibition

- 13 (1)** No person shall operate or cause to be operated a truck, with or without a trailer, or a truck tractor, with or without a trailer, with a registered gross vehicle weight greater than 3000 kg on Trunk 4 from Exit 7 of Highway 104 at Thomson Station through to Exit 11 of Highway 104 at Glenholme, or the reverse, except when making a local delivery.
- (2)** Any person who violates subsection 13(1) is liable to a penalty of not less than \$250.

Penalties

- 14 (1)** Any person who operates or causes to be operated any of the following combinations of vehicles on the specified highways shall be liable to a penalty of \$250:
- (a) an A-train double on any highway other than a maximum weight road;
 - (b) a B-train double on any highway other than a B-train route or a maximum weight road;
 - (c) a C-train double on any highway other than a maximum weight road.
- (2)** Any person who violates any of the provisions of these regulations for which no other penalty is provided shall be liable to a penalty of \$50.

6 Part 1 of Schedule A to the regulations is amended by

- (a) striking out “December 31, 2006” in footnote 10 to Section C and substituting “December 31, 2007”; and
- (b) striking out “January 1, 2007” in Section E and substituting “January 1, 2008”.

7 (1) Part 2 of Schedule A to the regulations is amended by

- (a) striking out “December 31, 2006” wherever it appears and substituting “December 31, 2007”; and
- (b) striking out “January 1, 2007” wherever it appears and substituting “January 1, 2008”.

(2) Category 1, Section 2 of Part 2 of Schedule A to the regulations is amended by

- (a) adding the following rows under the heading “Maximum Weight Roads” immediately under the row beginning “Five axles—with semi-trailer tandem spread > 1.85 m”:

| | |
|---|-------------------------------------|
| Five axles—with tridem spread 2.4 m to < 3.0 m | Maximum 35 600 kg |
| Five axles—with tridem spread 3.0 m to < 3.6 m | Maximum 38 600 kg |
| Five axles—with tridem spread 3.6 m to 3.7 m | Maximum 40 600 kg |
| Five axles—with tridem spread > 3.7 m | Maximum 32 600 kg ^{37, 39} |
| Five axles—with triaxle spread 2.4 m to < 3.0 m | Maximum 32 600 kg ^{38, 40} |
| Five axles—with triaxle spread 3.0 m to < 3.6 m | Maximum 32 600 kg ^{38, 41} |
| Five axles—with triaxle spread 3.6 m to 4.9 m | Maximum 32 600 kg ^{38, 42} |

- (b) adding the following rows under the heading “B-Train Routes” immediately under the row beginning “Five axles—with semi-trailer tandem spread > 1.85 m”:

| | |
|---|-------------------------------------|
| Five axles—with tridem spread 2.4 m to < 3.0 m | Maximum 35 600 kg |
| Five axles—with tridem spread 3.0 m to < 3.6 m | Maximum 38 600 kg |
| Five axles—with tridem spread 3.6 m to 3.7 m | Maximum 38 600 kg ³⁶ |
| Five axles—with tridem spread > 3.7 m | Maximum 32 600 kg ^{37, 43} |
| Five axles—with triaxle spread 2.4 m to < 3.0 m | Maximum 32 600 kg ³⁸ |
| Five axles—with triaxle spread 3.0 m to < 3.6 m | Maximum 32 600 kg ³⁸ |
| Five axles—with triaxle spread 3.6 m to 4.9 m | Maximum 32 600 kg ³⁸ |

- (c) adding a reference to footnote 36 after the footnote 19 reference under the heading “B-Train Routes” in the right-hand column opposite “Six axles–with tridem spread 3.6 m to 3.7 m”;
- (d) adding a reference to footnote 36 after the footnote 20 reference under the heading “B-Train Routes” in the right-hand column opposite “Six axles–with tridem spread > 3.7 m”;
- (e) adding a reference to footnote 38 after the footnote 21 reference under the heading “B-Train Routes” in the right-hand column opposite “Six Axles–with triaxle spread 2.4 m < 3.0 m”;
- (f) adding a reference to footnote 38 after the footnote 21 reference under the heading “B-Train Routes” in the right-hand column opposite “Six axles–with triaxle spread 3.0 m to < 3.6 m”;
- (g) adding a reference to footnote 38 after the footnote 21 reference under the heading “B-Train Routes” in the right-hand column opposite “Six axles–with triaxle spread 3.6 m to 4.9 m”;
- (h) adding the following rows under the heading “All Other Highways” immediately under the row beginning “Five axles–with semi-trailer tandem spread > 1.85 m”:

| | |
|---|---------------------------------|
| Five axles–with tridem spread 2.4 m to < 3.0 m | Maximum 32 600 kg ³⁷ |
| Five axles–with tridem spread 3.0 m to < 3.6 m | Maximum 32 600 kg ³⁷ |
| Five axles–with tridem spread 3.6 m to 3.7 m | Maximum 32 600 kg ³⁷ |
| Five axles–with tridem spread > 3.7 m | Maximum 32 600 kg ³⁷ |
| Five axles–with triaxle spread 2.4 m to < 3.0 m | Maximum 32 600 kg ³⁸ |
| Five axles–with triaxle spread 3.0 m to < 3.6 m | Maximum 32 600 kg ³⁸ |
| Five axles–with triaxle spread 3.6 m to 4.9 m | Maximum 32 600 kg ³⁸ |

- (i) adding a reference to footnote 37 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with tridem spread 2.4 m to < 3.0 m”;
- (j) adding a reference to footnote 37 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with tridem spread 3.0 m to < 3.6 m”;
- (k) adding a reference to footnote 37 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with tridem spread 3.6 m to 3.7 m”;
- (l) adding a reference to footnote 37 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with tridem spread > 3.7 m”;
- (m) adding a reference to footnote 38 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with triaxle spread 2.4 m to < 3.0 m”;
- (n) adding a reference to footnote 38 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with triaxle spread 3.0 m to < 3.6 m”;
- (o) adding a reference to footnote 38 after the footnote 22 reference under the heading “All Other Highways” in the right-hand column opposite “Six axles–with triaxle spread 3.6 m to 4.9 m”;

