

Royal Gazette

Part II Regulations under the Regulations Act

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N.S. Reg. 82/99

Made: August 4, 1999

Filed: August 6, 1999

Proclamation, S. 44, S.N.S. 1999, c. 3

Order in Council 1999-389 made August 4, 1999

Proclamation made by the Governor in Council

pursuant to Section 44

of the *Applied Science Technology Act*

The Governor in Council on the report and recommendation of the Minister of Transportation and Public Works dated July 14, 1999, pursuant to Section 44 of Chapter 3 of the Acts of 1999, the *Applied Science Technology Act*, is pleased to order and declare by proclamation that Chapter 3 of the Acts of 1999, the *Applied Science Technology Act*, come into force on and not before August 4, 1999.

PROVINCE OF NOVA SCOTIA

Sgd: *J. James Kinley*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her
Other Realms and Territories, Queen, Head
of the Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE
SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 44 of Chapter 3 of the Acts of 1999, the *Applied Science Technology Act*, it is enacted as follows:

- 44** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 3 of the Acts of 1999, the *Applied Science Technology Act*, come into force on August 4, 1999;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 3 of the Acts of 1999, the *Applied Science Technology Act*, come into force on August 4, 1999, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the Great
Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
the Honourable J. James Kinley, C.D.,
S.M., D.Eng., P.Eng., F.E.I.C., Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 4th day of August, in the
year of Our Lord one thousand nine
hundred and ninety-nine and in the forty-
eighth year of Our Reign.

BY COMMAND:

Sgd: *R. S. Harrison*
Provincial Secretary
Attorney General and Minister of Justice

N.S. Reg. 83/99

Made: September 4, 1997

Filed: August 9, 1999

Forfeiture of Seized Property Regulations

Order dated September 4, 1997
made under subsection 101(1) of the
Wildlife Act

MINISTERIAL FORFEITURE ORDER

Pursuant to Section 101(1) of the Wildlife Act, R.S.N.S. 1989, c. 504 as Minister of Natural Resources, I hereby order the automatic forfeiture to Her Majesty in Right of the Province property, including wildlife, seized from a person convicted of the following offences:

WILDLIFE ACT

- | | |
|---------------|---|
| Section 26 | Hunting or fishing without valid license or permit. |
| Section 31(2) | Obtaining or applying for license or permit after conviction. |
| Section 32(2) | Hunt[ing] while disqualified because of a hunting accident. |
| Section 39(2) | Hunting wildlife during closed season |
| Section 39(2) | Exceeding seasonal bag limit prescribed for wildlife. |
| Section 50(1) | Hunting, taking or killing protected wildlife. |
| Section 68 | Hunting wildlife by means of, or with assistance of, a light or flambeau. |
| Section 69(1) | Shining a light of more than 4 1/2 volts at night on wildlife habitat not owned by that person. |
| Section 73(2) | Hunting wildlife during hours other than those permitted by regulations. |
| Section 73(2) | Discharging a firearm or bow during hours other than those permitted by regulations. |
| Section 78(3) | Hunting in an area designated as “no hunting” by the Minister of Natural Resources |
| Section 79 | Possessing firearm or bow in wildlife habitat contrary to Act or regulations. |
| Section 80(4) | Transporting or possessing uncased firearm or bow in wildlife habitat at night during open season |

- Section 81 Using or possessing prohibited weapon or ammunition
- Section 87(1) Possessing uncased firearm or bow in wildlife habitat while impaired by alcohol or drugs.
- Section 87(2) Discharging or handling firearm or bow without due care and attention.
- Section 88(a) Obstructing a conservation officer or person assisting.
- Section 88(d) Assaulting a Conservation Officer or person assisting.
- Section 109 Applying for license or permit while disqualified.

FIREARM AND BOW REGULATIONS

- Section 3(a) Possessing a swivel or spring gun in wildlife habitat.
- Section 3(b) Possessing a shotgun greater than 10 gauge in wildlife habitat.
- Section 3(c) Possessing a device designed to deaden sound of report of firearm in wildlife habitat.
- Section 3(d) Possessing a crossbow in a wildlife habitat.
- Section 3(e) Possessing in wildlife habitat shot larger than .24 in./ .6096 cm (AAA or No. 4 Buckshot) except rifled slugs or ball during the open season for big game.

GENERAL WILDLIFE REGULATIONS

- Section 11(1) Hunting wildlife between 1 hour after sunset and 1 hour before sunrise contrary to the regulations.
- Section 11(2) Discharging firearm or bow between 1/2 hour after sunset and 1/2 hour before sunrise contrary to the regulations.

CHIGNECTO GAME SANCTUARY

- Section 3(1)(a) Hunting wildlife in Chignecto Game Sanctuary contrary to the regulations.

LISCOMB GAME SANCTUARY REGULATIONS

- Section 3(1)(a) Hunting wildlife in Liscomb Game Sanctuary contrary to the regulations.

TOBEATIC WILDLIFE MANAGEMENT AREA REGULATIONS

Section 3(1)(a) Hunting wildlife in Tobeatic Wildlife Management Area without written authorization, contrary to the regulations.

ADDITIONAL

Any trap, snare or net illegally used to hunt wildlife may be seized and upon conviction will be automatically forfeited to the Crown.

Dated at Halifax, in the County of Halifax, Province of Nova Scotia, this 4th day of September, A.D. 1997.

Signed: *Ken MacAskill*
Honorable Kennie MacAskill
Minister of Natural Resources

N.S. Reg. 84/99

Made: September 4, 1997

Filed: August 9, 1999

License Suspension Regulations

Order dated September 4, 1997
made under subsection 31(2) and Section 109 of the
Wildlife Act

MINISTERIAL LICENSE SUSPENSION ORDER

Pursuant to Section 31(2) and 109 of the Wildlife Act, R.S.N.S. 1989, c. 504 as Minister of Natural Resources, I hereby order the following.

