BILL NO. 27

Government Bill

1st Session, 61st General Assembly
Nova Scotia
58 Elizabeth II, 2009

An Act to Amend Chapter 7 of the Acts of 1996, the Occupational Health and Safety Act

CHAPTER 24
ACTS OF 2009

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 5, 2009

The Honourable Marilyn More
Minister of Labour and Workforce Development

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

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An Act to Amend Chapter 7 of the Acts of 1996, the Occupational Health and Safety Act

Be it enacted by the Governor and Assembly as follows:

1 Subsection 46(5) of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, is amended by striking out "pursuant to subsection 67(1)" in the second and third lines.

2 Clause 67(1)(a) of Chapter 7 is amended by adding ", except an order made pursuant to a complaint under clause 46(1)(b)**" immediately after "regulations" in the second line.**

3 Chapter 7 is further amended by adding immediately after Section 67 the following Section:

67A (1) An aggrieved person may appeal an order by an officer pursuant to a complaint under clause 46(1)(b) to an appeal panel designated to hear the appeal pursuant to subsection 68(3).

(2) An appeal pursuant to subsection (1) must be initiated by filing a notice of appeal with the Deputy Minister of Labour and Workforce Development within twenty-one days after the order is served on the recipient.

(3) An appeal pursuant to subsection (1) suspends the operation of the order.

4 Subsection 68(3) of Chapter 7 is amended by adding "67A(1) or**" immediately after "subsection" in the second line.**

5 (1) Subsection 69(3) of Chapter 7 is amended by adding "or subsection 67A(2)**" immediately after "(2)" in the second line.**

(2) Subsection 69(4) of Chapter 7 is amended by adding "or subsection 67A(1)**" immediately after "(1)" in the second line.**

6 Where a complaint regarding discriminatory action is commenced pursuant to the *Occupational Health and Safety Act* before the coming into force of this Act, the provisions of the *Occupational Health and Safety Act* respecting appeals apply to that complaint as if this Act had not been enacted.

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