

Tracking Federal Regulatory Initiatives

Regulatory Affairs

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December 15, 1997

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Industrial Hemp Regulations

The Health Department has provided advanced notice of its intention to establish regulations for commercial cultivation of industrial hemp. Under the proposal published in the Government Notices section of the Canada Gazette, Part I, the department proposes also to make a consequential amendment to the Act and to have the proposed regulatory text republished before the end of the year.

Under the proposal, the regulatory framework would:

- allow the licensing of importers and exporters of industrial hemp in the form of seed or grain or derivatives; each shipment would require a separate permit;
- include controls on the production of seeds and grain so that it will not produce a plant containing more than 0.3% delta-9-tetrahydrocannabinol; this would include documentation to accompany non-pedigreed seed, with the documentation to come from countries recognized by Health Canada;
- require distributors of seeds and processing activities (e.g., pressing seeds into oil) to be licensed;
- require growers to be licensed to cultivate industrial hemp or purchase seeds from a distributor;

Controlled Drugs and Substances Act

Not included in Regulatory Plan

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Proposed Regulations

for Pre-Publication in Part I, Canada Gazette

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- require a police security check (e.g., a criminal record search) as a pre-condition to licensing or other activity under the regulations;
- exempt derivatives of seed or grain (e.g., oil and seed cake) from the regulatory restrictions if they contain less than 10 micrograms of delta-9-tetrahydrocannabinol.

Contact: Jean Peart, Manager, Hemp Project, Bureau of Drug Surveillance, Therapeutic Products Directorate, Health Canada, Address Locator 4103A, 122 Bank Street, 3rd Floor, Ottawa, Ontario, K1A 1B9. E-mail: jean_peart@inet.hwc.ca.

Pest Control Products Regulations, amendment

The proposed amendments would exempt disinfectant uses of a control product from the *Pest Control Products Act* (PCPA) in order to consolidate them under the *Food and Drugs Act* (FDA). Consequently, disinfectant products used for the control of disease in humans or animals other than in swimming pools and spas would no longer be subject to regulation under the PCPA.

Sanitiser uses associated with exempt disinfectant uses of a control product would also be exempt from PCPA provisions.

The changes would eliminate the current split regulation of disinfectants and the requirement, in some cases, to obtain approvals under two Acts for one products. For example, as a consequence, any sanitiser use of a product with an exempt disinfectant use would no longer need PCPA approval; however, products used as sanitisers which do not have exempt disinfectant uses would continue to be regulated.

Swimming pool and spa products would continue to be subject to PCPA regulation because these products are used as algacides, as well as to control micro-organisms that might cause disease. Uses of products as material preservatives and slimicides would also continue to be regulated.

At present, some 615 commercial and 58 domestic class disinfectants registered under the PCPA would be affected by the proposed changes. Some 20 sanitizer-only use products would continue to be regulated under the PCPA, at least for the time being.

Contact: Grace Lewis, Publications Coordinator, Pest Management Regulatory Agency, Sir Charles Tupper Building, Room D633, 2250 Riverside Drive, Address Locator 6606D1, Ottawa, Ontario, K1A 0K9. Tel: 613-736-3592; Fax: 613-736-3666.

Pest Control Products Act,
subsection 6(1)

Not included in Regula-
tory Plan

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Gazette December 6,
1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Food and Drug Regulations, amendment (Schedule No. 1053) (SOR/97-558, OIC 1997-1822)

The Regulations are amended to provide for the use of lipase from *Aspergillus Tiger* var., *Aspergillus oryzae* var., edible forestomach tissue of calves, kids or lambs, animal pancreatic tissue and *Rhizopus ozyzee*, in dairy based flavoured preparations, liquid and dried egg white, cheese, bread, flour and unstandardized bakery products at levels consistent with "Good Manufacturing Practice".

Food and Drugs Act, sub-
section 30(1)

HC/R-33-I

To be published in Can-
ada Gazette December
24, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

This amendment will provide industry with an alternative source of lipase for use in the manufacture of dairy based flavouring preparations, liquid and dried egg white, cheese, as well as extend the use of this enzyme from all approved sources to bread, flour and unstandardized bakery products.

