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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. 138/2020

Made: October 1, 2020

Filed: October 1, 2020

Food Safety Regulations—amendment

Order in Council 2020-262 dated October 1, 2020
Amendment to regulations made by the Governor in Council
pursuant to Section 105 of the *Health Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated July 23, 2020, and pursuant to Section 105 of Chapter 4 of the Acts of 2004, the *Health Protection Act*, is pleased to amend the *Food Safety Regulations*, N.S. Reg. 206/2005, made by the Governor in Council by Order in Council 2005-458 dated October 14, 2005, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 1, 2020.

Schedule “A”

**Amendment to the *Food Safety Regulations*
made by the Governor in Council under Section 105
of Chapter 4 of the Acts of 2004,
the *Health Protection Act***

Section 2 of the *Food Safety Regulations*, N.S. Reg. 206/2005, made by the Governor in Council by Order in Council 2005-458 dated October 14, 2005, is amended by adding the following definition where it belongs in alphabetical order:

“restaurant” means a food establishment that for all or part of the year operates in a fixed location and is engaged in providing food services to patrons who

- (i) order and are served while seated and pay after eating, or
- (ii) pay before eating on the premises after ordering or selecting items at
 - (A) a counter,
 - (B) a food bar, or
 - (C) a cafeteria line;

N.S. Reg. 139/2020

Made: October 1, 2020

Filed: October 2, 2020

Prescribed Petroleum Products Prices

Order dated October 1, 2020
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**M09859****In the matter of the *Petroleum Products Pricing Act*****- and -**

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Stephen T. McGrath, LL.B., Member

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended September 30, 2020, are:

Grade 1 Regular gasoline	43.92¢ per litre
Ultra-low-sulfur diesel oil	39.98¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	43.92¢ per litre
Grade 2	46.92¢ per litre
Grade 3	49.92¢ per litre
Ultra-low-sulfur diesel oil	39.98¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 0.20¢ per litre
Ultra-low-sulfur diesel oil:	nil ¢ per litre

And whereas a winter blending adjustment of plus 0.34¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., October 2, 2020.

Dated at Halifax, Nova Scotia, this 1st day of October, 2020.

sgd. Lisa Wallace
Clerk of the Board

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 October 2, 2020**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	52.57	10.0	15.5	78.07	95.6	97.8	95.6	999.9
Mid-Grade Unleaded	55.57	10.0	15.5	81.07	99.1	101.3	99.1	999.9
Premium Unleaded	58.57	10.0	15.5	84.07	102.5	104.7	102.5	999.9
Ultra-Low-Sulfur Diesel	49.09	4.0	15.4	68.49	84.6	86.8	84.6	999.9
Zone 2								
Regular Unleaded	53.07	10.0	15.5	78.57	96.2	98.4	96.2	999.9
Mid-Grade Unleaded	56.07	10.0	15.5	81.57	99.7	101.9	99.7	999.9
Premium Unleaded	59.07	10.0	15.5	84.57	103.1	105.3	103.1	999.9
Ultra-Low-Sulfur Diesel	49.59	4.0	15.4	68.99	85.2	87.4	85.2	999.9
Zone 3								
Regular Unleaded	53.47	10.0	15.5	78.97	96.7	98.9	96.7	999.9
Mid-Grade Unleaded	56.47	10.0	15.5	81.97	100.1	102.3	100.1	999.9
Premium Unleaded	59.47	10.0	15.5	84.97	103.6	105.8	103.6	999.9
Ultra-Low-Sulfur Diesel	49.99	4.0	15.4	69.39	85.7	87.9	85.7	999.9
Zone 4								
Regular Unleaded	53.57	10.0	15.5	79.07	96.8	99.0	96.8	999.9
Mid-Grade Unleaded	56.57	10.0	15.5	82.07	100.2	102.4	100.2	999.9
Premium Unleaded	59.57	10.0	15.5	85.07	103.7	105.9	103.7	999.9
Ultra-Low-Sulfur Diesel	50.09	4.0	15.4	69.49	85.8	88.0	85.8	999.9
Zone 5								
Regular Unleaded	53.57	10.0	15.5	79.07	96.8	99.0	96.8	999.9
Mid-Grade Unleaded	56.57	10.0	15.5	82.07	100.2	102.4	100.2	999.9
Premium Unleaded	59.57	10.0	15.5	85.07	103.7	105.9	103.7	999.9
Ultra-Low-Sulfur Diesel	50.09	4.0	15.4	69.49	85.8	88.0	85.8	999.9
Zone 6								
Regular Unleaded	54.27	10.0	15.5	79.77	97.6	99.8	97.6	999.9
Mid-Grade Unleaded	57.27	10.0	15.5	82.77	101.1	103.2	101.1	999.9
Premium Unleaded	60.27	10.0	15.5	85.77	104.5	106.7	104.5	999.9
Ultra-Low-Sulfur Diesel	50.79	4.0	15.4	70.19	86.6	88.8	86.6	999.9

N.S. Reg. 140/2020

Made: June 24, 2020

Filed: October 5, 2020

Pharmacy Practice Regulations—amendment

Order dated October 1, 2020

Amendment to regulations made by the Council of the Nova Scotia College of Pharmacists
pursuant to Section 80 of the *Pharmacy Act***Certificate of Resolution**

I hereby certify that the Council of the Nova Scotia College of Pharmacists, at a duly convened meeting of the Council held on June 24, 2020, pursuant to Section 80 of Chapter 11 of the Acts of 2011, the *Pharmacy Act*, resolved to amend the *Pharmacy Practice Regulations*, N.S. Reg. 258/2013, made by the Council of the Nova Scotia College of Pharmacists on November 15, 2012, in the manner set forth in the attached Schedule “A”.

Signed at Halifax, Nova Scotia, on October 1, 2020.

Council of the Nova Scotia College of Pharmacists

per: sgd. *Beverley Zwicker*

Beverley Zwicker

Registrar and CEO, Nova Scotia College of Pharmacists

Schedule “A”**Amendment to the *Pharmacy Practice Regulations*
made by the Council of the Nova Scotia College of Pharmacists
under Section 80 of Chapter 11 of the Acts of 2011,
the *Pharmacy Act***

- 1 The *Pharmacy Practice Regulations*, N.S. Reg. 258/2013, made by the Council of the Nova Scotia College of Pharmacists on November 15, 2012, are amended by repealing subsection 3(1) and substituting the following subsection:
 - (1) Registrants of the College are pharmacists, registered students, interns, pharmacy technicians and pharmacy technician candidates.
- 2 (1) Subsection 6(1) of the regulations is amended by striking out “graduation” and substituting “the successful completion of all required parts of the examination to assess required professional competencies”.
 - (2) Subsection 6(2) of the regulations is amended by striking out “graduation” and substituting “the successful completion of all required parts of the examination to assess required professional competencies”.
- 3 Subsection 7(1) of the regulations is amended by
 - (a) striking out “every certified dispenser,”;
 - (b) adding “every pharmacy technician candidate” immediately after “every pharmacy technician practising direct patient care,”.

4 The regulations are further amended by adding the following Sections immediately after Section 17:

Delegation of drug therapy by injection

- 17A (1)** A pharmacist who is authorized to administer drug therapy by injection may delegate the authority to administer drug therapy by injection to a pharmacy technician, a pharmacy technician candidate, an intern or a student.
- (2) The delegating pharmacist must ensure that the delegating pharmacist and the registrant to whom the authority to administer drug therapy by injection is delegated comply with all of the requirements of Section 6 of the *Pharmacist Extended Practice Regulations*.
- (3) A registrant other than a pharmacist may only administer drug therapy by injection if
- (a) a pharmacist has delegated the authority to administer drug therapy by injection to the registrant; and
- (b) the registrant holds a valid permit to administer drug therapy by injection issued in accordance with the standards of practice.
- (4) The registrant to whom the authority to administer drug therapy by injection is delegated must administer the drug therapy safely and appropriately in accordance with the standards of practice.
- (5) The requirements for the issuance and renewal of a valid permit to administer drug therapy by injection for a pharmacist in Section 7 of the *Pharmacist Extended Practice Regulations* apply to all registrants to whom a valid permit to administer drug therapy is issued.

Delegation of tests and services

- 17B (1)** A pharmacist who is authorized to order, receive, conduct and interpret tests and services needed to properly manage drug therapy may delegate the authority to conduct tests and services needed to properly manage drug therapy to a pharmacy technician, a pharmacy technician candidate, an intern or a student.
- (2) The delegating pharmacist must ensure that the delegating pharmacist and the registrant to whom the authority to conduct tests and services needed to properly manage drug therapy is delegated comply with all of the requirements of Section 9 of the *Pharmacist Extended Practice Regulations*.
- (3) The delegating pharmacist is responsible for ensuring that the test or service is in the best interests of the patient.
- (4) A pharmacist must only delegate the authority to conduct tests and services needed to properly manage drug therapy to a registrant who has the knowledge and training to exercise the authority safely and in the best interests of the patient.
- (5) The registrant to whom the authority to conduct tests and services needed to properly manage drug therapy is delegated must have and maintain the knowledge and training to conduct tests and services needed to properly manage drug therapy safely, appropriately and in accordance with the standards of practice.

N.S. Reg. 141/2020

Made: October 6, 2020

Filed: October 6, 2020

Timber Loan Board Regulations—replacement

Order in Council 2020-264 dated October 6, 2020

Repeal of regulations and regulations made by the Governor in Council pursuant to subsection 20(4) of the *Forests Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated July 21, 2020, and pursuant to subsection 20(4) of Chapter 179 of the Revised Statutes of Nova Scotia, 1989, the *Forests Act*, is pleased, effective October 6, 2020, to

- (a) repeal the *Timber Loan Board Regulations*, N.S. Reg. 14/1965, made by the Minister of Lands and Forests and approved by the Governor in Council by Order in Council dated August 18, 1965; and
- (b) make new regulations respecting the Timber Loan Board in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting the Timber Loan Board
made by the Governor in Council under subsection 20(4)
of Chapter 179 of the Revised Statutes of Nova Scotia, 1989,
the *Forests Act***

Citation

1 These regulations may be cited as the *Timber Loan Board Regulations*.

Definitions

2 In these regulations,

“applicant” means an applicant for a loan;

“Board” means the Timber Loan Board;

“borrower” means an individual, partnership or corporation that has been granted a loan;

“forest industry” means an individual, partnership or corporation engaged in, or directly supporting, 1 or more of the subsectors of forest management and forest harvesting or the manufacturing of solid wood products, pulp and paper products or other forest-based products;

“loan” means a loan made by the Board under the *Forests Act* and these regulations;

“partnership” means a partnership as defined in the *Partnership Act*.

Purpose of loan

3 (1) A loan, including a guarantee of a loan, may be for any purpose relating to the forest industry in the Province, including any of the following:

- (a) to acquire, develop or improve a forestry operation, a plant, machinery, buildings or equipment;

- (b) to acquire, develop or improve real or personal property that is used or intended to be used in a forestry-related business;
 - (c) to make loans to a borrower for the purpose of paying out or refinancing that borrower's existing loans;
 - (d) to provide working capital for a business in the forest industry;
 - (e) any other purpose that is in accordance with the object and purpose of the Board.
- (2) The Board must not make a loan guarantee for the purpose of replacing existing financing.
- (3) The Board may set policies and priorities for loans and loan guarantees.

Eligibility for loan

4 To be eligible for a loan,

- (a) an individual must meet all of the following requirements:
 - (i) be a Canadian citizen or able to satisfy the Board of their intention to become a Canadian citizen,
 - (ii) be at least 19 years old at the time of their loan application,
 - (iii) have adequate experience, training or education in the forest industry,
 - (iv) be able to adequately protect the assets to be used as security for the loan during the term of the loan, including by obtaining and keeping insurance as required by Section 11;
- (b) a partnership must have a representative who satisfies the requirements for an individual in clause (a);
- (c) a corporation must meet all of the following requirements:
 - (i) be in good standing under the laws of the jurisdiction in which it was incorporated,
 - (ii) be registered with the Nova Scotia Registry of Joint Stock Companies,
 - (iii) commit to not transfer voting control in whole or in part during the term of the loan without prior written notice to the Board,
 - (iv) its officers, directors, employees or agents have adequate experience, training or education in the forest industry,
 - (v) be able to adequately protect the assets to be used as security for the loan during the term of the loan, including by obtaining and keeping insurance as required by Section 11.

Applying for loan

5 An applicant must submit all of the following to the Board:

- (a) the application fee, calculated in accordance with Section 7;

- (b) a statement of the purpose of the loan;
- (c) a business plan in a form acceptable to the Board;
- (d) complete details of the costs relating to the loan, including appropriate quotations from any suppliers or contractors;
- (e) the applicant's written agreement to obtain and keep insurance on the assets to be used as security for the loan on terms satisfactory to the Board and to assign the insurance to the Board, if applicable;
- (f) for an application by an individual, a signed statement of assets and liabilities;
- (g) audited financial statements or financial statements satisfactory to the Board;
- (h) for an application by a partnership,
 - (i) the full name of each of the partners, together with a statement of each partner's interest in the partnership, and
 - (ii) a signed partnership agreement in a form acceptable to the Board;
- (i) for an application by a corporation,
 - (i) the names of its officers and directors,
 - (ii) the names of all persons who have subscribed for shares, with a statement showing the amount paid up on all shares authorized or issued,
 - (iii) a certified copy of a special or extraordinary resolution of its shareholders authorizing it to borrow money, and
 - (iv) evidence that it is in good standing, issued by the Registrar of Joint Stock Companies or an equivalent authority in the jurisdiction in which it was incorporated;
- (j) any additional information that the Board requires to assess the application.

Processing applications

6 The Board may establish guidelines for the manner in which loan applications are to be processed by staff.

Application fee and legal costs

7 (1) The application fee for a loan is as set out in the following table:

Loan amount	Fee (plus applicable taxes)	
up to \$5 000 000	0.25% of the amount of the loan being applied for	minimum fee: \$400
		maximum fee: \$2000
\$5 000 000 and over	\$3000	

(2) The Board may include the legal costs to close a transaction in the loan amount.

- (3) If an application is processed, but is withdrawn by the applicant before completion, the applicant is liable for all legal costs incurred by the Board in processing the application.
- (4) If an application is not approved, the Board may refund 25% of the application fee to the applicant.

Appraisal

- 8** (1) The Board may at any time require the appraisal of any assets used to secure a loan to determine the sufficiency of the Board's security.
- (2) The borrower is responsible for the cost of any appraisal required by the Board under subsection (1).

Loan limit

- 9** (1) Except as provided in subsection (2), the maximum amount of a loan is 90% of the appraised value of the assets securing the loan.
- (2) The Board may lend additional funds to a borrower based on the Board's assessment of the managerial ability of the borrower, the ability of the forestry operation to repay the loan and the value of other security items.

Loans requiring Governor in Council approval

- 10** The Board must not grant a loan that would result in the borrower's total obligation to the Board exceeding \$5 000 000 except with the approval of the Governor in Council.

Insurance

- 11** A borrower must obtain and keep insurance on terms satisfactory to the Board on the assets to be used as security for the loan and must assign the insurance to the Board.

Security

- 12** (1) The Board may take any security or guarantee that it considers appropriate for any loan and enforce the security or guarantee in accordance with its terms and conditions, or release the security or guarantee on terms and conditions specified by the Board.
- (2) The Board may make any payments necessary to protect the security of a loan, and the borrower is liable for any amounts paid by the Board under this subsection.
- (3) In enforcing security held under this Section, the Board may do any of the following:
- (a) advance money to a receiver;
 - (b) guarantee the accounts of a receiver;
 - (c) pay or guarantee a payroll of a borrower in default under the security;
 - (d) expend money in attracting a person to revive, take over or re-establish a borrower's business.
- (4) It is a term and condition of each loan that the Board may add to the amount of the loan the amount of any fees and expenses incurred by the Board to register any security the Board requires for the loan.

