

Published Under the Authority of the Attorney General

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**In force date of regulations:** As of March 5, 2005\*, the date that a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date that a regulation is filed and any specified effective dates are important in determining when the regulation is in force.

\*Effective November 28, 2023, subsection 3(6) of the *Regulations Act* was replaced. (See subsection 3(5) of Chapter 54 of the Acts of 2022, *An Act to Amend Chapter 393 of the Revised Statutes, 1989, the Regulations Act*.)

**N.S. Reg. 270/2025**

Made: December 4, 2025

Filed: December 4, 2025

Prescribed Petroleum Products Prices

Order dated December 4, 2025  
made by the Nova Scotia Energy Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Energy Board's website at the following address:  
<https://nserbt.ca/nseb/mandates/gasoline-diesel-pricing>.]

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**N.S. Reg. 271/2025**

Made: December 5, 2025

Filed: December 8, 2025

Road Trails Designation

Order dated December 5, 2025  
Designation made by the Minister of Public Works  
pursuant to subsections 37(1) and (3) of the *Road Trails Act*

**In the matter of subsections 37(1) and (3) of Chapter 4 of the Acts of 2023,  
the *Road Trails Act***

**-and-**

**In the matter of the designation of portions of public highways  
as road trails for the purpose of the *Road Trails Act***

**Order**

I, Fred Tilley, Minister of Public Works for the Province of Nova Scotia, pursuant to subsections 37(1) and (3) of Chapter 4 of the Acts of 2023, the *Road Trails Act*, hereby designate portions of public highways located on lands owned by His Majesty the King in Right of the Province of Nova Scotia, and under the administration and control of the Minister of Public Works, at various locations in the Province of Nova Scotia as described in and as shown in bold lines on the maps attached in Schedule "A" as road trails for the purpose of the *Road Trails Act*.

This order is effective on and after the date it is filed with the Registrar of Regulations.

Dated and made December 5, 2025, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Fred Tilley*  
Honourable Fred Tilley  
Minister of Public Works

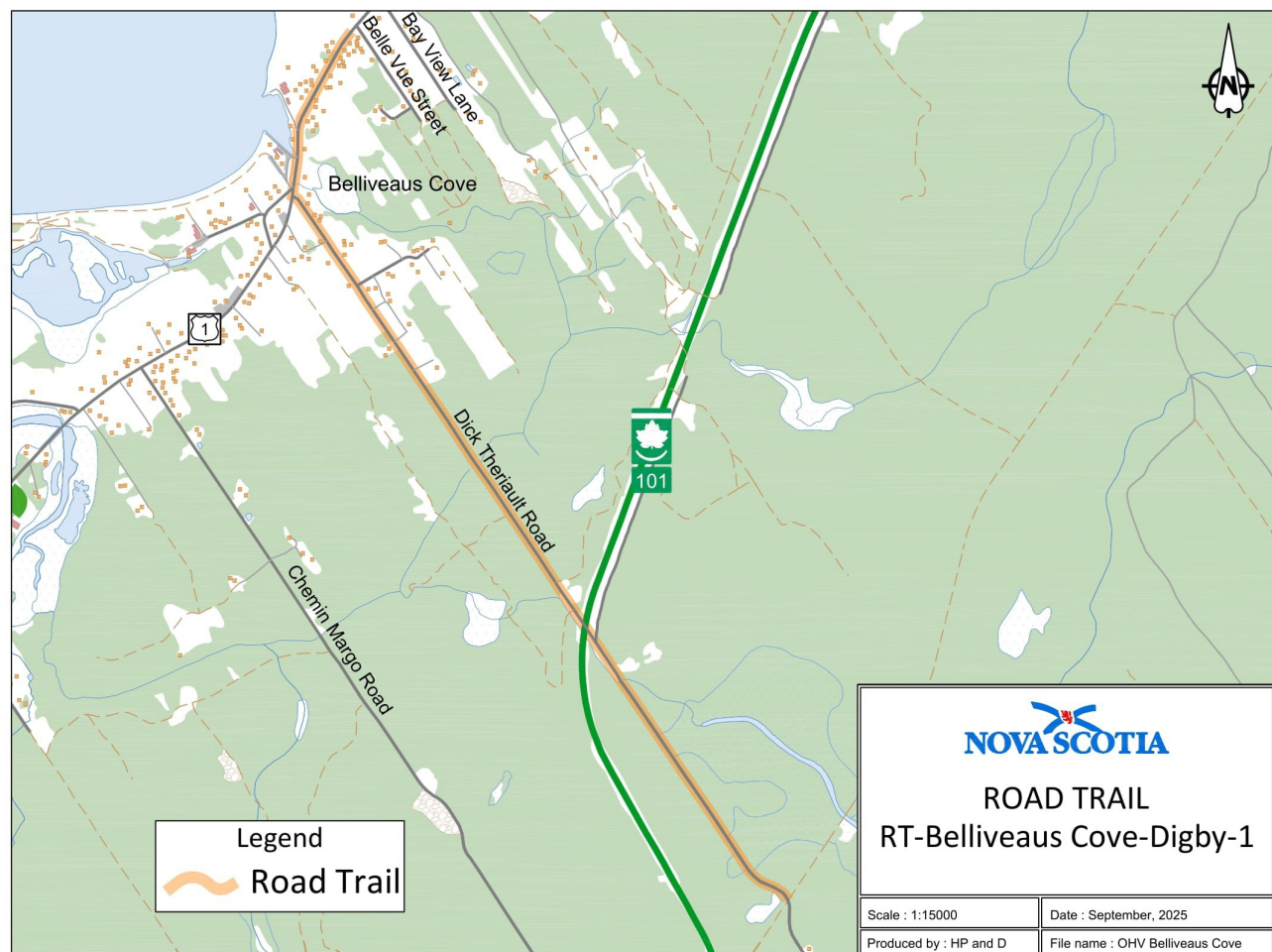
## Schedule "A"

## Location of Designated Road Trails

Coordinates are decimal degrees map coordinates taken from Google Earth.

## Appendix AV: Belliveaus Cove, Digby County

The road trail begins at coordinates 44.366717°N, 66.041038°W and travels northwest on Dick Theriault Road for 7.4 km. The road trail continues on Trunk 1 for a distance of 0.53 km to civic 3334, Trunk 1 in Belliveaus Cove.



### Appendix AW: Caledonia, Guysborough County

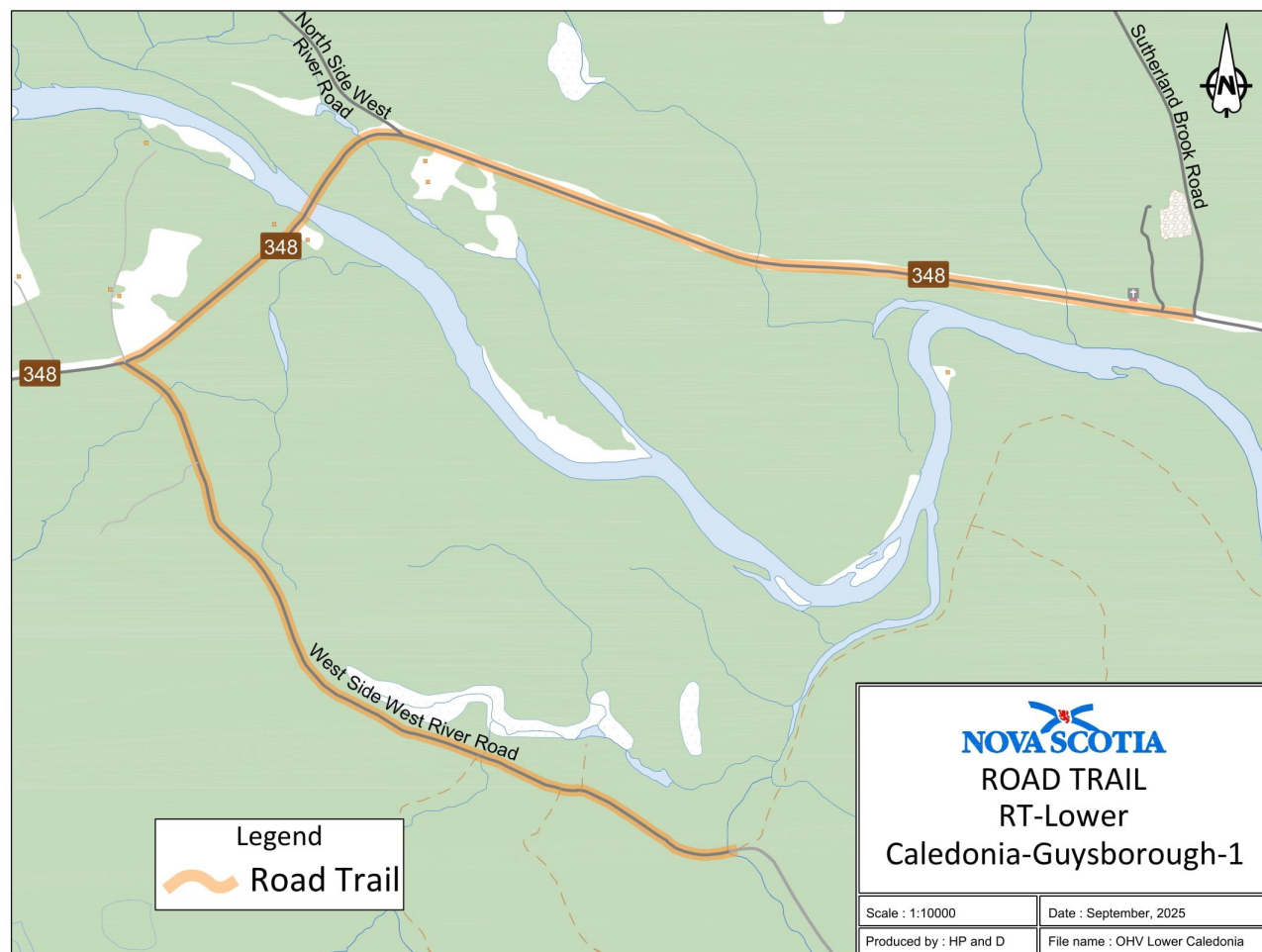
The road trail begins at coordinates 45.278135°N, 62.407029°W and travels northeast for 0.98 km. The road trail continues on Route 348 for a distance of 0.51 km and travels on MacIntosh Road in [a] westerly direction for a distance of 0.60 km in Caledonia.