- (p) striking out “43 500 kg” and substituting “41 500 kg” in footnote 18;
- (q) repealing footnotes 24 and 25;
- (r) adding the following footnotes immediately under footnote 35:

- 36 The maximum tridem axle weight is 24 000 kg.
- 37 The maximum tridem axle weight is 18 000 kg.
- 38 The maximum triaxle weight is 18 000 kg.
- 39 Until December 31, 2009, this weight limit is increased to 40 600 kg and the maximum tridem axle weight is increased to 26 000 kg for a semi-trailer model year 2002 and earlier.
- 40 Until December 31, 2009, this weight limit is increased to 35 600 kg and the maximum triaxle weight is increased to 21 000 kg for a semi-trailer model year 2002 and earlier.
- 41 Until December 31, 2009, this weight limit is increased to 38 600 kg and the maximum triaxle weight is increased to 24 000 for a semi-trailer model year 2002 and earlier.
- 42 Until December 31, 2009, this weight limit is increased to 40 600 kg and the maximum triaxle weight is increased to 26 000 for a semi-trailer model year 2002 and earlier.
- 43 Until December 31, 2009, this weight limit is increased to 38 600 kg and the maximum tridem axle weight is increased to 24 000 kg for a semi-trailer model year 2002.

8 Schedule B to the regulations, B-Train Routes, is amended by

- (a) repealing item 14 under the heading “Annapolis County”;
- (b) repealing item 26 under the heading “Annapolis County” and substituting the following item:
 - 26. **Young’s Mountain Road**, from Trunk 1 at Belleisle northwesterly to Shore Road West, 7.2 km.
- (c) adding the following items immediately after item 26 under the heading “Annapolis County”:
 - 27. **Chute Road**, from Clementsvale Road northeasterly to Purdy Road, 1.8 km.
 - 28. **Clementsvale Road**, from Virginia Road to J.D. Irving Ltd. road, 8.6 km.
 - 29. **Clementsvale Road**, from River Road easterly to Mary Jane Riley Road, 5.3 km.
 - 30. **Dunn Road**, from Purdy Road southerly to Clementsvale Road, 3.1 km.
 - 31. **Hampton Mountain Road**, from Arlington Road northwesterly to Shore Road East at Hampton, 2.3 km.
 - 32. **Mary Jane Riley Road**, from Clementsvale Road northerly to Waldec Line Road, 4.4 km.
 - 33. **Old Shore Road**, from Young’s Mountain Road westerly to Shore Road West, 0.6 km.
 - 34. **Parker Mountain Road**, from Shore Road West southeasterly to Trunk 1 at Granville Ferry, 6.1 km.
 - 35. **Purdy Road**, from Chute Road northeasterly to Dunn Road, 2.0 km.

36. **Shore Road East** and **Shore Road West**, from west of Gaskell Brook at Hampton southwesterly to Parker Mountain Road, 17.9 km.
 37. **Virginia Road**, from Trunk 8 to Clementsvale Road, 10.8 km.
 38. **Waldec Line Road**, from Mary Jane Riley Road easterly, 1.9 km.
 - (d) adding the following items immediately after item 94 under the heading “Cumberland County”:
 95. **Black River Road**, from Route 321 westerly, 0.14 km.
 96. **Hansford Road**, from Conns Mills Road easterly, 1.0 km.
 97. **Hansford Road**, from Thompson Road westerly to Branch Road, 1.9 km.
 98. **John King Road**, from Dickson Road to Mount Pleasant Road, 0.6 km.
 99. **Thompson Road**, from Silica Road southerly, 1.0 km.
 - (e) adding the following items immediately after item 27 under the heading “Digby County”:
 28. **Acacia Valley Road**, from Highway 101 to Ridge Road, 1.7 km.
 29. **Bloomfield Road**, from Ridge Road to end of pavement, 1.0 km.
 30. **Ridge Road**, from North Range Cross Road westerly to Meagher Road, 1.5 km.
 31. **Ridge Road**, from Acacia Valley Road to Bloomfield Road, 4.2 km.
 32. **River Road**, from Highway 101 southerly to Clementsvale Road at Bear River, 6.0 km.
 - (f) adding the following item immediately after item 37 under the heading “Kings County”:
 38. **Crocker Road**, from Harmony Road near Harmony southerly to end, 1.7 km.
 - (g) adding the following item immediately after item 7 under the heading “Yarmouth County”:
 8. **Hardscratch Road**, from Route 340 southerly to Aberdeen’s Quarry, 0.2 km.
- 9 Schedule C to the regulations, Maximum Weight Roads, is amended by
- (a) adding the following item after item 6(i):
 - (k) **Old Margaree Road**, from Highway 105 to Baddeck Landfill site, 1.4 km.
 - (b) adding the following item after item 11(r):
 - (s) **Shore Road (Pitt Street)**, from Route 305 northeasterly, 0.75 km.

N.S. Reg. 229/2006

Made: December 18, 2006

Filed: December 19, 2006

Sales Tax Act Regulations

Order in Council 2006-550 dated December 18, 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 December 13, 2006, and pursuant to Section 13 of Chapter 31 of the Revised Statutes of Nova Scotia, 1989, 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 permit suppliers of designated fuel and electricity to apply more frequently for reimbursement of rebates made under the household energy rebate program, and to make certain housekeeping changes, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 18, 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 Section 14 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 striking out "In Sections 15 to 25" and substituting "In Sections 15 to 24".
- 2 Subsection 22(4) of the regulations is amended by striking out "once per calendar month" and substituting "4 times per calendar month".
- 3 Sections 24 and 25 of the regulations are renumbered as Sections 23 and 24, respectively.