Anyone convicted between September 1 to December 31 of the offences listed herein, will have their privilege of obtaining any hunting license suspended for one year beginning the following year on January 1. If the conviction is registered after January 1 of the following year the suspension will be from the date of conviction until December 31.

Conviction of Section 68 of the Wildlife Act will result in a three year suspension beginning on the date of conviction.

Conviction of any wildlife offence while the person's hunting privileges are suspended will result in an additional one year suspension, except for conviction of Section 68 of the Wildlife Act where an additional three years will be imposed.

Suspensions imposed while the person is currently suspended will run consecutive to the initial suspension.

Conviction of any three wildlife offences, whether or not the offences are listed herein, within a five year period will result in a one year suspension of hunting privileges.

WILDLIFE ACT

Section 21(3)	Hunting or trapping in area closed for wildlife management purposes
Section 26	Hunting or fishing without valid license or permit.
Section 32(2)	Hunt[ing] while disqualified because of a hunting accident.
Section 39(2)	Hunting wildlife during closed season.
Section 39(2)	Exceeding seasonal bag limit prescribed for wildlife.
Section 39(2)	Exceeding daily bag limit prescribed for wildlife.
Section 40(1)	Setting trap or snare for moose or deer.

- Section 50(1) Hunting, taking or killing protected wildlife.
- Section 62 Keeping wildlife or exotic wildlife in captivity contrary to Act or regulations.
- Section 65 Selling or purchasing carcass of wildlife or any parts thereof.
- Section 67(1) Hunting with poison, drugs, explosives, deleterious substance.
- Section 68 Hunting wildlife by means of, or with assistance of, a light or flambeau.
- Section 69(1) Shining a light of more than 4 1/2 volts at night on wildlife habitat not owned by that person.
- Section 79 Possessing firearm or bow in wildlife habitat contrary to Act or regulations.
- Section 80(4) Transporting or possessing uncased firearm or bow in wildlife habitat at night during open season
- Section 84(2) Transporting loaded firearm on or in vehicle or vessel.
- Section 85 Discharging firearm or bow across travelled portion of any highway or within 100 feet/30.48 m of travelled portion.
- Section 87(1) Possessing uncased firearm or bow in wildlife habitat while impaired by alcohol or drugs.
- Section 87(2) Discharging or handling firearm or bow without due care and attention
- Section 88(a) Obstructing a conservation officer or person assisting.
- Section 88(b) Causing others to obstruct conservation officer or person assisting.
- Section 88(c) Inciting others to obstruct Conservation Officer or person assisting.
- Section 88(d) Assaulting a Conservation Officer or person assisting.

DEER HUNTING REGULATIONS

- Section 6(3) Hunting or possessing deer during closed season.
- Section 7(2) Killing or possessing more deer than prescribed bag limit for deer.
- Section 8(4) Hunting deer after tag is detached from license.

GENERAL WILDLIFE REGULATIONS

- Section 11(2) Discharging firearm or bow between one-half hour after sunset and one-half hour before sunrise contrary to the regulations.
- Section 14(1) Hunting or possessing firearm or bow in wildlife habitat while disqualified.
- Section 14(4)(b) Using or possessing in wildlife habitat trap or snare capable of taking or holding big game.

MOOSE REGULATIONS

- Section 4(5) Hunting moose without valid Moose Hunting License and valid Firearm Hunting Certificate or Bow Hunting Certificate.
- Section 5(2) Hunting moose out of season.
- Section 5(3) Hunting or possessing a greater number of moose than the total prescribed bag limit.

FIREARM & BOW REGULATIONS

- Section 11(1) Hunting or discharging firearm or bow within 880 yards/804 m of school.
- Section 11(2) Hunting with or discharging a firearm loaded with rifle cartridge, single ball or slug within 440 yards/402 m of dwelling, place of business, public building or public place.
- Section 11(3) Discharging shotgun loaded with shot, or bow within 200 yards/182 m of dwelling, place of business, public building or other place.
- Section 11(4) Hunting wildlife with firearm or bow within 200 yards/182 m of dwelling, place of business, public building or other place.

Dated at Halifax, in the County of Halifax, Province of Nova Scotia, this 4th day of September, A.D., 1997.

Signed: *Ken MacAskill*
Honorable Kennie MacAskill
Minister of Natural Resources

N.S. Reg. 85/99

Made: July 5, 1999

Filed: August 12, 1999

Ministerial Education Act Regulations

Order dated July 5, 1999
made under Section 145 of the
Education Act

**In the matter of Section 145 of Chapter 1 of the Acts of 1995-96
the *Education Act***

- and -

**In the matter of the *Ministerial Education Act Regulations* made by the Minister
of Education and Culture pursuant to Section 145 of the *Education Act***

ORDER

I, Wayne Gaudet, Minister of Education and Culture for the Province of Nova Scotia pursuant to Section 145 of Chapter 1 of the Acts of 1995-96, the *Education Act*, do hereby repeal subsection 3(2) of the *Ministerial Education Act Regulations*, made by the Minister of Education and Culture on June 24, 1997, and substitute the following subsection:

- (2) Despite subsection (1), a school board may direct that the total number of hours of scheduled teaching time in a school year for students in the primary grade shall be no less than the product of four hours times the number of days in which teaching is scheduled for students in other grades in the school, and these hours of teaching
- (a) may be scheduled by the school board during any part of the time in which students in other grades are receiving instruction; and
- (b) shall be provided on each school day.

DATED AND MADE at Halifax, Nova Scotia, July 5, 1999.

Signed: *Wayne Gaudet*
Wayne Gaudet
Minister of Education and Culture