

## Sable Offshore Energy Project Regulations

made under Section 4 and clause 6(b) of the Pipeline Act

R.S.N.S. 1989, c. 345

and subsection 12(1) of the

Energy Resources Conservation Act

R.S.N.S. 1989, c. 147

O.I.C. 97-755 (December 9, 1997), N.S. Reg. 32/2005

The Governor in Council on the report and recommendation of the President of the Executive Council dated November 27, 1997, pursuant to Section 4 and clause 6(b) of Chapter 345 of the Revised Statutes of Nova Scotia, 1989, the Pipeline Act, and subsection 12(1) of Chapter 147 of the Revised Statutes of Nova Scotia, 1989, the Energy and Mineral Resources Conservation Act, is pleased to

(a) exempt all pipelines required for the Sable Offshore Energy Project that are located in the Nova Scotia offshore area and any pipelines that carry natural gas or associated petroleum substances from the Nova Scotia offshore area to the natural gas processing plant to be constructed at or near Country Harbour, Guysborough County, from the provisions of the Pipeline Act, saving and excepting Sections 1 to 9 inclusive, 11 to 13 inclusive, 19 and 20, 22, and 40 to 44 inclusive;

(b) order that effective October 1, 1997, and for so long thereafter as such Sable Offshore Energy Project pipelines remain in place, the National Energy Board Act (Canada) and any regulations made thereunder not inconsistent with regulations made under the Pipeline Act, saving and excepting those provisions of the Act and regulations respecting Certificates of Public Convenience and Necessity, leave to open or abandon pipelines and the approval of traffic, tolls and tariffs, is applicable to such pipelines and that Act shall have the same force and effect as if enacted by the Legislature;

(c) order that, with respect to such Sable Offshore Energy Project pipelines, the Energy and Mineral Resources Conservation Board, without giving notice or holding a hearing, may

(i) upon reviewing a Certificate of Public Convenience and Necessity issued by the National Energy Board, deem that Certificate of Public Convenience and Necessity to be a permit under the Pipeline Act and it shall have the same force and effect as if issued by the Energy and Mineral Resources Conservation Board under that Act,

(ii) upon reviewing a leave to open or leave to abandon a pipeline granted by the National Energy Board, deem that leave to open or abandon to be a licence or consent to abandon, as the case may be, under the Pipeline Act and it shall have the same force and effect as if issued by the Energy and Mineral Resources Conservation Board under that Act, and

(ii) upon reviewing an order or decision of the National Energy Board respecting traffic, tolls or tariffs made pursuant to Part IV of the National Energy Board Act, deem that order or decision to be a determination made by the Energy and Mineral Resources Conservation Board pursuant to Section 43 of the Pipeline Act and it shall have the same force and effect as a determination made by the Energy and Mineral Resources Conservation Board pursuant to that Section of the Act;

(d) approve the delegation by the Energy and Mineral Resources Conservation Board of any of the powers, duties or authorities conferred or imposed on the Board by any enactment to such persons as may be designated by the Board.

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