Security document

- 13** Each security document securing a loan must contain all of the following covenants:

- (a) that the borrower will repay the loan in accordance with the following, all to be specified in the security document:
 - (i) the amortization period and interest rate,
 - (ii) the payment schedule, specifying whether the loan payments are to be made weekly, bi-weekly, semi-monthly, monthly, bi-monthly, quarterly, semi-annually or yearly,
 - (iii) the dates and times when and place where loan payments are to be made;
- (b) that the borrower will not remove any gravel, fill or forest products from the secured property without the prior written permission of the Board;
- (c) that the borrower will keep all secured property, both real and personal, including improvements to the property, in good condition and state of maintenance and repair;
- (d) that the borrower will maintain and comply with all relevant standards and requirements for the secured property, including any relevant registrations, inspections and licences;
- (e) that the borrower will not take any action that may devalue the secured property without the prior written permission of the Board;
- (f) that, if required by the Board, the borrower will provide the Board with detailed financial statements covering the borrower's operations and any additional information about their operations that the Board specifies, including copies of personal or corporate tax returns.

Combining or transferring loan

- 14** (1) If a borrower obtains additional funds from the Board at an interest rate different from that charged on existing indebtedness to the Board, the total indebtedness to the Board may be combined into 1 principal balance with 1 repayment schedule at the composite interest rate.
- (2) If a borrower that is a partnership or corporation is dissolved and 1 or more of its partners or shareholders will continue as the borrower, the Board may transfer the balance of the existing loan at the interest rate and on the same terms and conditions that applied to the existing loan.
- (3) If a borrower that is an individual or partnership forms a corporation to include the assets held by the Board as security for the loan, the Board may transfer the balance of the existing loan to the corporation at the interest rate and on the same terms and conditions that applied to the existing loan.
- (4) The Board may require a party to a loan transfer under subsection (2) or (3) to provide any information or submit any documentation that the Board considers necessary to complete the transfer.

Interest rate, terms and amortization

- 15** (1) Subject to any deferral or adjustment under subsection (4), the interest rate, amortization period and term of a loan must be established in accordance with 1 of the following options:
- (a) a fixed interest rate for an amortization period to a maximum of 30 years with the loan of the same term;
 - (b) a fixed interest rate for a specified term of years with an amortization period to a maximum of 30 years;

- (c) a variable interest rate for a specified term of years with an amortization period to a maximum of 30 years.
- (2) A loan may be
 - (a) open for prepayment at any time during the term of the loan; or
 - (b) a closed-prepayment loan in accordance with Sections 16 and 17.
- (3) The Board may reduce the amortization period of a loan if, in the opinion of the Board, conditions warrant the reduction.
- (4) The Board may defer or adjust payment of principal, interest and other accruals for any length of time the Board considers necessary
 - (a) to permit the borrower to establish a business; or
 - (b) to permit the borrower's business to recover, if the business is suffering economic hardship as a result of reduced income.
- (5) A deferral under subsection (4) must be capitalized.

Prepayment under closed-prepayment loan

- 16** (1) A borrower under a closed-prepayment loan who is not in default under the loan may, at any time during the term of the loan, prepay the whole or any part of the loan on payment to the Board of a prepayment fee in an amount equal to the greater of
- (a) 3 months' interest on the loan balance at the established interest rate; and
 - (b) interest calculated using the interest rate differential for the period remaining in the term of the existing loan or 5 years, whichever is shorter.
- (2) In clause (1)(b), "interest rate differential" means the difference between an existing loan's actual interest rate and the interest rate that would be applicable to a new loan with a term, calculated in number of months, equivalent to the period remaining in the term of the existing loan.

Annual prepayment options under closed-prepayment loan

- 17** (1) A borrower under a closed-prepayment loan may, if not in default under the loan, exercise 1 of the following prepayment options once in each calendar year:
- (a) to increase the amount of each payment of principal and interest by an amount no greater than 10% of the current amount of a payment of principal and interest;
 - (b) to pay down the principal of the loan, without payment of interest, in an amount that is no greater than 10% of the original amount of the loan, unless the Board accepts a higher amount in accordance with subsection (2).
- (2) The Board may accept, without the payment of interest, a payment that exceeds the 10% limit specified in clause (1)(b), but only if the Board is satisfied that 1 of the following special and unforeseen circumstances exists:
- (a) proceeds from property insurance on secured assets have been recovered;

- (b) proceeds have been recovered from a subsidy or grant that has been assigned to the Board;
- (c) proceeds from life insurance on the death of an insured borrower have been recovered;
- (d) the Board has refinanced the existing loan with a loan of similar terms and outstanding principal but that bears a higher interest rate.

Determining interest rate

- 18 (1)** The minimum interest rate for a loan is the Government of Nova Scotia's all-in cost of borrowing on similar terms plus 0.50% for the relevant term, including any prepayment options permitted by Section 17.
- (2)** Subject to the minimum interest rate in subsection (1), the Board must fix interest rates based on the cost of borrowing for the Government of Nova Scotia provided quarterly by the Department of Finance and Treasury Board, and adjusted to include any markup that the Board considers appropriate.
- (3)** The Board may adjust the interest rate on an individual loan for any of the following factors:
- (a) business risk factors, including debt servicing capacity, security and the management ability of the borrower;
 - (b) development policy factors as set out by the Department of Agriculture and the Board.

Prescribed fees

- 19 (1)** Subject to subsections (2) and (3), the fees payable to the Board by borrowers are as set out in the following table:

Fees Payable to Board	
Type of Fee	Fee (plus any applicable taxes)
Mortgage release fee	\$50.00
Reamortization fee	lesser of: <ul style="list-style-type: none"> • 1.125% of loan balance • \$250.00
Mortgage assumption fee	\$310.00
Loan guarantee fee	Amount determined necessary by Board management to compensate for risk being undertaken (minimum 1.5% per year on outstanding balance)
Fee for preparing deeds, mortgages, agreements of sale, chattel mortgages, leases or any related documents	\$124.00
Fee for preparing detailed financial statements, searching legal records and providing statistical data	\$62.00
File review fee	\$100.00

Insufficient funds fee	\$35.00
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- (2) The Board may charge to a loan account any fees charged by an external agency for registration or release of registration of the Board's security interest.
- (3) The Board may exempt a borrower from the file review fee if the borrower meets the reporting requirements set out in the loan agreement.

N.S. Reg. 142/2020

Made: August 17, 2020

Approved: October 6, 2020

Filed: October 6, 2020

Optometry Regulations—amendment

Order in Council 2020-265 dated October 6, 2020
 Amendment to regulations made by the Executive of the Board
 of the Nova Scotia College of Optometrists
 and approved by the Governor in Council
 pursuant to Section 19 of the *Optometry Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated September 1, 2020, and pursuant to Section 19 of Chapter 43 of the Acts of 2005, the *Optometry Act*, is pleased to approve amendments made by the Executive of the Board of the Nova Scotia College of Optometrists, as delegated under Section 20 of Chapter 43 of the Acts of 2005, the *Optometry Act*, to the *Optometry Regulations*, N.S. Reg. 453/2007, made by the Executive of the Board of the Nova Scotia College of Optometrists and approved by the Governor in Council by Order in Council 2007-638 dated December 17, 2007, to modernize the complaints and disciplinary process and expand the scope of optometric practice, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 6, 2020.

Schedule "A"

I hereby certify that the Executive of the Board of the Nova Scotia College of Optometrists at its meeting on 17th August, 2020, carried a motion to amend the *Optometry Regulations*, N.S. Reg. 453/2007, made by the Executive of the Board of the Nova Scotia College of Optometrists and approved by the Governor in Council by Order in Council 2007-638 dated December 17, 2007, in the manner attached.

Signed at Halifax, Nova Scotia, this 18th day of August, 2020.

Per: sgd. *John K. Sutherland*

John K. Sutherland

Executive Director

Executive of the Board of the Nova Scotia College of Optometrists

**Amendment to the *Optometry Regulations*
made by the Executive of the Board of the Nova Scotia College of Optometrists
under Section 19, as delegated under Section 20, of Chapter 43 of the Acts of 2005,
the *Optometry Act***

- 1 Subsection 2(1) of the *Optometry Regulations*, N.S. Reg. 453/2007, made by the Executive of the Board of the Nova Scotia College of Optometrists and approved by the Governor in Council by Order in Council 2007-638 dated December 17, 2007, is amended by
- (a) striking out the clause letter before each definition; [and]
 - (b) adding the following definitions where they belong in alphabetical order:
 - “conduct unbecoming the profession” means conduct by an optometrist in a personal or private capacity that discredits optometrists or the profession of optometry;
 - “incapacity” means a medical, physical, mental or emotional condition, a disorder or an addiction that renders an optometrist unable to practise competently or endangers the health or safety of others;
 - “incompetence” means an optometrist’s lack of knowledge, skill or judgment in the practice of optometry that renders it unsafe for the optometrist to practise without remedial assistance;
 - “reinstatement committee” means the reinstatement committee appointed by the Board under these regulations;
 - “respondent” means an optometrist who is the subject of a complaint.
- 2 Section 3 of the regulations is amended by
- (a) striking out “Canadian Standard Assessment of Optometry” and substituting “Canadian Assessment of Competence in Optometry” in clause (b); and
 - (b) adding “must” immediately after “the applicant” in clause (c).
- 3 Subclause 4(2)(e)(iv) of the regulations is amended by adding “, conduct unbecoming the profession, incompetence or incapacity” immediately after “unprofessional conduct”.
- 4 Subclause 5(1)(c)(iii) of the regulations is amended by adding “, conduct unbecoming the profession, incompetence or incapacity” immediately after “unprofessional conduct”.
- 5 The regulations are further amended by repealing Section 10 and substituting the following Section:
- 10** Unprofessional conduct is professional misconduct which includes, but is not limited to, the following:
- (a) contravening the Act, regulations or by-laws;
 - (b) contravening other laws applicable to the profession;
 - (c) contravening the code of ethics;

- (d) breaching the standards of professional practice;
 - (e) jeopardizing the health or safety of patients or the public;
 - (f) failing to abide by the terms, conditions or limitations of a licence;
 - (g) failing to exercise appropriate discretion in respect of the disclosure of confidential information;
 - (h) failing to maintain complete and accurate patient records;
 - (i) signing, issuing, maintaining or submitting a document that the optometrist knows or ought to know contains false, incomplete or misleading information;
 - (j) inappropriately using professional status for personal gain;
 - (k) failing or refusing to comply with a mediated resolution, settlement agreement or disposition facilitated by a complaints committee or hearing committee;
 - (l) practising optometry on behalf of a professional corporation that does not meet the requirements of the Act or these regulations;
 - (m) failing to comply with a direction or request of the practice enhancement committee, a complaints committee, a hearing committee or a reinstatement committee.
- 6 (1) Clause 11(i) of the regulations is amended by striking out “chair of the complaints committee” and substituting “chair of a complaints committee”.
- (2) Section 11 of the regulations is further amended by adding the following clauses immediately after clause (i):
- (j) provide optometric services with equal diligence to all patients;
 - (k) act with integrity, honesty, respect and fairness in all dealings with patients, other optometrists and the College;
 - (l) respond promptly to all communications from the College if a response is requested or required;
 - (m) cooperate with all inquiries from the College.
- 7 The regulations are further amended by adding the following Sections immediately after Section 11:

Confidentiality

- 11A (1)** All information received by and all proceedings of a complaints committee, a hearing committee or a reinstatement committee that are not open or available to the public must be kept confidential.
- (2)** Despite subsection (1), if it is consistent with the purposes of the College,
- (a) the Registrar may disclose information to an optometrist’s counsel in connection with the proceedings of a complaints committee, hearing committee or reinstatement committee;

- (b) a complaints committee or hearing committee that has reasonable grounds to believe that a member has committed, is committing or is about to commit a criminal offence may direct the Registrar to disclose to law enforcement authorities such limited information as is necessary to alert the authorities to the suspected activity;
- (c) the Registrar may disclose information with respect to a complaint or a matter before a complaints committee, hearing committee or reinstatement committee to another optometry regulatory body if it concerns the fitness of the optometrist for membership in that other optometry regulatory body;
- (d) the Registrar may disclose information about a complaint for the purpose of administration of the Act or to comply with the purposes of the College.

Cooperation during complaints process

11B (1) A respondent must cooperate with the College during the complaints process.

- (2) A respondent must refrain from contacting the complainant until the complaint is concluded, unless such contact is authorized by a complaints committee chair or, if the complaint has been referred to a hearing committee, a hearing committee chair.

Report to Registrar

11C (1) An optometrist must immediately make a report to the Registrar if the optometrist

- (a) has been charged with, pleaded guilty to, been convicted of or been found guilty of any offence in a jurisdiction within or outside of Canada that is inconsistent with the professional behaviour of an optometrist, including a conviction under the *Criminal Code* (Canada), the *Food and Drug Act* (Canada) or the *Controlled Drug and Substances Act* (Canada), unless a pardon has been issued;
 - (b) has been found guilty of a disciplinary finding in another jurisdiction;
 - (c) has had a licensing sanction imposed by another jurisdiction;
 - (d) is in breach of a settlement agreement;
 - (e) is in violation of a limitation on practise imposed under the Act;
 - (f) is the subject of an investigation or disciplinary process in any jurisdiction.
- (2) The Registrar may, without limiting the general authority of clause 28(b) of the Act, refer a matter reported under subsection (1) to the chair of a complaints committee.
 - (3) For the purpose of clause (1)(a), a certificate of conviction is conclusive evidence that the optometrist committed the offence stated in the certificate unless it is proved that the conviction has been quashed or set aside.

8 The regulations are further amended by repealing Sections 12 to 22 and substituting the following Sections:

Submitting and referring complaints

12 All complaints must be submitted to the Registrar who must refer them to the chair of a complaints committee.

Appointment of complaints committee chair

13 The Board must appoint the chair of a complaints committee.

Dismissal of complaint by complaints committee chair

14 (1) The chair of a complaints committee may dismiss a complaint for any of the following reasons:

- (a) the complaint is outside the jurisdiction of the College;
 - (b) the complaint is frivolous or vexatious;
 - (c) the complaint constitutes an abuse of process;
 - (d) the complaint does not allege facts that, if proven, would constitute unprofessional conduct, conduct unbecoming the profession, incompetence or incapacity.
- (2)** The chair of a complaints committee must notify the complainant and respondent if the complaint is dismissed under subsection (1).
- (3)** If the chair of a complaints committee does not dismiss the complaint under subsection (1), the chair of a complaints committee must forward a copy of the complaint to the respondent.
- (4)** The respondent must respond to a complaint received under subsection (3) within 30 days of receipt or any other period of time the chair of a complaints committee considers appropriate.

Complaints committee meeting

15 (1) On receipt of the response to a complaint under subsection 14(4), the chair of a complaints committee must convene a meeting of a complaints committee.

- (2)** A complaints committee may do one or more of the following:
- (a) dismiss the complaint and notify the complainant and the respondent of the dismissal, if a complaints committee decides that any of the following apply:
 - (i) the complaint is outside the jurisdiction of the College,
 - (ii) the complaint cannot be substantiated,
 - (iii) the complaint is frivolous or vexatious,
 - (iv) the complaint constitutes an abuse of process,
 - (v) the complaint does not allege facts that, if proven, would constitute unprofessional conduct, conduct unbecoming the profession, incompetence or incapacity;
 - (b) attempt to resolve the matter informally;
 - (c) refer the complaint to mediation if the complainant and the respondent consent and a complaints committee considers that the complaint may be satisfactorily resolved in a manner consistent with the objects of the College.

No resolution of complaint

16 If, after a complaints committee meets under Section 15, the complaint is not resolved through dismissal, informal resolution or mediation, a complaints committee must commence a formal investigation of the complaint under Section 17.

Formal investigation by complaints committee

17 (1) A complaints committee may do everything necessary to conduct a formal investigation, including requiring the respondent to

- (a) participate in a practice audit conducted by one or more persons designated by the committee;
 - (b) participate in an inspection of the equipment used by the respondent to practise optometry;
 - (c) participate in a competence assessment or other assessment or examination to determine whether the respondent is competent to practise optometry and authorize the assessment or examination report to be given to the committee;
 - (d) subject to subsection (2), participate in physical or mental examinations conducted by one or more persons designated by the committee and authorize the reports from the examinations to be given to the committee;
 - (e) produce any records or documents in the respondent's possession or control that are requested by the committee.
- (2)** Before requiring a respondent to submit to a physical or mental examination under clause (1)(d), a complaints committee must have reasonable and probable grounds to believe that the respondent has an issue that constitutes incapacity.
- (3)** If a complaints committee has, under subsection (1), required a respondent to participate in an inspection or audit of their practice, a competency assessment, or physical or mental examinations, the committee must provide the respondent with a copy of any report it receives.