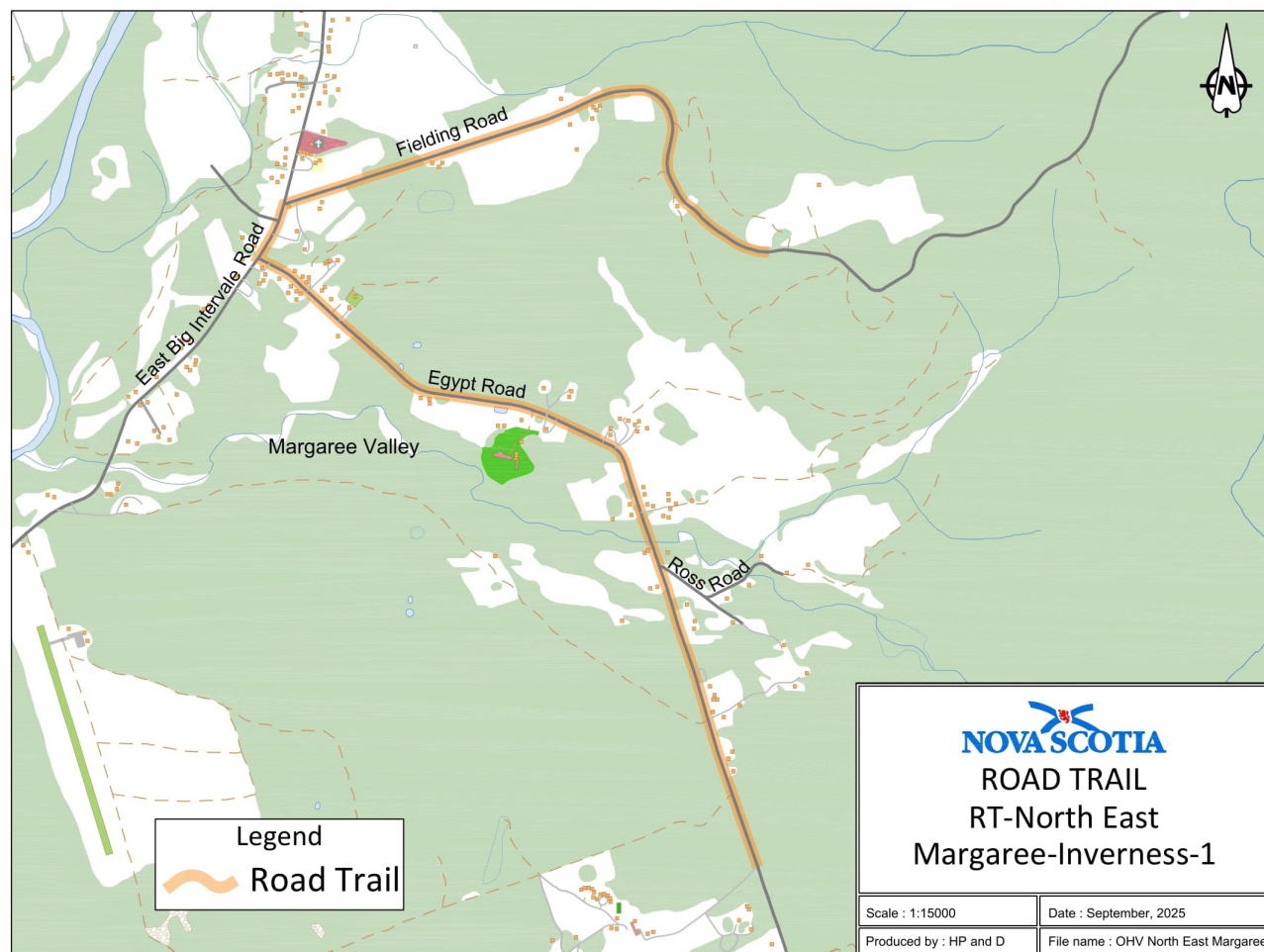
**Appendix AX: Lower Caledonia, Guysborough County**

The road trail begins at coordinates 45.261655°N, 62.262219°W and travels on West Side River Road for 1.79 km until it connects with Route 348 and continues in an easterly direction on Route 348 for a distance of 2.52 km until it reaches Sutherland Brook Road.



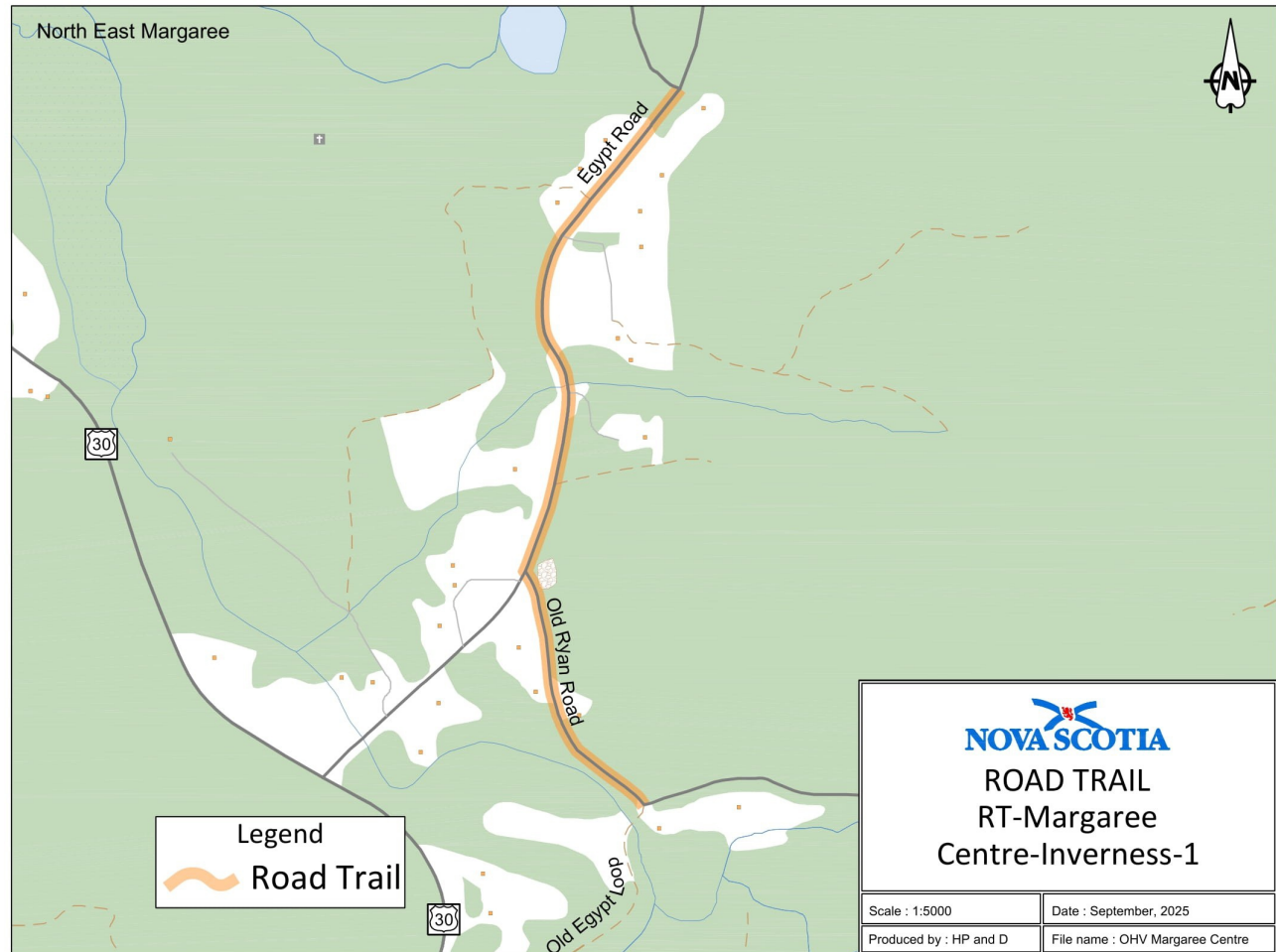
**Appendix AY: North East Margaree, Inverness County**

The road trail begins at coordinates 46.336838°N, 60.952247°W and travels north on Egypt Road for 2.7 km. The road trail continues on East Big Intervale Road for a distance of 0.2 km until it intersects with Fielding Road and continues in an easterly direction for a distance of 1.9 km.



**Appendix AZ: Margaree Centre, Inverness County**

The road trail begins at coordinates 46.321066°N, 60.968314°W and travels south on Egypt Road for 0.58 km. The road trail continues on Old Ryan Road for 0.3 km until it intersects with Old Egypt Loop at coordinates 46.314103°N, 60.968843°W.



### Appendix BA: Glenelg, Guysborough County

The road trail begins at coordinates 45.254805°N, 62.080790°W and travels in an easterly direction on Lead Mines Road for 0.42 km. The road trail continues on Waternish Road in a northerly direction for a distance of 0.57 km. The road trail continues on Glenelg Church Road for a distance of 4.71 km and concludes at coordinates 45.295386°N, 62.076809°W.