N.S. Reg. 230/2006

Made: December 18, 2006

Filed: December 19, 2006

Automobile Insurance Tort Recovery Limitation Regulations

Order in Council 2006-551 dated December 18, 2006
Amendment to regulations made by the Governor in Council
pursuant to Sections 5 and 113B of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister assigned responsibility for the *Insurance Act* dated December 12, 2006, and pursuant to Sections 5 and 113B of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased to amend the *Automobile Insurance Tort Recovery [Limitation] Regulations*, N.S. Reg. 182/2003, made by the Governor in Council by Order in Council 2003-457 dated October 31, 2003, by striking out "113B(3)" in Section 3 and substituting "113B(4)", effective on and after December 18, 2006.

N.S. Reg. 231/2006

Made: November 30, 2006

Approved: December 18, 2006

Filed: December 19, 2006

Crane Operators Regulations

Order in Council 2006-557 dated December 18, 2006
Amendment to regulations made by the Minister of Environment and Labour
and approved by the Governor in Council
pursuant to Section 19 of the *Crane Operators and Power Engineers Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated November 30, 2006, and pursuant to Section 19 of Chapter 23 of the Acts of 2000, the *Crane Operators and Power Engineers Act*, is pleased to approve of amendments made by the Minister of Environment and Labour to the *Crane Operators Regulations*, N.S. Reg. 115/2001, made by the Minister of Environment and Labour on August 29, 2001 and approved by the Governor in Council by Order in Council 2001-434 dated August 30, 2001, to increase the training program equivalency, simplify the requirements for members of the Examination Committee and the Appeal Board and update the operating standards, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2007.

Schedule "A"

**In the matter of Section 19 of Chapter 23 of the Acts of 2000,
the *Crane Operators and Power Engineers Act***

and

**In the matter of an amendment to the *Crane Operators Regulations*
made by the Minister of Environment and Labour**

Order

I, Mark Parent, Minister of Environment and Labour for the Province of Nova Scotia, pursuant to Section 19 of Chapter 23 of the Acts of 2000, the *Crane Operators and Power Engineers Act*, hereby amend the *Crane Operators Regulations*, N.S. Reg. 115/2001, made by the Minister of Environment and Labour on August 29, 2001, and approved by the Governor in Council by Order in Council 2001-434 dated August 30, 2001, in the manner set forth in the attached.

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

Dated and made at Halifax, Nova Scotia, November 30, 2006.

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

**Amendment to the *Crane Operators Regulations*
made under Section 19 of Chapter 23 of the Acts of 2000,
the *Crane Operators and Power Engineers Act***

1 Section 4 of the *Crane Operators Regulations*, N.S. Reg. 115/2001, made by the Minister of Environment and Labour by Order dated August 29, 2001, and approved by the Governor in Council by Order in Council 2001-434 dated August 30, 2001, is repealed and the following Section substituted:

- 4 (1)** The Committee shall consist of the following members:
- (a) up to 4 members with knowledge of the industry;
 - (b) the Chief Examiner.
- (2)** Each member of the Committee shall hold office for a term of up to 3 years and may be reappointed.
- (3)** The Committee shall hold meetings
- (a) at the request of the Chair; or
 - (b) at the written request of a majority of the members of the Committee to the Chair.
- (4)** The Committee shall submit a copy of the minutes of a meeting to the Department no later than 30 days after the meeting.
- (5)** In addition to the duties prescribed in the Act, the Committee has all of the following duties:
- (a) to assist the Department in assessing examinations;
 - (b) to assist the Department in determining whether an applicant for a certificate has the necessary practical experience and education to write the examination for that certificate;
 - (c) to assist the Department in developing and adopting questions to be used on examinations;
 - (d) as an advisory body to collect submissions and advise the Department about public safety issues, including the effectiveness of the Act and these regulations in ensuring public safety in connection with the examination, certification and duties of crane operators.

2 Section 18 of the regulations is repealed and the following Section substituted:

- 18 (1)** The Committee may approve a crane operator training program leading to crane operator certification.
- (2)** Successful completion of an approved crane operator training program shall be considered equivalent to up to 1500 hours of practical experience.

3 Section 27 of the regulations is repealed and the following Section substituted:

- 27 (1)** Every owner shall ensure that a crane operator has access to all of the following applicable standards, as amended, to assist in safe installation, operation and maintenance procedures:
- (a) ANSI/ASME B30.3–2004, *Construction Tower Cranes*;
 - (b) ANSI/ASME B30.4–2003, *Portal, Tower and Pedestal Cranes*;
 - (c) ANSI/ASME B30.5–2004, *Mobile and Locomotive Cranes*;

- (d) ANSI/ASME B30.9–2003, *Slings*;
 - (e) ANSI/ASME B30.11–2004, *Monorails and Underhung Cranes*;
 - (f) ANSI/ASME B30.16–2003, *Overhead Hoists (Underhung)*;
 - (g) ANSI/ASME B30.17–2003, *Overhead and Gantry Cranes (Top Running Bridge, Single Girder, Underhung Hoists)*;
 - (h) ANSI/ASME B30.18–2004, *Stacker Cranes (Top or Under Running Bridge, Multiple Girder With Top or Under Running Trolley Hoist)*;
 - (i) ANSI/American Welding Society D14.1–97, *Specification for Welding of Industrial and Mill Cranes and other Material Handling Equipment*;
 - (j) CSA Z248–2004, *Code For Tower Cranes*.
- (2) Every owner shall ensure that crane operators comply with CSA Z150–98 (R2004), *Safety Code on Mobile Cranes*, as amended.