Contact: The Director, Bureau of Food Regulatory, International and Interagency Affairs, Department of Health, Address Locator 0702C, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Regulations Amending Certain Regulations Relating to the Determination of Interest Rates (SOR/97-557, OIC 1997-1819)

These amendments, which essentially delete references to Weekly, are consequential to changes in the issuance pattern of Government of Canada treasury bills announced on August 5, 1997 through the Department of Finance's Press Release 97-067. The weekly cycle for treasury bill auctions has been replaced, as of September 18, 1997, by a two-week cycle and the term of three-month treasury bills has been extended by seven days.

The *Canadian Pension Plan Regulations*, the *Income Tax Regulations*, the *Interest Rate (Excise Tax Act) Regulations* and the *Interest Rate for Customs Purposes Regulations* all include rules for determining the interest rate applicable to certain amounts payable or receivable under the Acts pursuant to which those Regulations have been made.

For the purposes of the above-mentioned regulations, the interest rate applicable is computed by reference to the average equivalent yield of Government of Canada treasury bills sold at weekly auctions, that mature approximately three months after their date of issue. In effect, the interest rates will now be tied to the treasury bills when they are auctioned.

Contact: Jocelyn Leclerc, Tax Counsel Division, Finance Canada, L'Esplanade Laurier, Ottawa, Ontario, K1A 0G5. Tel: 613-992-4455.

Food and Drug Regulations, amendment (Schedule No. 1064) (SOR/97-559, OIC 1997-1823)

The Regulations are amended to permit the use of ascorbic acid to prevent darkening in fruit purees that are labelled or advertised for consumption by infants.

Provision currently exists in the Regulations to permit this food additive in a wide variety of foods including infant cereals containing banana. However, there is no specific provision for the use of ascorbic acid in other foods intended for infants as required by section B.25.062.

Contact: The Director, Bureau of Food Regulatory, International and Interagency Affairs, Department of Health, Address Locator 0702C, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Food and Drug Regulations, amendment (Schedule No. 1076) (SOR/97-561, OIC 1997-1825)

The Regulations are amended to extend the use of citric acid to include canned chili peppers and olives at levels consistent with "good manufacturing practice".

Contact: The Director, Bureau of Food Regulatory, International and Interagency Affairs, Department of Health, Address Locator 0702C, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Canada Pension Plan, subsections 40(1); *Excise Tax Act*, subsection 59(3.1) and 277(1); *Customs Act*, paragraph 164(2); *Customs Tariff*, subsections 83.2(6) and 108(1); *Special Imports Measures Act*, subsection 97(2); *Income Tax Act*, section 221

FIN-96-32-M, FIN/R-59-L, FIN/R-12-F

To be published in Canada Gazette December 24, 1997

Food and Drugs Act, subsection 30(1)

HC/R-33-I

To be published in Canada Gazette December 24, 1997

Food and Drugs Act, subsection 30(1)

HC/R-33-I

To be published in Canada Gazette December 24, 1997

Exempt from Pre-Publication and Approved

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Deletion of Sensitivity Discs and Tablets from Schedule D to the Food and Drugs Act (Schedule No. 1074) (SOR/97-560, OIC 1997-1824)

This amendment removes sensitivity discs and tablets from the drugs listed in Schedule D to the *Food and Drugs Act*. Schedule D drugs are biological drugs which must comply with Division 4 requirements of the *Food and Drugs Regulations*.

As a result of the amendment, sensitivity discs and tablets will be exempt from the stringent regulatory framework developed for high risk products.

These products are considered to be in vitro diagnostic products and will be subject to section 3(1) of the current *Medical Device Regulations*, which are being strengthened.

In January 1997, a regulatory amendment (Schedule 624) was published which revoked Division 5 of the *Food and Drugs Regulations*. Division 5 contained specific requirements for sensitivity discs and tablets. However, the removal of sensitivity disc and tablets from Schedule D to the *Food and Drugs Act* was inadvertently omitted.