Other matters arising in the complaints process

18 A complaints committee may investigate any matter relating to a respondent that arises in the course of an investigation that may constitute unprofessional conduct, conduct unbecoming the profession, incompetence or incapacity.

Actions taken by complaints committee after a formal investigation

19 After conducting a formal investigation, a complaints committee must do one or more of the following:

- (a) refer the matter or matters in whole or part to a hearing committee;
- (b) dismiss the matter;
- (c) provide any guidance the committee considers useful to the complainant or to the respondent;
- (d) counsel the respondent;

- (e) caution the respondent;
- (f) with the respondent's consent, reprimand the respondent;
- (g) enter into an agreement with the respondent to do one or more of the following:
 - (i) place conditions or restrictions or both on the respondent's licence or the respondent's ability to obtain a licence,
 - (ii) require the respondent to undergo or participate in one or more of the following:
 - (A) medical treatment,
 - (B) psychological counselling,
 - (C) a course of study or re-education program related to the practice of optometry,
 - (D) a practice review,
 - (iii) require the respondent to pay all or a portion of the costs incurred by the College in the investigation of the complaint,
 - (iv) with the respondent's consent, authorize the respondent's resignation from the practice of optometry and direct the Registrar to remove the respondent's name from the applicable registers once the respondent has resigned,
 - (v) any other action a complaints committee considers appropriate.

Notice of referral

20 When a complaints committee refers a matter to a hearing committee under clause 19(a), the chair of a complaints committee must issue a notice of referral to a hearing committee outlining each matter referred.

Notice of hearing

- 21 (1)** After a complaints committee issues a notice of referral under Section 20, a notice of hearing must be forwarded by the Registrar to the respondent and the complainant at least 60 days before the hearing.
- (2)** Subject to subsection (3), the notice of hearing must contain the following information:
- (a) the name of the respondent;
 - (b) the nature of the matter or matters referred to a hearing committee;
 - (c) the details of the allegations against the respondent;
 - (d) a statement that the respondent may be represented by legal counsel.
- (3)** A complaints committee may give direction to the Registrar regarding the content of the public notice.

- (4) The Registrar must publish the notice of hearing in any publications the Registrar considers necessary in order to inform the public.

Registrar fixes hearing date

22 If a complaints committee refers a matter to a hearing committee, the Registrar must fix a date, time and place for the hearing.

Appointment of hearing committee chair

22A The Board must appoint an optometrist as the chair of a hearing committee.

Hearing committee parties and rights

22B (1) In a proceeding before a hearing committee, the parties are the respondent and the College.

- (2) Each party has the right to
- (a) natural justice;
 - (b) be represented by legal counsel at the party's own expense;
 - (c) present evidence, make submissions and cross-examine witnesses;
 - (d) know all the evidence considered by a hearing committee;
 - (e) receive written reasons for a decision within a reasonable time.

Powers of hearing committee

22C (1) In addition to the powers conferred to a hearing committee under Section 41 of the Act, the chair of a hearing committee may

- (a) order and direct the times, dates and places for pre-hearing procedures, including private pre-hearing conferences;
 - (b) order that a hearing, part of a hearing or a pre-hearing conference be conducted using a means of telecommunication that permits the parties and the committee to communicate simultaneously;
 - (c) administer oaths and solemn affirmations;
 - (d) prescribe the disclosure obligations of the parties before a hearing;
 - (e) compel, at any stage of a proceeding, any person to provide information or to produce a document or other material that may be relevant to the matter before it;
 - (f) adjourn or postpone a proceeding from time to time;
 - (g) amend or permit the amendment of any document filed in connection with the proceeding, including the notice of hearing.
- (2) A hearing committee may order the respondent to do one or more of the following:
- (a) participate in a practice audit conducted by one or more persons designated by the committee;

- (b) participate in an inspection of the equipment used by the respondent to practise optometry;
 - (c) participate in a competence assessment or other assessment or examination to determine whether the respondent is competent to practise optometry and authorize the assessment or examination report to be given to the committee;
 - (d) subject to subsection (3), participate in physical or mental examinations conducted by one or more persons designated by the committee and authorize the reports from the examinations to be given to the committee;
 - (e) produce any records or documents in the respondent's possession or control that are requested by the committee.
- (3) Before requiring a respondent to submit to a physical or mental examination under clause (2)(d), a hearing committee must have reasonable and probable grounds to believe that the respondent has an issue that constitutes incapacity.
- (4) If a hearing committee has, under subsection (2), required a respondent to participate in an inspection or audit of their practice, a competency assessment, or physical or mental examinations, the committee must provide the respondent with a copy of any report it receives.

Effect of settlement agreement on hearing

22D When a settlement agreement is tendered to a complaints committee under the Act, a complaints committee may ask the chair of a hearing committee to postpone the hearing until a complaints committee decides whether to recommend that a hearing committee accept the settlement agreement.

Hearing committee procedure

22E (1) The chair of a hearing committee determines the procedure at all hearings, including the method of receiving evidence.

- (2) The chair of a hearing committee's decisions regarding procedure are binding and conclusive.

Evidence at hearing committee

22F (1) Each party must be given,

- (a) in the case of written or documentary evidence, an opportunity to examine the evidence;
 - (b) in the case of evidence of an expert, a copy of the expert's written report or, if there is no written report, a written summary of the evidence;
 - (c) in the case of a witness, the identity of the witness.
- (2) If subsection (1) was not complied with, a hearing committee may allow the introduction of evidence under whatever conditions the committee considers necessary to ensure that no party is prejudiced.

Respondent fails to appear

22G If a respondent fails to appear at the appointed time and place for a hearing, the hearing may proceed in the respondent's absence if there is proof that the respondent was served with the notice of hearing and a hearing committee may render its decision and take any other action it is authorized to take under the Act or these regulations without further notice to the respondent.

Public attendance at hearing committee proceeding

- 22H (1)** Except as provided in subsection (2), a proceeding before a hearing committee is open to the public.
- (2)** At the request of a party, a hearing committee may order that the public, in whole or in part, be excluded from all or part of a proceeding if a hearing committee is satisfied that any of the following apply:
- (a)** a person or the public may be adversely affected by the public disclosure of personal, medical, financial or other matters during the proceeding;
 - (b)** the safety of a person may be jeopardized by permitting public attendance.
- (3)** A hearing committee may make an order that the public be excluded from a part of a proceeding concerning a request for an order to exclude the public from the proceeding under subsection (2).

Hearing committee may make orders

- 22I (1)** A hearing committee may make any order that it considers necessary, including an order prohibiting publication or broadcasting of the hearing, to prevent the public disclosure of matters disclosed in the hearing.
- (2)** A hearing committee must state at a hearing its reasons for any order made under this Section or Section 22H.
- (3)** Despite an order to exclude the public under this Section or Section 22H, a complainant may attend a hearing unless a hearing committee directs otherwise.

Disposition by hearing committee

- 22J** A hearing committee that finds unprofessional conduct, conduct unbecoming the profession, incompetence or incapacity on the part of the respondent may do or make an order to do one or more of the following:
- (a)** reprimand the respondent;
 - (b)** require the respondent to pay a fine to the College by a deadline;
 - (c)** require the respondent to pay all or part of the costs of the proceeding by a deadline;
 - (d)** suspend the respondent's licence to practise for a period of time;
 - (e)** impose conditions or restrictions or both on the respondent's licence to practise;
 - (f)** impose conditions or restrictions or both on the respondent's ability to obtain a licence, including suspending the respondent's ability to obtain a licence for a specified period of time;
 - (g)** require the respondent to undergo or participate in one or more of the following:
 - (i)** medical treatment,
 - (ii)** psychological counselling,

- (iii) a course of study or re-education program related to the practice of optometry,
- (iv) a practice review;
- (h) revoke the respondent's licence;
- (i) authorize the respondent's resignation from the practice of optometry and direct the Registrar to remove the respondent's name from the applicable registers once the respondent has resigned.

Costs or fine ordered

- 22K (1)** Any costs or fine ordered by a hearing committee must be paid by the deadline ordered by a hearing committee.
- (2) If a respondent fails to pay the costs or fine by the deadline, the Registrar may suspend the respondent's licence to practise until the College receives payment for the costs or fine or arrangements for payment are made to the satisfaction of a hearing committee.

Recording, transcript and report of hearing committee proceedings

- 22L (1)** The proceedings at a hearing must be recorded but do not have to be transcribed unless an appeal is made under Section 44 of the Act.
- (2) The party initiating the appeal must order and pay for the transcript of the proceedings.
- (3) Regardless of whether a transcript of the proceedings is ordered, a hearing committee must prepare a written report of the hearing signed by the chair of a hearing committee which serves as conclusive evidence of the proceedings.
- (4) A hearing committee must provide a copy of the report of the hearing to all of the following within a reasonable time:
- (a) the Board;
 - (b) the respondent;
 - (c) the complainant.
- (5) A report of the hearing must be stored indefinitely in a secure manner.

Applying for reinstatement

- 22M (1)** A person whose licence to practise optometry in Nova Scotia has been resigned or revoked may apply to be reinstated in accordance with these regulations.
- (2) An application for reinstatement may not be made until after the latest of the following dates:
- (a) one year after the licence was resigned or revoked;
 - (b) the date that a hearing committee determined that the applicant is eligible to apply for reinstatement;
 - (c) one year after any previous application for reinstatement was rejected.

Reinstatement application

22N An application for reinstatement must be in writing and must include all of the following:

- (a) the applicant's contact information;
- (b) a summary of the applicant's professional history;
- (c) at least 2 character references;
- (d) if the applicant's licence was revoked due to incapacity, medical information confirming, to the satisfaction of the reinstatement committee, the applicant's fitness to practise optometry;
- (e) information confirming, to the satisfaction of the reinstatement committee, the applicant's competence to practise optometry;
- (f) certificates of standing from all jurisdictions within or outside Canada in which the applicant is or has been an optometrist;
- (g) any additional information that the committee deems necessary to determine whether to grant reinstatement.

Reinstatement committee

22O (1) On receiving an application for reinstatement, the Board must appoint a reinstatement committee to review the application and perform any other duties set out in these regulations.

(2) A reinstatement committee must consist of at least two optometrists and at least one person who is not an optometrist.

(3) Despite subsection (2), any two members of a reinstatement committee constitute a quorum.

Reinstatement committee chair

22P Upon being appointed by the Board, the reinstatement committee must convene a meeting and elect an optometrist to act as chair of the committee.

Rights of parties in reinstatement proceeding

22Q In a proceeding before the reinstatement committee, an applicant and the College have the right to

- (a) be represented by legal counsel or another representative at their own expense;
- (b) receive full disclosure of any information provided to the committee;
- (c) present a response and make submissions.

Reinstatement hearing

22R The reinstatement committee may, if it is in the public interest to do so, hold a hearing to review a reinstatement application and must advise the applicant and the College of the date of the hearing no later than 14 days prior to the hearing.

Powers of chair of reinstatement committee

22S The chair of the reinstatement committee may

- (a) order and direct the times, dates and places for pre-hearing procedures, including private pre-hearing conferences;
- (b) order that a hearing, part of a hearing or pre-hearing conference be conducted using a means of telecommunication that permits the parties and the committee to communicate simultaneously;
- (c) prescribe the disclosure obligations of the parties before a hearing;
- (d) adjourn or postpone a proceeding from time to time;
- (e) amend or permit the amendment of any document filed in connection with the proceeding, including the notice of hearing.

Attendance at hearing for review of reinstatement application

22T (1) Except as provided in subsection (2), a hearing to review a reinstatement application is open to the public.

(2) At the request of a party, the reinstatement committee may order that the public, in whole or in part, be excluded from all or part of a hearing to review a reinstatement application if the reinstatement committee is satisfied that any of the following apply:

- (a) a person or the public may be adversely affected by the public disclosure of personal, medical, financial or other matters during the proceeding;
- (b) the safety of a person may be jeopardized by permitting public attendance.

(3) The reinstatement committee may make an order that the public be excluded from a part of a proceeding concerning a request for an order to exclude the public from the proceeding under subsection (2).

Decision of reinstatement committee

22U (1) After considering the evidence and the representations from the applicant and the College, the reinstatement committee must approve or deny a reinstatement application.

(2) The reinstatement committee must communicate its decision under subsection (1), and the reasons for that decision, in writing to the applicant and the Registrar.

(3) If the reinstatement committee approves a reinstatement application, the committee must state the effective date of the reinstatement and may impose any restrictions and conditions it considers appropriate relating to the reinstatement of the applicant.

Costs

22V Whether an application for reinstatement is approved or denied, the reinstatement committee may make an order to recover costs from the applicant.

Publication of reinstatement committee's decision

22W The reinstatement committee's decision must be published and disclosed in the manner directed by the reinstatement committee, subject to any publication bans it has imposed.

Conditions and restrictions remain

22X Any unexpired conditions or restrictions on an optometrist's previous licence remain in effect on any subsequent licence issued to the optometrist.

- 9 (1) Subsection 24(3) of the regulations is amended by striking out “ocular anterior segment disorders” and substituting “disorders of the eye or its adnexa”.
- (2) Clause 24(3)(f) of the regulations is amended by striking out “, but only in the manner set out in subsection (4)”.
- (3) Subsection 24(3) of the regulations is further amended by
- (a) striking out the period at the end of clause (f) and substituting a semicolon; and
- (b) adding the following clause immediately after clause (f):
- (g) anti-glaucoma medications.
- (4) Subsections 24(4) and (5) of the regulations are repealed and the following subsection substituted:
- 24 (4)** An optometrist who holds a therapeutic drug licence may use oral anti-infective medications for the treatment of disorders of the eye and its adnexa.
- 10 Subsection 30(1) of the regulations is amended by striking out “Baord” and substituting “Board”.
- 11 Clause 32(2)(c) of the regulations is amended by striking out “or” the first time it appears and substituting “of”.

N.S. Reg. 143/2020

Made: October 6, 2020

Filed: October 6, 2020

Gambling Awareness Foundation of Nova Scotia Regulations—amendment

Order in Council 2020-266 dated October 6, 2020

Amendment to regulations made by the Governor in Council
pursuant to subsection 127(1) of the *Gaming Control Act*

The Governor in Council on the report and recommendation of the Minister of Health and Wellness dated September 9, 2020, and pursuant to subsection 127(1) of Chapter 4 of the Acts of 1994-95, the *Gaming Control Act*, is pleased to amend the *Gambling Awareness Foundation of Nova Scotia Regulations*, N.S. Reg. 26/1998, made by the Governor in Council by Order in Council 98-109 dated March 19, 1998, to expand the objects of the Foundation, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 6, 2020.

Schedule “A”

**Amendment to the *Gambling Awareness Foundation of Nova Scotia Regulations*
made by the Governor in Council under subsection 127(1)
of Chapter 4 of the Acts of 1994-95,
the *Gaming Control Act***

The *Gambling Awareness Foundation of Nova Scotia Regulations*, N.S. Reg. 26/1998, made by the Governor in Council by Order in Council 98-109 dated March 19, 1998, are amended by repealing Section 9 and substituting the following Section:

Objects of the Foundation

- 9 (1) The objects of the Foundation are to receive, maintain and disburse funds for any purpose related to problem gambling, mental illness, problematic substance use and other addictions.
- (2) The Foundation may disburse funds to the Minister for use in accordance with subsection (1).

N.S. Reg. 144/2020

Made: October 6, 2020

Filed: October 6, 2020

Proclamation of Act, S. 16, S.N.S. 2014, c. 5–S. 14

Order in Council 2020-268 dated October 6, 2020

Proclamation made by the Governor in Council

pursuant to Section 16 of the

Electricity Efficiency and Conservation Restructuring (2014) Act

The Governor in Council on the report and recommendation of the Minister of Energy and Mines dated September 2, 2020, and pursuant to Section 16 of Chapter 5 of the Acts of 2014, the *Electricity Efficiency and Conservation Restructuring (2014) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 14 of Chapter 5 of the Acts of 2014, the *Electricity Efficiency and Conservation Restructuring (2014) Act*, do come into force on and not before October 6, 2020.

