

Royal



Gazette

Part II Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 393/2008

Made: September 17, 2008

Filed: September 18, 2008

Ministerial Education Act Regulations

Order dated September 17, 2008
 Amendment to regulations made by the Minister of Education
 pursuant to Section 145 of the *Education Act*

**In the matter of Section 145 of Chapter 1 of the Acts of 1995-96,
 the *Education Act***

- and -

**In the matter of an amendment to the *Ministerial Education Act Regulations*
 made by the Minister of Education pursuant to
 Section [subsection] 145(1)(F) of the *Education Act***

Order

I, Karen Casey, Minister of Education for the Province of Nova Scotia, pursuant to Section 145 of the Chapter 1 of the Acts of 1995-96, the *Education Act*, hereby amend the *Ministerial Education Act Regulations*, N.S. Reg. 80/97, made by the Minister of Education on June 24, 1997, by replaced the schedule described as "Schedule B Compensation Grids" with the schedule attached hereto, effective on and after August 1, 2008.

Dated and made at Halifax, Nova Scotia, Sep 17, 2008, 2008.

Karen Casey
 Honourable Karen Casey
 Minister of Education

**Schedule B
 Compensation Grids**

01-Aug-08

| Grid 1-Compensation Grid for Directors | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| Compa-ratio | 80% | 81% | 82% | 83% | 84% |
| Compensation amount | \$84,968 | \$86,030 | \$87,092 | \$88,155 | \$89,217 |
| | | | | | |
| Compa-ratio | 85% | 86% | 87% | 88% | 89% |
| Compensation amount | \$90,279 | \$91,341 | \$92,403 | \$93,465 | \$94,527 |
| | | | | | |
| Compa-ratio | 90% | 91% | 92% | 93% | 94% |
| Compensation amount | \$95,589 | \$96,651 | \$97,713 | \$98,776 | \$99,838 |
| | | | | | |
| Compa-ratio | 95% | 96% | 97% | 98% | 99% |
| Compensation amount | \$100,900 | \$101,962 | \$103,024 | \$104,086 | \$105,148 |
| | | | | | |

| | | | | | |
|---------------------|-----------|-----------|-----------|-----------|-----------|
| Compa-ratio | 100% | 101% | 102% | 103% | 104% |
| Compensation amount | \$106,210 | \$107,272 | \$108,334 | \$109,397 | \$110,459 |

| Grid 2–Compensation Grid for Superintendents | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| Compa-ratio | 80% | 81% | 82% | 83% | 84% |
| Compensation amount | \$109,021 | \$110,384 | \$111,747 | \$113,110 | \$114,472 |
| Compa-ratio | 85% | 86% | 87% | 88% | 89% |
| Compensation amount | \$115,835 | \$117,198 | \$118,561 | \$119,923 | \$121,286 |
| Compa-ratio | 90% | 91% | 92% | 93% | 94% |
| Compensation amount | \$122,649 | \$124,012 | \$125,375 | \$126,737 | \$128,100 |
| Compa-ratio | 95% | 96% | 97% | 98% | 99% |
| Compensation amount | \$129,463 | \$130,826 | \$132,188 | \$133,551 | \$134,914 |
| Compa-ratio | 100% | 101% | 102% | 103% | 104% |
| Compensation amount | \$136,277 | \$137,639 | \$139,002 | \$140,365 | \$141,728 |

N.S. Reg. 394/2008

Made: September 12, 2008

Filed: September 18, 2008

Prescribed Petroleum Products Prices

Order dated September 12, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

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

- and -

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

- and -

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

Order

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

- (a) repeal the Order dated September 11, 2008, which prescribed prices September 12, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on September 13, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on September 12, 2008.

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

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on September 13, 2008**

| Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre) | |
|--|------|
| Regular unleaded gasoline | 90.8 |
| Mid-grade unleaded gasoline | 93.8 |
| Premium unleaded gasoline | 96.8 |
| Ultra-low-sulfur diesel oil | 83.8 |

| Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre) | | | | | | | | | |
|---|--|-----------------------|-----|--------------|-------|---|-------|--------------|-------|
| | | Retail Mark-up | | | | Retail Price (includes all taxes) | | | |
| | | Self-Service | | Full-Service | | Self-Service | | Full-Service | |
| | Fixed Wholesale Price (excludes GST) | Min | Max | Min | Max | Min | Max | Min | Max |
| Zone 1 | | | | | | | | | |
| Regular Unleaded | 122.6 | 4.0 | 5.5 | 4.0 | 999.9 | 143.1 | 144.8 | 143.1 | 999.9 |
| Mid-Grade Unleaded | 125.6 | 4.0 | 5.5 | 4.0 | 999.9 | 146.4 | 148.1 | 146.4 | 999.9 |
| Premium Unleaded | 128.6 | 4.0 | 5.5 | 4.0 | 999.9 | 149.8 | 151.5 | 149.8 | 999.9 |
| Ultra-Low-Sulfur Diesel | 109.5 | 4.0 | 5.5 | 4.0 | 999.9 | 128.3 | 130.0 | 128.3 | 999.9 |
| Zone 2 | | | | | | | | | |
| Regular Unleaded | 123.0 | 4.0 | 5.5 | 4.0 | 999.9 | 143.5 | 145.2 | 143.5 | 999.9 |
| Mid-Grade Unleaded | 126.0 | 4.0 | 5.5 | 4.0 | 999.9 | 146.9 | 148.6 | 146.9 | 999.9 |
| Premium Unleaded | 129.0 | 4.0 | 5.5 | 4.0 | 999.9 | 150.3 | 152.0 | 150.3 | 999.9 |
| Ultra-Low-Sulfur Diesel | 109.9 | 4.0 | 5.5 | 4.0 | 999.9 | 128.7 | 130.4 | 128.7 | 999.9 |
| Zone 3 | | | | | | | | | |
| Regular Unleaded | 123.5 | 4.0 | 5.5 | 4.0 | 999.9 | 144.1 | 145.8 | 144.1 | 999.9 |
| Mid-Grade Unleaded | 126.5 | 4.0 | 5.5 | 4.0 | 999.9 | 147.5 | 149.2 | 147.5 | 999.9 |
| Premium Unleaded | 129.5 | 4.0 | 5.5 | 4.0 | 999.9 | 150.9 | 152.6 | 150.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 110.4 | 4.0 | 5.5 | 4.0 | 999.9 | 129.3 | 131.0 | 129.3 | 999.9 |
| Zone 4 | | | | | | | | | |
| Regular Unleaded | 123.5 | 4.0 | 5.5 | 4.0 | 999.9 | 144.1 | 145.8 | 144.1 | 999.9 |
| Mid-Grade Unleaded | 126.5 | 4.0 | 5.5 | 4.0 | 999.9 | 147.5 | 149.2 | 147.5 | 999.9 |
| Premium Unleaded | 129.5 | 4.0 | 5.5 | 4.0 | 999.9 | 150.9 | 152.6 | 150.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 110.4 | 4.0 | 5.5 | 4.0 | 999.9 | 129.3 | 131.0 | 129.3 | 999.9 |
| Zone 5 | | | | | | | | | |
| Regular Unleaded | 123.5 | 4.0 | 5.5 | 4.0 | 999.9 | 144.1 | 145.8 | 144.1 | 999.9 |
| Mid-Grade Unleaded | 126.5 | 4.0 | 5.5 | 4.0 | 999.9 | 147.5 | 149.2 | 147.5 | 999.9 |
| Premium Unleaded | 129.5 | 4.0 | 5.5 | 4.0 | 999.9 | 150.9 | 152.6 | 150.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 110.4 | 4.0 | 5.5 | 4.0 | 999.9 | 129.3 | 131.0 | 129.3 | 999.9 |

| Zone 6 | | | | | | | | | |
|-------------------------|-------|-----|-----|-----|-------|-------|-------|-------|-------|
| Regular Unleaded | 124.3 | 4.0 | 5.5 | 4.0 | 999.9 | 145.0 | 146.7 | 145.0 | 999.9 |
| Mid-Grade Unleaded | 127.3 | 4.0 | 5.5 | 4.0 | 999.9 | 148.4 | 150.1 | 148.4 | 999.9 |
| Premium Unleaded | 130.3 | 4.0 | 5.5 | 4.0 | 999.9 | 151.8 | 153.5 | 151.8 | 999.9 |
| Ultra-Low-Sulfur Diesel | 111.2 | 4.0 | 5.5 | 4.0 | 999.9 | 130.2 | 131.9 | 130.2 | 999.9 |

N.S. Reg. 395/2008

Made: September 16, 2008

Filed: September 18, 2008

Prescribed Petroleum Products Prices

Order dated September 16, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

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

- and -

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

- and -

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

Order

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

- (a) repeal the Order dated September 12, 2008, which prescribed prices September 13, 2008; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on September 17, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on September 16, 2008.

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

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on September 17, 2008**

| Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre) | |
|--|------|
| Regular unleaded gasoline | 83 |
| Mid-grade unleaded gasoline | 86 |
| Premium unleaded gasoline | 89 |
| Ultra-low-sulfur diesel oil | 83.8 |