4 Subsection 29(1) of the regulations is repealed and the following subsection substituted:

29 (1) At least 1 member of the Appeal Board must be a professional engineer.

N.S. Reg. 232/2006

Made: November 21, 2006 and December 18, 2006

Filed: December 19, 2006

Summary Offence Tickets Regulations

Order in Council 2006-560 dated December 18, 2006

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

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated November 21, 2006, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia 1989, the *Summary Proceedings Act*, is pleased to amend the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to include certain offences under the Municipality of the County of Colchester By-law Chapter 35 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 December 18, 2006.

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 November 21, 2006, 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 18-D 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 repealed and the following Schedule substituted:

**Schedule 18-D
Municipality of the County of Colchester By-laws**

| Offence | Section | Out of Court Settlement |
|---|---------|-------------------------|
| Dogs By-law—Chapter 35: | | |
| 1. Owning dog that runs at large | 16(a) | \$330.00 |
| 2. Owning dog that is not wearing tag as required by Section 8 of by-law | 16(b) | \$330.00 |
| 3. Owner failing to register dog | 16(c) | \$215.00 |
| 4. Owning dog that persistently disturbs quiet of neighbourhood by barking, howling or otherwise | 16(d) | \$215.00 |
| 5. Failing to provide written statement as required by Section 9 of by-law | 16(e) | \$330.00 |
| 6. Owner harbouring, keeping or having under care, control or direction a fierce or dangerous dog | 16(f) | \$215.00 |
| 7. Owner of dog failing to remove feces of dog from property other than owner's | 16(g) | \$330.00 |

N.S. Reg. 233/2006

Made: December 18, 2006

Filed: December 19, 2006

French-language Services Regulations

Order in Council 2006-563 dated December 18, 2006
Regulations made by the Governor in Council
pursuant to Section 10 of the *French-language Services Act*

The Governor in Council on the report and recommendation of the Minister of Acadian Affairs dated December 5, 2006, and pursuant to Section 10 of Chapter 26 of the Acts of 2004, the *French-language Services Act*, is pleased to make regulations respecting French-language services, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after December 31, 2006.

Schedule "A"

**Regulations Respecting French-language Services
made by the Governor in Council pursuant to
Section 10 of Chapter 26 of the Acts of 2004,
the *French-language Services Act***

Citation

1 These regulations may be cited as the *French-language Services Regulations*.

Definitions

2 In these regulations,

- (a) "designated public institution" means a department, office, agency of Government, Crown corporation, or public institution listed in Schedule A;
- (b) "French-language services plan" means a plan developed and published under Section 4 by a designated public institution.

Objective of these regulations

- 3 (1) The objective of these regulations is to ensure that there are substantive and measurable improvements to the French-language services offered by the Government of Nova Scotia.
- (2) Before July 31, 2010, the Minister must conduct a review of the French-language services offered by the Government of Nova Scotia for the purpose of evaluating the effectiveness of these regulations in achieving the objective set out in subsection (1).

Annual French-language services plans

- 4 (1) Before March 31, 2007, and annually before March 31 of each subsequent year, each designated public institution must develop and publish a French-language services plan.
- (2) A French-language services plan must be published in French and English.

Content of French-language services plans

- 5 (1) A French-language services plan must describe all of the following:

- (a) how the designated public institution's staff have been instructed to respond to verbal and written requests from the public to communicate in French;
- (b) the French-language services offered by the designated public institution;
- (c) the steps the designated public institution will take to preserve or improve its French-language services in the next fiscal year;
- (d) if the designated public institution intends to improve its French-language services in the next fiscal year, the specific goals and objectives that have been established for improving French-language services and the specific measures that it will take to achieve these goals and objectives;
- (e) how the plan will contribute to the preservation or growth of the Acadian and francophone community.

Addressing priorities of Acadian and francophone community

- 6** After January 1, 2008, in addition to meeting the requirements of Section 5, a French-language services plan must describe how the designated public institution will address the priorities of the Acadian and francophone community that have been expressed during consultations required by Section 15 or in communications between the Acadian and francophone community and the designated public institution.

Reporting progress

- 7** After January 1, 2008, in addition to meeting the requirements of Section 5 and 6, a French-language services plan must describe the public institution's progress in reaching any specific goals and objectives set for the previous fiscal year in accordance with clause 5(1)(d).

Developing French-language services plans

- 8** In establishing specific goals and objectives in accordance with clause 5(1)(d), a designated public institution must give priority to services to which one or both of the following apply:
- (a) there is a demand from the Acadian and francophone community for the services to be provided in French;
 - (b) failure to provide the services in French may compromise the health, safety or security of members of the public.

Implementing regulations

- 9** A Minister responsible for a designated public institution must ensure the following:
- (a) that the designated public institution's French-language services plan is developed and published in accordance with these regulations;
 - (b) that the implementation of these regulations within the Minister's area of responsibility conforms with the purpose of providing quality French-language services and contributing to the preservation and growth of the Acadian and francophone community.

Minister's annual report

- 10** After April 1, 2008, the Minister must set out all of the following in the annual report required by subsection 7(1) of the *French-language Services Act*:

- (a) the progress of the designated public institutions in reaching the specific goals and objectives set for improving French-language services in the previous fiscal year;
- (b) the progress of the Government of Nova Scotia in reaching the objective set out in subsection 3(1);
- (c) recommendations to designated public institutions for implementing French-language services plans.

List of French-language services co-ordinators

11 The Office of Acadian Affairs must publish a list of all French-language services co-ordinators annually.

Communicating with public

12 Each designated public institution must ensure all of the following:

- (a) that all written correspondence in French that is received by the designated public institution is replied to in French;
- (b) that all information material issued to the public simultaneously in French and English displays a bilingual Provincial logo;
- (c) that reasonable and appropriate steps are taken to make members of the public aware that services are available in French and English.