PROVINCE OF NOVA SCOTIA

sgd: Arthur J. LeBlanc

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 16 of Chapter 5 of the Acts of 2014, [the] *Electricity Efficiency and Conservation Restructuring (2014) Act*, it is enacted as follows:

- 16 Sections 10 and 14 come into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 14 of Chapter 5 of the Acts of 2014, [the] *Electricity Efficiency and Conservation Restructuring (2014) Act*, do come into force on and not before October 6, 2020;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Section 14 of Chapter 5 of the Acts of 2014, [the] *Electricity Efficiency and Conservation Restructuring (2014) Act*, of which all persons concerned are to take notice and govern themselves accordingly. [sic]

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
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 6th day of October in the year of
Our Lord two thousand and twenty and in the sixty-
ninth year of Our Reign.

BY COMMAND:

sgd: Honourable Mark Furey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 145/2020

Made: October 6, 2020

Filed: October 6, 2020

Proclamation changing name of municipality

Order in Council 2020-270 dated October 6, 2020
Proclamation made by the Governor in Council
pursuant to Section 11 of the
Region of Windsor and West Hants Municipality Act

The Governor in Council on the report and recommendation of the Minister of Municipal Affairs and Housing dated September 14, 2020, and pursuant to Section 11 of Chapter 26 of the Acts of 2018, the *Region of Windsor and West Hants Municipality Act*, is pleased to order and declare by proclamation that, on and after October 6, 2020, the body corporate established by Section 3 of the *Region of Windsor and West Hants Municipality Act* under the name “Region of Windsor and West Hants Municipality” shall be named “West Hants Regional Municipality.”

PROVINCE OF NOVA SCOTIA

sgd: Arthur J. LeBlanc

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 pursuant to Chapter 26 of the Acts of 2018, the *Region of Windsor and West Hants Municipality Act* (“the Act”), the inhabitants of the Town of Windsor and the Municipality of the District of West Hants were incorporated as a regional municipality (“the regional municipality”) under the name “Region of Windsor

and West Hants Municipality” and the town and the district municipality were dissolved;

AND WHEREAS pursuant to the Act, the first council of the regional municipality is required to choose a new name for the regional municipality and submit the chosen name to the Governor in Council;

AND WHEREAS the new council by resolution approved the name “West Hants Regional Municipality” and submitted its request for a name change through the Minister of Municipal Affairs and Housing;

AND WHEREAS in and by Section 11 of the Act, it is enacted as follows:

- 11 (1) Upon the new Council taking office, the new Council shall choose a new name for the Regional Municipality and submit the chosen name to the Governor in Council.
- (2) Where the new Council submits a name for the Regional Municipality under subsection (1), the Governor in Council may, by proclamation, change the name of the Regional Municipality to that name.

AND WHEREAS it is deemed expedient that the regional municipality be named “West Hants Regional Municipality” on and after October 6, 2020;

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 the regional municipality incorporated pursuant to the Act shall, on and after October 6, 2020, be named “West Hants Regional Municipality” 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
Arthur J. LeBlanc, ONS, Q.C., Lieutenant Governor of
the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 6th day of October in the year of
Our Lord two thousand and twenty and in the sixty-
ninth year of Our Reign.

BY COMMAND:

sgd: Honourable Mark Furey
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 146/2020

Made: September 30, 2020

Filed: October 8, 2020

Summary Offence Tickets Regulations—amendment

Order dated September 30, 2020

Amendment to regulations made by the Attorney General and Minister of Justice pursuant to Section 8 of the *Summary Proceedings Act***Order****Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Mark Furey, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, effective on and after the date of this order, hereby

- (a) amend Schedule 42A to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the *Aquaculture Management Regulations* as summary offence ticket offences, in the manner set forth in the attached Schedule “A”; and
- (b) order and direct 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. 281/2011, as set forth in the attached Schedule “A”, is the out-of-court settlement amount listed in the out-of-court settlement column set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

Dated and made September 30, 2020, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Mark Furey*

Honourable Mark Furey

Attorney General and Minister of Justice

Schedule “A”**Amendment to the *Summary Offence Tickets Regulations*
made by the Attorney General and Minister of Justice pursuant to Section 8
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

Schedule 42A to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, is amended by repealing items 1 to 25 under the heading “Aquaculture Management Regulations” and substituting the following items:

Offence	Section	Out of Court Settlement
1 Failing to prepare Farm Management Plan in accordance with regulations	5(1)	\$295.00
2 Failing to notify Minister of preparation of Farm Management Plan before initial stocking of aquaculture site	5(1A)	\$295.00

3	Failing to make Farm Management Plan available for review and approval by Minister before initial stocking of aquaculture site	5(1A)	\$295.00
4	Failing to adhere to procedures contained in Farm Management Plan	8	\$467.50
5	Failing to keep records verifying adherence to procedures	8(a)	\$237.50
6	Failing to keep records demonstrating effective action taken at critical control points	8(b)	\$237.50
7	Failing to keep health records for current stock (specify site number)	18(1)	\$237.50
8	Failing to submit health records for current stock on request (specify site number)	18(1)	\$180.00
9	Failing to report use of antibiotic or sea lice treatment product (specify) at aquacultural operation as required	20	\$410.00
10	Failing to immediately report information to Chief Aquatic Animal Health Veterinarian as required by regulations	21(4)	\$237.50
11	Failing to provide written report required by regulations to Chief Aquatic Animal Health Veterinarian within 24 hours of telephone report	21(4)	\$237.50
12	Failing to include required information in written report	21(5)	\$180.00
13	Failing to provide information on disease management measures required for complying with quarantine order	27(2)	\$352.50
14	Failing to obtain Minister's approval for proposed stocking level before initial stocking or restocking (specify) of marine finfish aquaculture site	30(2)	\$927.50
15	Failing to submit updated mitigation plan to address poor environmental performance	31(1)	\$410.00
16	Failing to conduct follow-up monitoring no later than 35 days after initial monitoring indicating requiredoxic conditions not maintained	32(2)(a)	\$352.50
17	Failing to submit results of follow-up monitoring and mitigation plan no later than 14 days after conducting monitoring	32(2)(b)	\$237.50
18	Failing to take action required by Minister at aquaculture site to reduce environmental impact	32(3)	\$1,272.50
19	Holder of marine finfish aquaculture licence failing to conduct aquacultural operation in manner designed to prevent breaches	33(1)	\$467.50
20	Holder of marine finfish aquaculture licence or personnel of aquacultural operation (specify) failing to notify Department of known or suspected breach	33(2)	\$410.00
21	Failing to submit report on results of third-party audit no later than date required by regulations (specify date)	35(1)	\$237.50
22	Failing to include corrective actions taken in report on results of third-party audit	35(2)	\$352.50
23	Failing to keep all Farm Management Plan records at place of business in Province	40(1)	\$237.50
24	Failing to make Farm Management Plan available, in whole or in part, to Minister on request	40(1)	\$237.50
25	Failing to submit documents related to audit no later than 72 hours after auditor's request	41A	\$295.00
26	Failing to ensure that aquatic animal transfer permit accompanies groups of live fish being moved to aquaculture site	43	\$927.50
27	Failing to keep copy of aquatic animal transfer permit at aquacultural operation	44(1)	\$237.50

28	Failing to produce copy of aquatic animal transfer permit requested by Chief Aquatic Animal Health Veterinarian or Minister's designate (specify) in time and manner specified in request	44(2)	\$237.50
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N.S. Reg. 147/2020

Made: October 8, 2020

Filed: October 9, 2020

Prescribed Petroleum Products Prices

Order dated October 8, 2020
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**M09877****In the matter of the *Petroleum Products Pricing Act*****- and -**

**In the matter of prescribing prices for petroleum products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roland A. Deveau, Q.C., Vice Chair

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board ("Board") considered the manner in which it would proceed to set petroleum product prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the Board revised the retail margin and the transportation allowance effective October 28, 2016, in its decision, 2016 NSUARB 168, issued on September 26, 2016;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the period ended October 7, 2020, are:

Grade 1 Regular gasoline	43.56¢ per litre
Ultra-low-sulfur diesel oil	40.06¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:

Grade 1	43.56¢ per litre
Grade 2	46.56¢ per litre
Grade 3	49.56¢ per litre
Ultra-low-sulfur diesel oil	40.06¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	nil ¢ per litre
Ultra-low-sulfur diesel oil:	nil ¢ per litre

And whereas a winter blending adjustment of plus 2.08¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., October 9, 2020.

Dated at Halifax, Nova Scotia, this 8th day of October, 2020.

sgd. *Lisa Wallace*
Clerk of the Board

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 October 9, 2020**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	52.01	10.0	15.5	77.51	95.0	97.2	95.0	999.9
Mid-Grade Unleaded	55.01	10.0	15.5	80.51	98.5	100.6	98.5	999.9
Premium Unleaded	58.01	10.0	15.5	83.51	101.9	104.1	101.9	999.9
Ultra-Low-Sulfur Diesel	50.91	4.0	15.4	70.31	86.7	88.9	86.7	999.9
Zone 2								
Regular Unleaded	52.51	10.0	15.5	78.01	95.6	97.8	95.6	999.9
Mid-Grade Unleaded	55.51	10.0	15.5	81.01	99.0	101.2	99.0	999.9
Premium Unleaded	58.51	10.0	15.5	84.01	102.5	104.7	102.5	999.9
Ultra-Low-Sulfur Diesel	51.41	4.0	15.4	70.81	87.3	89.5	87.3	999.9
Zone 3								
Regular Unleaded	52.91	10.0	15.5	78.41	96.0	98.2	96.0	999.9
Mid-Grade Unleaded	55.91	10.0	15.5	81.41	99.5	101.7	99.5	999.9
Premium Unleaded	58.91	10.0	15.5	84.41	102.9	105.1	102.9	999.9
Ultra-Low-Sulfur Diesel	51.81	4.0	15.4	71.21	87.8	89.9	87.8	999.9
Zone 4								
Regular Unleaded	53.01	10.0	15.5	78.51	96.2	98.3	96.2	999.9
Mid-Grade Unleaded	56.01	10.0	15.5	81.51	99.6	101.8	99.6	999.9
Premium Unleaded	59.01	10.0	15.5	84.51	103.1	105.2	103.1	999.9
Ultra-Low-Sulfur Diesel	51.91	4.0	15.4	71.31	87.9	90.1	87.9	999.9

Zone 5									
Regular Unleaded	53.01	10.0	15.5	78.51	96.2	98.3	96.2	999.9	
Mid-Grade Unleaded	56.01	10.0	15.5	81.51	99.6	101.8	99.6	999.9	
Premium Unleaded	59.01	10.0	15.5	84.51	103.1	105.2	103.1	999.9	
Ultra-Low-Sulfur Diesel	51.91	4.0	15.4	71.31	87.9	90.1	87.9	999.9	
Zone 6									
Regular Unleaded	53.71	10.0	15.5	79.21	97.0	99.1	97.0	999.9	
Mid-Grade Unleaded	56.71	10.0	15.5	82.21	100.4	102.6	100.4	999.9	
Premium Unleaded	59.71	10.0	15.5	85.21	103.9	106.0	103.9	999.9	
Ultra-Low-Sulfur Diesel	52.61	4.0	15.4	72.01	88.7	90.9	88.7	999.9	

N.S. Reg. 148/2020

Made: October 13, 2020

Filed: October 13, 2020

Nova Scotia Building Code Regulations—amendment

Order dated October 13, 2020

Amendment to regulations made by the Minister of Municipal Affairs and Housing pursuant to Section 4 of the *Building Code Act***In the matter of Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act***

- and -

In the matter of amendments to the *Nova Scotia Building Code Regulations***Order**

I, Chuck Porter, Minister of Municipal Affairs and Housing for the Province of Nova Scotia, pursuant to Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*, hereby amend the *Nova Scotia Building Code Regulations*, N.S. Reg. 26/2017, made by Order of the Minister of Municipal Affairs dated February 28, 2017, to add that the accessibility provisions will apply to an existing building if there is a change of its use into a restaurant, in the manner set forth in the attached Schedule “A”, effective October 31, 2020.

Dated and made at Halifax, Province of Nova Scotia, October 13, 2020.

sgd. *Chuck Porter*

Honourable Chuck Porter

Minister of Municipal Affairs and Housing

Schedule "A"

**Amendment to the *Nova Scotia Building Code Regulations*
made by the Minister of Municipal Affairs and Housing
under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989,
the *Building Code Act***

1 The *Nova Scotia Building Code Regulations*, N.S. Reg. 26/2017, made by the Minister of Municipal Affairs by order dated February 28, 2017, ~~is~~ [are] amended by adding the following sentences immediately after Sentence 1.2.1.1.(10):

- (11) Except as provided in Sentences (8), (9), and (10), if a *building* or part thereof has a change of the *occupancy* classification in Sentence (1) or under Sentence 1.2.1.4.(2), the accessibility requirements in Section 3.8 of Schedule "C" of the regulations, including for *barrier-free* entrances, apply to the construction of the *building* or part thereof undergoing the change.
- (12) If a Group A, Division 2 *assembly occupancy building* or part thereof is constructed or altered for use as a restaurant, as defined in Sentence 1.2.1.4.(1), the exemptions in Sentences 3.8.2.3.(1) and 3.8.2.7.(2) under Schedule "C" of the regulations do not apply to the construction of the restaurant part of the *building*.

2 The regulations are amended by adding the following article immediately after Article 1.2.1.3.:

1.2.1.4. Restaurants

- (1) For the purposes of this Article and Sentence 1.2.1.1.(12), a restaurant means a restaurant as defined in the *Food Safety Regulations* made under the *Health Protection Act*.
- (2) If a Group A, Division 2 *assembly occupancy building* or part thereof changes from a non-restaurant use to a restaurant use, the change shall be considered equivalent to a change of *occupancy* classification for the purpose of Sentence (3) or 1.2.1.1.(11).
- (3) The exemptions set out in Sentences 3.8.2.3.(1) and 3.8.2.7.(2) under Schedule "C" of the regulations do not apply to a *building* or part thereof with a change of *occupancy* classification under Sentence (2).