| Table 2: Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre) | | | | | | | | | |
|---|--|-----------------------|-----|--------------|-------|---|-------|--------------|-------|
| | | Retail Mark-up | | | | Retail Price (includes all taxes) | | | |
| | | Self-Service | | Full-Service | | Self-Service | | Full-Service | |
| | Fixed Wholesale Price (excludes GST) | Min | Max | Min | Max | Min | Max | Min | Max |
| Zone 1 | | | | | | | | | |
| Regular Unleaded | 114.8 | 4.0 | 5.5 | 4.0 | 999.9 | 134.2 | 135.9 | 134.2 | 999.9 |
| Mid-Grade Unleaded | 117.8 | 4.0 | 5.5 | 4.0 | 999.9 | 137.6 | 139.3 | 137.6 | 999.9 |
| Premium Unleaded | 120.8 | 4.0 | 5.5 | 4.0 | 999.9 | 141.0 | 142.7 | 141.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 109.5 | 4.0 | 5.5 | 4.0 | 999.9 | 128.3 | 130.0 | 128.3 | 999.9 |
| Zone 2 | | | | | | | | | |
| Regular Unleaded | 115.2 | 4.0 | 5.5 | 4.0 | 999.9 | 134.7 | 136.4 | 134.7 | 999.9 |
| Mid-Grade Unleaded | 118.2 | 4.0 | 5.5 | 4.0 | 999.9 | 138.1 | 139.8 | 138.1 | 999.9 |
| Premium Unleaded | 121.2 | 4.0 | 5.5 | 4.0 | 999.9 | 141.5 | 143.2 | 141.5 | 999.9 |
| Ultra-Low-Sulfur Diesel | 109.9 | 4.0 | 5.5 | 4.0 | 999.9 | 128.7 | 130.4 | 128.7 | 999.9 |
| Zone 3 | | | | | | | | | |
| Regular Unleaded | 115.7 | 4.0 | 5.5 | 4.0 | 999.9 | 135.3 | 137.0 | 135.3 | 999.9 |
| Mid-Grade Unleaded | 118.7 | 4.0 | 5.5 | 4.0 | 999.9 | 138.7 | 140.3 | 138.7 | 999.9 |
| Premium Unleaded | 121.7 | 4.0 | 5.5 | 4.0 | 999.9 | 142.0 | 143.7 | 142.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 110.4 | 4.0 | 5.5 | 4.0 | 999.9 | 129.3 | 131.0 | 129.3 | 999.9 |
| Zone 4 | | | | | | | | | |
| Regular Unleaded | 115.7 | 4.0 | 5.5 | 4.0 | 999.9 | 135.3 | 137.0 | 135.3 | 999.9 |
| Mid-Grade Unleaded | 118.7 | 4.0 | 5.5 | 4.0 | 999.9 | 138.7 | 140.3 | 138.7 | 999.9 |
| Premium Unleaded | 121.7 | 4.0 | 5.5 | 4.0 | 999.9 | 142.0 | 143.7 | 142.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 110.4 | 4.0 | 5.5 | 4.0 | 999.9 | 129.3 | 131.0 | 129.3 | 999.9 |
| Zone 5 | | | | | | | | | |
| Regular Unleaded | 115.7 | 4.0 | 5.5 | 4.0 | 999.9 | 135.3 | 137.0 | 135.3 | 999.9 |
| Mid-Grade Unleaded | 118.7 | 4.0 | 5.5 | 4.0 | 999.9 | 138.7 | 140.3 | 138.7 | 999.9 |
| Premium Unleaded | 121.7 | 4.0 | 5.5 | 4.0 | 999.9 | 142.0 | 143.7 | 142.0 | 999.9 |
| Ultra-Low-Sulfur Diesel | 110.4 | 4.0 | 5.5 | 4.0 | 999.9 | 129.3 | 131.0 | 129.3 | 999.9 |

| Zone 6 | | | | | | | | | |
|-------------------------|-------|-----|-----|-----|-------|-------|-------|-------|-------|
| Regular Unleaded | 116.5 | 4.0 | 5.5 | 4.0 | 999.9 | 136.2 | 137.9 | 136.2 | 999.9 |
| Mid-Grade Unleaded | 119.5 | 4.0 | 5.5 | 4.0 | 999.9 | 139.6 | 141.3 | 139.6 | 999.9 |
| Premium Unleaded | 122.5 | 4.0 | 5.5 | 4.0 | 999.9 | 142.9 | 144.6 | 142.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 111.2 | 4.0 | 5.5 | 4.0 | 999.9 | 130.2 | 131.9 | 130.2 | 999.9 |

N.S. Reg. 396/2008

Made: September 23, 2008

Filed: September 23, 2008

Proclamation, S. 22, S.N.S. 2008, c. 32

Order in Council 2008-495 dated September 23, 2008

Proclamation made by the Governor in Council

pursuant to Section 22 of

An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act

The Governor in Council on the report and recommendation of the Minister responsible for the *Securities Act* dated September 23, 2008, pursuant to Section 22 of Chapter 32 of the Acts of 2008, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 2, 3, 4, 5, 13, 15, 16, 17, 19, 20 and 21 of Chapter 32 of the Acts of 2008, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, do come into force on and not before September 30, 2008.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 22 of Chapter 32 of the Acts of 2008, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Sections 2, 3, 4, 5, 13, 15, 16, 17, 19, 20 and 21 of Chapter 32 of the Acts of 2008, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, do come into force on and not before September 30, 2008;

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 Sections 2, 3, 4, 5, 13, 15, 16, 17, 19, 20 and 21 of Chapter 32 of the Acts of 2008, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, do come into force on and not before September 30, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Mayann E. Francis, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 23rd day of September in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 397/2008

Made: September 23, 2008

Filed: September 23, 2008

Medal of Bravery Regulations

Order in Council 2008-498 dated September 23, 2008
Regulations made by the Governor in Council
pursuant to Section 5 of the *Medal of Bravery Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated September 2, 2008, and pursuant to Section 5 of Chapter 12 of the Acts of 2007, the *Medal of Bravery Act*, is pleased to make regulations respecting the Nova Scotia Medal of Bravery in the form set out in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 23, 2008.

Schedule "A"

**Regulations Respecting the Nova Scotia Medal of Bravery
made by the Governor in Council pursuant to Section 5 of
Chapter 12 of the Acts of 2007, the *Medal of Bravery Act***

Citation

1 These regulations may be cited as the *Medal of Bravery Regulations*.

Definitions

2 In these regulations,

- (a) "Act" means the *Medal of Bravery Act*;

- (b) “advisory committee” means the advisory committee established by the Premier under subsection 3(1) of the Act;
- (c) “medal” means the Nova Scotia Medal of Bravery issued under the Act.

Form of medal

3 A medal must be in the form of a silver medallion on which is inscribed the following:

- (a) on the front of the medal, all of the following, generally in accordance with the depiction in Schedule A:
 - (i) a lion rampant,
 - (ii) a waving banner,
 - (iii) laurel leaves;
- (b) on the back of the medal, the name of the recipient of the medal and the date of the act of bravery for which the medal is being issued.

Lapel pin and citation

4 In association with a medal, the Provincial Secretary may issue

- (a) a lapel pin, which must be silver and contain the same inscriptions as set out in Section 3 for a medal; or
- (b) a citation in a form established by the Provincial Secretary.

No designation on uniform

5 Nothing in these regulations prescribes a designation for the purpose of clause 4(b) of the Act to be worn on a uniform.

Nominating person for medal

- 6** (1) Any person or organization may nominate a person to be issued a medal.
- (2) The Provincial Secretary may establish forms and procedures for a nomination.

Advisory committee expenses

7 A member of the advisory committee must be reimbursed for actual out-of-pocket expenses in accordance with established guidelines approved for civil servants.

Provincial Secretary's duties

8 The Provincial Secretary must do all of the following:

- (a) keep a register containing the names of recipients of medals and any other records relating to issuing medals that the Provincial Secretary considers necessary;
- (b) receive nominations of persons to be issued medals;
- (c) acquire medals and associated lapel pins and citations, and prepare them for presentation;
- (d) arrange for medals and any associated lapel pins and citations to be presented to recipients in presentation ceremonies or by delivery.

Cancelling issuance of medal

- 9 (1) On becoming aware of circumstances respecting a person who has been issued a medal that, at the time the person was nominated, would have resulted in a determination that the person was not eligible for the medal, the Provincial Secretary may recommend to the Governor in Council that the issuance of the medal be cancelled.
- (2) When the Governor in Council cancels the issuance of a medal,
- (a) the Provincial Secretary must remove the name of the recipient of the medal from the register referred to in Section 8;
 - (b) the recipient of the medal must return the medal and any associated lapel pin or citation to the Provincial Secretary.

Schedule A: Depiction of Medal of Bravery

N.S. Reg. 398/2008

Made: September 23, 2008

Filed: September 23, 2008

Proclamation, S. 66, S.N.S. 2006, c. 12

Order in Council 2008-499 dated September 23, 2008

Proclamation made by the Governor in Council

pursuant to Section 66 of the

Architects Act

The Governor in Council on the report and recommendation of the Minister of Justice dated September 4, 2008, pursuant to Section 66 of Chapter 12 of the Acts of 2006, the *Architects Act*, is pleased to order and declare by proclamation that Chapter 12 of the Acts of 2006, the *Architects Act*, do come into force on and not before September 23, 2008.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann Francis**

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 66 of Chapter 12 of the Acts of 2006, the *Architects Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 12 of the Acts of 2006, the *Architects Act*, do come into force on and not before September 23, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 12 of the Acts of 2006, the *Architects Act*, do come into force on and not before September 23, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 23rd day of September in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 399/2008

Made: April 25, 2008
Approved: September 23, 2008
Filed: September 23, 2008
Architects Regulations

Order in Council 2008-500 dated September 23, 2008
Regulations made by the Nova Scotia Association of Architects
and approved by the Governor in Council
pursuant to Section 11 of the *Architects Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated September 4, 2008, and pursuant to Section 11 of Chapter 12 of the Acts of 2006, the *Architects Act*, is pleased to approve regulations made by the Nova Scotia Association of Architects, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 23, 2008.

Schedule "A"

Resolution

I hereby certify that at a duly convened meeting of the members of the Nova Scotia Association of Architects held on the 25th day of April, 2008, the attached regulations under the *Architects Act* were passed by the members to become effective upon approval of the regulations by the Governor in Council.

Dated at Halifax, Nova Scotia, this 15th day of May, 2008.

Sgd: *Therese LeBlanc*
President
Nova Scotia Association of Architects

**Regulations Respecting the Practice of Architecture
made by the Nova Scotia Association of Architects
pursuant to Section 11 of Chapter 12 of the
Acts of 2006, the *Architects Act***

Citation

1 These regulations may be cited as the *Architects Regulations*.

Definition

2 In these regulations, “Act” means the *Architects Act*.

Part 1: Membership and Licensing

Registrar and Board of Registration

- 3 (1) The Registrar must perform duties as determined by the Council.
- (2) The Board of Registration must consist of the Registrar and at least 4 members of the Association.
- (3) The Council must appoint a member of the Board to act as chairperson of the Board.
- (4) The Council may appoint members to the Board to fill any vacancies that may occur.
- (5) A member of the Board holds office until the expiration of the term of their appointment, as set out in the by-laws.
- (6) The Board must meet at times and places as decided by the Board.
- (7) The Board of Registration must do all of the following:
- (a) examine all applications and the qualifications of all applicants for membership;
 - (b) examine and interview applicants in the manner and to the extent that the Board considers necessary;
 - (c) recommend to Council, with appropriate explanation, the admission or rejection of an application for membership;
 - (d) perform any other services specified in the Act or these regulations, or that the Council requires.

Classes of membership

- 4 (1) In addition to the licensed architect class of membership established by Section 12 of the Act, each of the following is established as a class of membership:
- (a) student member;
 - (b) intern architect;
 - (c) retired architect;
 - (d) associate member;

- (e) honorary member.
- (2) A separate roster must be maintained for each class of membership.