Information material

13 In determining which of its information material that is intended for the general public will be issued simultaneously in French and English, a designated public institution must give priority to information material to which one or more of the following apply:

- (a) the information material is of particular relevance to the Acadian and francophone community;
- (b) the information material pertains to French-language service delivery from the designated public institution;
- (c) failure to provide the information in French may compromise the health, safety or security of members of the public.

Information issued by the Office of Acadian Affairs

14 Despite Section 13, all information material that is issued by the Office of Acadian Affairs and is intended for the general public must be issued in French.

Consulting with Acadian and francophone community

15 The Office of Acadian Affairs must conduct regular consultations with the Acadian and francophone community regarding French-language services offered by the Government of Nova Scotia.

Province-wide public meetings for public consultations

16 (1) French-language services must be provided during at least one session of every series of Province-wide public meetings conducted by a designated public institution for the purpose of consulting the public.

- (2) Subsection (1) does not apply if, in the opinion of the Minister responsible for the public meetings, members of the Acadian and francophone community have been able to participate in the public consultation process by other appropriate means.

Third party services

- 17 Each designated public institution must ensure that, if practicable, any new contract or renewal of a contract between the designated public institution and a third party that provides services on its behalf requires the third party to provide services in accordance with these regulations.

Participating in Provincial agencies, boards and commissions

- 18 Each designated public institution must encourage members of the Acadian and francophone community to become members of agencies, boards and commissions whose members are nominated for appointment or appointed by the Government of Nova Scotia.

Existing practice protected

- 19 These regulations do not limit the use of the French or English language outside of the application of these regulations.

Limitation of obligations of designated public institutions

- 20 The obligations of designated public institutions under these regulations are subject to any limits that circumstances make reasonable and necessary, if all reasonable measures and plans for compliance with these regulations have been taken or made.

Schedule A**Departments**

Agriculture
Community Services
Economic Development
Education
Energy
Environment and Labour
Finance
Health
Health Promotion and Protection
Intergovernmental Affairs
Justice
Natural Resources
Public Service Commission
Service Nova Scotia and Municipal Relations
Tourism, Culture and Heritage
Transportation and Public Works

Offices

Communications Nova Scotia
Emergency Management Office
Freedom of Information and Protection of Privacy Review Office
Nova Scotia Fisheries and Aquaculture
Office of Acadian Affairs
Office of Immigration
Office of the Ombudsman
Office of the Premier

Agencies

Advisory Council on the Status of Women
Annapolis Valley District Health Authority
Art Gallery of Nova Scotia
Cape Breton District Health Authority
Capital District Health Authority
Colchester East Hants District Health Authority
Cumberland District Health Authority
Guysborough Antigonish Strait Health Authority
IWK Health Centre
Nova Scotia Business Inc.
Nova Scotia Gaming Corporation
Nova Scotia Human Rights Commission
Nova Scotia Legal Aid Commission
Nova Scotia Liquor Corporation
Nova Scotia Pension Agency
Nova Scotia Utility and Review Board
Pictou County Health Authority
Seniors' Secretariat
South Shore District Health Authority
South West Nova District Health Authority
Voluntary Planning Board
Workers' Compensation Board of Nova Scotia
Youth Secretariat

N.S. Reg. 234/2006

Made: December 4, 2006 and December 20, 2006

Approved: December 20, 2006

Filed: December 21, 2006

Insurance Agents Licensing Regulations

Order in Council 2006-573 dated December 20, 2006
Amendment to regulations made and approved by the Governor in Council
pursuant to subsection 5(3) and Section 52 of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister assigned responsibility for the *Insurance Act* dated December 19, 2006, and pursuant to subsection 5(3) and Section 52 of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, is pleased to make and approve of amendments to the regulations respecting the licensing of insurance agents, N.S. Reg. 81/93, made by the Superintendent of Insurance and approved by the Governor in Council by Order in Council 93-461A dated May 31, 1993, to amend the qualifications for licensed agents in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2007.

Schedule "A"**In the Matter of Section 52 of Chapter 231 of the
Revised Statutes of Nova Scotia, 1989, the *Insurance Act*****- and -****In the Matter of the Regulations Respecting the Licensing of Insurance Agents
made by the Superintendent of Insurance pursuant to Section 52 of the *Insurance Act*
and by the Governor in Council pursuant to subsection 5(3) of the *Insurance Act*****Order**

I, Doug H. Murphy, Superintendent of Insurance for the Province of Nova Scotia, pursuant to Section 52 of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act*, hereby amend the regulations respecting the licensing of insurance agents, N.S. Reg. 81/93, made by the Superintendent of Insurance and approved by the Governor in Council by Order in Council 93-461A dated May 31, 2003, in the manner set out in the attached, effective on and after January 1, 2007, and approval by the Governor in Council.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on Dec. 4, 2006.

Sgd.: *Doug Murphy*
Doug H. Murphy
Superintendent of Insurance

**Amendment to the Regulations Respecting the Licensing of Insurance Agents
made pursuant to subsection 5(3) and Section 52
of Chapter 231 of the Revised Statutes of Nova Scotia, 1989,
the *Insurance Act***

- 1 Section 1 of the regulations respecting the licensing of insurance agents, N.S. Reg. 81/93, made by the Superintendent of Insurance and approved by the Governor in Council by Order in Council 93-461A dated May 31, 2003, is amended by adding the following clause immediately after clause (bc):
 - (bd) "supervision" of an individual means the reasonable and prudent oversight of each insurance transaction conducted by the individual;
- 2 (1) Clause 3(2)(a) of the regulations is repealed and the following clause substituted:
 - (a) has passed any of the following, or has equivalent experience acceptable to the Superintendent:
 - (i) the Fundamentals of Insurance course offered by the Canadian Association of Insurance Brokers,
 - (ii) Parts I and II of the General Insurance Essentials program offered by the Insurance Institute of Canada,
 - (iii) Part I of the CAIB Program,
 - (iv) CIP Program courses C11 and C130,