**Appendix BB: Larrys River, Guysborough County**

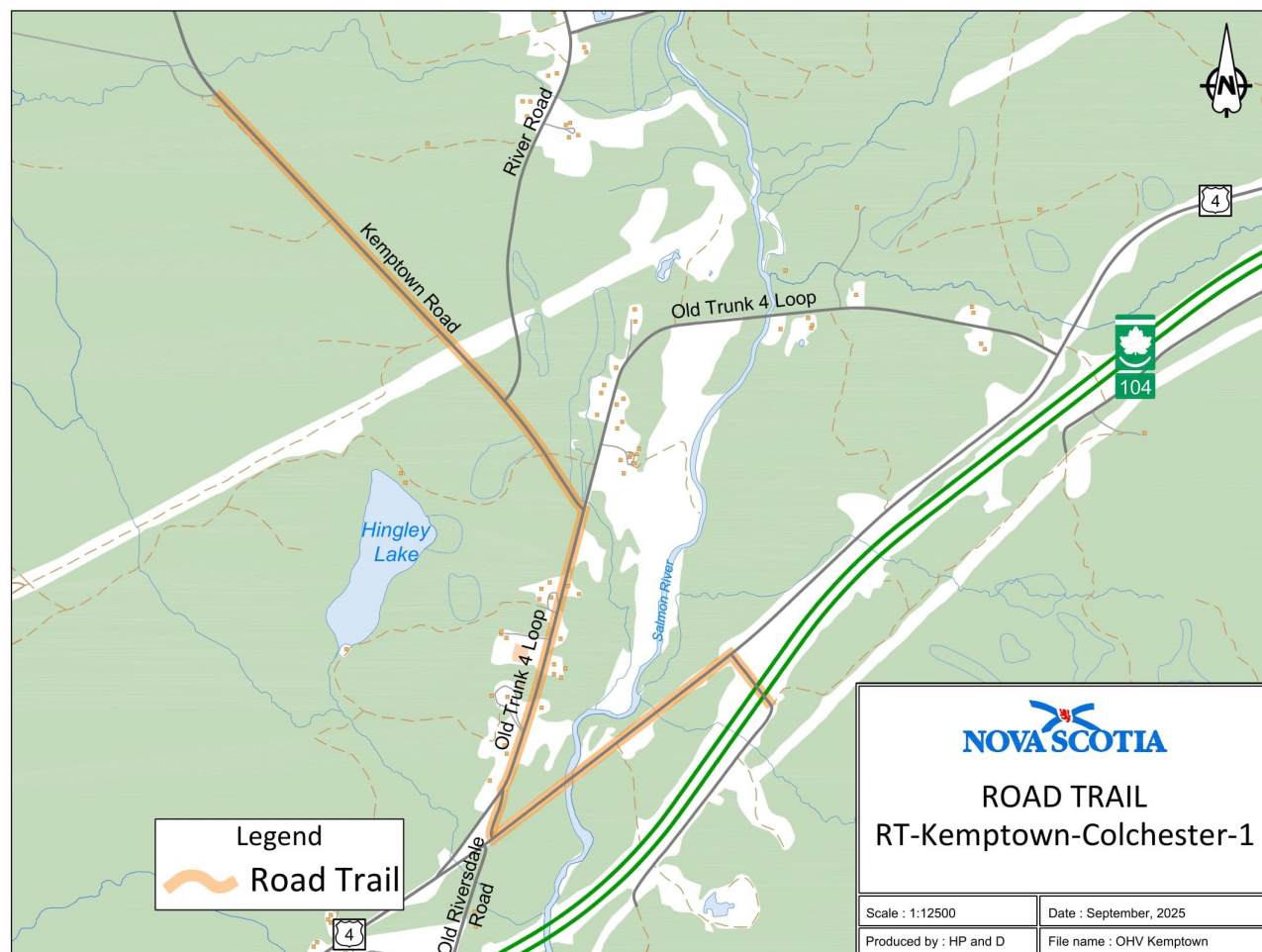
The road trail begins at coordinates 45.203012°N, 61.510122°W and travels in an easterly direction on Route 316 for 5.07 km. The road trail continues on New Harbour Road for an additional 0.75 km.





### Appendix BC: Kemptown, Colchester County

The road trail begins at coordinates 45.479165°N, 63.085941°W and travels southeast on Kemptown Road for 1.47 km. The road trail continues on Loop Old Highway 4 Loop for 0.77 km. The road trail continues on Old Riversdale Road for 0.14 km. The road trail continues northeast on Pictou Road for 0.8 km. The road trail goes eastward on Service Road COL 104-12 for 0.18 km until coordinates 45.464337°N, 63.067241°W.



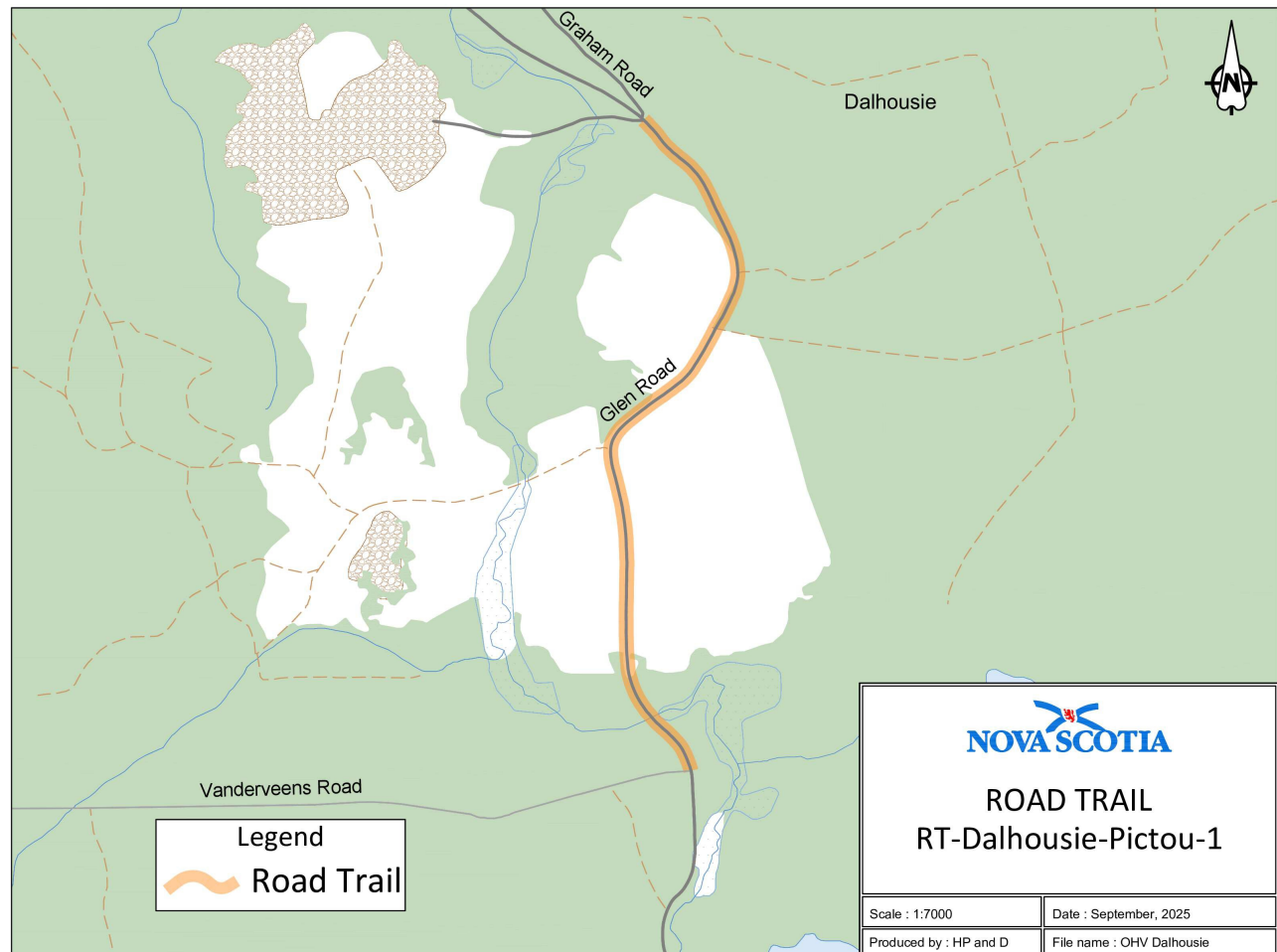
**Appendix BD: Nuttby, Colchester County**

The road trail begins at coordinates 45.536785°N, 63.172773°W and travels in a westerly direction on Route 311 for 0.11 km and concludes at coordinates 45.536329°N, 63.174052°W.



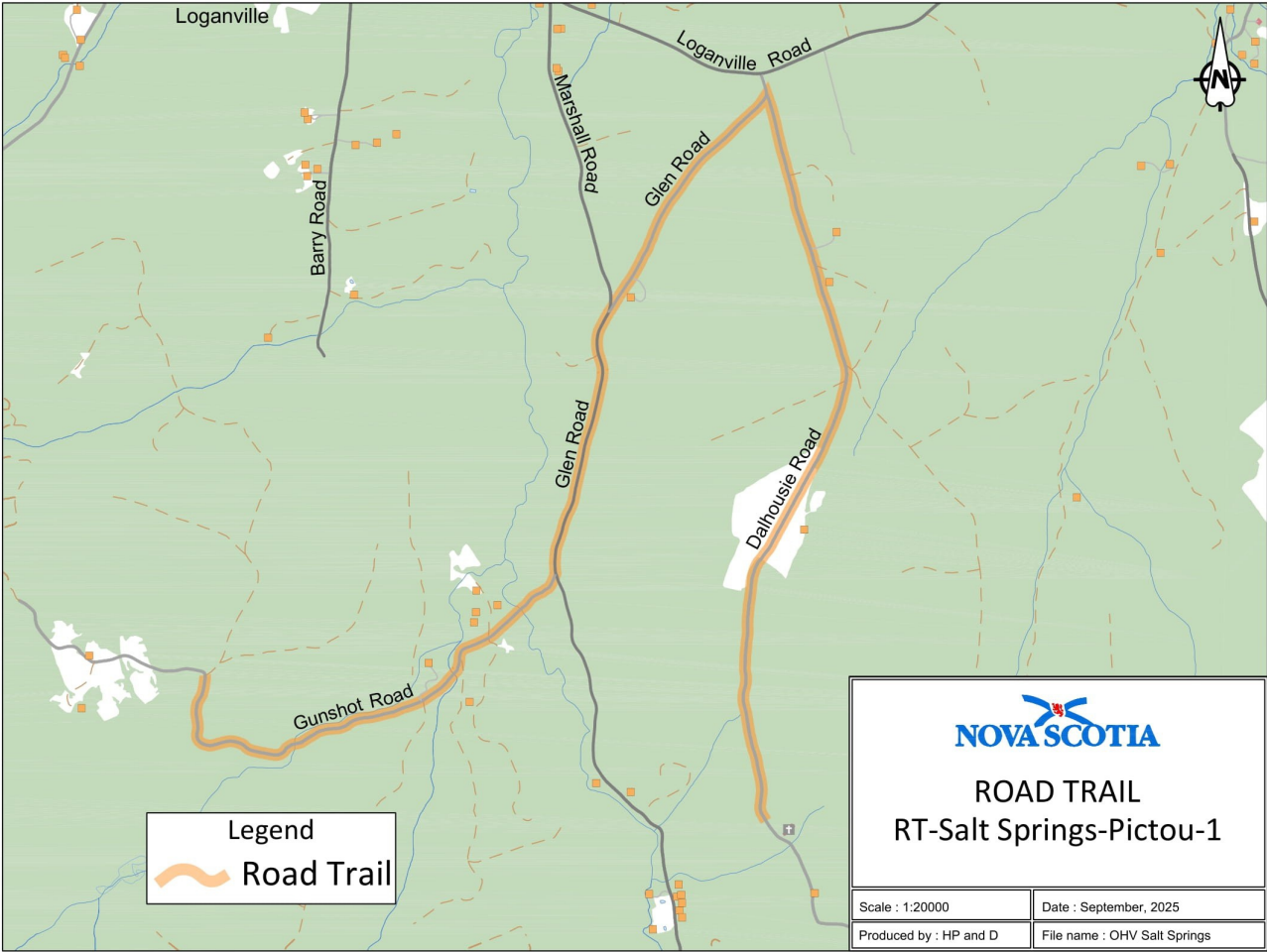
**Appendix BE: Dalhousie, Pictou County**

The road trail begins at coordinates 45.561385°N, 63.004528°W and travels south on Glen Road for 1.32 km and concludes at coordinates 45.550906°N, 63.004419°W.