Student member

- 5 (1) In addition to meeting the requirements of Sections 14 and 15 of the Act, to be entitled to membership as a student member an individual must be enrolled in or have graduated from an educational program accredited by a designated architectural certification board.
- (2) Except as otherwise provided in these regulations, a student member may serve on committees.
- (3) A student member may attend but must not vote at meetings of the Association.
- (4) An individual who is a student member retains their student membership until the earliest of the following occurrences:
- (a) the Council strikes the individual's name from the register under Section 18 of the Act for non-payment of fees;
 - (b) the individual resigns from the Association under clause 17(b) of the Act;
 - (c) the individual becomes an intern architect;
 - (d) the end of 10 years from the date the individual was first admitted as a student member, or a longer period as determined by Council;
 - (e) the individual no longer meets the requirements for membership as a student member.

Intern architect

- 6 (1) In addition to meeting the requirements of Sections 14 and 15 of the Act, to be entitled to membership as an intern architect an individual must
- (a) have educational qualifications certified by a designated architectural certification board; and
 - (b) be enrolled in an intern architect program approved by Council.
- (2) Except as otherwise provided in these regulations, an intern architect may serve on committees.
- (3) An intern architect may attend but must not vote at meetings of the Association.
- (4) An individual who is an intern architect retains their intern architect membership until the earliest of the following occurrences:
- (a) the Council strikes the individual's name from the register under Section 18 of the Act for non-payment of fees;
 - (b) the individual resigns from the Association under clause 17(b) of the Act;
 - (c) the individual obtains a licence as a licensed architect;
 - (d) except as provided in subsection (5), the end of 10 years from the date the individual was first admitted as an intern architect, or a longer period as determined by Council;

- (e) the individual no longer meets the requirements for membership as an intern architect.
- (5) An individual who holds a membership as an intern architect on the coming into force of the Act is entitled to apply to continue to be an intern architect for a period of 10 years following the coming into force of the Act, if the individual
- (a) meets the requirements for membership as an intern architect; and
 - (b) has not yet obtained a licence as a licensed architect.
- (6) An intern architect is entitled to use the title “Intern Architect”.

Retired architect

- 7 (1) In addition to meeting the requirements of Sections 14 and 15 of the Act, to be entitled to membership as a retired architect an individual must
- (a) have held a licence as a licensed architect or the equivalent from another jurisdiction recognized by the Council;
 - (b) if applicable, return their licensed architect’s seal and licence to the Board; and
 - (c) have been in good standing with the licensing body from which the individual held a licence at the time of retirement.
- (2) A retired architect may attend but must not vote at meetings of the Association.
- (3) A retired architect is entitled to use the title “Retired Architect”.

Associate member

- 8 (1) In addition to meeting the requirements of Sections 14 and 15 of the Act, to be entitled to membership as an associate member an individual must
- (a) immediately before their initial application for associate membership, have held a licence as a licensed architect and been in good standing with the Association;
 - (b) return their licensed architect’s seal and previous licence to the Board; and
 - (c) meet either of the following criteria, or any other criteria approved by the Board:
 - (i) be licensed in another jurisdiction recognized by the Council,
 - (ii) be enrolled in and attending an educational program approved by the Board.
- (2) An associate member may attend but must not vote at meetings of the Association.

Honorary membership

- 9 (1) A person may be granted honorary membership in the circumstances set out in the by-laws for that purpose.
- (2) An honorary member may attend but must not vote at meetings of the Association, unless the honorary member also holds a membership that entitles the honorary member to vote.

Professional liability insurance

- 10** (1) Except for a person exempted by subsection (2), the amount of professional liability insurance coverage required by clause 19(2)(a) of the Act for a licensed architect, corporate permit holder or temporary licensee is prescribed as at least \$250 000 per claim, with aggregate coverage of at least \$500 000.
- (2) A person who is a licensed architect, corporate permit holder or temporary licensee is exempt from the requirement to hold professional liability insurance if any of the following apply:
- (a) the person does not practise architecture in the Province;
 - (b) the person practises architecture exclusively as an employee of a licensed architect or a corporate permit holder who has the required insurance coverage and the insurance covers the person's practice;
 - (c) the person works exclusively for the Province and is appointed or remunerated in accordance with the *Public Service Act*;
 - (d) the person works exclusively for an agency
 - (i) to which the Province appoints the majority of the members,
 - (ii) whose staff is by law appointed or remunerated in accordance with the *Public Service Act*,
 - (iii) whose capital forms part of the public domain, or
 - (iv) that is a statutory appointment of the Province;
 - (e) the person works exclusively for the Public Service of Canada as defined in the *Public Service Staff Relations Act* (Canada), for the Canadian Forces within the meaning of section 14 of the *National Defence Act* (Canada) or for a Crown corporation within the meaning of the *Financial Administration Act* (Canada);
 - (f) the person works exclusively for a municipal corporation, a regional county municipality or a school board, and the employer stands surety for the person, agrees to take up the person's] defence and accepts financial responsibility for the consequences of any error or omission committed by the person in practising architecture.

Licensed architect

- 11** In addition to the information, documents and fee required by clauses 19(1)(a) to (g) of the Act for an applicant for a licence and by clauses 26(a) to (f) of the Act for an applicant for a renewal of a licence, an applicant applying for a licence or renewal of a licence must give all of the following to the Board:
- (a) if the applicant holds or held a licence in another jurisdiction, a certificate of standing from each of the other jurisdictions in which the applicant holds or held a licence, establishing whether there are any disciplinary findings against the applicant that may preclude or restrict the applicant's practice in the Province, and establishing whether there are any outstanding complaints against the applicant in the other jurisdictions;
 - (b) evidence that the applicant has completed the professional development activities required by Council;

- (c) evidence that satisfies the Board that the applicant remains current and competent in the practice of architecture.

Temporary licence

12 (1) A temporary licence may be issued to an applicant who

- (a) pays the fee approved by Council;
 - (b) applies in a form determined by the Board;
 - (c) gives evidence satisfactory to the Board that the applicant intends to practise architecture on a temporary or a project-specific basis;
 - (d) gives evidence satisfactory to the Board that the applicant
 - (i) is licensed in good standing in another jurisdiction recognized by Council, or
 - (ii) satisfies the Board that the objects of the Act would be met for a time-limited purpose to allow the applicant to temporarily practise architecture;
 - (e) holds professional liability insurance as required by subsection 19(2) of the Act and subsection 10(1), unless exempted by subsection 10(2);
 - (f) gives evidence satisfactory to the Board that the person has a professional business relationship, by either direct agreement or through separate agreements with their mutual client, with a collaborating architect who is a licensed architect and who is not exempted by subsection 10(2) from the requirement to hold professional liability insurance.
- (2)** A temporary licence is valid for the calendar year in which it is issued, or a shorter period determined by the Council at the time the temporary licence is issued.
- (3)** A temporary licence may be renewed on or before the expiry date by the submission of a completed temporary licence application to the Registrar on the form approved by the Registrar, together with the following:
- (a) the renewal fee approved by Council;
 - (b) any information that the Registrar requires to establish that the person continues to meet the requirements of subsection (1).
- (4)** A temporary licence authorizes the holder to practise architecture subject to any conditions or restrictions noted on the temporary licence.

Designated architectural registration boards

13 For the purposes of the Act and these regulations, the National Council of Architectural Registration Boards is a designated architectural registration board.

Designated architectural certification boards

14 For the purposes of the Act and these regulations, the Canadian Architectural Certification Board is a designated architectural certification board.

Appointment and functions of Licensing Appeal Committee

- 15** (1) Council must appoint a Licensing Appeal Committee consisting of 1 non-member and 2 licensed architects.
- (2) The Council must appoint the chair of the Licensing Appeal Committee.
- (3) A majority of the Licensing Appeal Committee constitutes a quorum.
- (4) The Licensing Appeal Committee must perform the functions specified in Sections 16 and 17.

Procedure for appeal to Licensing Appeal Committee

- 16** (1) If an application for a licence or a corporate permit has been refused, the Board must give the applicant written reasons for the decision to refuse and the applicant may, by written notice, appeal the decision to the Licensing Appeal Committee no later than 30 days after the date the applicant receives the written reasons.
- (2) On receipt of written notice of an appeal, the Licensing Appeal Committee must do all of the following:
- (a) set a date for a hearing of the appeal, which must be no later than 60 days after the date the Committee receives the written notice of appeal;
- (b) serve written notice of the date, time and place for the hearing of the appeal on the appellant and the Board;
- (c) advise the appellant of their right to
- (i) be represented by legal counsel, or another representative at the expense of the appellant;
- (ii) disclosure of any information to be given to the Committee; and
- (iii) a reasonable opportunity to present a response and make submissions.
- (3) The parties to an appeal before the Licensing Appeal Committee are the Association and the appellant.
- (4) Except as provided in subsection (5), evidence is not admissible before the Licensing Appeal Committee unless, at least 10 days before the appeal, the opposing party has been 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; and
- (c) in the case of evidence of any other witness, the identity of the witness.
- (5) The Licensing Appeal Committee, in its discretion, may allow the introduction of evidence that is otherwise inadmissible under subsection (4) and may make directions it considers necessary to ensure that a party is not prejudiced.
- (6) In a proceeding before the Licensing Appeal Committee, the parties have the right to

- (a) the opportunity to present evidence and make submissions, including the right to cross-examine witnesses; and
 - (b) receive written reasons for a decision within a reasonable time.
- (7) At a hearing before the Licensing Appeal Committee, all material relied on by the Board in making the decision that is the subject of the appeal must be given to the Committee and to the appellant.
- (8) In addition to the material given to the Licensing Appeal Committee under subsection (7), either party may present additional evidence to the Committee and call witnesses.
- (9) The testimony of witnesses at a hearing before the Licensing Appeal Committee must be taken under oath or affirmation.

Disposition by Licensing Appeal Committee

- 17 (1) The Licensing Appeal Committee, in accordance with the evidence it receives when hearing an appeal, may make any determination that in its opinion ought to have been made by the Board.
- (2) The Licensing Appeal Committee must give its decision in writing and send to the parties a copy of the written decision by registered mail or personal service.
- (3) A decision of the Licensing Appeal Committee is final.

Part 2: Seals

Design of seal

- 18 The seal required by Section 32 of the Act for a licensed architect must bear the name of the licensed architect and the words "Licensed Architect, Nova Scotia Association of Architects", or any other words prescribed in the by-laws.

