

On-site Services Advisory Board Regulations

made under
Section 110 of the
Environment Act, S.N.S. 1994-95, c. 1
and
clause 12(1)(y) of the
Health Act, R.S.N.S. 1989, c. 195

O.I.C. 2002-548 (December 6, 2002), N.S. Reg. 149/2002

Citation

1 These regulations may be cited as the On-site Services Advisory Board Regulations.

Definitions

2 In these regulations,

(a) "Act" means the Environment Act;

(b) "Board" means the On-site Services Advisory Board established pursuant to Section 3;

(c) "Level 2 qualified person" and "on-site sewage disposal system installer" have the same meanings as in the On-site Sewage Disposal Systems Regulations;

(d) "Minister" means the Minister of Environment; and

[Note: the reference to the Minister has been updated in accordance with Order in Council 2008-161 under the Public Service Act, R.S.N.S. 1989, c. 376, effective April 1, 2008.]

(e) "pump installer", "well digger" and "well driller" have the same meanings as in the Well Construction Regulations.

Establishment of Board

3 There is hereby established the On-site Services Advisory Board.

Membership

4 The Board shall consist of the following members:

(a) the President of the Nova Scotia Groundwater Association or a person designated in writing by the President to be a member of the Board;

(b) the Chair of the Waste Water Nova Scotia Society or a person designated in writing by the Chair to be a member of the Board;

(c) 3 public servants appointed by the Minister; and

(d) up to 6 members at large appointed by the Minister.

Qualifications of members

5 A member of the Board designated or appointed pursuant to Section 4 must have relevant technical expertise or special knowledge or experience relating to the construction and installation of wells or on-site sewage disposal systems.

Term of appointment

6 (1) A public servant appointed to the Board shall hold office at the pleasure of the Minister while the public servant is employed in the public service of the Province.

(2) A member at large shall hold office for a term of 2 years and may be reappointed.

(3) A person shall cease to be a member of the Board if the person resigns, is unable to act, or fails to attend 3 consecutive Board meetings without reasonable excuse.

(4) When a person ceases to be a member, the Board shall request that the Minister appoint a new member to the Board in accordance with Section 4.

(5) Despite the expiry of a member's appointment, a member continues to be a member of the Board until reappointment or until a successor is appointed.

Chair and vice-chair

7 The Minister may designate one of the members of the Board as the chair and another as the vice-chair of the Board.

Meetings

8 (1) The Board shall meet at least twice a year.

(2) A majority of members present at a meeting of the Board or a subcommittee appointed by the Board pursuant to subsection (3) shall constitute a quorum.

(3) The chair may assign duties of the Board to a subcommittee composed of members of the Board assigned to the subcommittee by the chair.

(4) The Board may establish procedures and guidelines governing the conduct of its business and the business of a subcommittee.

Duties

9 (1) With respect to the Well Construction Regulations and the On-site Sewage Disposal Systems Regulations, the Board shall provide recommendations and advice to the Minister respecting certificates of qualification for Level 2 qualified persons, on-site sewage disposal system installers, well drillers, well diggers or pump installers including, but not limited to, the following matters:

(a) applicable policies, guidelines and criteria;

(b) financial security required from the holder of a certificate of qualification;

(c) training requirements and training instructions, such as

(i) courses of instruction,

(ii) verbal or written tests of competence and passing grades,

(iii) field tests of competence,

(iv) the scheduling of examinations for certificates of qualification and evaluation of examination results,

(v) experience necessary before applying for a certificate of qualification; and

(d) except when otherwise directed by the Minister, complaints about services performed by Level 2 qualified persons, on-site sewage disposal system installers, well drillers, well diggers or pump installers.

(2) With respect to the Well Construction Regulations and the On-site Sewage Disposal System Regulations, the Board shall, when requested by the Minister,

(a) review and provide advice and recommendations to the Minister on appeals of decisions of administrators respecting the issuance, renewal, cancellation or suspension of a certificate of qualification; and

(b) carry out such other duties as may be assigned by the Minister.

Remuneration

10 A member of the Board shall be reimbursed for reasonable expenses actually incurred in connection with the business of the Board and a member who is not a public servant may also be awarded an honorarium established by the Minister.

Transition

11 A person who is a member of the Well Construction Advisory Board immediately before the coming into force of this Section is a member of the Board for the same term and upon the same conditions as for the Well Construction Advisory Board.
