



# **BILL NO. 25**

*Government Bill*

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*3rd Session, 61st General Assembly  
Nova Scotia  
60 Elizabeth II, 2011*

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

CHAPTER 24  
ACTS OF 2011

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE  
MAY 19, 2011**

The Honourable Marilyn More  
*Minister of Labour and Advanced Education*

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*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** Clause 2(d) of Chapter 7 of the Acts of 1996, the *Occupational Health and Safety Act*, as amended by Chapter 66 of the Acts of 2010, is further amended by striking out “Workforce Development” in the third line and substituting “Advanced Education”.

**2** Section 3 of Chapter 7, as amended by Chapter 28 of the Acts of 2000 and Chapter 66 of the Acts of 2010, is further amended by

(a) striking out “Workforce Development” in the first and in the second lines of clause (k) and substituting “Advanced Education” in both cases;

(b) striking out “Workforce Development” in the last line of clause (n) and substituting “Advanced Education”; and

(c) striking out “Workforce Development” in the first line of clause (s) and substituting “Advanced Education”.

**3** Section 8 of Chapter 7, as amended by Chapter 66 of the Acts of 2010, is further amended by striking out “Workforce Development” in the second line and substituting “Advanced Education”.

**4** Subsection 67A(2) of Chapter 7, as enacted by Chapter 24 of the Acts of 2009, as amended by Chapter 66 of the Acts of 2010, is further amended by striking out “Workforce Development” in the third line and substituting “Advanced Education”.

**5** (1) Subsection 69(2) of Chapter 7, as amended by Chapter 66 of the Acts of 2010, is further amended by striking out “Workforce Development” in the third line and substituting “Advanced Education”.

(2) Clause 69(5)(a) of Chapter 7, as amended by Chapter 66 of the Acts of 2010, is further amended by striking out “Workforce Development” in the first line and substituting “Advanced Education”.

**6** (1) Subsection 74(1) of Chapter 7 is amended by

(a) striking out “not exceeding two hundred and fifty thousand dollars” in the third last line and substituting “as set out in subsections (1A) and (1B)”;

(b) adding immediately after subsection (1) the following subsections:

(1A) A person is liable

(a) to a fine of not more than two hundred and fifty thousand dollars; or

(b) for a second or subsequent offence, within five years from the date of conviction for a previous offence, to a fine of not more than five hundred thousand dollars.

(1B) Notwithstanding subsection (1A), where the offence resulted in a fatality, the person is liable to a fine of not more than five hundred thousand dollars.

**(2) Subsection 74(2) of Chapter 7 is amended by striking out “(1)” in the second line and substituting “(1A), (1B)”.**

**(3) Subsection 74(3) of Chapter 7 is amended by striking out “(1)” in the fifth line and substituting “(1A), (1B)”.**

**7 (1) Subsection 75(1) of Chapter 7 is amended by**

**(a) adding “in addition to a fine imposed pursuant to Section 74 and” immediately after “Act” in the second line;**

**(b) striking out the comma at the end of clause (f) and substituting a period; and**

**(c) striking out everything after clause (f).**

**(2) Clause 75(1)(b) of Chapter 7, as amended by Chapter 66 of the Acts of 2010, is further amended by adding “occupational health and safety initiatives including, but not limited to,” immediately after “purpose of” in the second line.**

**(3) Subsection 75(1A) of Chapter 7 is repealed.**

**(4) Subsection 75(3) of Chapter 7 is amended by striking out “education” in the third line and substituting “occupational health and safety initiatives”.**

**8** For greater certainty,

(a) any fines or other amounts payable pursuant to Sections 74 and 75 of Chapter 7 apply to an offence committed on or after the coming into force of this Act.

(b) any fine or other amounts payable pursuant to Sections 74 and 75 of Chapter 7, as they read before amended by this Act, apply to an offence committed before the coming into force of this Act.

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