Use of seal in electronic format

- 19 The Council may authorize the use of a seal in an electronic format prescribed in the by-laws.

Electronic facsimile of seal for photocopies

- 20 A licensed architect may use an electronic facsimile of their seal, as prescribed by the by-laws, to show the seal on photocopies.

Registrar to procure and distribute seals

- 21 The Registrar must procure and distribute all seals and keep a complete record of their distribution.

Part 3: Partnerships and Corporations

Partnerships

- 22 (1) A person must not enter into partnership to practise architecture with any person who is not a licensed architect, unless the other person is a person authorized to practise or to apply engineering under the *Engineering Profession Act*, or a person referred to in subsection (2).
- (2) A person who is not a licensed architect but who, on February 1, 1968, was a member of a partnership engaged in the practice of architecture and duly registered under the *Partnerships and Business Names Registration Act* may continue to be a partner in that partnership until the dissolution of the partnership, or may enter into partnership with any of the licensed architects with

whom they may become associated, but the person is not entitled to practise architecture unless that person holds a licence or is acting under the responsible control of a licensed architect.

- (3) The Council must issue a corporate permit to a partnership engaged in the practice of architecture that meets all of the following criteria:
- (a) all of the requirements of subsection (1) and (2);
 - (b) the partnership has paid the fee approved by Council;
 - (c) the partnership has applied for a corporate permit and met the criteria set out in Section 24.
- (4) Any person who practises architecture on behalf of a partnership must be a licensed architect.

Corporations

- 23 (1) The Council must issue a corporate permit to a corporate entity engaged in the practice of architecture that meets all of the following criteria:
- (a) the corporate entity has paid the fee approved by Council;
 - (b) except as provided in subsection (2), the majority of the issued voting shares of the corporate entity, representing voting control of the corporate entity, are beneficially owned by 1 or more licensed architects;
 - (c) a majority of the directors and officers of the corporate entity are licensed architects;
 - (d) any person who practises architecture on behalf of the corporate entity is a licensed architect;
 - (e) the corporate entity has applied for a corporate permit and met the criteria set out in Section 24.
- (2) Issued voting shares of a corporate entity may be legally and beneficially owned by another corporate entity, if
- (a) all of the issued voting shares of the other corporate entity are legally and beneficially owned by one or more licensed architects, or a by a trust of which each of the trustees and beneficiaries is a licensed architect; and
 - (b) the majority of the officers and directors are licensed architects.
- (3) The Board may impose conditions or restrictions on a corporate permit.

Corporate permit application

- 24 A partnership or corporate entity that is applying for a corporate permit must submit a completed permit application to the Registrar on the form approved by the Council, together with all of the following:
- (a) the fee approved by Council;
 - (b) any information that the Board requires to establish that
 - (i) the partnership or corporate entity is in good standing,
 - (ii) the objects of the Act will be met by the issuing of the corporate permit,

- (iii) the name of the partnership or corporate entity and any business name or names used by it are fit and proper names for a partnership or corporate entity engaged in the practice of architecture,
- (iv) the partnership or corporate entity meets the requirements of Section 22 or 23, as applicable,
- (v) each person who will practise architecture for and on behalf of the partnership or corporate entity is a licensed architect who has professional liability insurance coverage as required by subsection 19(2) of the Act and subsection 10(2).

Corporate permit register

25 The Registrar must maintain a register of corporate permits, showing the name and business address and all of the following information for each corporate permit holder:

- (a) a list of the partners, or directors and officers, as applicable;
- (b) the names of the partners, directors and officers, as applicable, who are licensed architects;
- (c) the names of the persons who practise architecture for and on behalf of the corporate permit holder;
- (d) any conditions or restrictions imposed on the corporate permit;
- (e) any additional information the Board determines.

Corporate permit term and renewal

26 (1) A corporate permit is valid for the calendar year in which it is issued.

(2) A corporate permit may be renewed on or before its expiry date by the submission to the Registrar of a completed corporate permit application on the form approved by the Registrar, together with all of the following:

- (a) the fee approved by Council;
- (b) any information that the Registrar requires to establish that the partnership or corporate entity continues to meet the requirements of Sections 22, 23 and 24, as applicable.

Shareholder member's death, incompetency, ceasing to hold licence or suspension

27 If a member dies, becomes incompetent, ceases to hold a current licence or is suspended at any time while the member holds shares in a corporate entity holding a corporate permit, the corporate entity is authorized to continue to engage in the practice of architecture for a period of no longer than 1 year, unless otherwise determined by Council.

Temporary corporate permit

28 (1) The Council must issue a temporary corporate permit to a partnership or corporate entity that holds the equivalent of a corporate permit in another jurisdiction and that

- (a) pays the fee approved by Council;
- (b) is licensed in good standing as a partnership or corporate entity in the other jurisdiction; and
- (c) gives evidence satisfactory to the Board of all of the following:

- (i) that it intends to engage in the practice of architecture in the Province on a project-specific basis,
 - (ii) that the objects of the Act will be met through the issuing of the temporary corporate permit,
 - (iii) that it has a professional business relationship, by either direct agreement or through separate agreements with their mutual client, with a collaborating architect who is a licensed architect and who is not exempted by subsection 10(2) from the requirement to hold professional liability insurance,
 - (iv) that each person who will practise architecture for and on behalf of the partnership or corporate entity is a licensed architect and has liability insurance coverage as required by subsection 19(2) of the Act and subsection 10(2).
- (2) The Board may impose conditions or restrictions on the temporary corporate permit.

Temporary corporate permit term and renewal

- 29** (1) A temporary corporate permit is valid for the calendar year in which it is issued, or any shorter term that the Board determines.
- (2) A temporary corporate permit may be renewed on or before its expiry date by the submission to the Registrar of a completed temporary corporate permit application on the form approved by the Council, together with all of the following:
- (a) the fee approved by Council;
 - (b) any information that the Board requires to establish that the partnership or corporate entity continues to meet the requirements of Section 28.

Suspension, revocation or refusal to renew corporate permit or temporary corporate permit

- 30** If it appears to the Board that a partnership or corporate entity that holds a corporate permit or a temporary corporate permit fails to meet any of the requirements of these regulations, the Board must
- (a) notify the partnership or corporate entity in writing of the specific requirement that the partnership or corporate entity fails to meet; and
 - (b) suspend, revoke or refuse to renew the corporate permit or temporary corporate permit.

Permit displayed at premises

- 31** A partnership or corporate entity must display its current corporate permit or temporary corporate permit, or a copy of it, in a conspicuous place at its premises at all times.

Registrar notified of changes to corporation

- 32** No later than 15 days after the date of the change, a partnership or corporate entity must notify the Registrar in writing of any change to any of the following:
- (a) its partners;
 - (b) its voting shareholders;
 - (c) its officers;

- (d) its directors;
- (e) persons who practise architecture for and on behalf of the partnership or corporate entity.

Records of corporate permit holder

33 A partnership or corporate entity that holds a corporate permit or a temporary corporate permit must, in accordance with generally accepted accounting principles and business standards,

- (a) have financial statements prepared at the end of each fiscal year;
- (b) maintain current financial records; and
- (c) maintain records about its employees.

Notice to and from corporate permit holder or temporary corporate permit holder

- 34** (1) A notice required to be given to a partnership or corporate entity under the Act or these regulations may be sent by pre-paid registered mail to the address recorded on the register of corporate permits and is deemed to have been received on the 3rd day after the date the notice is sent.
- (2) Notice of any act or thing that is required to be given to the Registrar or the Council by a partnership or corporate entity under the Act or these regulations must be in writing and sent by pre-paid registered mail, and is deemed to have been received on the 3rd day after the date the notice is sent.

Part 4: Complaints and Discipline**Appointment and operation of Complaints Committee**

- 35** (1) The Council must appoint a Complaints Committee consisting of any number of members and non-members that the Council determines.
- (2) Council must appoint a chair and vice-chair of the Complaints Committee.
- (3) The Vice-chair must act as chair in the absence of the Chair.
- (4) Whenever for any reason neither the Chair nor the Vice-chair is available for the purpose of subsection (5), (6) or (7), the Council may, for that purpose, appoint a member of the Complaints Committee as chair of the Committee.
- (5) The Chair of the Complaints Committee must appoint a panel of 3 persons from the Committee, one of whom must be a non-member, to act as the Complaints Committee for the purposes of the complaint process.
- (6) The Chair of the Complaints Committee may sit on the panel and must act as the chair of the panel in this event.
- (7) If the Chair of the Complaints Committee is not appointed to the panel, the Chair must appoint another chair for the panel.
- (8) 3 persons constitute a quorum of the Complaints Committee.
- (9) Failure of 1 or more Complaints Committee members to receive any notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of meetings.

- (10) Each Complaints Committee decision requires the vote of a majority of the panel of the Committee appointed under subsection (5), and in the event of a tie vote, the Chair of the panel must cast an additional vote to break the tie.
- (11) If the term of office of any person sitting on the Complaints Committee expires during a proceeding before the Committee, that person may remain part of the Committee until the proceeding is concluded.

Withdrawal of complaint

36 If the Association and the complainant agree, a complaint may be withdrawn.

Complaint Committee procedures

37 The Complaints Committee may set its own procedures for the conduct of its meetings.

Complaints Committee jurisdiction

38 The Complaints Committee retains jurisdiction over a matter until a hearing begins before the Discipline Committee or the Discipline Committee otherwise resolves the matter.

Disclosure of information by Complaints Committee

- 39** (1) When the Complaints Committee renders any decision, it must determine whether or not to make some or all of the decision available to the public in general, or any member of the public in particular.
- (2) Any complaint received or under investigation, any information gathered in the course of the complaint process and any proceeding or decision of the Complaints Committee that is not open to or available to the public in accordance with the Act or these regulations must be kept confidential by any person who has knowledge of it.

Appointment and operation of Discipline Committee

- 40** (1) The Council must appoint a Discipline Committee consisting of any number of members and non-members that the Council determines.
- (2) The Council must appoint a chair and vice-chair of the Discipline Committee.
- (3) The Vice-chair must act as chair in the absence of the Chair.
- (4) Whenever for any reason neither the Chair nor the Vice-chair is available for the purpose of subsection (5), (6) or (7), the Council may, for that purpose, appoint a member of the Discipline Committee as chair of the Committee.
- (5) The Chair of the Discipline Committee must appoint a panel of 3 persons from the Committee, one of whom must be a non-member, to act as the Discipline Committee for the purposes of the discipline process.
- (6) The Chair of the Discipline Committee may sit on the panel and must act as the chair of the panel in this event.
- (7) If the Chair of the Discipline Committee is not appointed to the panel, the Chair must appoint another chair for the panel.
- (8) Any 2 persons from the panel appointed under subsection (5), regardless of whether the persons are members or non-members, constitute a quorum of the Discipline Committee.