- (v) a course that is equivalent to one specified in subclauses (i) to (iv) and that is acceptable to the Superintendent.
- (2) Clause 3(2)(b) of the regulations is repealed.
- 3 Subsection 3(3) of the regulations is amended by striking out “sign all” and substituting “approve”.
- 4 Clause 3(4)(b) of the regulations is repealed and the following clause substituted:
- (b) has passed any of the following, or has equivalent experience acceptable to the Superintendent:
- (i) Parts I, II and III of the CAIB Program,
- (ii) CIP Program courses C11, C130 and C131,
- (iii) a course that is equivalent to one specified in subclause (i) or (ii) and that is acceptable to the Superintendent.
- 5 Clause 3(5)(b) of the regulations is repealed and the following clause substituted:
- (b) has passed any of the following, or has equivalent experience acceptable to the Superintendent:
- (i) Parts I, II, III and IV of the CAIB Program,
- (ii) CIP Program courses C11, C130, C131 and C132,
- (iii) a course that is equivalent to one specified in subclause (i) or (ii) and that is acceptable to the Superintendent.
- 6 Section 4 of the regulations is repealed and the following Section substituted:
- 4 (1)** Despite subsections 3(2), (4) and (5), an individual who is licensed as a general insurance agent on December 31, 2006, is deemed to be licensed, subject to any limits and conditions prescribed by the Superintendent under subsection 36(3) of the Act,
- (a) as a Level I general insurance agent, if the individual has held a license as a general insurance agent for fewer than 2 years,
- (b) as a Level II general insurance agent, if the individual has held a license as a general insurance agent for 2 or more years but fewer than 4 years, or
- (c) as a Level III general insurance agent, if the individual has held a license as a general insurance agent for 4 or more years.
- (2)** An agency that is licensed on December 31, 2006, is deemed to be licensed as an insurance agency, subject to any limits and conditions prescribed by the Superintendent under subsection 36(3) of the Act.
- 7 Subsection 11(2) of the regulations is repealed and the following Section substituted:
- (2)** Every licensed insurance agency shall appoint an agent in charge who shall either be a Level III general insurance agent or be acceptable to the Superintendent on the basis of the agent’s experience and qualifications.

N.S. Reg. 235/2006

Made: December 20, 2006

Filed: December 21, 2006

Ferriage Charges Regulations

Order in Council 2006-575 dated December 20, 2006

Regulations made by the Governor in Council

pursuant to Section 6 of the *Ferries Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Public Works dated December 6, 2006, and pursuant to Section 6 of Chapter 168 of the Revised Statutes of Nova Scotia, 1989, the *Ferries Act*, is pleased, effective on and after December 20, 2006, to

- (a) repeal the regulations respecting the ferriage charges on ferries, N.S. Reg. 32/2002, made by the Governor in Council by Order in Council 2002-127 dated March 28, 2002; and
- (b) make new regulations respecting the ferriage charges on ferries in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Regulations Respecting Ferriage Charges
made by the Governor in Council under Section 6 of
Chapter 168 of the Revised Statutes of Nova Scotia, 1989, the *Ferries Act***

Citation

1 These regulations may be cited as the *Ferriage Charges Regulations*.

Ferriage charges

2 The ferriage charges on the respective ferries are those set out in the following table:

| | Country Harbour | Englishtown | LaHave | Little Narrows | Petit & Grand Passage | Tancook Island |
|--------------------------------------|-----------------|-------------|--------|----------------|-----------------------|-------------------|
| Tickets | \$1.25 | \$1.25 | \$1.25 | \$1.25 | \$1.25 round trip | \$2.00 round trip |
| Cash | \$5.00 | \$5.00 | \$5.00 | \$5.00 | \$5.00 round trip | \$5.00 round trip |
| Trucks weighing 1 ton or more | \$5.00 | \$5.00 | \$5.00 | \$5.00 | \$6.00 round trip | n/a |

Ferry passes for trucks

- 3 (1) A ferry pass valid for 1 calendar year may be issued for 1 truck that weighs 1 ton or more at a cost of \$600.
- (2) Ferry passes valid for 1 calendar year may be issued for 2 or more trucks that weigh 1 ton or more each and that are owned by the same person, at the costs shown in the following table:

| Number of Trucks | Total Cost of Passes |
|------------------|----------------------|
| 2 | \$930 |
| 3 | \$1260 |
| 4 | \$1590 |
| 5 | \$1920 |
| 6 | \$2250 |
| 7 | \$2580 |
| 8 | \$2910 |
| 9 | \$3240 |
| 10 or more | \$3600 |

- (3) A ferry pass for a truck that weighs 1 ton or more may be issued for a period of less than 1 calendar year at a prorated cost in accordance with the following table:

| Month Issued | Cost |
|--------------|-------|
| January | \$600 |
| February | \$550 |
| March | \$500 |
| April | \$450 |
| May | \$400 |
| June | \$350 |
| July | \$300 |
| August | \$250 |
| September | \$200 |
| October | \$150 |
| November | \$100 |
| December | \$50 |

Ferry passes for passenger vehicles

- 4 (1) A ferry pass valid for 1 calendar year may be issued for 1 passenger vehicle at a cost of \$150.
- (2) The owner of a passenger vehicle who has been issued a passenger vehicle ferry pass may be issued up to 2 additional passenger vehicle ferry passes for passenger vehicles registered in the owner's name, at a cost of \$25 per vehicle.