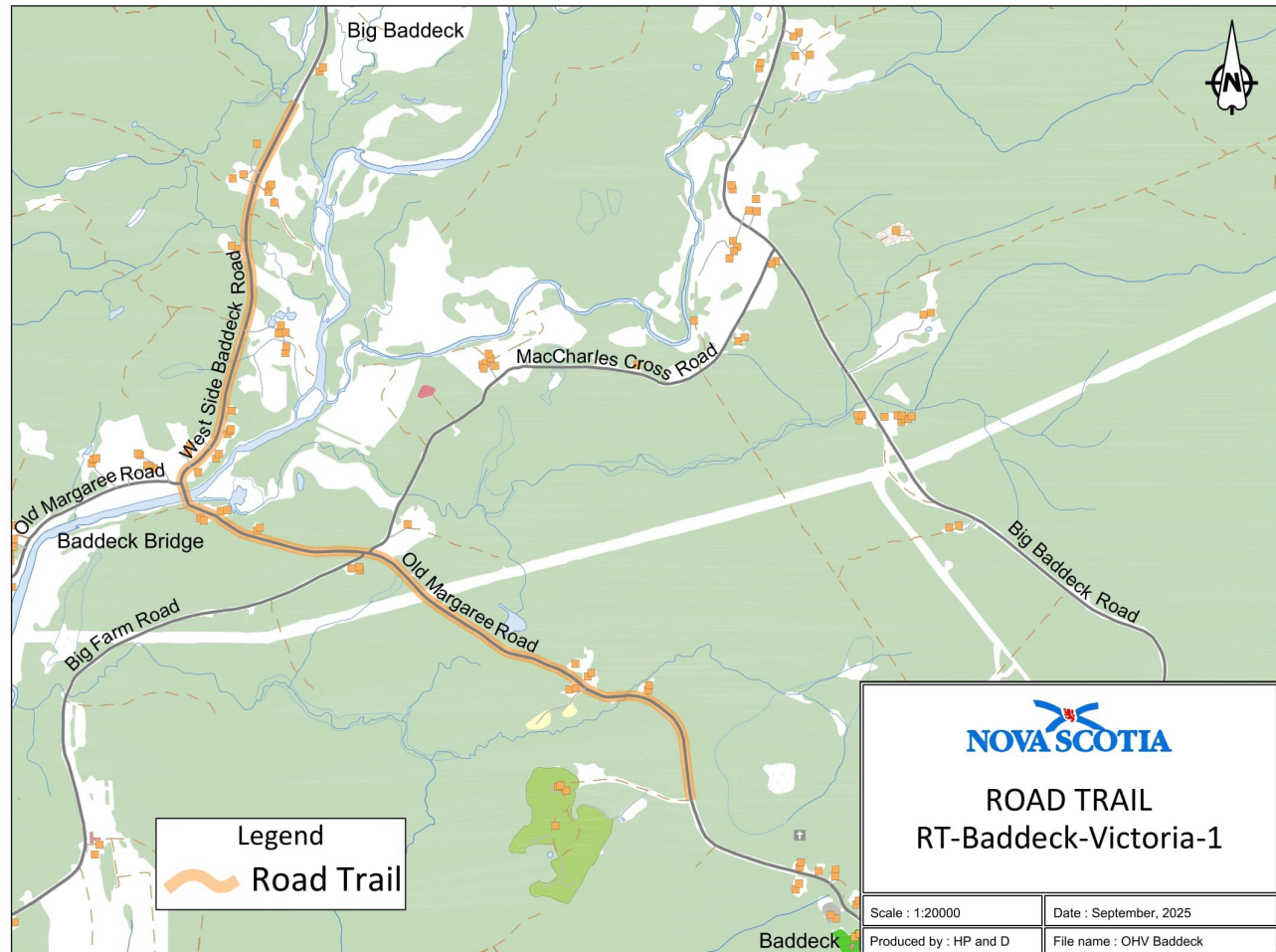
Appendix BF: Salt Springs, Pictou County

The road trail begins [at] coordinates 45.587856°N, 63.055367°W and travels south on Gunshot Road for 2.1 km. The road trail continues on Glen Road for a distance of 2.35 km in an easterly direction. The road trail continues on Dalhousie Road for a distance of 3.29 km and concludes at coordinates 45.582937°N, 63.024731°W.



### Appendix BG: Baddeck, Victoria County

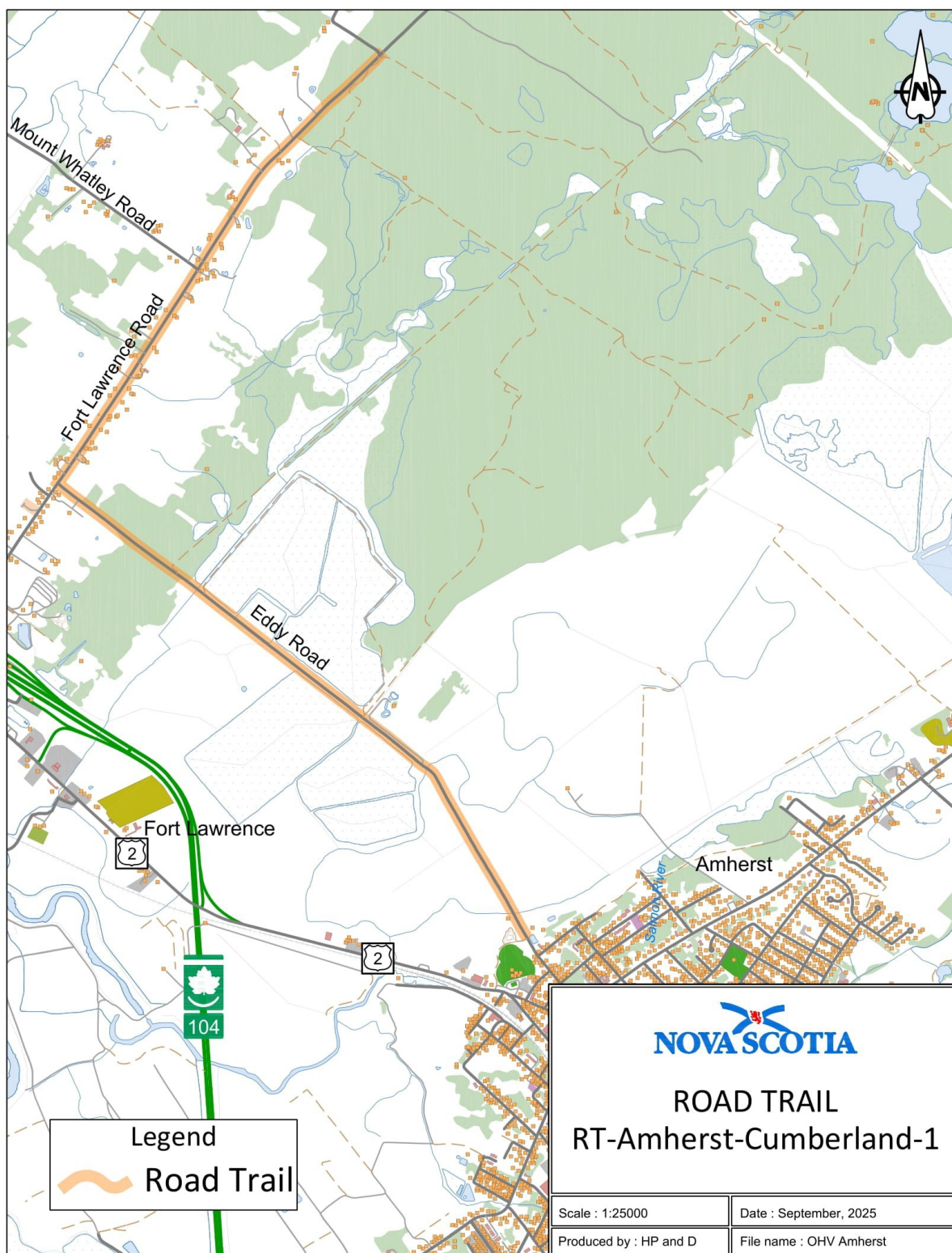
The road trail begins at coordinates 46.111713°N, 60.775770°W and travels northwest for 2.73 km on Old Margaree Road. The road trail continues on West Side Baddeck Road and travels north for a distance of 1.73 km and concludes at coordinates 46.138434°N, 60.797180°W.