- (9) Failure of 1 or more Discipline Committee members to receive any notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of meetings.
- (10) Each Discipline Committee decision requires the vote of a majority of the panel of the Committee appointed under subsection (5), and in the event of a tie vote, the Chair of the panel must cast an additional vote to break the tie.
- (11) If the term of office of any person sitting on the Discipline Committee expires during a proceeding before the Committee, that person may remain part of the Committee until the proceeding is concluded.

Notice of hearing

- 41** (1) If the Complaints Committee refers a matter to the Discipline Committee, the Registrar must fix a date, time and place for holding a hearing, which must commence no later than 90 days after the date of the referral by the Complaints Committee, or any later date that the respondent and the Association agree to or the Discipline Committee orders following an opportunity for submissions from both parties as to the date.
- (2) A notice of hearing must state the details of the charges against the respondent, and must specify the time and place of the hearing and state that the respondent may be represented by legal counsel.

Amendment to notice of hearing

- 42** (1) The Discipline Committee, at any time before or during a hearing, on its own motion or on receipt of motion from a party to the hearing, may amend or alter any notice of hearing to
- (a) correct an alleged defect in substance or form; or
 - (b) make the notice conform to the evidence, if
 - (i) there appears to be a variance between the evidence and the notice, or
 - (ii) the evidence discloses potential professional misconduct, conduct unbecoming an architect, a violation of the Act or these regulations or professional incompetence that is not alleged in the notice.
- (2) If the Discipline Committee amends or alters a notice of hearing, the respondent must be given sufficient opportunity to prepare an answer to the amendment or alteration.
- (3) If the Discipline Committee determines that an amendment or alteration to a notice of hearing sought by a party is not appropriate, the Discipline Committee may refuse to make the amendment or alteration, and if considered appropriate, may refer any new allegations that are included in the amendment or alteration to the Registrar for processing as a complaint.

Deemed service of documents

- 43** At any stage of the discipline process, any document required to be served on or given to a respondent or any other individual is deemed to be served or given if
- (a) the intended recipient or their counsel acknowledges receipt of the documents;
 - (b) a registered mail receipt is given by Canada Post;
 - (c) an affidavit of service is given; or

- (d) the Association gives evidence satisfactory to the Discipline Committee that all reasonable efforts to effect service have been exhausted.

Attendance at Discipline Committee hearing

- 44** (1) A complainant is not entitled to participate as a party at a hearing.
- (2) Subject to subsection 45(1), a hearing is open to the public.
 - (3) The Association must give notice to the public of the date, time and location of any scheduled hearing, through its website or through any alternate means that the Association determines.

Order preventing disclosure of Discipline Committee hearing matters

- 45** (1) On application or its own motion, the Discipline Committee may make an order that the public, in whole or in part, be excluded from a hearing or any part of it if the Discipline Committee is satisfied that
- (a) personal, medical, financial or other matters may be disclosed at the hearing of such a nature that the desirability of avoiding public disclosure of those matters in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public; or
 - (b) the safety of any person may be jeopardized.
- (2) The Discipline Committee may make an order to prevent the public disclosure of any matters disclosed at a hearing, including an order prohibiting broadcasting of those matters or, in accordance with clause 43(b) of the Act, an order imposing a publication ban, if the Committee is satisfied that
- (a) personal, medical, financial or other matters may be disclosed at the hearing of such a nature that the desirability of avoiding public disclosure of those matters in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public; or
 - (b) the safety of any person may be jeopardized.
- (3) The Discipline Committee may make an order that the public be excluded from a part of a hearing dealing with an application for an order under subsection (1) or (2).

Discipline Committee hearing procedures

- 46** (1) Subject to the rules of natural justice, the Discipline Committee may determine any additional rules of procedure for hearings not covered by the Act or these regulations.
- (2) The testimony of witnesses at a hearing must be taken under oath or affirmation and must be recorded.
 - (3) Any oath or affirmation required may be administered by any member of the Discipline Committee, or other person in attendance authorized by law to administer oaths or affirmations.
 - (4) The Discipline Committee may require the respondent to do any of the following:
 - (a) submit to a review of the respondent's practice by a qualified person or persons designated by the Discipline Committee, and to authorize a copy of the review to be given to the Discipline Committee;

- (b) submit to a competence assessment or other assessment or examination to determine whether the respondent is professionally competent to practise architecture, and to authorize the assessment or a report of the examination to be given to the Discipline Committee;
 - (c) produce records kept with respect to the respondent's practice.
- (5) If a respondent fails to comply with a requirement made under subsection (4), the Discipline Committee may order that the respondent's licence be suspended until the respondent complies, or may order restrictions or conditions on the respondent's licence.
- (6) The costs of complying with a requirement made under subsection (4) must be initially borne by the Association, and may be awarded as an award of costs against a respondent when a Discipline Committee renders its final decision in the matter.

Failure to attend

47 If a respondent does not attend a hearing, the Discipline Committee, on proof of service of the notice of hearing, or proof of substituted service, may proceed with the hearing in a respondent's absence and, without further notice to the respondent, take any action that it is authorized to take under the Act and these regulations.

Evidence

- 48** (1) Evidence may be given before the Discipline Committee in any manner that the Committee considers appropriate, and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.
- (2) Evidence obtained by the Discipline Committee and any information obtained by the Complaints Committee or an investigator regarding a complaint that has not been dismissed by the Complaints Committee must be preserved for at least 5 years from the date the evidence or information is presented.

Application for reinstatement

- 49** (1) An application to a Reinstatement Committee under subsection 48(9) of the Act for reinstatement of a licence must be directed in writing to the Registrar together with an application fee as determined by Council.
- (2) An application for reinstatement must include information that will assist the Reinstatement Committee in determining that the objects of the Association will be met if reinstatement is granted.
- (3) On receipt of an application for reinstatement, the Registrar may request that an investigation be conducted to gather relevant and appropriate information concerning the application.
- (4) If an investigation is conducted under subsection (3), the person who investigates must give a written report to the Reinstatement Committee and the applicant, including all material relevant to the application, including the decision of the Discipline Committee and any other relevant information gathered during the investigation.
- (5) The Reinstatement Committee must set a date for the hearing of an application for reinstatement and must advise the applicant of the date.
- (6) Evidence before the Reinstatement Committee must be taken under oath or affirmation and recorded, and is subject to cross-examination.
- (7) Following consideration of the evidence and representations from the applicant and a representative

of the Association, the Reinstatement Committee must make a decision concerning the application for reinstatement, and must communicate the decision in writing to the applicant and to the Registrar.

- (8) If an application for reinstatement is accepted, the Reinstatement Committee may impose any terms and conditions that it considers appropriate relating to the reinstatement of the applicant and, in addition to the terms and conditions, the applicant must satisfy all criteria required for the issuance of a licence under the Act and these regulations.
 - (9) A decision of the Reinstatement Committee concerning an application for reinstatement is final.
 - (10) Despite subsection (9), if an application for reinstatement is rejected, the applicant may resubmit the application for reinstatement after 1 year has elapsed following the date of the decision of the Reinstatement Committee, or at any later time determined by the Reinstatement Committee that rejected the application.
 - (11) Any 3 persons from the Reinstatement Committee, at least 1 of whom is a public representative, constitute a quorum of the Reinstatement Committee.
-

N.S. Reg. 400/2008

Made: September 23, 2008

Filed: September 23, 2008

Energy-efficient Appliances Regulations

Order in Council 2008-501 dated September 23, 2008
Regulations made by the Governor in Council
pursuant to Section 5 of the *Energy-efficient Appliances Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated June 11, 2008, and pursuant to Section 5 of Chapter 2 of the Acts of 1991, the *Energy-efficient Appliances Act*, is pleased, effective on and after September 23, 2008,

- (a) to repeal the *Energy-efficient Appliances Regulations*, N.S. Reg. 177/94, made by the Governor in Council by Order in Council 1994-740 dated September 13, 1994; and
- (b) to make new regulations respecting energy-efficient appliances in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Regulations Respecting Energy-Efficient Appliances
made under Section 5 of Chapter 2 of the Acts of 1991,
the *Energy-efficient Appliances Act***

Citation

1 These regulations may be cited as the *Energy-efficient Appliances Regulations*.

Definitions

2 (1) In these regulations,

- (a) “Act” means the *Energy-efficient Appliances Act*;
 - (b) “AFUE” means annual fuel utilization efficiency, which is a measure expressed as a percentage of the amount of fuel converted to space heat in proportion to the amount of fuel entering a gas- or oil-fired furnace or boiler;
 - (c) “ANSI” means the American National Standards Institute;
 - (d) “ARI” means the Air Conditioning and Refrigeration Institute;
 - (e) “CGA” means the Canadian Gas Association;
 - (f) “CSA” means the Canadian Standards Association;
 - (g) “EEMA” means the Electrical and Electronic Manufacturing Association;
 - (h) “EPA” means the Environmental Protection Agency;
 - (j) “NEMA” means the National Electrical Manufacturing Association.
- (2) In the Act and these regulations, “label” means a printed decal, stamped plate or other permanent marking.

Designated appliances

- 3 The appliances, machines or equipment listed in Column 1 of Schedule 1 are designated for the purposes of the Act.

Prescribed energy performance standards and requirements

- 4 (1) The efficiency standard and energy performance requirements of Columns 2 and 3 of Schedule 1 opposite the description of a designated appliance in Column 1 of Schedule 1 are adopted and prescribed for the appliance in accordance with the date the appliance was manufactured as set out in Column 4 of the Schedule.
- (2) The energy consumption of a designated appliance must not exceed the energy performance requirement in Column 3 of Schedule 1.
- (3) The AFUE for a designated appliance must not be less than the values set out in Column 3 of Schedule 1 opposite the description of the designated appliance in Column 1 of the Schedule.

Organizations designated to test and verify energy usage of designated appliances

- 5 An organization that is accredited by the Canadian Standards Association as a certification organization for any of the following classes of products is designated to test and verify the energy usage of a designated appliance in that class of products:

- (a) electrical or electronic products;
- (b) fuel-burning equipment;
- (c) gas-burning appliances and equipment.