- (3) A ferry pass for a passenger vehicle may be issued for a period of less than 1 calendar year at a prorated cost in accordance with the following table:

| Month Issued | Cost |
|--------------|-------|
| January | \$150 |
| February | \$140 |
| March | \$130 |
| April | \$120 |
| May | \$110 |
| June | \$100 |
| July | \$ 90 |
| August | \$ 80 |
| September | \$ 70 |
| October | \$ 60 |
| November | \$ 40 |
| December | \$ 20 |

N.S. Reg. 236/2006

Made: December 21, 2006

Filed: December 21, 2006

Proclamation, S. 68, S.N.S. 2006, c. 6

Order in Council 2006-579 dated December 21, 2006

Proclamation made by the Governor in Council
pursuant to Section 68
of the *Safer Communities and Neighbourhoods Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated December 12, 2006, pursuant to Section 68 of Chapter 6 of the Acts of 2006, the *Safer Communities and Neighbourhoods Act*, is pleased to order and declare by proclamation that Chapter 6 of the Acts of 2006, the *Safer Communities and Neighbourhoods Act*, do come into force on and not before January 7, 2007.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 68 of Chapter 6 of the Acts of 2006, the *Safer Communities and Neighbourhoods Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 6 of the Acts of 2006, the *Safer Communities and Neighbourhoods Act*, come into force on and not before January 7, 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 Chapter 6 of the Acts of 2006, the *Safer Communities and Neighbourhoods Act*, come into force on and not before January 7, 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 His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

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

BY COMMAND:

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

N.S. Reg. 237/2006

Made: December 21, 2006

Filed: December 21, 2006

Safer Communities and Neighbourhoods Regulations

Order in Council 2006-580 dated December 21, 2006
Regulations made by the Governor in Council
pursuant to Section 67 of the *Safer Communities and Neighbourhoods Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated December 12, 2006, and pursuant to Section 67 of Chapter 6 of the Acts of 2006, the *Safer Communities and Neighbourhoods Act*, is pleased to make regulations in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 7, 2007.

Schedule "A"
Regulations Respecting Safer Communities and Neighbourhoods
made by Governor in Council pursuant to
Section 67 of Chapter 6 of the Acts of 2006,
the *Safer Communities and Neighbourhoods Act*

Citation

1 These regulations may be cited as the *Safer Communities and Neighbourhoods Regulations*.

Definitions

2 (1) In these regulations,

- (a) "Act" means the *Safer Communities and Neighbourhoods Act*;
- (b) "community safety order" means an order made by the Supreme Court of Nova Scotia under subsection 7(1) of the Act;
- (c) "order" means a community safety order or an order made by the Supreme Court of Nova Scotia under Section 9 of the Act.

(2) In the Act and these regulations, "owner", in relation to property, means any of the following:

- (a) any person who is shown in the records of a registry of deeds as a registered owner, or as a person who is entitled to be an owner or registered owner, of the property;
- (b) a person shown as the owner of the property in the municipal assessment or tax roll records for it;
- (c) a person who manages or receives rents from the property, whether on their own behalf or as agent or trustee for another person;
- (d) a guardian under the *Incompetent Persons Act*, executor, administrator or trustee in whom the property or any estate or interest in the property vests.

Designation of Director

3 The Director of Public Safety, Policing and Victim Services Division, Department of Justice is designated for the purposes of clause 2(1)(d) of the Act as the Director for all of the Province.

Serving and posting notice

- 4 (1) A person who is required to serve another person with an order must also serve that person with a notice in the form set out in Schedule A.
- (2) A notice that is served under subsection (1) must be served in the same manner as the order with which it is served.
- (3) A person who is required to post an order must also post a notice in the form set out in Schedule A.
- (4) A notice that must be posted under subsection (3) may be reproduced for posting on any material and in any size that the Director accepts, and may be posted in any manner that the Director accepts.

Serving order on respondent

- 5 (1) An order that must be served by the Director on a respondent under subsection 12(1) of the Act must be served by one of the following methods:
- (a) personal service made
- (i) in the case of an individual, on the individual,
- (ii) in the case of a partnership, on any partner, or
- (iii) in the case of a corporation, on any officer or director of the corporation;
- (b) registered mail addressed to the person to be served;
- (c) if service cannot be made by one of the methods described in clauses (a) and (b), doing both of the following:
- (i) publishing a copy of the order in 2 issues of a newspaper that has general circulation in the area where the property is located,
- (ii) posting a copy of the order in a conspicuous place on the property with respect to which the order is made.
- (2) An order that is sent by registered mail is deemed to have been served on the 7th day after the date of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, the person did not receive the order or received it at a later date.
- (3) An order that is served in accordance with clause (1)(c) is deemed to have been served on the date it is published in the newspaper for the 2nd time or on the 3rd day after the date it is posted on the property, whichever is later.

Serving order on lawful occupant

- 6 (1) An order that must be served under subsection 12(3) of the Act on a person who is lawfully occupying or who has a right to occupy the property must be served by
- (a) personal service on the person; or
- (b) personal service on a person at the property who appears to be an adult.

- (2) If it is impracticable to serve an order in the manner set out in subsection (1) because of unreasonable expense, undue delay or risk of harm to a person attempting to serve the order, the order may be served by substituted service under Rule 10.10 of *Civil Procedure Rules*.
- (3) Subsections (1) and (2) apply to service by the Director of a copy of an order in accordance with subsection 12(4) of the Act.

Serving document on Director

- 7 A document that must be served or a notice that must be given to the Director under Section 15 of the Act may be served or given by
- (a) personal service on the Director or a person authorized by the Director to receive documents and notices on the Director's behalf; or
 - (b) any class of prepaid mail that provides the sender with an acknowledgment of receipt.