Sensitivity discs and tablets will be exempt, under section C.01.0039 of the *Food and Drugs Regulations*, from application of Part C of the Regulations. Currently Part C requires fabricators, importers and distributors of sensitivity discs and tablets to comply with the Establishment Licensing Framework and other drug regulatory requirements and their associated fees. Currently, there are four Canadian distributors of sensitivity discs and tablets.

Contact: Karolyn Lui, Policy Division, Bureau of Policy and Coordination, Therapeutic Products Directorate, Health Protection, Building Address Locator 0702B1, Tunney's Pasture, Ottawa, Ontario K1A 0L2. Tel: 613-957-0372; Fax: 613-941-6458; e-mail: karolyn_lui@inet.hwc.ca.

Food and Drug Regulations, amendment (Schedule No. 1077) (SOR/97-562, OIC 1997-1826)

The Regulations are amended to permit the addition of citric acid to frozen fish fillets, frozen minced fish and frozen comminuted fish at a maximum level of 0.1% of the finished product.

Contact: The Director, Bureau of Food Regulatory, International and Interagency Affairs, Department of Health, Address Locator 0702C, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-1828; Fax: 613-941-3537.

Federal Child Support Guidelines, amendment (SOR/97-563, OIC 1997-1827)

This amendment to the Guidelines corrects technical errors in the Guidelines which complicate some cases and give unintended results in others.

The changes include:

- a new flexibility whereby if, before a child support order is made, if a court is informed that the paying parent's province of residence will change, the court can apply the table under subsection 3(3) for that province (the tables establish child support based on a payor's ability to pay, and the tables vary from province to province).
- for the purposes of section 14, circumstances for variation, a clarification that only one of the listed circumstances in section 14 needs be met;

Food and Drugs Act, sub-section 30(1)

HCan/96-1-M

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Food and Drugs Act, sub-section 30(1)

HC/R-33-I

To be published in Canada Gazette December 24, 1997

Divorce Act, section 26.1

Jus/97-551-1

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- a correction to the English version of subsection 25(4), to add the words “with the request” which had been inadvertently dropped during the initial drafting process. No correction is made to the French version.
- a correction to a typographical error in the Yukon tables at the first two income levels (Schedule I, Federal Child Support Tables);
- removal of the definition of “average tax rate” (Schedule II, Comparison of Household Standards of Living Test) because all references to “average tax rate” in Schedule II are also removed with these amendments;
- a correction of the definition of “household” (Schedule II, Comparison of Household Standards of Living Test) to include the child of a common law partner living with the spouse as a member of the household;
- a correction to the undue hardship test (Schedule II, Comparison of Household Standards of Living Test, step 2); subparagraphs a) and b) are corrected to state that the gross amounts of spousal and child support are to be used to calculate a person’s income under the Standard of Living Test. Since taxes are already taken into account in Step 1, there is no need to calculate them again in Step 2.
- rewording subparagraph (a)(i) to clearly state that no amount should be deducted for a second family even if that second family is found to be the cause for undue hardship since consideration of the second family is already taken into account in the household size for the application of the Low Income Measures amount.
- an amendment to subparagraphs (a)(ii) and (b)(i) to allow for a person to deduct from or add to his or her income only the Table amount of child support or the amount as found appropriate by the court and not the Table amount plus special expenses.
- a clarification such that subparagraph (a)(iii), states that an amount paid in respect of a child to whom the order in subparagraph (a)(ii) relates to should not be deducted again under subparagraph (a)(iii).
- a correction to paragraph 1(i) [CPP contributions and EI premiums - Schedule III (Adjustments to Income)] to reflect the proper deduction as described in paragraph 8(1)(1.1) of the Income Tax Act, which is specifically referred to in this provision, which provides that the deduction is only for CPP and EI amounts which are paid for by a spouse who is an employee for another employee who is performing the spouse’s duties of employment.
- the addition in Child Support (Schedule III (Adjustments to Income)), Section 2 of the word “received” after “child support” to clarify the intent that only the recipient can deduct this amount, to ensure that payor's ability to pay is not based on child support payments received for another child.
- the addition, for Partnership income (Schedule III (Adjustments to income), Section 12) of the words “or a sole proprietorship” after “partnership” to account for situations where a sole proprietor requires a deduction for the purposes of capitalization.