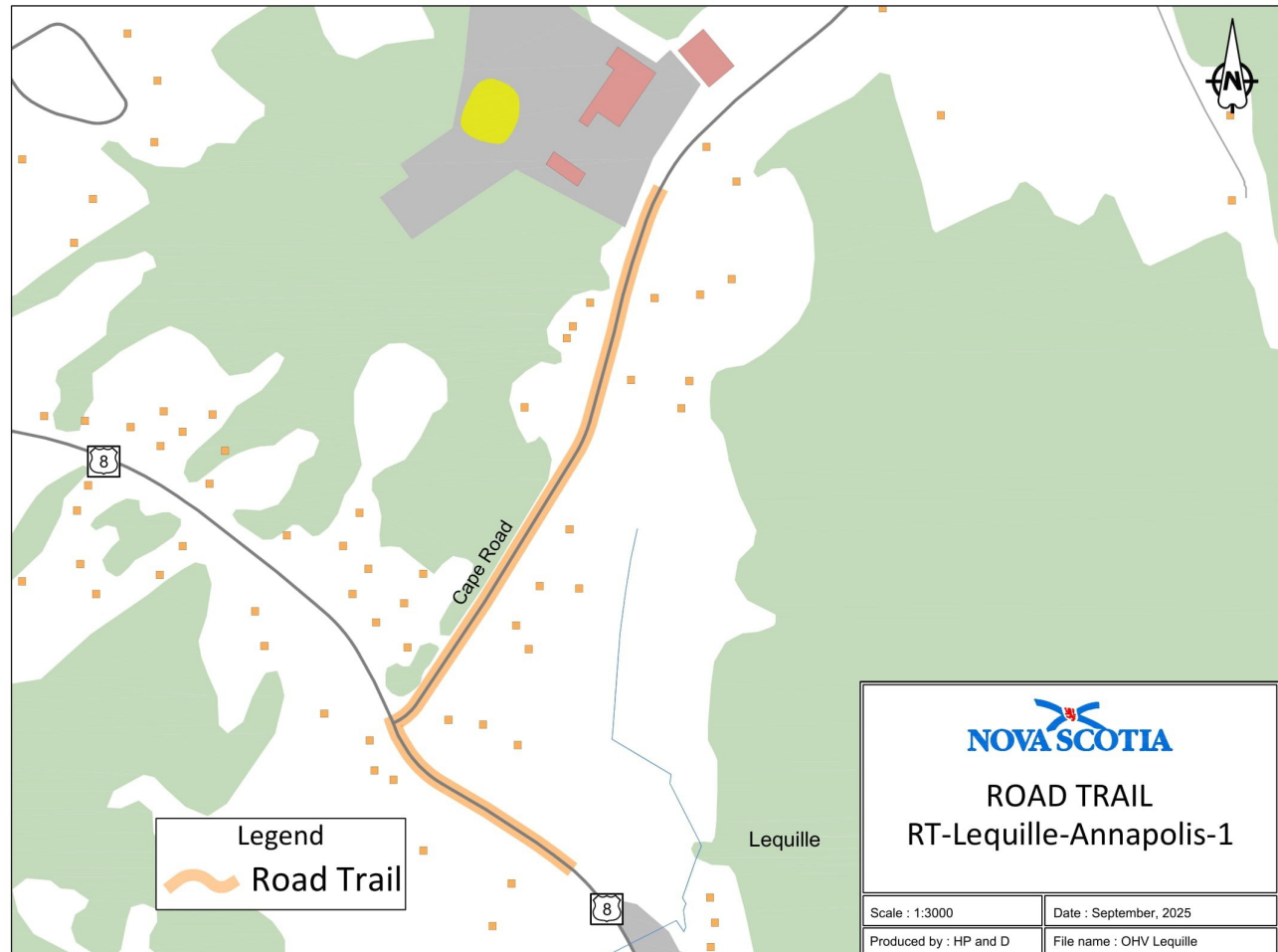
**Appendix BH: Amherst, Cumberland County**

The road trail begins at coordinates 45.881216°N, 64.226037°W and travels south on Fort Lawrence Road for 2.87 km. The road trail continues in an easterly direction on Eddy Road for a distance of 3.59 km.



**Appendix BI: Lequille, Annapolis County**

The road trail begins at coordinates 44.735205°N, 65.491370°W and travels southeast on Cape Road for 0.39 km. The road trail continues in an easterly direction on Trunk 8 for a distance of 0.14 km and concludes at coordinates 44.731379°N, 65.492051°W.



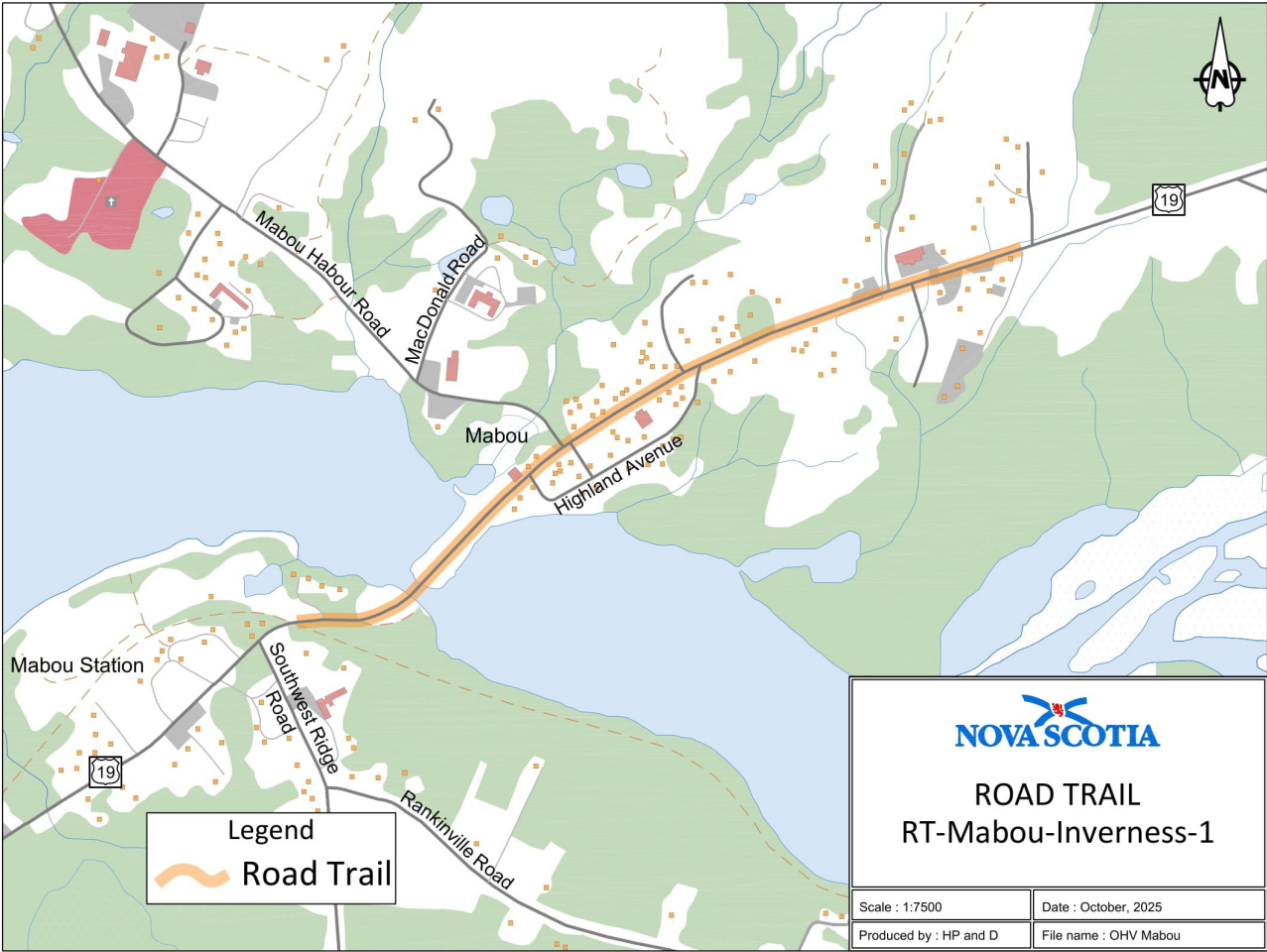
**Appendix BJ: Lower Springfield, Antigonish County**

The road trail begins at coordinates 45.452639°N, 61.865909°W and travels in a northeasterly direction on Upper Springfield Road for 0.28 km. The road trail continues north on Irish Road for 3.57 km and concludes at coordinates 45.481969°N, 61.872583°W.



Appendix BK: Mabou, Inverness County

The road trail begins at coordinates 46.069355°N, 61.397646°W and travels north on Trunk 19 for 1.25 km.





Appendix BL: Port Hood-1, Inverness County

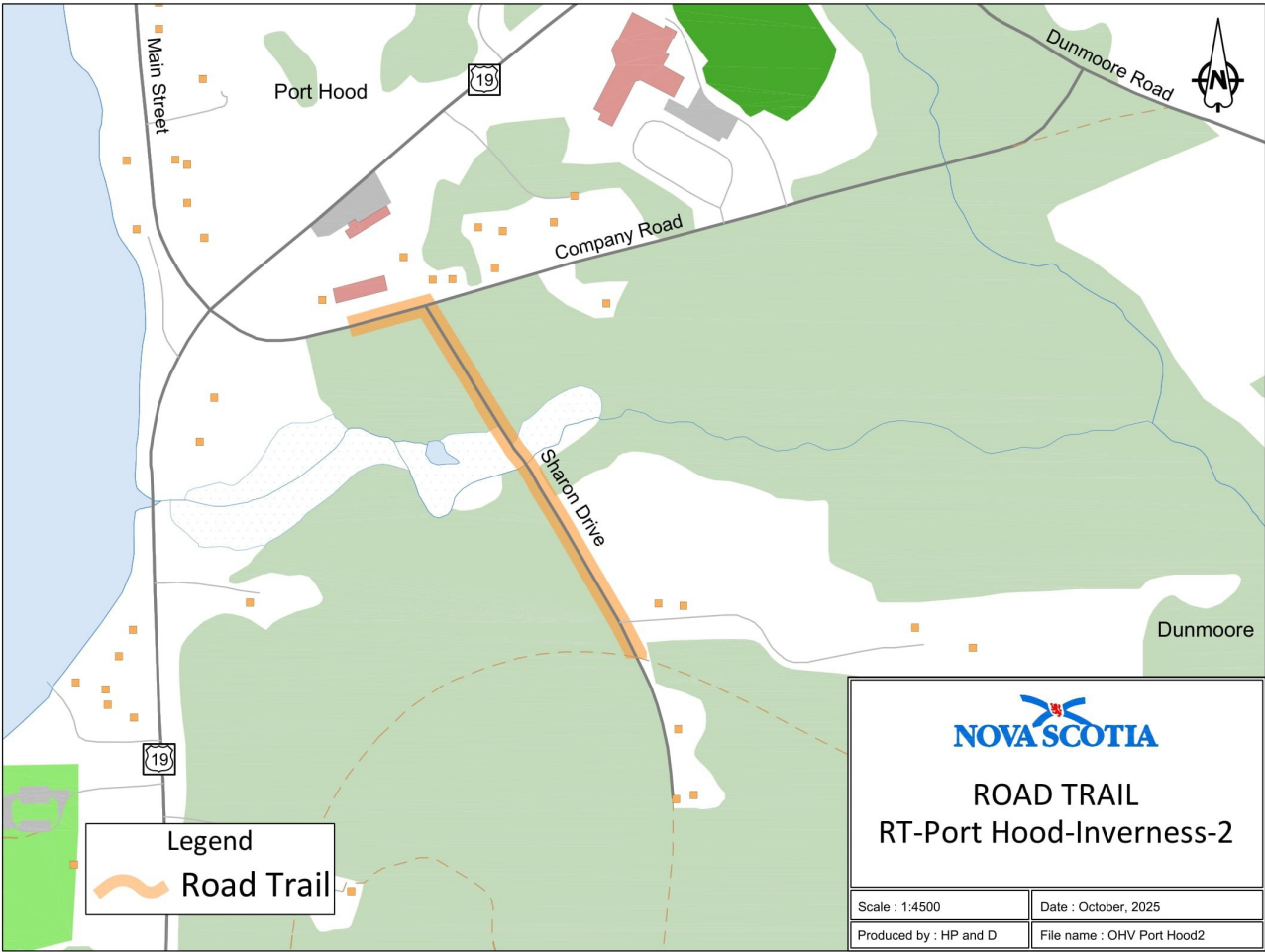
The road trail begins at coordinates 46.004812°N, 61.507654°W and travels north on Dunmoore Road for 1.44 km. The road trail continues on Trunk 19 for a distance of 0.8 km in a westerly direction. The road trail continues on Main Street for a distance of 1.24 km in a northerly direction. The road trail continues on Wharf Road for a distance of 3.2 km in a westerly direction. The road trail continues north on Water Street for a distance of 0.11 km.





