



BILL NO. 103

Government Bill

*1st Session, 59th General Assembly
Nova Scotia
53 Elizabeth II, 2004*

An Act to Amend Chapter 393 of the Revised Statutes, 1989, the Regulations Act

CHAPTER 46
ACTS OF 2004

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
OCTOBER 18, 2004**

The Honourable Michael G. Baker, Q.C.
Minister of Justice

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

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**An Act to Amend Chapter 393
of the Revised Statutes, 1989,
the Regulations Act**

Be it enacted by the Governor and Assembly as follows:

1 Subsection 3(6) of Chapter 393 of the Revised Statutes, 1989, the *Regulations Act*, is repealed and the following subsection substituted:

(6) A regulation comes into force on the day on which it is filed with the Registrar unless

(a) the regulation expressly states that it comes into force on a day earlier than the day on which it is filed and it is filed

(i) within seven days after it is made, in which case it comes into force on the day on which it is made or such later day as is stated in the regulation, or

(ii) where the regulation is subject to approval, within seven days after it is approved, in which case it comes into force on the day on which it is approved or such later day as is stated in the regulation; or

(b) the regulation expressly states that it comes into force on a day that is later than the day on which it is filed, in which case it comes into force on that day; or

(c) the Act under which it is made expressly authorizes the making of the regulation with retroactive effect and the regulation is filed within seven days after it is made or, where it is subject to approval, approved, in which case it comes into force as provided by that Act.

2 Section 4 of Chapter 393 is amended by adding immediately after subsection (1) the following subsection:

(1A) The Governor in Council may determine the form and manner in which the Royal Gazette is published, including publication by electronic means.

3 Subsection 21(2) of Chapter 393 is amended by adding “or removing therefrom” immediately after “thereto” in the second line.

4 (1) Subsection 22(1) of Chapter 393 is amended by striking out “Governor in Council may designate a suitable person” in the first and second lines and substituting “Registrar of Regulations is hereby appointed Regulations Reviser”.

(2) Subsection 22(2) of Chapter 393, as amended by Chapter 23 of the Acts of 1996, is further amended by striking out “person charged with the duty of preparing the consolidation and revision” in the second and third lines and substituting “Regulations Reviser”.

(3) Subsection 22(4) of Chapter 393 is amended by

(a) striking out “person designated to consolidate and revise the regulations” in the first and second lines and substituting “Regulations Reviser”; and

(b) striking out “person” in the fourth line and substituting “Regulations Reviser”.

(4) Subsection 22(7) of Chapter 393 is amended by striking out “person or persons designated to consolidate and revise the regulations” in the fourth and fifth lines and substituting “Regulations Reviser”.

(5) Subsection 22(9) of Chapter 393 is amended by adding “, and any superseded regulation set out in the schedule is deemed to have been filed in accordance with this Act” immediately after “repealed” in the last line.

(6) Subsection 22(11) of Chapter 393 is amended by striking out “person designated to do the work of consolidation and revision as provided by this Act” in the first and second lines and substituting “Regulations Reviser”.

(7) Subsection 22(12) of Chapter 393 is amended by striking out “any consolidation” and substituting “the *Revised and Consolidated Regulations of Nova Scotia*”.

5 Chapter 393 is further amended by adding immediately after Section 22 the following Sections:

22A (1) After the publication of the *Revised and Consolidated Regulations of Nova Scotia*, the Regulations Reviser shall incorporate into them, and cause to be published as part of them, any new regulation filed under this Act.

(2) In preparing a consolidation and revision of a regulation pursuant to this Section, the Regulations Reviser may

(a) alter the numbering and arrangement of the different Sections and other provisions of the regulation;

(b) alter the language of the regulation as may be required in order to preserve a uniform mode of expression;

(c) make such minor amendments to the regulation as are necessary in order to state more clearly what the Regulations Reviser deems to have been intended by the regulation;

(d) combine the regulation with any other regulation or part thereof or subdivide the regulation into two or more regulations;

(e) add, change or omit any title of the regulation;

(f) make such amendments as are required to reconcile seemingly inconsistent regulations or to correct clerical, typographical or printing errors.

22B (1) The *Revised and Consolidated Regulations of Nova Scotia* may be published in print or in electronic form.

(2) The *Revised and Consolidated Regulations of Nova Scotia* published in an electronic form may differ from the publication in another form to accommodate the needs of the electronic form if the differences do not alter the substance of the regulations.

22C (1) A copy of a consolidated regulation published under this Act in either print or electronic form may be given as evidence of that regulation in any court pursuant to the *Evidence Act*, and every copy purporting to be published in accordance with this Act is deemed to be so published, unless the contrary is shown.

(2) Subsection (1) does not apply to a copy if it contains a disclaimer to the effect that it is prepared for the purposes of convenience only and is not intended as an authoritative text.

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