Prescribed labels

- 6 (1) The label required to be affixed to a designated appliance must be one of the following prescribed labels:
- (a) the label set out in Schedule 2 to these regulations;
 - (b) a label containing the registered trademark or symbol of an approved testing and verification organization that verifies that the designated appliance complies with the energy performance requirement of these regulations.
- (2) A label must be placed close to the manufacturer's label on a designated appliance.
- (3) A label must be easily and readily seen without removing any covering.

Marking of cartons

- 7 A carton that contains a designated appliance must be marked with all of the following:
- (a) the name or identity of the manufacturer;
 - (b) the date of manufacture or a date code.

**Schedule 1:
Table of Designated Appliances and Corresponding Efficiency Standards**

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|---|---|--|---|
| 1. Household electric ranges (other than microwave cooking appliances, tungsten halogen heating elements and portable appliances designed for an electrical supply of 120 V) that are <ul style="list-style-type: none"> (a) free-standing ranges equipped with surface elements and one or more ovens (b) built-in combinations of surface elements and one or more ovens, (c) counter-mounted surface element assemblies, (d) wall-mounted ovens with one or more ovens | CAN/CSA-C358-03, <i>Energy Consumption Test Methods for Household Electric Ranges</i> | E = or < 0.93 V + 14.3 Cooktops—conventional, solid or smooth: E = or < 34 Cooktops—modular type: E = or < 43 Wall-mounted ovens: E = or < 38 | On or after Aug. 1, 2003 |
| 2. Standard or compact household electric automatic clothes washers that are top-loaded or front-loaded (other than wringer washers, twin-tub washer and spinners and front-loading water-heating washers) | CAN/CSA C360-03, <i>Energy Performance, Water Consumption, and Capacity of Household Clothes Washers</i> | Table 9 and Table 10 of CAN/CSA 360-03 | On or after Jan. 1, 2008 |

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|---|--|---|---|
| 3. Standard or compact electrically operated and heated household tumble-type clothes dryers | CAN/CSA-C361-92, <i>Test Method for Measuring Energy Consumption and Drum Volume of Electrically Heated Household Tumble-Type Clothes Dryers</i> | Clause 8.3 of CAN/CSA-C361-92 | On or after Dec. 31, 1998 |
| 4. Electrically operated automatic dishwashers that are not commercial, industrial or institutional machines | CAN/CSA-C373-92, <i>Energy Consumption Test Methods for Household Dishwashers</i> | Clause 7.4 of CAN/CSA-C373-92 | On or after Jan. 1, 1995 |
| 5. Stationary electric storage tank water heaters with a capacity of between 50 L and 450 L inclusive that are intended for use on pressure systems | CAN/CSA-C191-04, <i>Performance of Electrical Storage Tank Water Heaters for Domestic Hot Water Service</i> | Clause 5 of CAN/CSA-C191-04 | On or after Jan. 1, 2008 |
| 6. Refrigerators and combination refrigerator-freezers with a capacity of up to 1100 L and freezers with a capacity of up to 850 L, other than electrically operated refrigerators employing an absorption refrigeration system | CAN/CSA-C300-00, <i>Capacity Measurement and Energy Consumption Test Methods for Refrigerator-Freezers and Freezers</i> | Table 2, Column B of CAN/CSA-C300-00 | On or after Jan. 1, 2008 |
| 7.1 Gas Furnaces with an input rate not greater than 65.92 kW (250 000 BTU/h) that use single-phase electric current | ANSI Z21.47-2003/CAN/CSA 2.3-2003, <i>Gas-Fired Central Furnaces</i> | AFUE = or > 78% | On or after Jan. 1, 2008 |
| 7.2 Gas furnaces with an input rate not greater than 65.92 kW (250 000 BTU/h) that use three-phase electric current | ANSI Z21.47-2003/CAN/CSA 2.3-2003, Gas Fires [<i>Gas-Fired</i>] <i>Central Furnaces</i> | AFUE = or > 78% or thermal efficiency = or > 80% | On or after Jan. 1, 2008 |
| 7.3 Gas furnaces with an input rate greater than 65.92 kW (250 000 BTU/h) but not greater than 117.23 kW (400 000 BTU/h) | ANSI Z21.47-2003/CAN/CSA 2.3-2003, <i>Gas-Fired Central Furnaces</i> | Thermal efficiency = or > 80% | On or after Jan. 1, 2008 |
| 8. Room air conditioners, other than packaged terminal air conditioners, not exceeding 10.55 kW (36 000 BTU/h) cooling capacity | CAN/CSA-C368.1-M90, <i>Performance Standard for Room Air-Conditioners</i> | Clause 8, Col. 2 of Table 1 of CAN/CSA-C368.1-M90 | From Jun. 1, 1992 to Dec. 31, 1994 |
| | | Clause 8, Col. 2 of Table 2 of CAN/CSA-C368.1-M90 | On or after Jan. 1, 1995 |
| 9. Gas ranges with electric cord sets | | No standing pilot | On or after Jun. 1, 1992 |
| 10. Oil-fired water heaters with input rating not exceeding 30.5 kW (0.75 U.S. gal/h), and storage capacity of 190 L or less | CAN/CSA-B211-00, <i>Energy Efficiency of Oil-Fired Storage Tank Water Heaters</i> | Clause 8 of CAN/CSA-B211-00 | On or after Jan. 1, 2008 |

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|--|---|--|---|
| 11. Electric induction motors, other than integral gear motors, continuous duty, open or closed, polyphase, squirrel cage, single-speed, EEMAC/NEMA design A- or B-type, two-, four- or six-pole, that are at least one but not more than 200 HP (0.75 to 150 kW) 600 V maximum, 50/60 Hz or 60 Hz | CAN/CSA-C390-98, <i>Energy Efficiency Test Methods for Three-Phase Induction Motors</i> | Clause 4.10 and Tables 2 and 2A of CAN/CSA-C390-98 | On or after Jan. 1, 2008 |
| 12. Fluorescent lamp ballasts that are: a) designed for input voltages of 120 V, 277 V or 347 V and, b) intended to operate with F32T8, F34T12, F40T10 or rapid-start fluorescent lamps or F96T12ES, F96T12HO or F96T12HO ES fluorescent lamps | CAN/CSA-C654-M91, <i>Fluorescent Lamp Ballast Efficacy Measurements</i> | Clause 4.1 of CAN/CSA-C654-M91 | On or after Jan. 1, 1992 |
| 13. Ground- or water-source heat pumps that are unitary single package or split-system matching assemblies rated at a capacity below 40 kW (135 000 BTU) and intended for application in open- or closed-loop ground- or water-source systems | CAN/CSA-C13256-1-01, <i>Water Source Heat Pumps- Testing and Rating for Performance- Part 1: Water-to-Air and Brine-to-Air Heat Pumps</i> | Clauses 3.8 and 3.9 of CAN/CSA-C13256-1-01 | On or after Jan. 1, 2008 |
| 14. Air conditioners and heat pumps that are air-source, air-sink, split-system, and single package, unitary devices intended for air conditioning and heating applications that are rated at a capacity not exceeding 19 kW (65 000 BTU) | CAN/CSA-C656.05, <i>Performance Standard for Split-System and Single Package Central Air Conditioners and Heat Pumps</i> | Clauses 7.2 and Columns 1 & 2 of Table 3 of CAN/CSA-656.05 | On or after Jan. 1, 2008 |
| 15. Water-source heat pumps that are factory-built single package or split-system matching assemblies that are intended for installation in internal water loop systems, that do not exceed 40 kW (135 000 BTU) in cooling or heating capacity | CAN/CSA-C13256-1-01, <i>Water-source Heat Pumps-testing and Rating for Performance-Part 1: Water-to-Air and Brine-to-Air Heat Pumps</i> | Clauses 8A and Table 10A of CAN/CSA-13256-1-01 | On or after Jan. 1, 2008 |
| 16. Roadway lighting luminaries of cobra-head type using 60 W to 400 W high-pressure sodium lamps and small or medium prismatic glass, polycarbonate and acrylic refractors | CAN/CSA-C653-92, <i>Performance Standard for Roadway Lighting Luminaries</i> | Col. 6 of Table 1 of CAN/CSA-C653-92 | On or after Jan. 1, 1996 |
| 17. Gas-fired automatic-storage-type water heaters with storage tank volumes of 76 L to 380 L inclusive, for use with propane and natural gas with inputs less than 75 000 BTU/hour | ANSI Z21.10.1-2004/CAN/CSA 4.1-2004, <i>Gas Water Heaters-Volume 1, Storage Water Heaters with Input Ratings of 75,000 BTU per Hour or Less</i> | EF = 0.67- 0.0005 V | On or after Jan. 1, 2008 |

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|---|--|---|---|
| 18. Commercial and industrial unitary air conditioners, heat pumps and condensing units intended for air-conditioning and space-heating applications that are rated at a capacity above 19 kW (65 000 BTU) and below 73 kW (250 000 BTU) | CAN/CSA-C746-98 (R2004), <i>Performance Standard for Rating Large Air Conditioners and Heat Pumps</i> | Clause 7.2 of CAN/CSA C746-98 (R2004) | On or after Jan. 1, 2008 |
| 19. Absorption or vapour compression refrigeration chillers intended for application in air-conditioning systems that are factory-built and equipped with centrifugal, rotary screw or positive displacement compressors with a cooling capacity of not more than 5600 kW (20 000 000 BTU) | CAN/CSA C743-02, <i>Performance Standard for Rating Packaged Water Chillers</i> | Clause of CAN/CSA C743-02 [sic] | On or after Jan. 1, 2008 |
| 20. Oil-fired warm-air furnaces, other than furnaces for mobile homes and recreation vehicles, having an input of up to and not more than 66 kW (225 000 BTU) | CAN/CSA B212-00, <i>Energy Utilization Efficiencies of Oil-Fired Furnaces and Boilers</i> | Clause 7.1 of CAN/CSA B212-00 | On or after Jan. 1, 2008 |
| 21. Oil-fired central heating boilers intended for low-pressure steam or hot water systems having an input of up to and not more than 88 kW (300 000 BTU) | CAN/CSA B212-00, <i>Energy Utilization Efficiencies of Oil-Fired Furnaces and Boilers</i> | Clause 7.2 of CAN/CSA B212-00 | On or after Jan. 1, 2008 |
| 22. Self-contained gas-burning central heating boilers that are intended for low-pressure steam or hot water systems having an input of up to and not more than 88 kW (300 000 BTU) | CGA P.2-1991, <i>Testing Method for Measuring Annual Fuel Utilization Efficiencies of Residential Furnaces and Boilers</i> | When measured in accordance with CGA P.2-1991, Hot water systems: AFUE = or > 80% | On or after Jan. 1, 2008 |
| | | Low-pressure steam systems: AFUE = or > 75% | |
| 23. Dusk to dawn luminaries or area security lights, for use in non-hazardous locations that are intended for installation outdoors on branch circuits of 600 V or less, using either a 175 W to 400 W mercury vapour, 50 W to 400 W high-pressure sodium (HPS), or 18 to 55 W low-pressure sodium (LPS) lamp, complete with photoelectric controller | CAN/CSA-C239-02, <i>Performance standard for Dusk to Dawn Luminaries</i> | Table 1 of CAN/CSA-C239-02 | On or after Jan. 1, 2008 |
| 24. Fluorescent lamp ballasts that are used in fluorescent luminaries in industrial, commercial and residential locations, for input of 120 V, 277 V or 347 V, designed to operate with F32T8, F34T12, F40T10 and F40T12 rapid-start fluorescent lamps and F96T12IS, F96T12ES, F96T12HO and F96T12HO ES fluorescent lamps | CAN/CSA-C654-M91, <i>Fluorescent Lamp Ballasts Efficiency Measurements</i> | Clause 4.1, Column B, of CAN/CSA-C654-M91 Power factor of not less than 90% over the indicated input voltage range | On or after Jan. 1, 2008 |