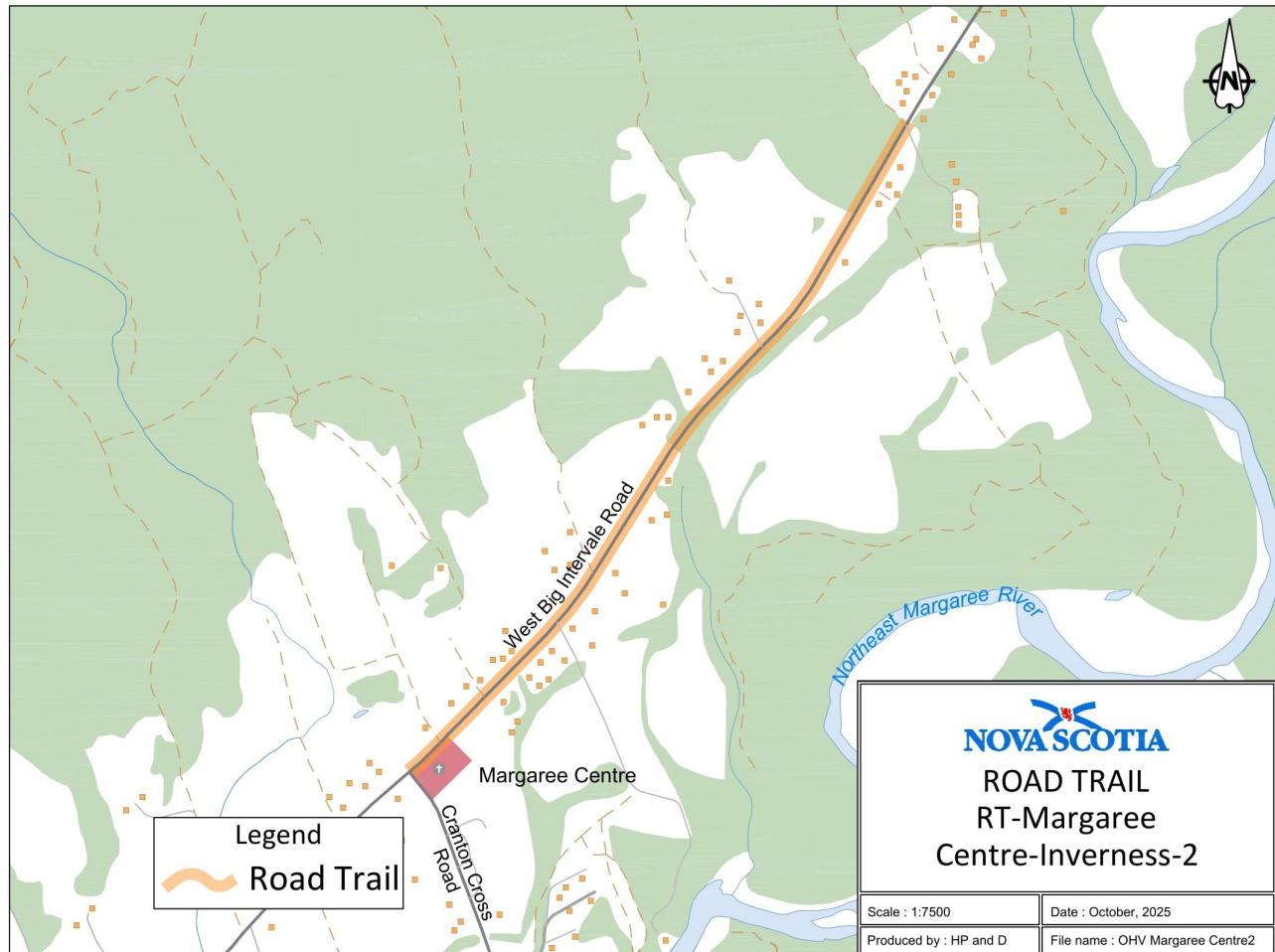
Appendix BM: Port Hood-2, Inverness County

The road trail begins at coordinates 46.004317°N, 61.524060°W and travels north on Sharon Road for 0.39 km. The road trail continues on Company Road for a distance of 0.08 km in a westerly direction.



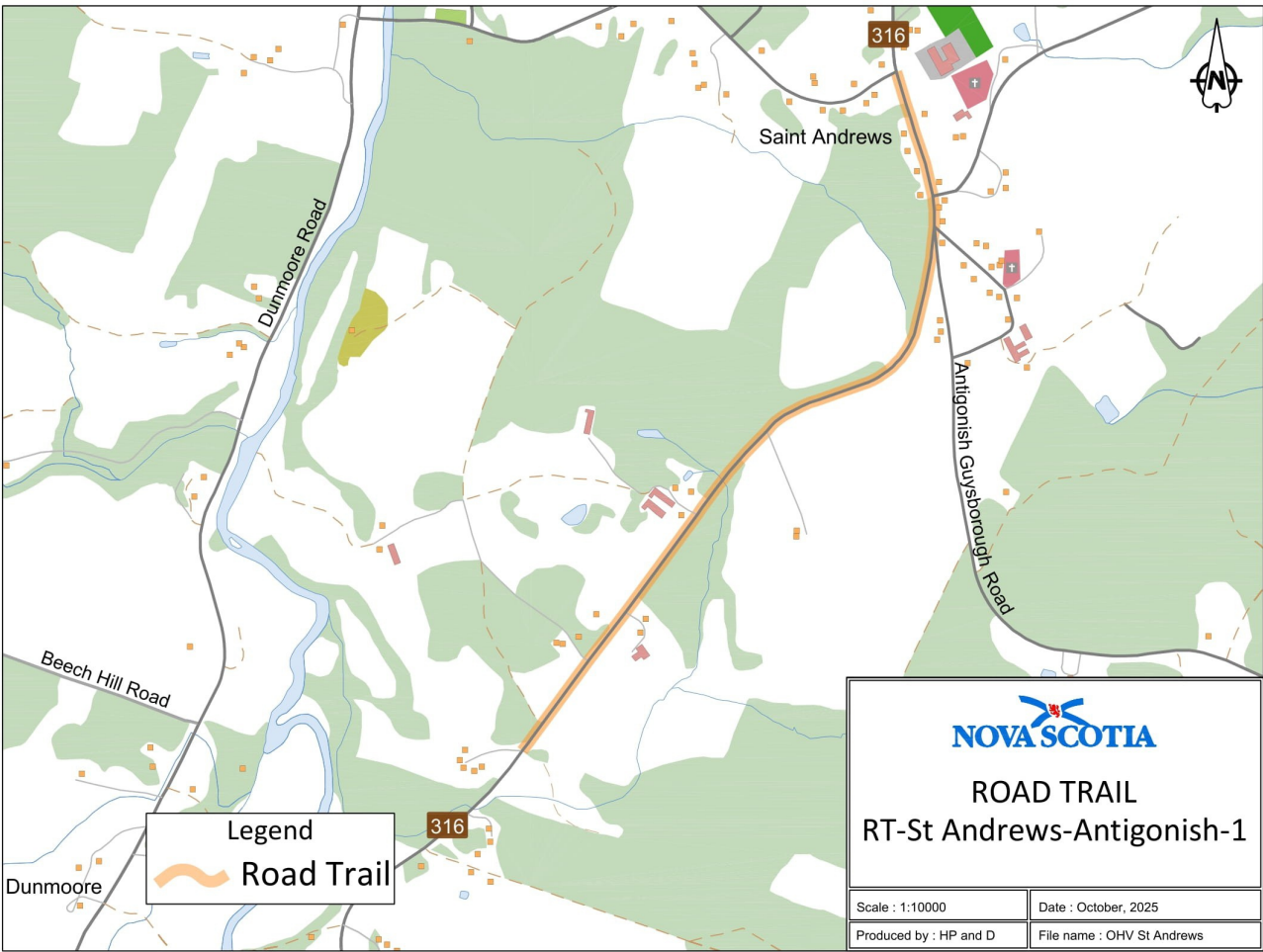
**Appendix BN: West Big Intervale, Inverness County**

The road trail begins at coordinates 46.347490°N, 60.999086°W and travels north on West Big Intervale Road for 1.3 km.



Appendix BO: St. Andrew’s, Antigonish County

The road trail begins at coordinates 45.545422°N, 61.900247°W and travels north on Route 316 for 1.84 km.



**Appendix BP: North Framboise, Richmond County**

The road trail begins at coordinates 45.726126°N, 60.355639°W and travels north for 5.56 km on North Framboise Road. The road trail continues on Grand Mira North Road and travels in a northeasterly direction for a distance of 3.62 km and concludes at coordinates 45.774832°N, 60.327318°W.