Contact: Lise Lafrenière Henrie, Counsel, Coordinator, Policy Development, Child Support Team, Department of Justice, 239 Wellington Street, Ottawa, Ontario, K1A 0H8. Tel: 613-957-0059; Fax: 613-952-9600.

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Air Transportation Tax Regulations, 1992, amendment (SOR/97-564; OIC 1997-1828)

The amendments adjust the amount of tax applicable on the transportation of a person by air per subsection 11(1) of the *Excise Tax Act*, in cases where the transportation is subject to the ad valorem air transportation tax imposed by the United States, and where the amount is paid or payable outside Canada.

The maximum decreases to \$15.00 from \$27.50 for all amounts paid or payable on or after January 1, 1998, for emplacements on or after March 1, 1998.

The calculation of tax payable up to the new maximum will be based upon 3% of the amount paid or payable, plus \$2, a decrease from the existing formula of 5% of the amount paid or payable, plus \$4.

This decrease is due to the fact that the government has turned over the operation of the air navigation system to Nav Canada, a private Canadian corporation, as of November 1, 1996, and is phasing out the air transportation tax by October 31, 1998, while a user fee system is being implemented. Funding of air navigation services will be entirely through a user fee system, to be paid by air carriers, effective November 1, 1998.

The changes reflect changes announced on August 13, 1997, by the Minister of Finance.

Contact: W. Anderson, Excise Duty & Taxes, Revenue Canada, Vanier Towers, Tower C, 7th Floor, Room 756, 25 McArthur Road, Vanier, Ontario, K1A 0L5. Tel: 613-957-7593.

Recovery of Overpayments Made to Former Members of Parliament Regulations (SOR/97-568; OIC 1997-1838)

The regulations authorize the Minister to recover overpaid pension benefits where former Members of the House of Commons and of the Senate re-enter the federal public sector and earn in excess of \$5,000 annually.

The regulations establish the time and manner for the recovery of pension overpayments and an anniversary date scheme to determine the commencement date of a former Member's federal public sector employment. The recovery scheme will also apply to pension benefits which are overpaid for any other reason to a retired Member, surviving spouse or child.

The regulations also incorporate a technical definition of "defined benefit limit" as found in the *Income Tax Regulations* which is required to achieve compliance with the *Income Tax Act* and Regulations.

Contact: Joan M. Arnold, Acting Director, Pensions Legislation Development Group, Pensions Division, Treasury Board Secretariat, Ottawa, Ontario, K1A 0R5. Tel: 613-952-3119.

Treaty Land Entitlement (Saskatchewan) Remission Order, amendment (SI/97-139; OIC 1997-1829)

The Order amends the schedule to add the Cowesses and the Carry the Kettle bands and designated acreage, thereby remitting tax paid or payable on land purchases made by the bands that settle validated treaty land entitlement claims under the terms of binding agreements entered into by the bands, the Government of Canada and the Government of Saskatchewan.

The Order comes into force December 9, 1997.

Excise Tax Act, section 21

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Members of Parliament Retiring Allowances Act, paragraphs 64(1)(f), (h.1), (k) and (o)

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Financial Administration Act, subsection 23(2)

Not included in Regulatory Plan

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Pre-Published and Approved No comments or changes

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Laurentian Pilotage Tariff Regulations, 1996, amendment (SOR/97-565, OIC 1997-1830)

The changes to the regulations increase all pilotage tariffs by 5% on January 1, 1998 and by a further 3% on January 1, 1999.

The regulation also repeal the *Laurentian Pilotage Authority Pilot Boat Tariff Regulations, 1997*, since these regulations would cover pilot boat charges.

The port to port charge is increased by \$600 per occurrence, generating an estimated \$180,000 in revenue.