N.S. Reg. 149/2020

Made: October 13, 2020

Filed: October 13, 2020

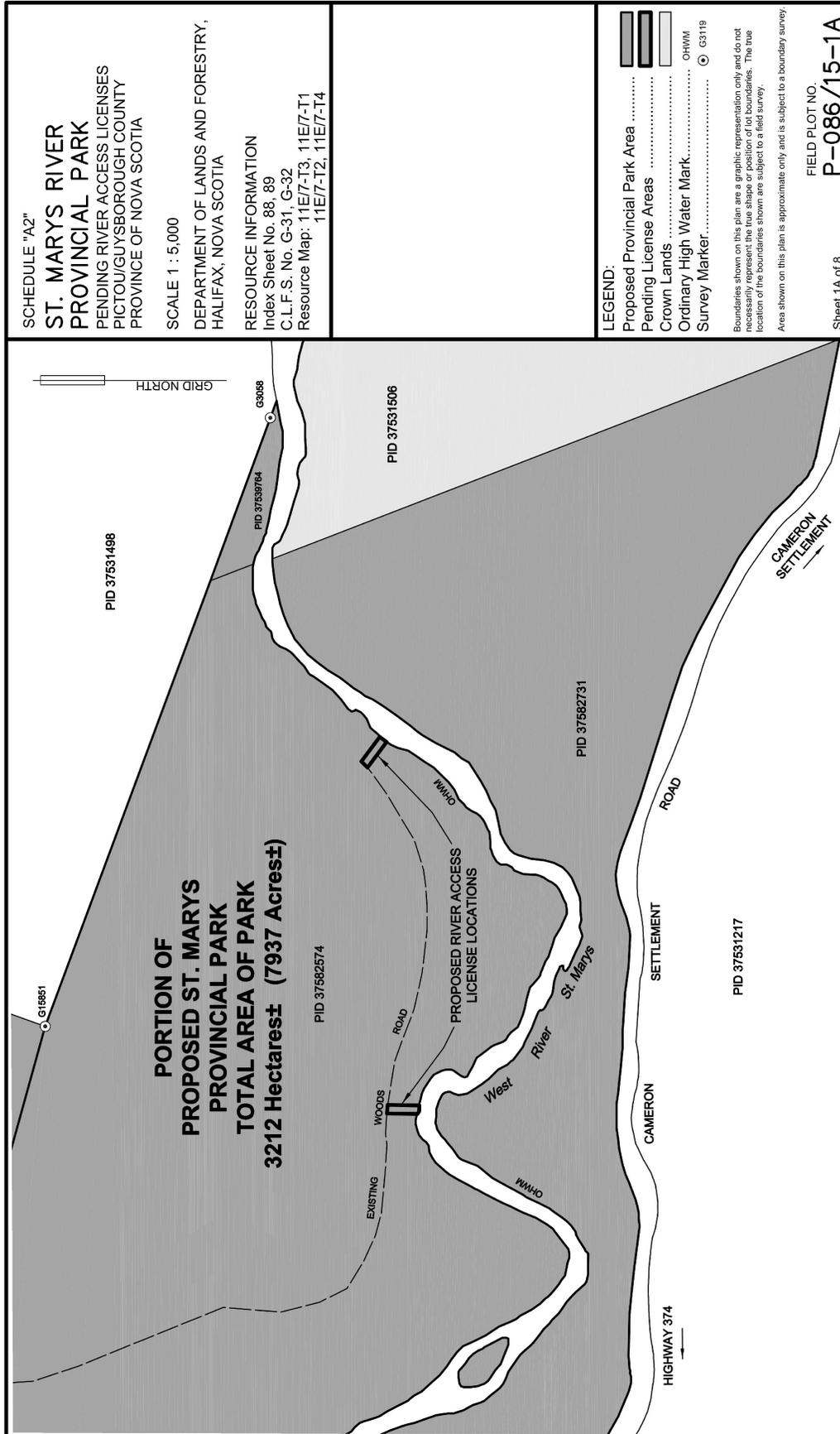
St. Marys River Provincial Park Designation

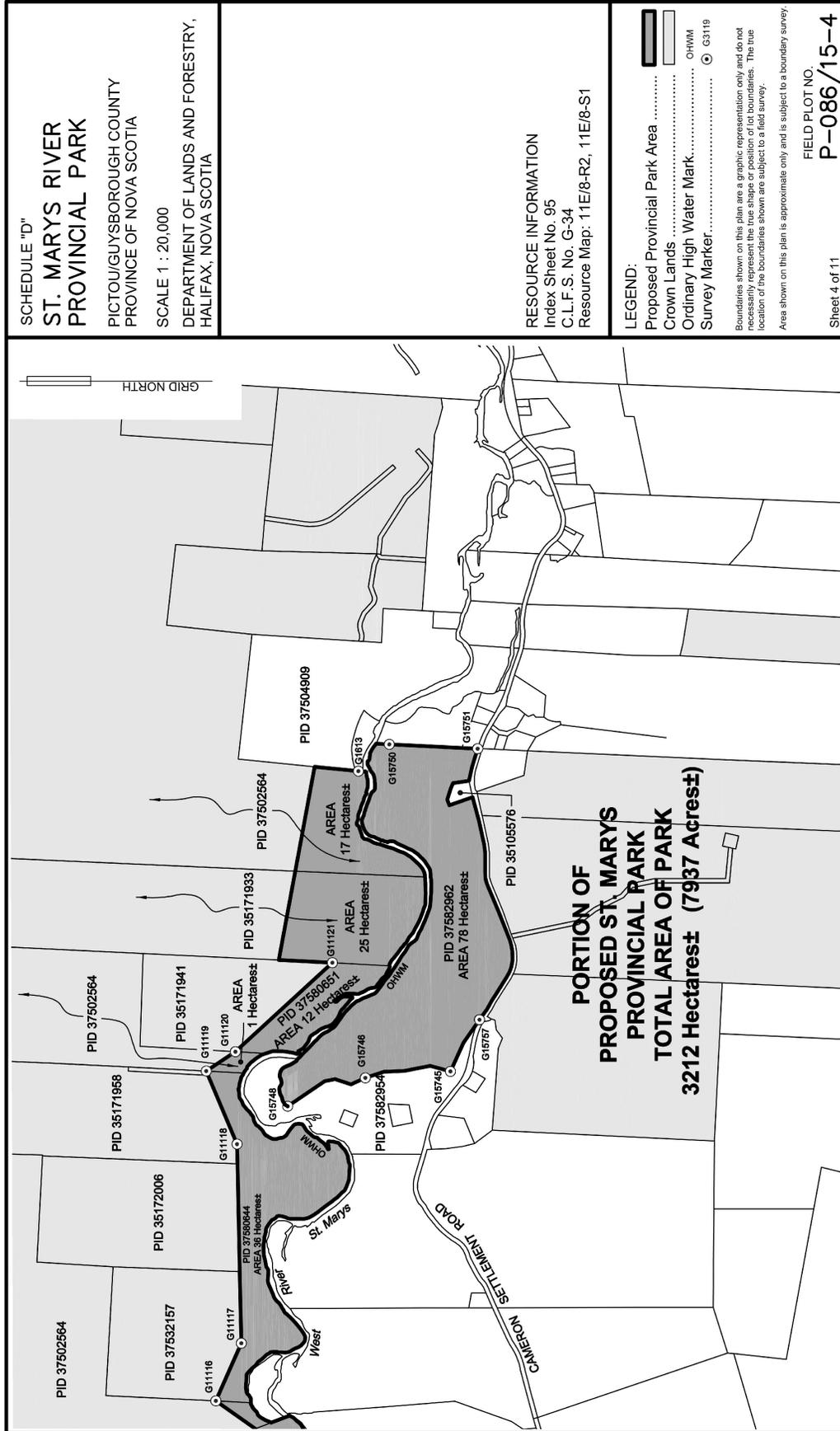
Order in Council 2020-271 dated October 13, 2020

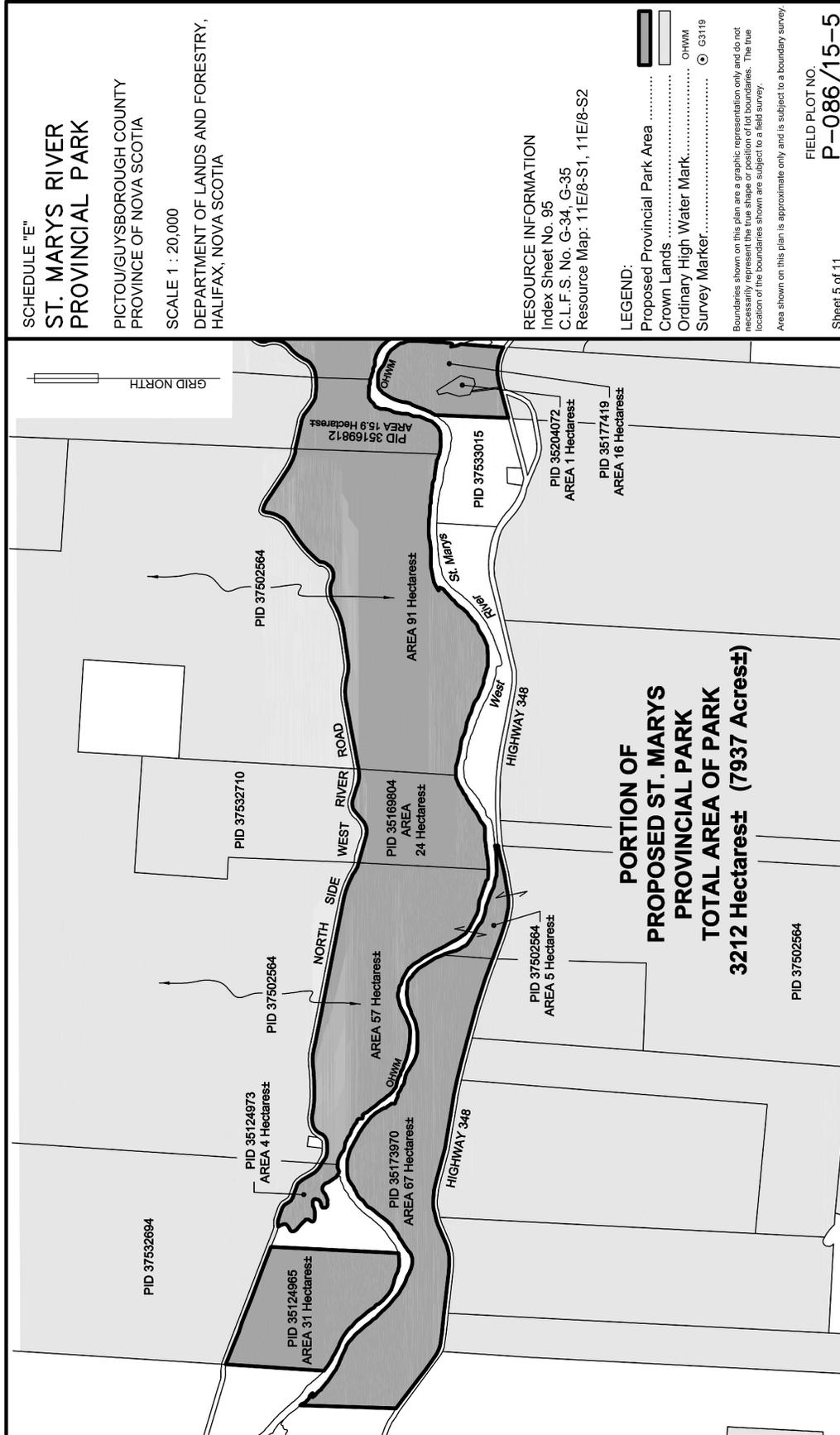
Designation made by the Governor in Council
pursuant to clauses 8(a) and (d) of the *Provincial Parks Act*

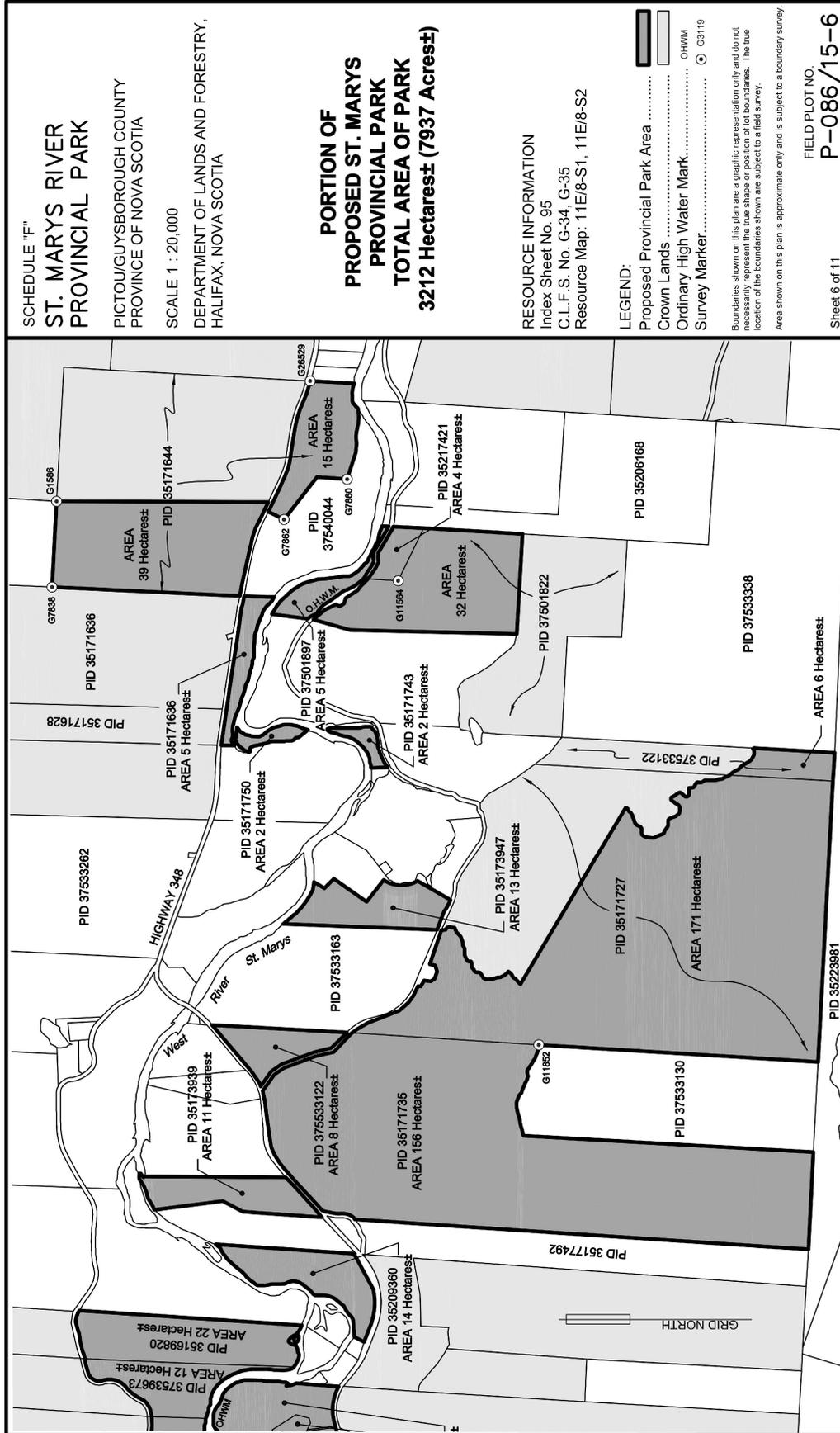
The Governor in Council on the report and recommendation of the Minister of Lands and Forestry dated September 10, 2020, and pursuant to clauses 8(a) and (d) of Chapter 367 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Parks Act*, is pleased, effective on and after October 13, 2020, to

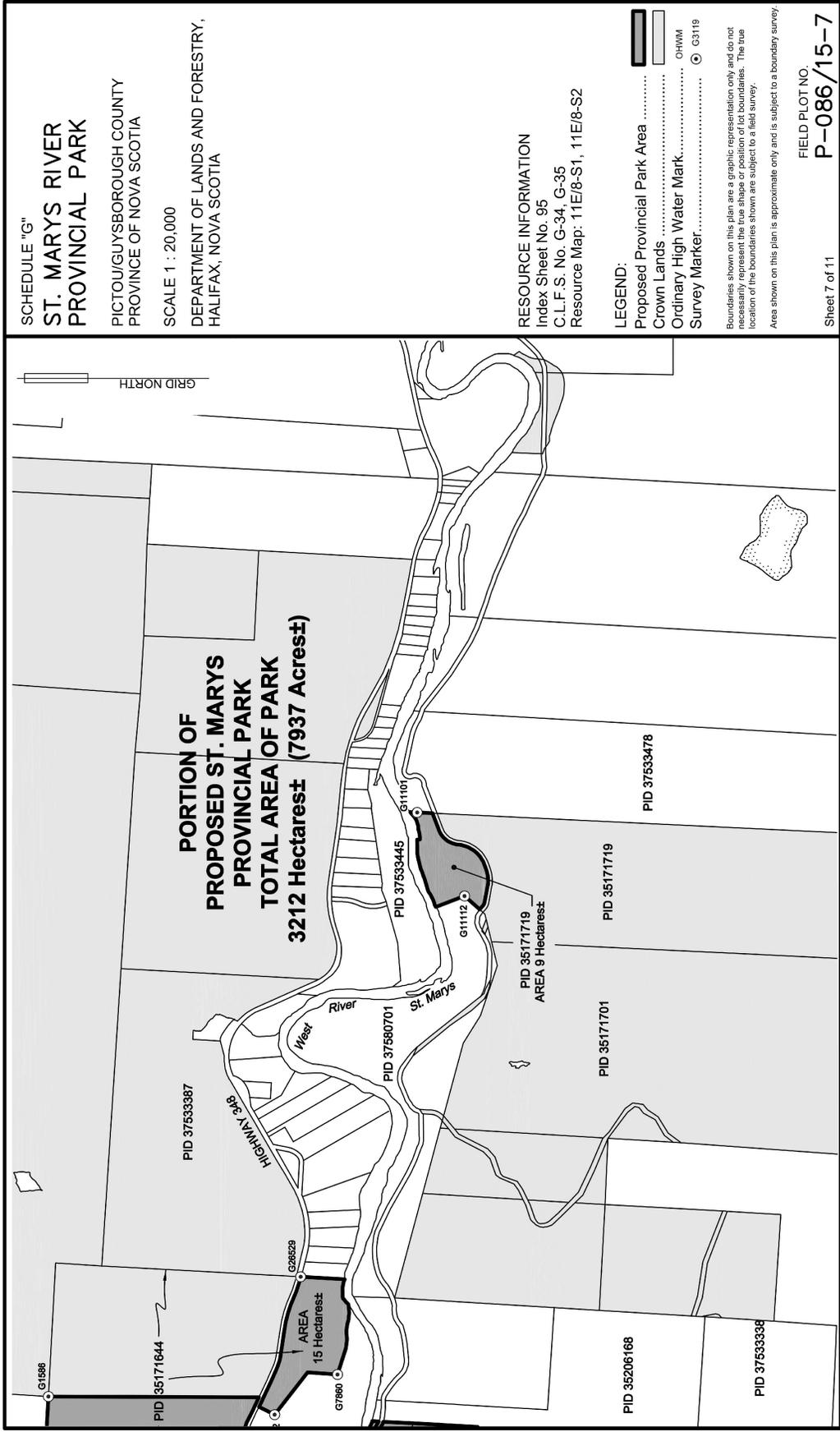
- (a) designate approximately 3212 hectares (7937 acres) of Crown lands shown outlined in bold and shaded dark grey on the plans marked as Schedules “A” to “K”, attached to and forming part of the report and recommendation, and declare that it be known as St. Marys River Provincial Park; and
- (b) authorize the Minister of Lands and Forestry to execute such documents as may be necessary to achieve the purposes of this order.





