



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*

This page is intentionally blank.

**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.