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|---|--|---|---|
| 25. Three-phase heat pump systems that are factory made and rated at capacity up to and including 19 kW | CAN/CSA-C656-05, <i>Performance Standard for Split-System and Single Package Central Air Conditioners and Heat Pumps</i> | Clause 7 of CAN/CSA C656-05 | On or after Jan. 1, 2008 |
| 26. Three-phase air-to-air heat pumps and air conditioners that are single packages, not exceeding 19 kW | CAN/CSA-C656-05, <i>Performance Standard for Split-System and Single Package Central Air-Conditioners and Heat Pumps</i> | Clause 7 of CAN/CSA C656-05 | On or after Jan. 1, 2008 |
| 27. Packaged terminal air conditioners and heat pumps that are factory made and intended for use in residential, commercial and industrial heating and cooling systems | ARI 310/380-2004/CAN/CSA-C744-04, <i>Standard for Packaged Terminal Air-Conditioners and Heat Pumps</i> | Table 2 of ARI 310/380-2004/CAN/CSA-C744-04 | On or after Jan. 1, 2008 |
| 28. Ground- or water-source heat pumps that are factory-made unitary packages or split-system assemblies rated at capacity up to and including 21 kW intended for application in direct expansion ground- or water-source systems | CAN/CSA-C748-94, <i>Performance of Direct-Expansion (DX) Ground-Source Heat Pumps</i> | Clause 5.1 of CAN/CSA-C748-94 | On or after Jan. 1, 2008 |
| 29. Dehumidifiers that are factory-assembled, self-contained, electrically operated, mechanically refrigerated units with daily water-removal capacity of up to 30 L | CAN/CSA-C749-94, <i>Performance Standard for Dehumidifiers</i> | Clause 4.2 of CAN/CSA-C749-94 | On or after Jan. 1, 2008 |
| 30. Vending machines, self-contained, that cool or heat the product to be served | CAN/CSA-C804-96, <i>Energy Performance of Vending Machines</i> | Clause 4.1 and Table 1 of CAN/CSA-804-96 | On or after Jan. 1, 2008 |
| 31. Ice makers and ice storage bins that are factory-assembled, automatic units with a capacity between 23 kg and 1000 kg a day of cubed, crushed or fragmented ice in a continuous or batch process | CAN/CSA-C742-98, <i>Performance of Automatic Ice Makers and Storage Bins</i> | Table 1 of CAN/CSA-C742-98 | On or after Jan. 1, 2008 |
| 32. Power transformers as described in CSA standard CAN/CSA 802.3-01 rated from 501 kV-A to 10 000 kV-A | CAN/CSA-C802.3-01, <i>Maximum Losses for Power Transformers</i> | Clause 4.1.2 and 4.2 and Tables 1, 2 and 3 of CAN/CSA-C802.3-01 | On or after Jan. 1, 2008 |
| 33. Liquid-filled distribution transformers, that are single-phase and three-phase, 60 Hz, rated at 10 kV-A to 833 kV-A for single-phase and 15 kV-A to 3000 kV-A for three-phase, insulation class 34.5 kV and less | CAN/CSA C802.1-00, <i>Minimum Efficiency Values for Liquid-Filled Distribution Transformers</i> | Clause 7 and Table 1 of CAN/CSA C802.1-00 | On or after Jan. 1, 2008 |

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|---|---|---|---|
| 34. Dry-type transformers that are single-phase and three-phase, self-contained units or components of larger assemblies, 60 Hz, ANN, rated at 15 kV-A to 833 kV-A for single-phase and at 15 kV-A to 7500 kV-A for three-phase | CAN/CSA C802.2-00, <i>Minimum Efficiency Values for Dry-Type Transformers</i> | Clauses 7 and 8 and Table 1 of CAN/CSA C802.2-00 | On or after Jan. 1, 2008 |
| 35. Highmast luminaries, using high-pressure sodium lamps, for use along streets, roadways, highways, expressways and at intersections and interchanges | CAN/CSA-C811-98, <i>Performance of Highmast Luminaries for Roadway Lighting</i> | Clause 4.5 and Tables 1, 2 and 3 of CAN/CSA-C811-98 | On or after Jan. 1, 2008 |
| 36. Ceiling fans, pendant- and hugger-style, 250 V or less, intended for residential, commercial or industrial installations | CAN/CSA C814-96, <i>Energy Performance of Ceiling Fans</i> | Clause 4.3 of CAN/CSA C814-96 | On or after Jan. 1, 2008 |
| 37. Drinking water coolers, self-contained, capacity up to 20 ml/s (20 US gal/hr), pressure-type, remote point-of-use water coolers and bottle-type water coolers, but not intended for a central circulating system or water coolers employing remote-type condensing units | CAN/CSA C815-99, <i>Energy Performance of Drinking Water Coolers</i> | Clause 4.2 and Tables 1 and 2 of CAN/CSA C815-99 | On or after Jan. 1, 2008 |
| 38. General service fluorescent lamps: a) rapid-start straight lamps, with a medium bipin base, 1200 mm (48 in.) nominal overall length, and not rated wattage of 28 W or more; b) rapid-start U-shaped lamps, with a medium bipin base, between 560 mm and 635 mm (22 in. to 25 in.) nominal overall length, and a rated wattage of 28 W or more; c) rapid-start high-output lamps, with a recess double-contact base, 2400 mm (96 in.) nominal overall length, and 0.8 A nominal; d) instant-start slimline lamps, with a single-pin base, 2400 mm (96 in.) nominal overall length, and a rated wattage of 52 W or more; e) any fluorescent lamp that is a physical and electrical equivalent of a lamp described in a), b), c), or d), other than a lamp marked and marketed to promote plant growth, for cold-temperature applications, as a coloured lamp, as impact-resistant, as a reflector or aperture type, as designed for reprographic equipment, to produce radiation (primarily ultraviolet) or having a colour rendering index of 82 or greater | CAN/CSA-C819-95, <i>Performance of General Service Fluorescent Lamps</i> | Table 1 of CAN/CSA-C819-95 | On or after Jan. 1, 2008 |

| Column 1 Appliance | Column 2 Efficiency Standard | Column 3 Energy Performance Requirement | Column 4 Date Appliance Manufactured |
|---|--|---|---|
| 39. Commercial refrigerators, with glass doors, that are reach-in type wine coolers, milk or beverage coolers or under-counter work tables | CAN/CSA-C827-98, <i>Energy Performance Standard for Food Service Refrigerators and Freezers</i> | Tables 1 and 2 of CAN/CSA-C827-98 | On or after Jan. 1, 2008 |
| 40. Commercial freezers, with glass or doors, that are reach-in type ice cream cabinets or under-counter work tables | CAN/CSA-C827-98, <i>Energy Performance Standard for Food Service Refrigerators and Freezers</i> | Table 3 and 4 of CAN/CSA-C-827-98 | On or after Jan. 1, 2008 |
| 41. Refrigerator-freezers, solid door, reach-in vertical slip type | CAN/CSA-C827-98, <i>Energy Performance Standard for Food Service Refrigerators and Freezers</i> | Table 5 of CAN/CSA-C827-98 | On or after Jan. 1, 2008 |
| 42. Exit signs, internally lighted, except flashing exit signs | CAN/CSA C860-01, <i>Performance of Internally Lighted Exit Signs</i> | Clause 9.3 of CAN/CSA C860-01 | On or after Jan. 1, 2008 |
| 43. Compact fluorescent (CF) ballasted adaptors, and self-ballasted CF lamps that incorporate a screwbase, including both dimmable and nondimmable types | CAN/CSA C861-95, <i>Performance of Compact Fluorescent Lamps and Ballasted Adapters</i> | Clause 6.6 and Tables 1A and 1B, and clause 6.8 and Table 3 of CAN/CSA C861-95 | On or after Jan. 1, 2008 |
| 44. Incandescent reflector lamps, from 40 W up to and including 205 W, rated 110 V to 130 V, with a medium-skirted base and a diameter of 70 mm or larger, but not including coloured lamps, heat lamps, lamps used in mines, aircraft, air fields, automotive or marine applications, and lamps with an ER or BR bulb shape | CAN/CSA C862-01, <i>Performance of Incandescent Reflector Lamps</i> | Clause 6.2 of CAN/CSA C862-01 | On or after Jan. 1, 2008 |
| 45. Solid fuel burning heating appliances excluding wood pellet heating appliances, cookstoves, central heating systems, masonry heaters, site-built fireplaces, and decorative factory-built fireplaces, that <ul style="list-style-type: none"> a) have an air fuel ratio of less than 35 to 1 b) have a minimum burn rate of less than 5 kg/h, and c) is [are] used to convert the energy of fuel to useful heat | CAN/CSA-B415-00, <i>Performance Testing of Solid-Fuel-Burning Heating Appliances</i> or US EPA Standards of <i>Performance for Residential Wood Heaters</i> | Clause 4.1 and 4.2 of CAN-B415-00 US EPA 40 CFR 60 Subpart AAA of <i>Standards of Performance for Residential Wood Heaters</i> | On or after Oct. 1, 2008 |

In this table:

E is the energy consumption in kilowatt hours per month

V is the volume in litres of

(a) for the appliances ~~of~~ [or] products referred to in item 1, oven size

- (b) for the appliances or products referred to in item 2, basket capacity
 - (c) for the appliances or products referred to in item 3, drum capacity
 - (d) for the appliances or products referred to in item 4, hot water used
- AFUE means annual fuel utilization efficiency
BTU means British thermal units

Schedule 2: Designated Appliance Label

Nova Scotia



This Product Complies
with the Energy-efficient
Appliances Act of 1991.

