



## Environment and Labour

### Schedule "A"

**Amendment to the General Regulations Respecting Labour Standards  
made by the Governor in Council pursuant to subsection 4(2) and  
Section 7 of Chapter 246 of the Revised Statutes of Nova Scotia, 1989,  
the *Labour Standards Code***

- 1 Clause 2(5)(b) of the general regulations respecting labour standards, N.S. Reg. 298/90, made by the Governor in Council by Order in Council 90-1321 dated November 13, 1990, is amended by adding "66A," immediately after "Sections".
- 2 The regulations are further amended by adding the following Section immediately after Section 7:

**Exempt classes of retail business**

- 7A (1)** The following classes of retail business are exempt from the application of Section 66A of the Code:
- (a) the operation of a drug store except in a department store;
  - (b) the sale of agricultural products by the producer at the farm;
  - (c) the sale of maple sugar products;
  - (d) the sale of Christmas trees;
  - (e) the operation of a motor vehicle service station;
  - (f) the operation of a restaurant;
  - (g) the provision of accommodation, camping, food, beverage, recreation, related services and facilities, and tourist information;
  - (h) the operation of a private club, fraternal organization or veterans organization, but not including a private club established or operated for the purpose of selling or

offering for sale or purchase any goods or services by retail;

- (i) any public game or contest for gain or for any prize or reward;
- (j) any performance or public meeting at which a fee is charged directly or indirectly either for admission to such performance or meeting or to any place within which the same is provided or for any service or privilege thereat, but not including the operation of a public dance hall;
- (k) the hiring of motor vehicles or small boats for the personal use of the hirer or his family for any purpose not prohibited by the *Retail Business Uniform Closing Day Act*;
- (l) the operation of an excursion on which passengers are conveyed for hire and having for its principal or only object the carriage of such passengers for amusement or pleasure;
- (m) the conveying of goods or travellers on railways, buses or other public conveyances;
- (n) the operation a ferry or boat authorized by competent authority to carry passengers on a uniform closing days;
- (o) receiving, transmitting or delivering telegraph or telephone messages;
- (p) broadcasting as defined by the *Defamation Act*;
- (q) the publication of a newspaper including all work necessary for, or incidental to the preparation, printing and distribution thereof;
- (r) the provision of goods or services on an emergency basis;
- (s) the provision of goods or services by
  - (i) a store
    - (A) whose principal business is selling groceries, and
    - (B) that at no time operates a retail sales area greater than 4000 ft.<sup>2</sup>,

- (ii) a confectionary store,
- (iii) a store whose principal business is selling handicrafts, souvenirs and similar articles, principally to tourists or travellers,
- (iv) a canteen,
- (v) a fruit or vegetable stand whose principal business is selling local produce,
- (vi) a flea market or rummage sale,
- (vii) a fish store,
- (viii) a laundromat,
- (ix) a billiard hall or pool room,
- (x) the rental of video cassettes, video discs or similar media and related devices,
- (xi) a prefabricated or modular home sales office,
- (xii) a store whose principal business is the sale of nursery stock or the provision of gardening supplies,
- (xiii) a store whose principal business is the sale of books, newspapers and magazines,
- (xiv) an antique store,
- (xv) an art gallery,
- (xvi) a used clothing store.

(2) For the purposes of clause (1)(a), a “drug store” does not include either of the following:

- (a) a retail business that includes a retail sales area that is
  - (i) larger than 2000 ft.<sup>2</sup> in total,
  - (ii) open to the public, and

- (iii) dedicated to food items;
  - (b) a retail business in which the total retail sales area that is open to the public is larger than 20,000 ft.<sup>2</sup>.
- (3) For the purposes of subclause (1)(s)(i), 2 or more stores that are owned, occupied or operated by related persons are deemed to be one store if they are
  - (a) in the same building; or
  - (b) adjacent or in close proximity to each other.
- (4) For the purposes of subsection (3), “related persons” has the same meaning as in paragraph 251(2)(b) of the *Income Tax Act* (Canada).