**Appendix BQ: Milton, Queens County**

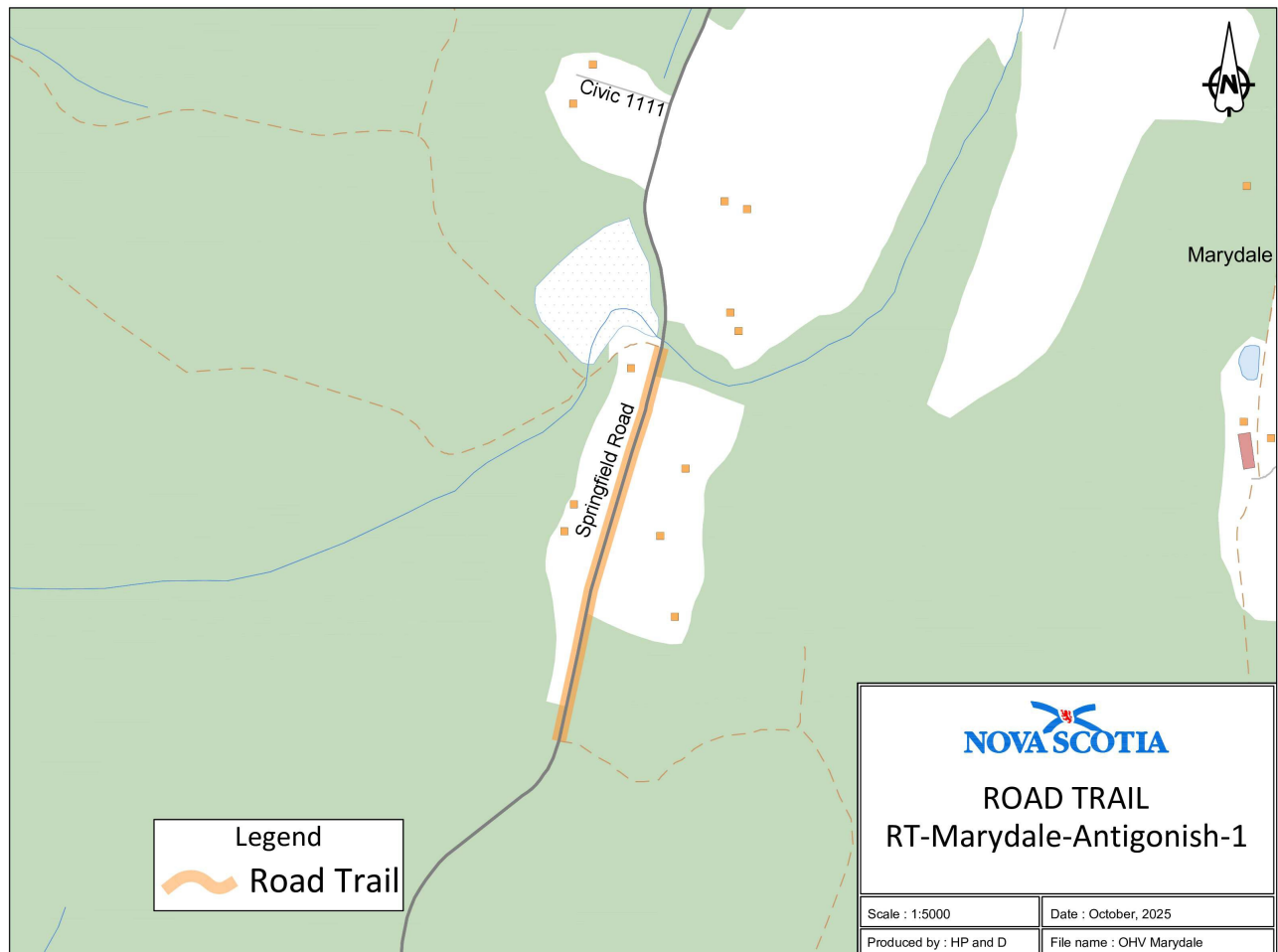
The road trail begins at coordinates 44.085573°N, 64.817753°W and travels in an easterly direction on River Road for 1.47 km and concludes at coordinates 44.077966°N, 64.789381°W.





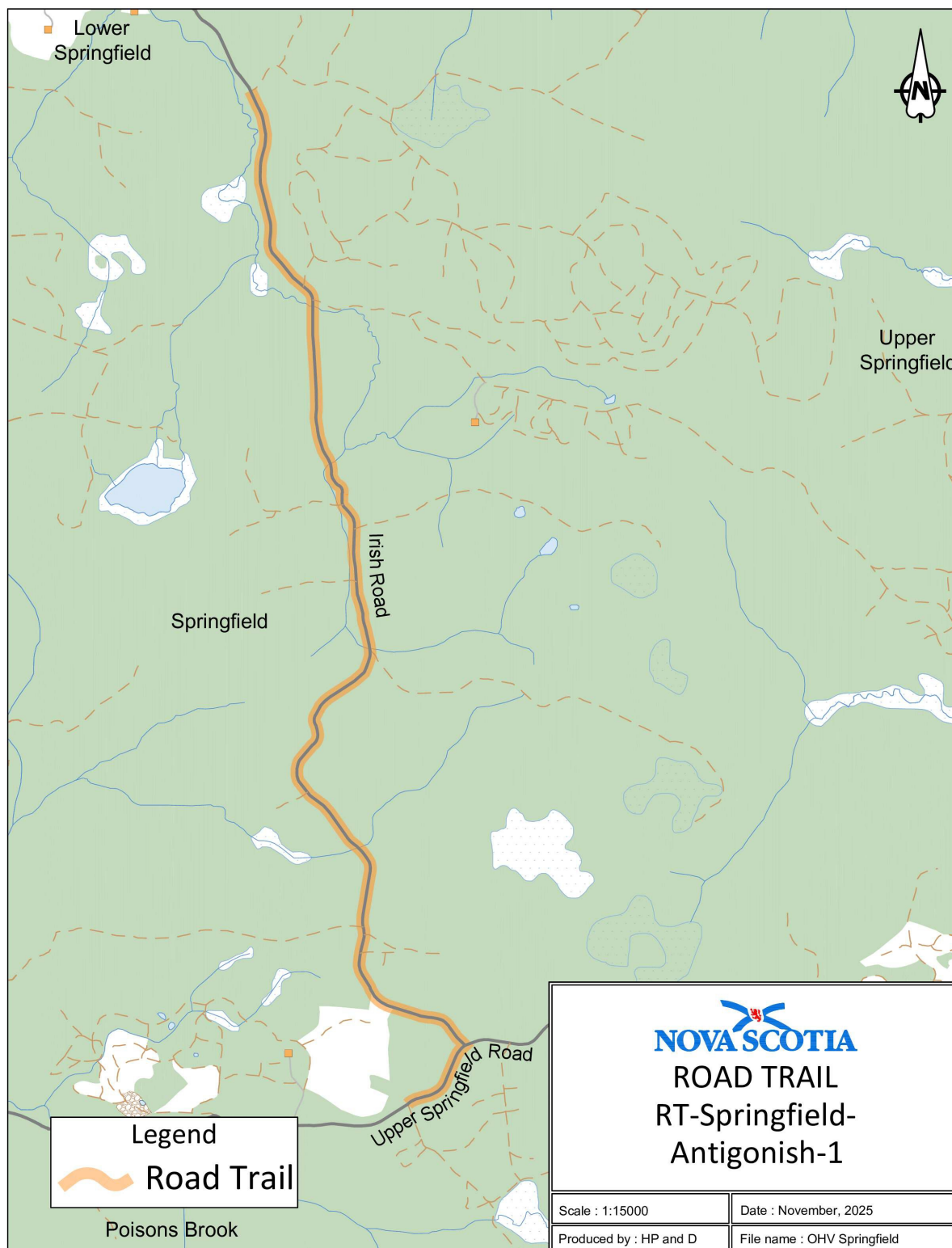
**Appendix BR: Marydale, Antigonish County (Springfield Road)**

The road trail begins at coordinates 45.529943°N, 61.882114°W and travels north on Springfield Road for 0.43 km and concludes at coordinates 45.533723°N, 61.880867°W.



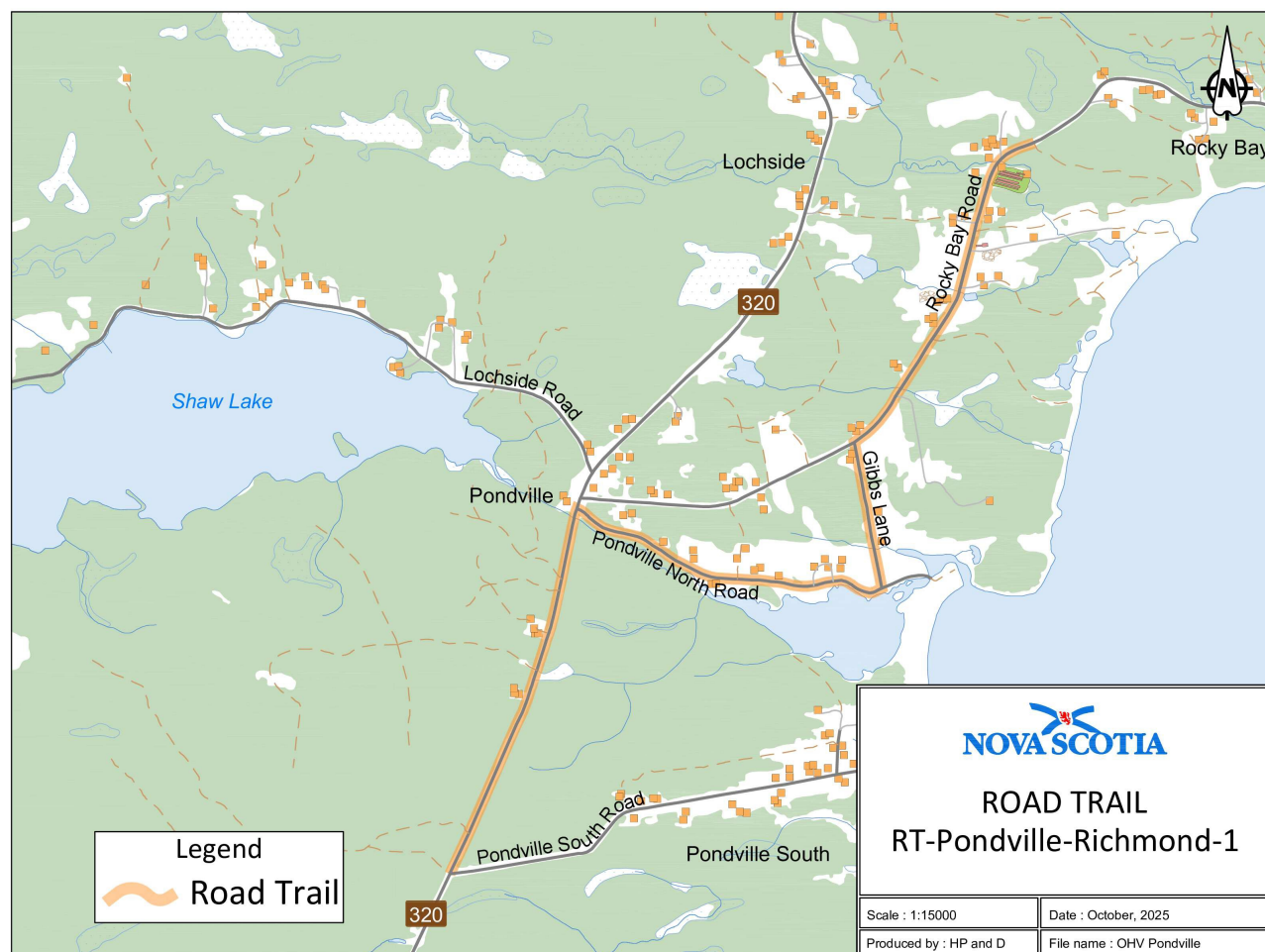
**Appendix BS: Springfield, Antigonish County**

The road trail begins at coordinates 45.452639°N, 61.865909°W and travels in an easterly direction for 0.28 km on Upper Springfield Road. The road trail continues on Irish Road and travels north for a distance of 3.57 km and concludes at coordinates 45.481969°N, 61.872583°W.