6503

N.S. Reg. 401/2008

Made: September 18, 2008

Filed: September 25, 2008

Prescribed Petroleum Products Prices

Order dated September 18, 2008
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 14 of the *Petroleum Products Pricing Act*

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

- and -

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

- and -

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

Order

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

- (a) repeal the Order dated September 16, 2008, which prescribed prices September 17, 2008; and

- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule “A”.

This Order is effective on and after 12:01 a.m. on September 19, 2008.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on September 18, 2008.

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

Schedule “A”

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on September 18 [19], 2008**

| Regular unleaded gasoline | 74.9 |
|-----------------------------|------|
| Mid-grade unleaded gasoline | 77.9 |
| Premium unleaded gasoline | 80.9 |
| Ultra-low-sulfur diesel oil | 81.7 |

| | | Retail Mark-up | | | | Retail Price (includes all taxes) | | | |
|-------------------------|---|----------------|-----|--------------|-------|--------------------------------------|-------|--------------|-------|
| | | Self-Service | | Full-Service | | Self-Service | | Full-Service | |
| | Fixed Wholesale Price (excludes GST) | Min | Max | Min | Max | Min | Max | Min | Max |
| Zone 1 | | | | | | | | | |
| Regular Unleaded | 106.7 | 4.0 | 5.5 | 4.0 | 999.9 | 125.1 | 126.8 | 125.1 | 999.9 |
| Mid-Grade Unleaded | 109.7 | 4.0 | 5.5 | 4.0 | 999.9 | 128.5 | 130.2 | 128.5 | 999.9 |
| Premium Unleaded | 112.7 | 4.0 | 5.5 | 4.0 | 999.9 | 131.9 | 133.6 | 131.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 107.4 | 4.0 | 5.5 | 4.0 | 999.9 | 125.9 | 127.6 | 125.9 | 999.9 |
| Zone 2 | | | | | | | | | |
| Regular Unleaded | 107.1 | 4.0 | 5.5 | 4.0 | 999.9 | 125.5 | 127.2 | 125.5 | 999.9 |
| Mid-Grade Unleaded | 110.1 | 4.0 | 5.5 | 4.0 | 999.9 | 128.9 | 130.6 | 128.9 | 999.9 |
| Premium Unleaded | 113.1 | 4.0 | 5.5 | 4.0 | 999.9 | 132.3 | 134.0 | 132.3 | 999.9 |
| Ultra-Low-Sulfur Diesel | 107.8 | 4.0 | 5.5 | 4.0 | 999.9 | 126.3 | 128.0 | 126.3 | 999.9 |
| Zone 3 | | | | | | | | | |
| Regular Unleaded | 107.6 | 4.0 | 5.5 | 4.0 | 999.9 | 126.1 | 127.8 | 126.1 | 999.9 |
| Mid-Grade Unleaded | 110.6 | 4.0 | 5.5 | 4.0 | 999.9 | 129.5 | 131.2 | 129.5 | 999.9 |
| Premium Unleaded | 113.6 | 4.0 | 5.5 | 4.0 | 999.9 | 132.9 | 134.6 | 132.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 108.3 | 4.0 | 5.5 | 4.0 | 999.9 | 126.9 | 128.6 | 126.9 | 999.9 |

| | | | | | | | | | |
|-------------------------|-------|-----|-----|-----|-------|-------|-------|-------|-------|
| Zone 4 | | | | | | | | | |
| Regular Unleaded | 107.6 | 4.0 | 5.5 | 4.0 | 999.9 | 126.1 | 127.8 | 126.1 | 999.9 |
| Mid-Grade Unleaded | 110.6 | 4.0 | 5.5 | 4.0 | 999.9 | 129.5 | 131.2 | 129.5 | 999.9 |
| Premium Unleaded | 113.6 | 4.0 | 5.5 | 4.0 | 999.9 | 132.9 | 134.6 | 132.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 108.3 | 4.0 | 5.5 | 4.0 | 999.9 | 126.9 | 128.6 | 126.9 | 999.9 |
| Zone 5 | | | | | | | | | |
| Regular Unleaded | 107.6 | 4.0 | 5.5 | 4.0 | 999.9 | 126.1 | 127.8 | 126.1 | 999.9 |
| Mid-Grade Unleaded | 110.6 | 4.0 | 5.5 | 4.0 | 999.9 | 129.5 | 131.2 | 129.5 | 999.9 |
| Premium Unleaded | 113.6 | 4.0 | 5.5 | 4.0 | 999.9 | 132.9 | 134.6 | 132.9 | 999.9 |
| Ultra-Low-Sulfur Diesel | 108.3 | 4.0 | 5.5 | 4.0 | 999.9 | 126.9 | 128.6 | 126.9 | 999.9 |
| Zone 6 | | | | | | | | | |
| Regular Unleaded | 108.4 | 4.0 | 5.5 | 4.0 | 999.9 | 127.0 | 128.7 | 127.0 | 999.9 |
| Mid-Grade Unleaded | 111.4 | 4.0 | 5.5 | 4.0 | 999.9 | 130.4 | 132.1 | 130.4 | 999.9 |
| Premium Unleaded | 114.4 | 4.0 | 5.5 | 4.0 | 999.9 | 133.8 | 135.5 | 133.8 | 999.9 |
| Ultra-Low-Sulfur Diesel | 109.1 | 4.0 | 5.5 | 4.0 | 999.9 | 127.8 | 129.5 | 127.8 | 999.9 |

N.S. Reg. 402/2008

Made: September 30, 2008

Filed: September 30, 2008

Revenue Act Regulations

Order in Council 2008-506 dated September 30, 2008
Amendment to regulations made by the Governor in Council
pursuant to Sections 12 and 92 of the *Revenue Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated September 3, 2008, and pursuant to Sections 12 and 92 of Chapter 17 of the Acts of 1995-96, the *Revenue Act*, is pleased to amend the *Revenue Act Regulations*, N.S. Reg. 63/96, made by [the] Governor in Council by Order in Council 96-230 dated March 29, 1996, to amend the definition of “wholesaler” in Part I of the regulations, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 30, 2008.

Schedule “A”

**Amendment to the *Revenue Act Regulations*
made by the Governor in Council under
Sections 12 and 92 of Chapter 17 of the Acts of 1995-1996,
the *Revenue Act***

The *Revenue Act Regulations*, N.S. Reg. 63/96, made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, are amended by repealing clause 5(x) and substituting the following clause:

- (x) “wholesaler” means a person who has entered into an agreement with the Minister or Commissioner under Part 1 of the Act respecting the collection of tax and who sells or keeps for sale any of the following:
- (i) gasoline or diesel oil, in quantities of 200 litres or more per sale or delivery,
 - (ii) propane, in quantities of 200 litres or 225 pounds or more per sale or delivery.

N.S. Reg. 403/2008

Made: September 30, 2008

Filed: September 30, 2008

Summary Offence Tickets Regulations

Order in Council 2008-508 dated September 30, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated September 2, 2008, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend Schedule 18-B to the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to reflect recent changes to the Halifax Regional Municipality by-laws regarding nuisances, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after September 30, 2008.

Schedule "A"

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

- 1 Schedule 18-B of the *Summary Offence Tickets Regulations*, N.S. Reg. 4/2001, made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended, under the heading "Municipality of the County of Halifax By-laws", by
 - (a) striking out the heading "Anti-Dumping By-law–No. 47" and item 1 immediately following the heading; and
 - (b) striking out items 1, 2 and 3 under the heading "Mischief and Nuisances By-law–No. 8".
- 2 The regulations are further amended, under the heading "Town of Bedford By-laws", by
 - (a) striking out the heading "Firearms By-law–No. 22141" and item 1 immediately following the heading; and
 - (b) striking out the heading "Loitering By-law–No. 22104" and item 1 immediately following the heading.

N.S. Reg. 404/2008

Made: September 30, 2008

Filed: September 30, 2008

Employment Support and Income Assistance Regulations

Order in Council 2008-512 dated September 30, 2008
Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated September 9, 2008, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 30, 2008.

Schedule “A”

**Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council
pursuant to Section 21 of Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act***

- 1 The *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, are amended by striking out “insurance payments, damage awards” in clause 2(ag) and substituting “regular periodic insurance payments”.
- 2 The regulations are further amended by adding the following heading and Section immediately after Section 53:

Working Income Tax Benefit

53A Where an applicant or a recipient receives a payment pursuant to the federal Working Income Tax Benefit, the payment shall not be considered as chargeable income nor as an asset for the purpose of determining the applicant’s or recipient’s eligibility for assistance.

- 3 The table under the heading “Items of Special Need” in Appendix “A” to the regulations is amended by
 - (a) striking out “up to \$1000” in the right-hand column and substituting “up to \$1100”; and
 - (b) striking out “up to \$2500” in the right-hand column and substituting “up to \$2700”.

N.S. Reg. 405/2008

Made: September 30, 2008

Filed: September 30, 2008

Proclamation, S. 2, S.N.S. 2008, c. 18

Order in Council 2008-513 dated September 30, 2008

Proclamation made by the Governor in Council

pursuant to Section 2 of

An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act

The Governor in Council on the report and recommendation of the Minister of Immigration dated September 17, 2008, pursuant to Section 2 of Chapter 18 of the Acts of 2008, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, is pleased to order and declare by proclamation that Chapter 18 of the Acts of 2008, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, do come into force on and not before September 30, 2008.

PROVINCE OF NOVA SCOTIA

sgd: Mayann Francis

G/S

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

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

GREETING:

A PROCLAMATION

WHEREAS in and by Section 2 of Chapter 18 of the Acts of 2008, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, it is enacted as follows:

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

AND WHEREAS it is deemed expedient that Chapter 18 of the Acts of 2008, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, do come into force on and not before September 30, 2008;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 18 of the Acts of 2008, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, do come into force on and not before September 30, 2008, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Mayann E. Francis, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 30th day of September in the year of Our Lord two thousand and eight and in the fifty-seventh year of Our Reign.

BY COMMAND:

sgd: Cecil P. Clarke

Provincial Secretary

Minister of Justice and Attorney General