Costs of closing property

- 8 The costs of closing a property that the Director may require a respondent to pay under subsection 26(1) or 59(1) of the Act are any of the following expenses that are necessarily incurred to safely and effectively close the property and keep it closed for the period set out in the order under which the property is closed:
- (a) the Director's documented out-of-pocket closure expenses, including amounts paid to tradespersons and workers whose services the Director considered necessary;
 - (b) the Director's personnel expenses for time spent by members of the Director's staff on the closure, calculated at the hourly rates payable to them by the Province at the relevant times;
 - (c) mileage and other travel expenses paid to members of the Director's staff by the Province in connection with the closure;
 - (d) legal fees and costs incurred by the Director in relation to all proceedings resulting in the closure of the property, whether the fees and costs are payable to government or non-government counsel.

Schedule A

Notice Accompanying a Community Safety Order

This notice is intended for

- (a) the owner(s) of the property described in the Community Safety Order that is posted or served with this Notice,
 - (b) any person who is occupying the property, whether as a tenant or otherwise, and
 - (c) any person whose activities on or near the property may be causing or contributing to the activities described in the Community Safety Order.
1. The Supreme Court of Nova Scotia ("the Court") has made a Community Safety Order against this property under the *Safer Communities and Neighbourhoods Act*, S.N.S. 2006, c. 6.

2. The Community Safety Order prohibits everyone from causing or contributing to any of the activities described in the Community Safety Order on this property.

The Community Safety Order requires the owner(s) of this property to do everything reasonably possible to prevent the activities from continuing or reoccurring.

3. The Community Safety Order may also do the following:

- (a) The Community Safety Order may require you and everyone living with you to vacate this property, either immediately or by a specific date, and not return.
(*Safer Communities and Neighbourhoods Act*, s. 7(2)(a))

If you have read the Order, and you aren't sure if you have to vacate this property, please contact the Public Safety Section, Policing and Victim Services Division, Department of Justice, at (902) 424-2504.

- (b) If you are a tenant of this property, the Community Safety Order may have terminated your lease or tenancy agreement, either immediately or on a specific date.
(*Safer Communities and Neighbourhoods Act*, s. 7(2)(b))

If you have read the Order, and you aren't sure if your lease or tenancy agreement has been terminated, please contact the Public Safety Section, Policing and Victim Services Division, Department of Justice, at (902) 424-2504.

- (c) The Community Safety Order may have ordered the Director of Public Safety to close this property, either immediately or on a specific date, and keep it closed for up to 90 days.
(*Safer Communities and Neighbourhoods Act*, s. 7(2)(c))

If you have read the Order, and you aren't sure if the Director was ordered to close the property, please contact the Public Safety Section, Policing and Victim Services Division, Department of Justice, at (902) 424-2504.

4. If you are an owner of this property, you must **immediately** serve a copy of the Community Safety Order and this Notice on **every other person** who is lawfully occupying the property or who has a right to occupy it.

You must serve the Order and this Notice by giving the Order and the Notice to the person occupying the property or to another person who is present at the property and appears to be an adult.
(*Safer Communities and Neighbourhoods Act*, s. 12(2); *Safer Community and Neighbourhoods Regulations*, s. 4(1))

5. If you are an occupant of this property and the Community Safety Order

- (a) requires you to vacate the property, or
- (b) terminates your lease or tenancy agreement, or
- (c) orders the Director of Public Safety to close this property,

you can apply to the Court to change the Order.

You must act quickly. You must apply to the Court within 14 days of the day you were served with the Order.

Even if you apply to the Court to change the Order, you must still obey the Order until the Court changes it.

(Safer Communities and Neighbourhoods Act, s. 13.)

6. If you are an owner of this property and the Community Safety Order orders the Director of Public Safety to close the property, you can apply to the Court to set aside the part of the Order requiring the property to be closed.

You must act quickly. You must apply to the Court before the date the Director of Public Safety must close the property.

If the Director does have to close the property, you will have to pay the Director's costs of closing the property.

(Safer Communities and Neighbourhoods Act, ss. 7(4) & 26(1))

7. Police officers are authorized to assist in serving and enforcing a Community Safety Order.
(Safer Communities and Neighbourhoods Act, s. 66)
8. If accompanied by a peace officer, the Director of Public Safety or a person acting on the Director's behalf may enter this property to post the Community Safety Order and this Notice.
(Safer Communities and Neighbourhoods Act, s. 12(2))

9. **Offences:**

- (a) A person who removes a posted copy of a Community Safety Order, or a Notice posted with the Order, while the Order is still in effect can be fined up to \$2500 or imprisoned for up to 3 months or both.
(Safer Communities and Neighbourhoods Act, s. 34)
- (b) A person who, without the Director's consent, enters a property that is closed can be fined up to \$5000 or imprisoned for up to 6 months or both.
(Safer Communities and Neighbourhoods Act, s. 35)
- (c) An owner of a property who fails to comply with a Community Safety Order can be fined up to \$500 a day.
(Safer Communities and Neighbourhoods Act, ss. 36(1), (3) and (4))
- (d) A person other than an owner who causes, contributes to, permits or acquiesces in activities described in the Order can be fined up to \$500 a day.
(Safer Communities and Neighbourhoods Act, ss. 36(2), (3) and (4))

10. If you are an owner of the property or a person occupying the property, and you do not comply with the Order after having been served with a copy of it, you could be charged with contempt of court. If you are found guilty of contempt of court, you could be fined or imprisoned.
11. If you are a person causing or contributing to any of the activities described in the Community Safety Order on or near the property and you fail to comply with the Order after having been served with a copy of it, you could be charged with contempt of court. If you are found guilty of contempt of court, you could be fined or imprisoned.

12. If you are an owner of the property or a person lawfully occupying or with a right to occupy the property, the Community Safety Order will be served on you with this Notice.

The Community Safety Order is also posted on the property.

If you have any questions about this Notice or the Community Safety Order, please contact the Public Safety Section, Policing and Victim Services Division, Department of Justice, at (902) 424-2504.