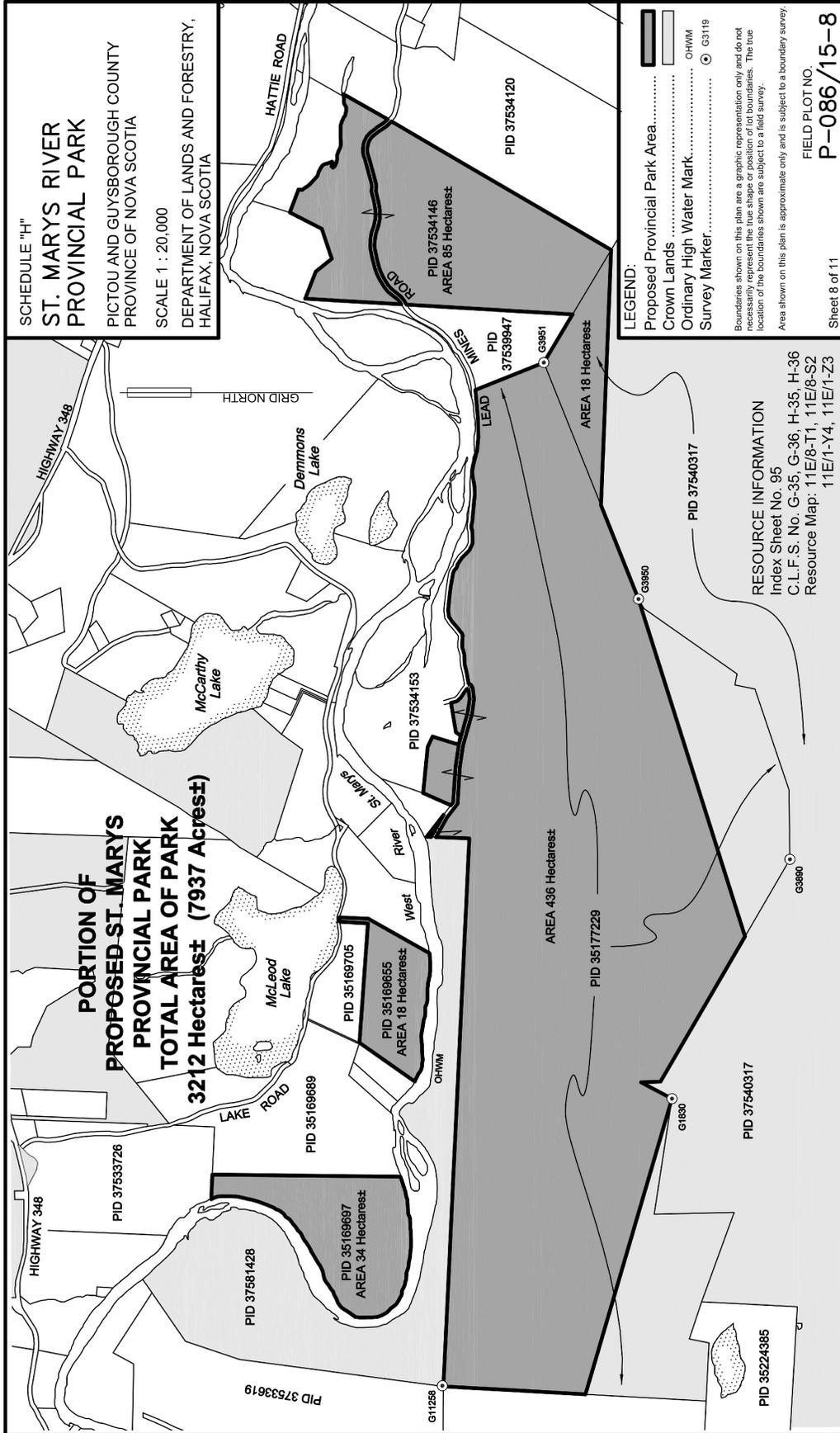


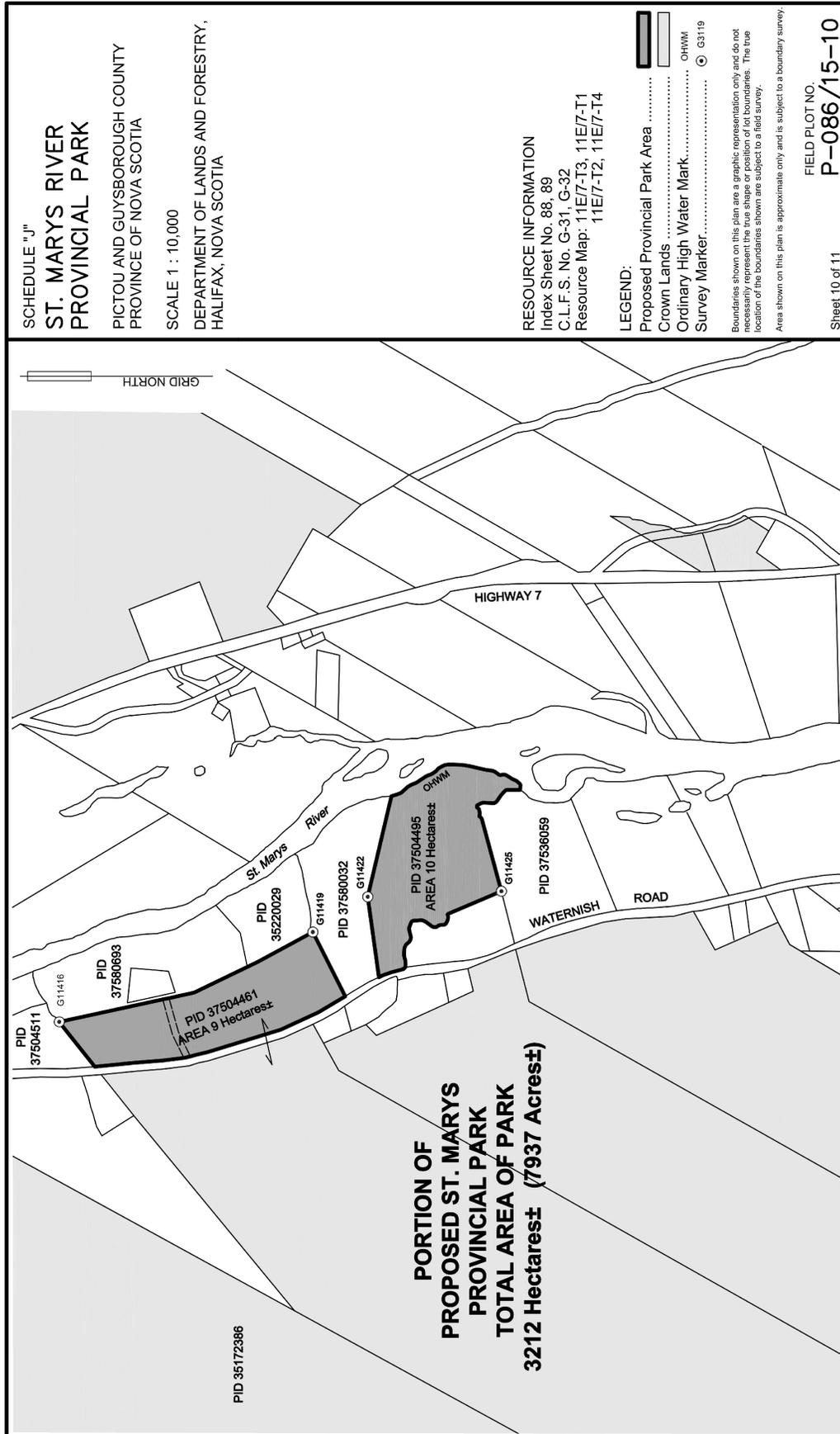




Sheet 7 of 11

FIELD PLOT NO
P-086/15-7





SCHEDULE "J"
**ST. MARYS RIVER
 PROVINCIAL PARK**
 PICTOU AND GUYSBOROUGH COUNTY
 PROVINCE OF NOVA SCOTIA
 SCALE 1 : 10,000
 DEPARTMENT OF LANDS AND FORESTRY,
 HALIFAX, NOVA SCOTIA

RESOURCE INFORMATION
 Index Sheet No. 88, 89
 C.L.F.S. No. G-31, G-32
 Resource Map: 11E7-T3, 11E7-T1
 11E7-T2, 11E7-T4

LEGEND:
 Proposed Provincial Park Area
 Crown Lands
 Ordinary High Water Mark OHWM
 Survey Marker G3119

Boundaries shown on this plan are a graphic representation only and do not
 constitute a legal description of land. The true
 location of the boundaries shown are subject to a field survey.
 Area shown on this plan is approximate only and is subject to a boundary survey.

FIELD PLOT NO.
P-086/15-10
 Sheet 10 of 11

N.S. Reg. 150/2020

Made: October 13, 2020

Filed: October 13, 2020

Barra Forest and MacNeils Vale Provincial Park Designation

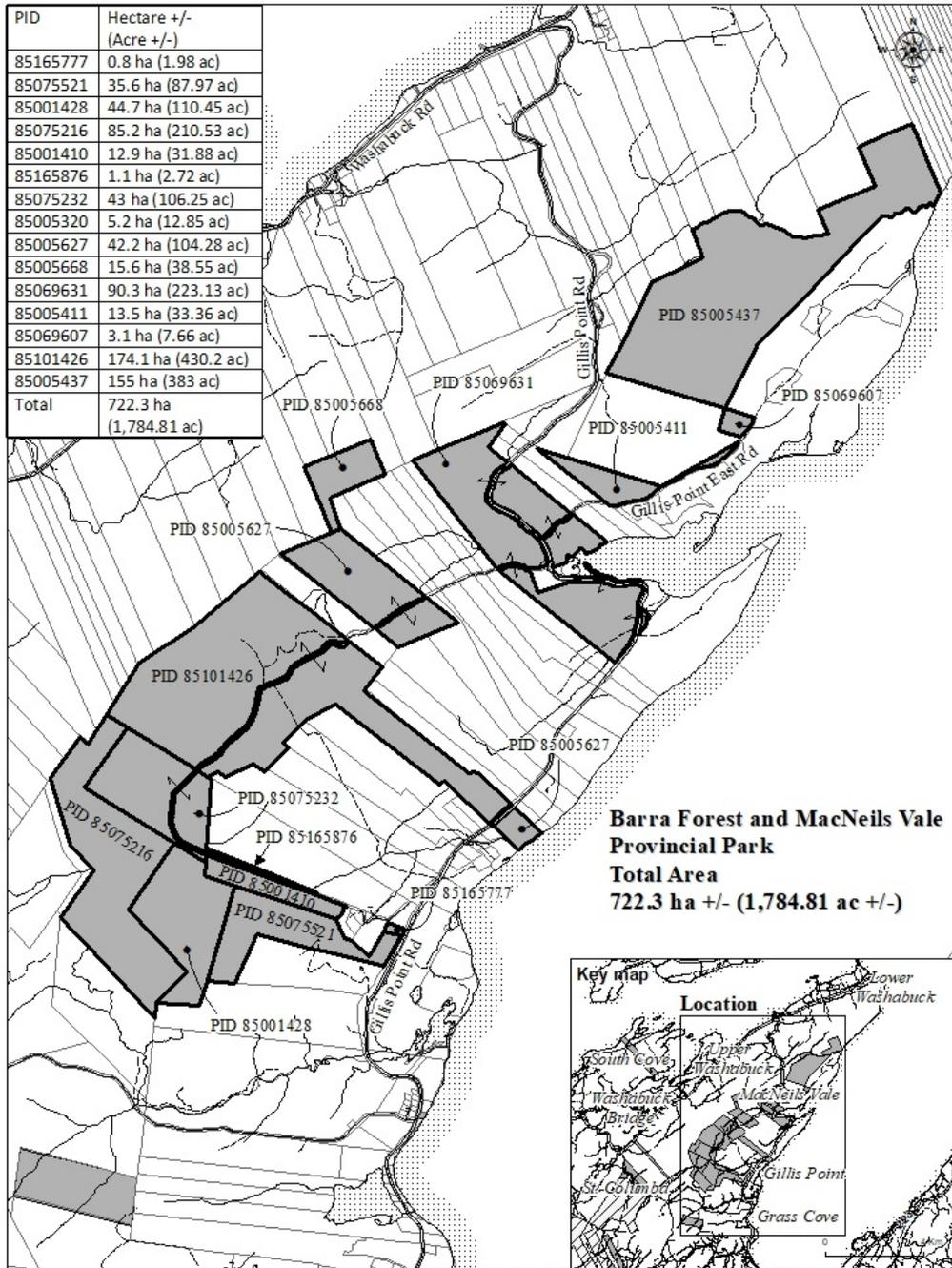
Order in Council 2020-272 dated October 13, 2020

Designation made by the Governor in Council
pursuant to clauses 8(a) and (d) of the *Provincial Parks Act*

The Governor in Council on the report and recommendation of the Minister of Lands and Forestry dated September 10, 2020, and pursuant to clauses 8(a) and (d) of Chapter 367 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Parks Act*, is pleased, effective October 13, 2020, to

- (a) designate approximately 722.3 hectares (1784.81 acres) of Crown lands shown outlined in bold and shaded dark grey on the plan marked Schedule “A” attached to and forming part of the report and recommendation as a provincial park, and declare that it be known as Barra Forest and MacNeils Vale Provincial Park; and
- (b) authorize the Minister of Lands and Forestry to execute such documents as may be necessary to achieve the purposes of this order.

SCHEDULE "A"



Plan Showing

Barra Forest and MacNeils Vale Provincial Park
MacNeils Vale

Victoria County
 Province of Nova Scotia

Field Plot No.
P-010/20

Resource Information:
 Index Sheet No. 123
 C.L.F.S. No. CB60, CB41
 Resource Map: 11K/02-S1
 11K/02-S3, 11F/15-Y3
 11K/02-R2, 11F/15-X4

Legend

- Barra Forest and MacNeils Vale Provincial Park
- Crown Lands (Lands and Forestry)
- Watercourses and Waterbodies

Copyright Province of Nova Scotia. The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel. Land Registration Act subsection 21(2). THIS IS NOT AN OFFICIAL RECORD.

Surveys Division
 GIS/Cartography Section



N.S. Reg. 151/2020

Made: September 30, 2020

Approved: October 13, 2020

Filed: October 13, 2020

Katewe'katik Wilderness Area Designation

Order in Council 2020-273 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment of a wilderness area to be known as Katewe'katik, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule "A"

**In the matter of Section 11 of Chapter 27 of the Acts of ~~Acts of~~ 1998,
the *Wilderness Areas Protection Act***

- and -

**In the matter of the designation of an area of Crown land
in Annapolis and Queens Counties to be known as
Katewe'katik**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to clause 11(3)(a) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, hereby designate an area of Crown land in Annapolis and Queens counties, with approximate boundaries as shown on the map attached as Appendix A, as a wilderness area to be known as Katewe'katik.