The tariffs will increase costs to users by an estimated \$1,679,000 in 1998 and \$1,059,000 in 1999.

The regulations come into effect January 1, 1998.

Contact: Jean-Claude Michaud, Chairman, Laurentian Pilotage Authority, P.O. Box 680, Tour de la Bourse, Montréal, Quebec, H4Z 1J9. Tel: 514-496-1501; Fax: 514-496-2409.

Pilotage Act, section 33

TC/97-5-L

To be published in Canada Gazette December 24, 1997

Pacific Pilotage Tariff Regulations, amendment (SOR/97-566, OIC 1997-1831)

The changes increase pilotage tariffs by 2% in all areas, with the exception of the Sand Heads, Triple Island and Cape Beale launch charges. Also increased by 2% are travel related tariffs. Together, the two increases are expected to generate \$660,000 in revenue.

The port to port charge is increased by \$600 per occurrence, generating an estimated \$180,000 in revenue.

The increases would offset increased costs related to coastal and Fraser River pilots, travel expenses associated with pilotage assignments and head office operations and staff.

With the increases, the pilotage authority anticipates a break-even year in 1998.

The Chamber of Shipping of British Columbia has agreed to the changes.

Contact: D.B. McLennan, Chairman, Pacific Pilotage Authority, 1199 West Hastings Street, Suite 300, Vancouver, B.C., V6E 4G9. Tel: 604-666-6771; Fax: 604-666-1647.

Pilotage Act, section 33

TC/97-5-L

To be published in Canada Gazette December 24, 1997

Food and Drug Regulations, amendment (Schedule No. 976 - Schedule F update) (SOR/97-567, OIC 1997-1832)

This amendment updates Part I of Schedule F to accurately reflect the regulatory status of 17 new drugs introduced onto the market as prescription drugs.

More specifically, Part I of Schedule F to the Food and Drug Regulations is amended by adding the following references in alphabetical order: Acarbose and its derivatives; Alendronic acid and its salts; Bicalutamide; Colchicine; Docetaxel and its derivatives; Famciclovir and its salts; Lamivudine and its salts; Levocarnitine and its salts and derivatives; Losartan and its salts; Mycophenolic acid and its salts and derivatives; Propofol; Sermorelin and its salts; Spironolactone; Tacrolimus and its derivatives; Tetrabenazine and its salts; Tricaine and its salts; and Zolpidem and its salts.

Contact: Julie Gervais, Policy Division, Bureau of Policy and Coordination, Therapeutic Products Directorate, Health Protection Building, Address Locator 0702B1, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-952-3601; e-mail: julie_gervais@inet.hwc.ca.

Food and Drugs Act, c. F-27, subsection 30(1)

HCan/96/R-13-L

To be published in Canada Gazette December 24, 1997

Ministerial Orders Approved

Statutory Authority & Regulatory Plan Listing

Canadian Egg Marketing Agency Quota Regulations, 1986, amendment (SOR/97-553)

This amendment establishes the number of dozens of eggs that producers may market during the 12-month period commencing December 28, 1997.

The quota, in number of dozens of eggs, for the period is as follows: Ontario, 181,682,253; Quebec, 79,183,545; Nova Scotia, 18,426,496; New Brunswick, 9,905,516; Manitoba, 54,263,991; British Columbia, 58,631,147; P.E.I., 3,079,945; Saskatchewan, 22,547,221; Alberta, 40,918,777; and Newfoundland, 7,944,278.

Farm Products Agencies Act, paragraph 22(1)(f)

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Canadian Egg Marketing Levies Order, amendment (SOR/97-554)

This amendment set the levy rate to be paid by producers engaged in the provinces in the marketing of eggs in interprovincial or export trade and extends the expiry date of the Order to December 26, 1998.

The levy imposed on each producer payable on each dozen of eggs marketed by that producer in interprovincial or export trade is as follows: Ontario, \$0.165; Quebec, \$0.153; Nova Scotia, \$0.156; New Brunswick, \$0.155; Manitoba, \$0.168; British Columbia, \$0.164; P.E.I., \$0.157; Saskatchewan, \$0.165; Alberta, \$0.163; and Newfoundland, \$0.155.