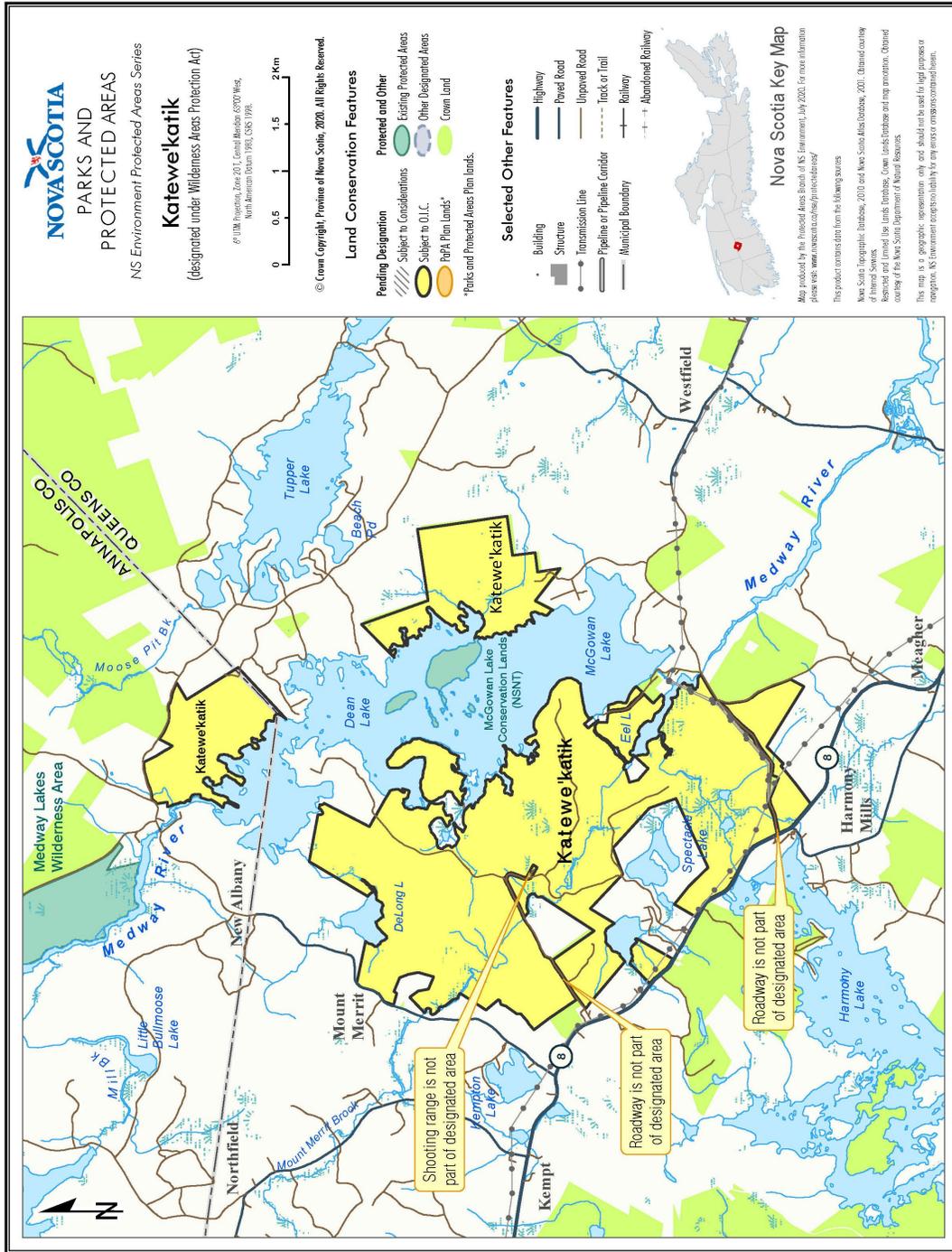
The actual boundaries of Katewe'katik shall be as described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Land Information Management Centre, formerly known as the Provincial Crown Land Records Centre, as required by subsection 11(3) of the Act, the signed description and plan forming part of this designation.

This designation is effective on and after the later of the date it is approved by the Governor in Council and the date the description and plan are deposited in the Provincial Crown Land Information Management Centre.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 30, 2020.

sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

Appendix A: Map Showing Approximate Boundaries of Katewe'katik



N.S. Reg. 152/2020

Made: September 30, 2020

Approved: October 13, 2020

Filed: October 13, 2020

Pu'tlaqne'katik Wilderness Area Designation

Order in Council 2020-274 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment of a wilderness area to be known as Pu'tlaqne'katik, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule "A"**In the matter of Section 11 of Chapter 27 of the Acts of 1998,
the *Wilderness Areas Protection Act*****- and -****In the matter of the designation of an area of Crown land
in Lunenburg and Queens Counties to be known as
Pu'tlaqne'katik**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to clause 11(3)(a) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act* (the "Act"), hereby designate an area of Crown land in Lunenburg and Queens counties, with approximate boundaries as shown on the map attached as Appendix A, as a wilderness area to be known as Pu'tlaqne'katik.

The actual boundaries of Pu'tlaqne'katik shall be as described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Land Information Management Centre, formerly known as the Provincial Crown Land Records Centre, as required by subsection 11(3) of the Act, the signed description and plan forming part of this designation.

This designation is effective on and after the later of the date it is approved by the Governor in Council and the date the description and plan are deposited in the Provincial Crown Land Information Management Centre, except for any portion of the land that is subject to any of the following mineral rights (referred to in this Order as "excepted portion of land", and depicted on the map in Schedule A as "Subject to Considerations"):

- (a) the following mineral rights (individually referred to in this Order as "existing mineral right"):
- (i) exploration licence numbers 52645 or 51624, or any valid continuation of the mineral right granted by those exploration licences, issued to Atlantic Mining NS Corp. or its successor or approved transferee under the *Mineral Resources Act*;
 - (ii) exploration licence number 50429, 50430, or 52251 or any valid continuation of the mineral right granted by those exploration licences, issued to Ken Hiltz or his successor or approved transferee under the *Mineral Resources Act*;

- (b) any subsequent exploration licence issued under the *Mineral Resources Act* within 1 year following the surrender, abandonment, forfeiture, expiration, cancellation or termination of an existing mineral right for any portion of the land formerly subject to that existing mineral right, or any valid continuation of the mineral right granted by the subsequent exploration licence.

This designation is effective for an excepted portion of land on and after the date the Minister of Environment publishes a notice in the Royal Gazette Part I to that effect, which shall be done following the later of:

- (a) the end of 1 year after the date an existing mineral right no longer applies to the excepted portion of land as a result of the surrender, abandonment, forfeiture, expiration, cancellation, or termination of that existing mineral right; and
- (b) the date any subsequent exploration licence issued under the *Mineral Resources Act* for the excepted portion of land within the 1-year period referred to in clause (a), or any valid continuation of the mineral right granted by that subsequent exploration licence, no longer applies to the excepted portion of land as a result of the surrender, abandonment, forfeiture, expiration, cancellation or termination of that subsequent exploration licence or continued mineral right.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 30, 2020.

sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

N.S. Reg. 153/2020

Made: September 16, 2020

Approved: October 13, 2020

Filed: October 13, 2020

Silver River Wilderness Area Designation of Additional Lands

Order in Council 2020-275 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment of an addition to Silver River Wilderness Area, originally designated by the Minister of Environment and approved by the Governor in Council by Order in Council 2015-387 dated December 29, 2015, N.S. Reg. 387/2015, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule “A”**In the matter of Section 11 of Chapter 27 of the Acts of 1998,
the *Wilderness Areas Protection Act*****- and -****In the matter of the designation of lands to be added to
Silver River Wilderness Area**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to clauses 11(3)(b) and 11(3)(c) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, (the “Act”) hereby designate an area of Crown land and private land in Digby County, with approximate boundaries as shown on the map attached as Appendix A, as an addition to Silver River Wilderness Area, originally designated by the Minister of Environment and approved by the Governor in Council by Order in Council 2015-387 dated December 29, 2015, N.S. Reg. 387/2015.

The actual boundaries of the designated additional area shall be as described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Land Information Management Centre, formerly known as the Provincial Crown Lands Record Centre, the signed description and plan forming part of this designation.

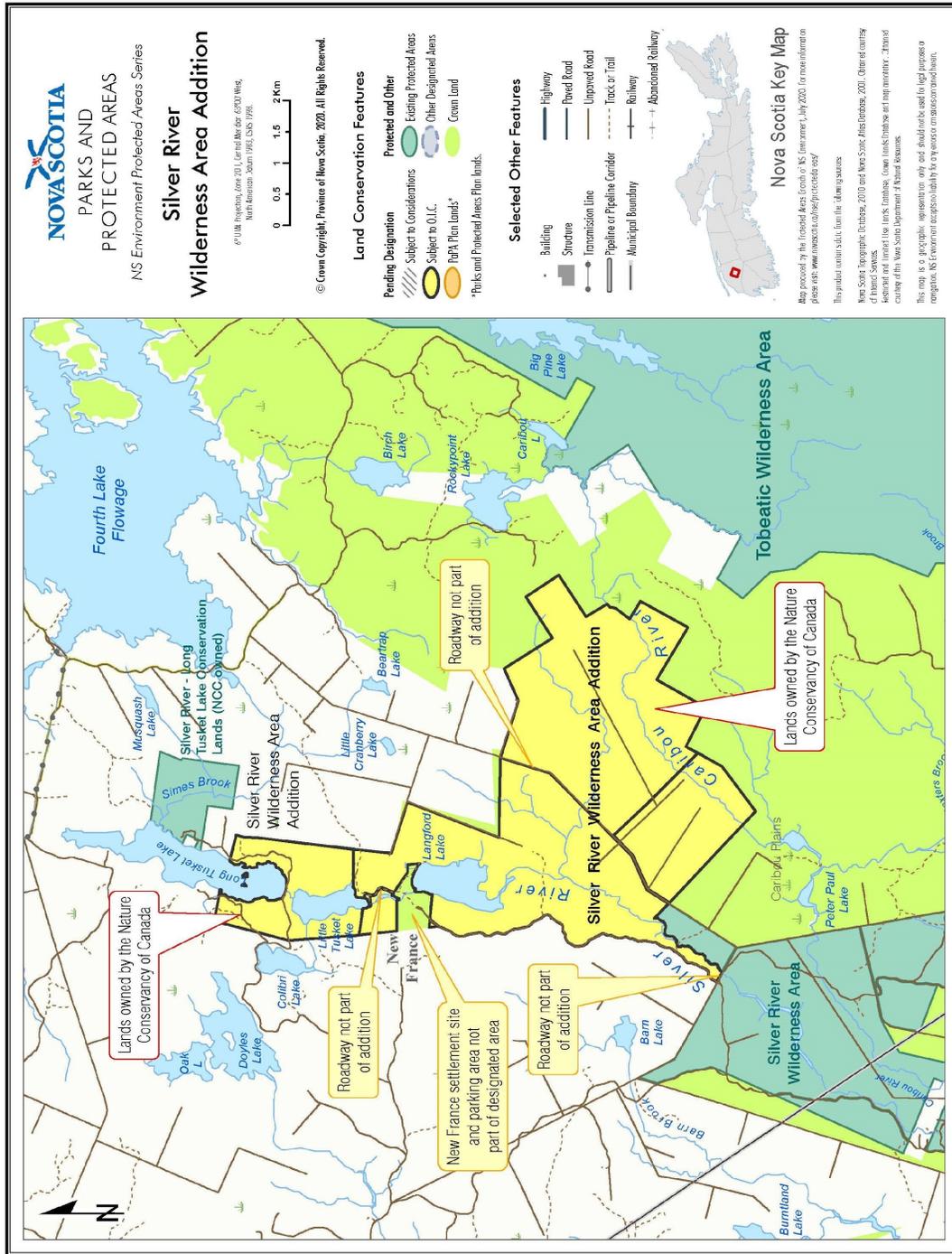
The written consent for the portion of these lands owned by the Nature Conservancy of Canada has been granted by the owner. A copy of the written consent has been filed in the registry of deeds for the registration district in which the lands are situated, as required by subsection 14(2) of the Act.

This designation is effective on and after the later of the date it is approved by the Governor in Council and the date the description and plan are deposited in the Provincial Crown Land Information Management Centre.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 16, 2020.

sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

Appendix A: Map Showing Approximate Boundaries of Addition to Silver River Wilderness Area



N.S. Reg. 154/2020

Made: September 16, 2020

Approved: October 13, 2020

Filed: October 13, 2020

Terence Bay Wilderness Area Designation of Additional Lands

Order in Council 2020-276 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment of an addition to Terence Bay Wilderness Area, originally designated in item 24 of Schedule A to the Act, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule “A”

**In the matter of Section 11 of Chapter 27 of the Acts of 1998,
the *Wilderness Areas Protection Act***

- and -

**In the matter of the designation of lands to be added to
Terence Bay Wilderness Area**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to clause 11(3)(b) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, hereby designate an area of Crown land in Halifax County, with approximate boundaries as shown on the map attached as Appendix A, as an addition to Terence Bay Wilderness Area, originally designated in item 24 of Schedule A to the Act.

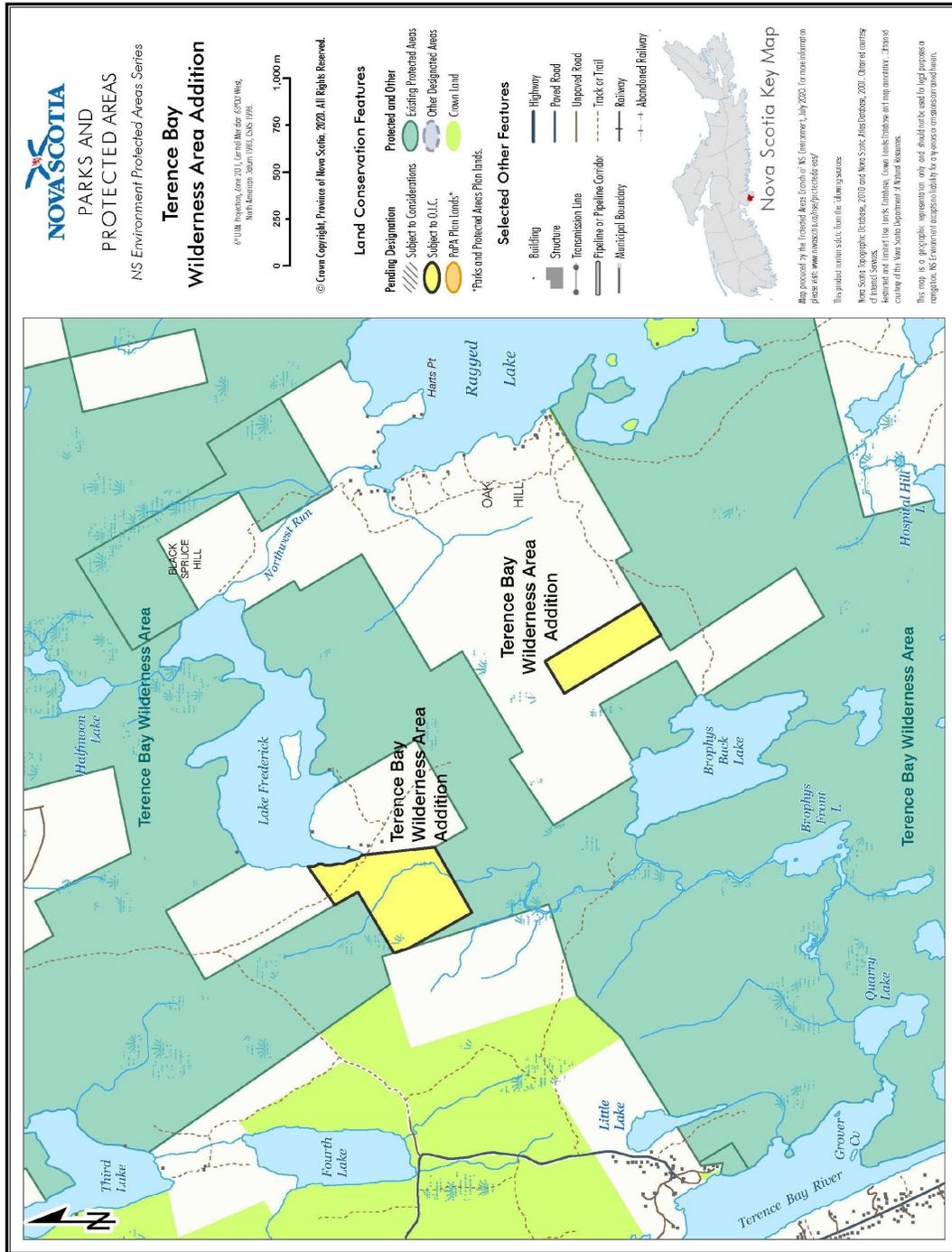
The actual boundaries of the designated additional area shall be as described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Land Information Management Centre, formerly known as the Provincial Crown Lands Record Centre, the signed description and plan forming part of this designation.