The Order comes into effect December 28, 1997.

Farm Products Agencies Act, paragraph 22(1)(f)

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Canada Turkey Marketing Levies Order, amendment (SOR/97-546)

The amendment replaces Section 6 of the Order with the following: "This Order ceases to have effect on December 31, 1998".

The amended Order came into force on December 9, 1997.

The amendment revises the limitations to be applied when determining the market allotment of a producer or when issuing a new market allotment within a province during the control period beginning on May 1, 1997 and ending on April 30, 1998.

Farm Products Agencies Act, paragraph 22(1)(f);
Canadian Turkey Marketing Agency Proclamation, section 10, Part II

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Canadian Turkey Marketing Quota Regulations, 1990, amendment (SOR/97-547)

The schedule to the Regulations is replaced with new limitations to be applied when determining the market allotment of a turkey producer or when issuing a new market allotment within a province during the control period between May 1, 1997 and April 30, 1998.

The new allotments, by province and in pounds of turkey, are set as follows: Ontario, 122,430,046, down from 124,560,143; Quebec, 62,206,271, down from 65,494,135; Nova Scotia, 7,800,148, down from 8,194,729; New Brunswick, 5,377,462, down from 5,649,488; Manitoba, 20,358,366, down from 21,154,956; British Columbia, 32,137,036, down from 33,525,396; Saskatchewan, 10,367,081, down from 10,788,699; and Alberta, 24,332,325, down from 25,563,212. The total allotment nationally for the period is 285,008,735, down from 294,930,758 pounds of turkey.

The amended regulations came into force on December 8, 1997.

Farm Products Agencies Act, paragraph 22(1)(f);
Canadian Turkey Marketing Agency Proclamation, C.R.C., c. 647, section 2, Part II

Not included in Regulatory Plan

To be published in Canada Gazette November 27, 1996

Ministerial Orders Approved

Statutory Authority & Regulatory Plan Listing

Domestic Substances List, amendment (SOR/97-545)

The amendment adds 2 substances to Part I of the Domestic Substances List (DSL).

The additions are:

- 12160-30-4
- 27177-41-9.

The Order comes into effect on December 5, 1997.

Contacts: Daniel Dube, Head, New Substances Notification Section, New Substances Division, Commercial Chemicals Evaluation Branch, Department of the Environment, Hull, Quebec, K1A 0H3. Tel: 819-997-3203; Arthur Sheffield, Chief, Economic Analysis Branch, Response Assessment Directorate, Department of the Environment, Hull, Quebec K1A 0H3. Tel: 819-953-1172.

Canadian Environmental Protection Act, subsection 25 (1)

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Broadcasting Distribution Regulations (SOR/97-555)

The regulations set out the terms and conditions for a licensee to operate a distribution undertaking for programming services, including community programming, pay television, tv pay-per-view, Direct-to-Home (DTH), pay-per-view, video-on-demand and pay audio services.

Among the things the regulations make provision for are: newer digital services as well as analog services; ownership of licensees; majority Canadian programming; the transfer of inside wire to customers upon termination of a service; dispute resolution; access for specialty, pay television and pay-per-view services; contributions to local expression and Canadian programming; DTH Distribution Undertakings; program substitution and deletion; and fees for and provision of basic services.

The *Cable Television Regulations, 1986* are repealed.

The new regulations come into force January 1, 1998.

Broadcasting Act, subsection 10(1)

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Canada Communication Group Divestiture Regulations, amendment (SOR/97-556)

The amendment provides access to eligible individuals to lump sum benefits such as return of contributions or a transfer value. The change ensures that a number of Canada Communication Group employees who transferred to their new employer after March 7, 1997 continue to be eligible for benefits under the divestiture regulations.

The Regulations provide that the individuals who do not make an option for a lump sum benefit will retain the protection of their pension accruals under the *Public Service Superannuation Act* as of the time they ceased to be employed in the Public Service and their service with the new employer will count for benefit eligibility under the Act.