This designation is effective on and after the later of the date it is approved by the Governor in Council and the date the description and plan are deposited in the Provincial Crown Land Information Management Centre.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 16, 2020.

sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

Appendix A: Map Showing Approximate Boundaries of Addition to Terence Bay Wilderness Area



N.S. Reg. 155/2020

Made: September 16, 2020

Approved: October 13, 2020

Filed: October 13, 2020

Ship Harbour Long Lake Wilderness Area Designation of Additional Lands

Order in Council 2020-277 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to subsection 11(3) of the *Wilderness Areas Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to subsection 11(3) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is pleased to approve the designation by the Minister of Environment of an addition to Ship Harbour Long Lake Wilderness Area, originally designated by the Minister of Environment and approved by the Governor in Council by Order in Council 2009-394 dated September 17, 2009, N.S. Reg. 281/2009, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule "A"**In the matter of Section 11 of Chapter 27 of the Acts of 1998,
the *Wilderness Areas Protection Act*****- and -****In the matter of the designation of lands to be added to
Ship Harbour Long Lake Wilderness Area**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to clauses 11(3)(b) and 11(3)(c) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, hereby designate an area of Crown land in Halifax County, with approximate boundaries as shown on the map attached as Appendix A, as an addition to Ship Harbour Long Lake Wilderness Area, originally designated by the Minister of Environment and approved by the Governor in Council by Order in Council 2009-394 dated September 17, 2009, N.S. Reg. 281/2009.

The actual boundaries of the designated additional area shall be as described and shown on a description and plan signed by the Director of Surveys and deposited in the Provincial Crown Land Information Management Centre, formerly known as the Provincial Crown Lands Record Centre, the signed description and plan forming part of this designation.

The written consent for the portion of these lands owned by the Nature Conservancy of Canada has been granted by the owner. A copy of the written consent has been filed in the registry of deeds for the registration district in which the lands are situated, as required by subsection 14(2) of the Act.

This designation is effective on and after the later of the date it is approved by the Governor in Council and the date the description and plan are deposited in the Provincial Crown Land Information Management Centre.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 16, 2020

sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

N.S. Reg. 156/2020

Made: September 16, 2020

Approved: October 13, 2020

Filed: October 13, 2020

St. Margarets Bay Islands Nature Reserve Designation

Order in Council 2020-278 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to Section 14 of the *Special Places Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to Section 14 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act*, is pleased to approve the designation by the Minister of Environment of an ecological site to be known as St. Margarets Bay Islands Nature Reserve, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule “A”

**In the matter of Section 14 of Chapter 438
of the Revised Statutes of Nova Scotia, 1989,
the *Special Places Protection Act***

- and -

**In the matter of the designation of an ecological site
near Hacketts Cove, Halifax County
to be known as St. Margarets Bay Islands Nature Reserve**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to Section 14 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act*, hereby designate the area of land described in Appendix A and shown on the map attached as Appendix B to be known as St. Margarets Bay Islands Nature Reserve.

Pursuant to subsection 14(3) of the Act, this designation is effective on and after the date it is published in the *Royal Gazette*.

In accordance with subsection 14(6) of the Act, this designation will be registered in the registry of deeds office for the registration district in which the lands are situated.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 16, 2020.

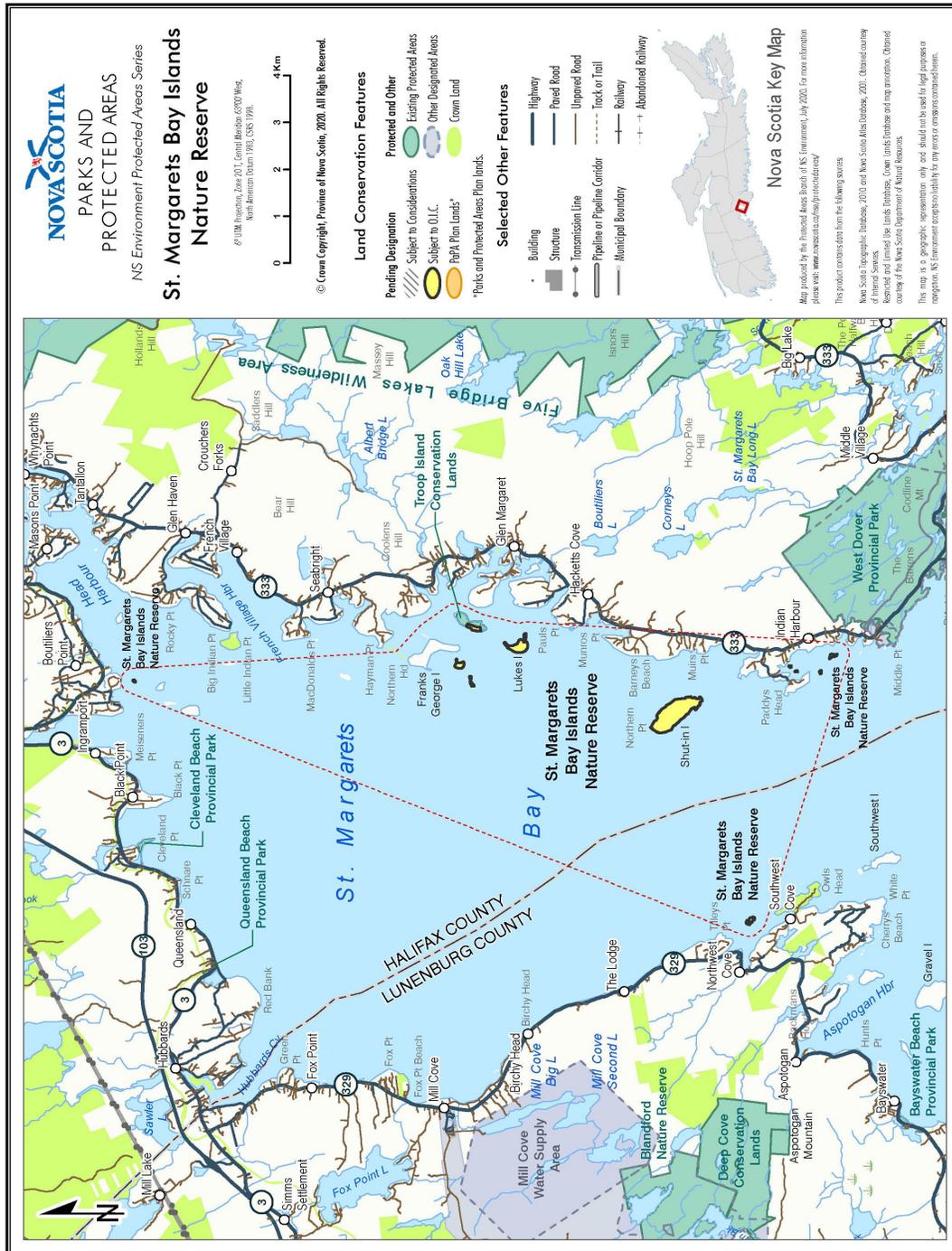
sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

Appendix A: Description of St. Margarets Bay Islands Nature Reserve

ALL and singular those certain islands, pieces or parcels of land located in the Counties of Halifax and Lunenburg, Province of Nova Scotia, shown outlined in bold as St. Margarets Bay Islands Nature Reserve on

Field Plot P-007/20, filed at the Surveys Division of the Department of Lands and Forestry, Halifax, Nova Scotia, and containing a total area of 58 hectares more or less.

Appendix B: Map of St. Margarets Bay Islands Nature Reserve



N.S. Reg. 157/2020

Made: September 16, 2020

Approved: October 13, 2020

Filed: October 13, 2020

Peppered Moon Nature Reserve Designation

Order in Council 2020-279 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to Section 14 of the *Special Places Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to Section 14 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act*, is pleased to approve the designation by the Minister of Environment of an ecological site to be known as Peppered Moon Nature Reserve, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule "A"

**In the matter of Section 14 of Chapter 438
of the Revised Statutes of Nova Scotia, 1989,
the *Special Places Protection Act***

- and -

**In the matter of the designation of an ecological site
near Port Joli, Queens County
to be known as Peppered Moon Nature Reserve**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to Section 14 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act*, hereby designate the area of land described in Appendix A and shown on the map attached as Appendix B to be known as Peppered Moon Nature Reserve.

Pursuant to subsection 14(3) of the Act, this designation is effective on and after the date it is published in the *Royal Gazette*.

In accordance with subsection 14(6) of the Act, this designation will be registered in the registry of deeds office for the registration district in which the lands are situated.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 16, 2020.

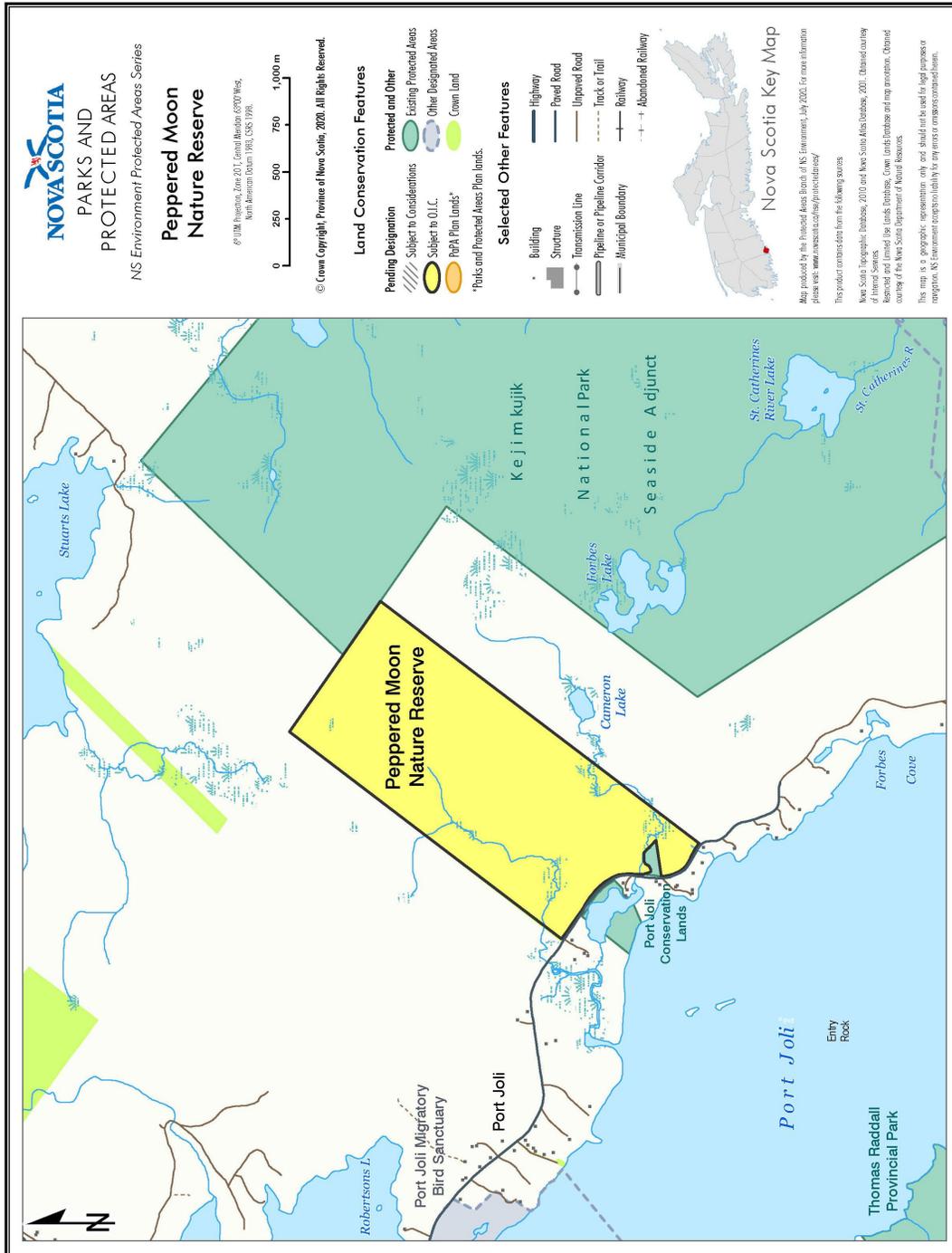
sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

Appendix A: Description of Peppered Moon Nature Reserve

ALL and singular that certain lot, piece or parcel of land located in the County of Queens, Province of Nova Scotia, shown outlined in bold as Peppered Moon Nature Reserve on Field Plot P-026/20, filed at the Surveys

Division of the Department of Lands and Forestry, Halifax, Nova Scotia, and containing a total area of 164 hectares more or less.

Appendix B: Map of Peppered Moon Nature Reserve



N.S. Reg. 158/2020

Made: September 16, 2020

Approved: October 13, 2020

Filed: October 13, 2020

River Denys Nature Reserve Designation of Additional Lands

Order in Council 2020-280 dated October 13, 2020
Designation made by the Minister of Environment
and approved by the Governor in Council
pursuant to Section 14 of the *Special Places Protection Act*

The Governor in Council on the report and recommendation of the Minister of Environment and the Minister of Lands and Forestry dated September 17, 2020, and pursuant to Section 14 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act*, is pleased to approve the designation of lands by the Minister of Environment as an addition to River Denys Nature Reserve ecological site, originally designated by the Minister of Environment and approved by the Governor in Council by Order in Council 2019-272 dated September 30, 2019, N.S. Reg. 159/2019, in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 13, 2020.

Schedule “A”

**In the matter of Section 14 of Chapter 438
of the Revised Statutes of Nova Scotia, 1989,
the *Special Places Protection Act***

- and -

**In the matter of the designation of land near
Melford, Inverness County as an addition
to the River Denys Nature Reserve**

I, Gordon Wilson, Minister of Environment for the Province of Nova Scotia, pursuant to Section 14 of Chapter 438 of the Revised Statutes of Nova Scotia, 1989, the *Special Places Protection Act* (the “Act”), hereby designate the area of land described in Appendix A and shown on the map attached as Appendix B as an addition to the River Denys Nature Reserve ecological site, originally designated by the Minister of Environment and approved by the Governor in Council by Order in Council 2019-272 dated September 30, 2019, N.S. Reg. 159/2019.

Pursuant to subsection 14(3) of the Act, this designation is effective on and after the date it is published in the *Royal Gazette*.

The written consent for the portion of these lands owned by the Nature Conservancy of Canada has been granted by the owner and filed with the Department of Environment.

In accordance with subsection 14(6) of the Act, this designation will be registered in the registry of deeds office for the registration district in which the lands are situated.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, September 16, 2020.

sgd. *Gordon Wilson*
Honourable Gordon Wilson
Minister of Environment

Appendix A: Description of Addition to River Denys Nature Reserve

ALL and singular that certain lot, piece or parcel of land located in the County of Inverness, Province of Nova Scotia, shown outlined in bold as Crown Land on Field Plot P-006/20, filed at the Surveys Division of the Department of Lands and Forestry, Halifax, Nova Scotia and containing a total area of 94 hectares more or less.

Appendix B: Map of Addition to River Denys Nature Reserve