The Regulations, which come into force December 1, 1997, establish deadlines of June 20, 1998 and December 1, 1998 for exercising specified options under the Regulations.

Contact: Joan M. Arnold, Acting Director, Pensions Legislation Development Group, Pensions Division, Treasury Board Secretariat, Ottawa, Ontario, K1A 0R5. Tel:613-952-3119.

Financial Administration Act, paragraph 7(2)(a); *Public Service Superannuation Act*, paragraph 42.1(1)(u)

Not included in Regulatory Plan

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Ministerial Orders Approved

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British Columbia Rules of Practice Respecting Reduction in the Number of years of Imprisonment Without Eligibility for Parole (SOR/97-569)

The Rules cover applications for a reduction in the number of years of imprisonment without eligibility for parole, including how to make the application, designation of a judge, what happens on receipt of a notice of hearing and during a preliminary hearing, preparation and contents of a parole eligibility report, and the hearing of an application.

The Rules also set out the form of an application; they come into force December 1, 1997.

Criminal Code, subsection 745.64(1)

Not included in Regulatory Plan

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Criminal Rules of the Supreme Court of British Columbia (SI/97-140)

The Rules cover all criminal proceedings within the jurisdiction of the Supreme Court of British Columbia. Repealed are the *Supreme Court of British Columbia Rules for Pre-Trial Conferences*, the *Criminal Rules, 1991*, and the *Summary Conviction Appeal Rules 1991*.

The Rules cover notice of applications, service, mandamus, certiorari, habeas corpus, prohibition, bail applications and disposition of exhibits, pre-trial conferences, summary conviction appeals; they come into force December 1, 1997.

Criminal Code, section 482

Not included in Regulatory Plan

To be published in Canada Gazette December 24, 1997

Seeds Fees Notice

The notice sets fees payable to the Canadian Food Inspection Agency for services or use of facilities under the *Seeds Regulations*.

Among the fees established are:

- a fee payable by a seed grower for seed crop inspection to determine eligibility for pedigreed status, being \$100 plus \$1.80 per hectare (\$9.60 per hectare for hybrid corn);
- a fee for inspection of a breeder plot or select plot to determine eligibility for pedigreed status, being \$80 per plot;
- a fee for reinspection, where the initial inspection showed ineligibility for pedigreed status, being \$90 per hour or \$15 per quarter hour, rounded to the nearest quarter hour, whichever is highest;
- a fee for inspections of seed crop or land use for purposes other than establishing pedigreed status or inspections of seed for other than certifying seed for export, being \$90 per hour or \$15 per quarter hour, rounded to the nearest quarter hour, whichever is highest;
- a fee for inspection to certify seed for export, being the greater of \$45 and \$7.50 per quarter hour, rounded to the nearest quarter hour;
- a fee for services for the purposes of sections 40 and 42 of the Regulations in respect of each shipment of imported seed, the fee being \$15 for a shipment of 1,500 kg or less or \$0.01 per kg for a shipment of more than 1,500 kg, with the fee not applying to small shipment or seed imported by an authorized importer;
- a fee for an evaluation in connection with section 111 of the Regulations, being \$400 in the case of a confined release of seed, or \$2,000 in the case of an unconfined release of seed, along with an annual fee of \$100 for each site of a confined release and \$100 for renewal of an authorization;

Farm Products Agencies Act, section 24(1)

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Ministerial Orders Approved

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- a sliding scale fee for the fees payable by an approved conditioner or accredited grader of seeds, for quality surveillance, the annual fee ranging from \$65 where the volume of seed conditioned or graded in the preceding seed year is not more than 100 tonnes or not more than two lots, to \$1,050 where the volume is more than 3,000 tonnes or more than 100 seed lots;
- a fee for seed tests, unless otherwise provided for in the Notice, of \$15 per quarter hour.

The Notice also provides a fee schedule for a variety of services and accreditations, including application reviews, issuance of certificates, seed laboratory accreditation and audit, review of applications for registered varieties, compliance assistance, and training.

The amended regulations came into force on December 2, 1997.

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