### Appendix BT: Pondville, Richmond County

The road trail begins at coordinates 45.531511°N, 60.997064°W and travels north on Route 320 for 1.1 km. The road trail continues on Pondville North Road for a distance of 1.1 km in an easterly direction. The road trail continues on Gibbs Lane for a distance of 0.47 km in a northerly direction. The road trail continues on Rocky Bay Road for a distance of 1.2 km in a northerly direction and concludes at coordinates 45.551165°N, 60.973712°W.



### Appendix BU: Loch Lomond, Richmond County

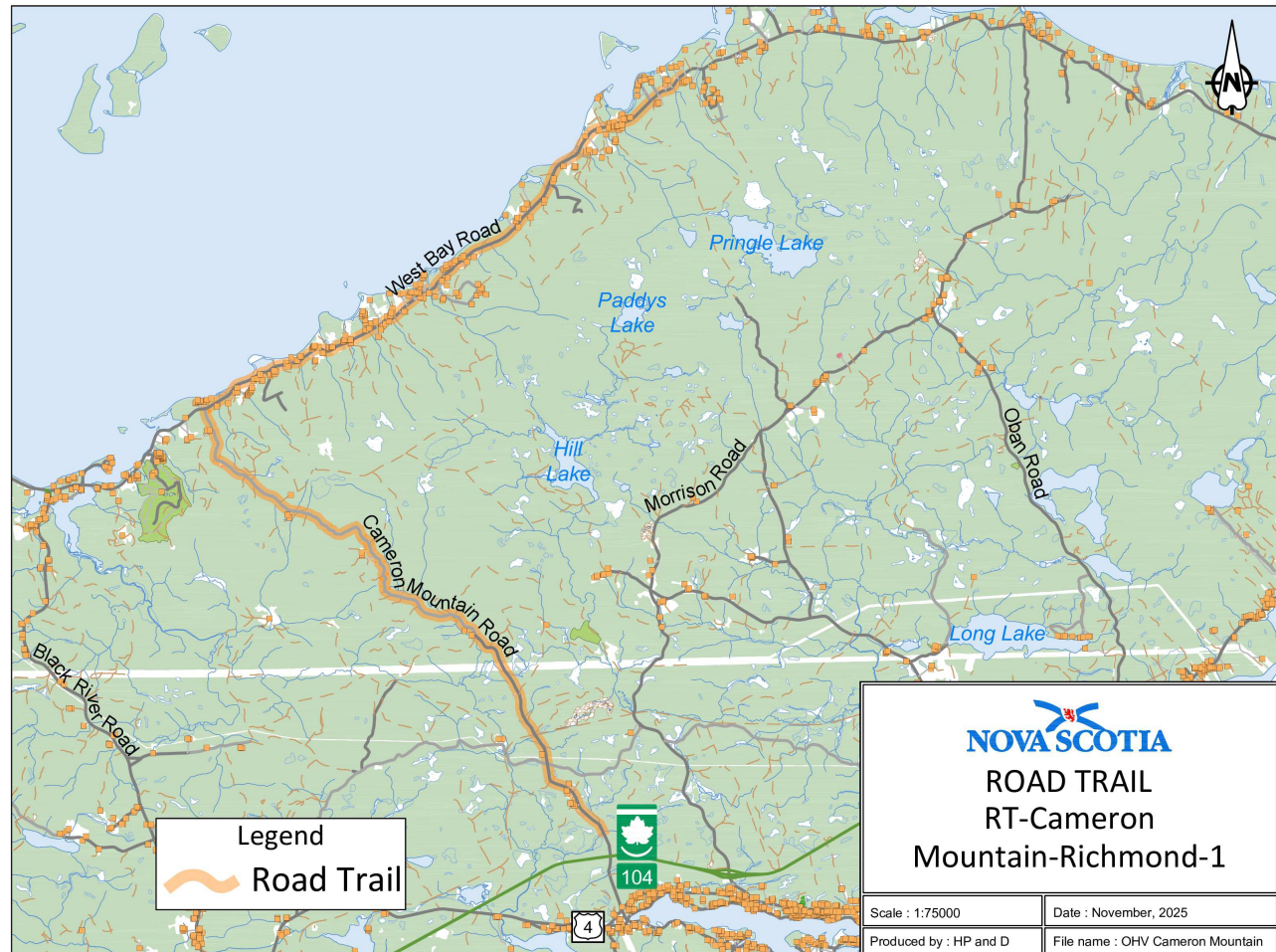
The road trail begins at coordinates 45.737581°N, 60.518649°W and travels westerly on Stirling Road for 4.5 km. The road trail continues on Loch Lomond Road for a distance of 13.5 km in a northerly direction and concludes at coordinates 45.859486°N, 60.528117°W.





### Appendix BV: Cameron Mountain, Richmond County

The road trail begins at coordinates 45.644772°N, 60.988476°W and travels north on Cameron Mountain Road for 10.5 km. The road trail continues on West Bay Road for a distance of 9.7 km in an easterly direction and concludes at coordinates 45.756316°N, 60.971915°W.



**N.S. Reg. 272/2025**

Made: December 9, 2025

Filed: December 10, 2025

Mortgage Regulation Act Exemption Regulations—amendment

Order dated December 9, 2025

Amendment to regulations made by the Minister of Service Nova Scotia  
pursuant to Section 90 of the *Mortgage Regulation Act***In the matter of Section 90 of Chapter 11 of the Acts of 2012,  
the *Mortgage Regulation Act*****-and-****In the matter of an amendment to the *Mortgage Regulation Act Exemption Regulations*  
made by the Minister of Service Nova Scotia****Order**

I, Jill Balser, Minister of Service Nova Scotia for the Province of Nova Scotia, pursuant to Section 90 of Chapter 11 of the Acts of 2012, the *Mortgage Regulation Act*, hereby amend the *Mortgage Regulation Act Exemption Regulations*, N.S. Reg. 120/2020, made by the Minister of Service Nova Scotia and Internal Services by Order dated September 16, 2020, to add an exemption for United Way Maritimes, in the manner set forth in the attached Schedule “A”.

This order is effective on and after the date it is filed with the Registrar of Regulations.

Dated and made December 9, 2025, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Jill Balser*

Honourable Jill Balser

Minister of Service Nova Scotia

**Schedule “A”****Amendment to the *Mortgage Regulation Act Exemption Regulations*  
made by the Minister of Service Nova Scotia under Section 90  
of Chapter 11 of the Acts of 2012,  
the *Mortgage Regulation Act***

- 1 Section 3 of the *Mortgage Regulation Act Exemption Regulations*, N.S. Reg. 120/2020, made by the Minister of Service Nova Scotia and Internal Services, is redesignated as subsection 3(1).
- 2 Subsection 3(1) of the regulations is amended by
  - (a) adding the following clause immediately after clause (da):
    - (db) United Way Maritimes, a federally registered non-profit corporation operating in the Province, when engaged in mortgage lender activities in accordance with subsection (2);
  - (b) in clause (e), striking out “(da)” and substituting “(db)”.

- 3 Section 3 of the regulations is amended by adding the following subsection immediately after subsection (1):
- (2) For the exemption in clause (1)(db) to apply, the mortgages being offered must be in accordance with the corporation's not-for-profit purposes and offered to provide affordable housing opportunities to low and moderate income households.
- 

**N.S. Reg. 273/2025**

Made: December 11, 2025

Filed: December 11, 2025

Prescribed Petroleum Products Prices

Order dated December 11, 2025  
made by the Nova Scotia Energy Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Energy Board's website at the following address: <https://nserbt.ca/nseb/mandates/gasoline-diesel-pricing>.]

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**N.S. Reg. 274/2025**

Made: December 10, 2025

Filed: December 11, 2025

Appeal Fees Regulations

Order dated December 10, 2025  
Regulations made by the Minister of Fisheries and Aquaculture  
pursuant to clause 6(j) and subsection 118(2) of the *Fisheries and Coastal Resources Act*

**In the matter of clause 6(j) and subsection 118(2)  
of Chapter 25 of the Acts of 1996,  
the *Fisheries and Coastal Resources Act***

**-and-**

**In the matter of prescribing fees for the purpose of a notice of appeal  
under Section 118 of the Act**

**Order**

I, Kent Smith, Minister of Fisheries and Aquaculture for the Province of Nova Scotia, pursuant to clause 6(j) and subsection 118(2) of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, hereby

make regulations prescribing fees for the purpose of Section 118 of the Act, in the form attached as Schedule “A”.

These regulations are effective on and after the date they are filed with the Registrar of Regulations.

Dated and made December 10, 2025, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *JBK Smith*  
Honourable Kent Smith, E.C.N.S.  
Minister of Fisheries and Aquaculture

### Schedule “A”

#### **Regulations Respecting Fees for Appeals made under clause 6(j) and subsection 118(2) of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act***

#### **Citation**

1 These regulations may be cited as the *Appeal Fees Regulations*.

#### **Definitions**

2 In these regulations,

“Act” means the *Fisheries and Coastal Resources Act*.

#### **Prescribed fee for notice of appeal**

3 The fee to accompany a notice of appeal under Section 118 of the Act by a person who is aggrieved by a decision or order of an employee of the Department is \$249.20.

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#### **N.S. Reg. 275/2025**

Made: December 16, 2025

Filed: December 16, 2025

Proclamation, S. 167, S.N.S. 2024, c. 5—S. 118 to 123 and 126

Order in Council 2025-370 dated December 16, 2025

Proclamation made by the Governor in Council

pursuant to Section 167 of the *Advancing Nova Scotia Opportunities Act*

The Governor in Council on the report and recommendation of the Minister of Fisheries and Aquaculture dated November 12, 2025, and pursuant to Section 167 of Chapter 5 of the Acts of 2024, the *Advancing Nova Scotia Opportunities Act*, and subsection 3(7) of Chapter 235 of Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 118 to 123 and 126 of Chapter 5 of the Acts of 2024, the *Advancing Nova Scotia Opportunities Act*, do come into force on and not before December 16, 2025.



L.S.

**Canada  
Province of Nova Scotia**

**Charles the Third**, by the Grace of God King of Canada and His Other Realms and Territories, Head of the Commonwealth.

**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 167 of Chapter 5 of the Acts of 2024, the *Advancing Nova Scotia Opportunities Act*, it is enacted as follows:

**167** Sections 2 to 109, 118 to 123, 126 to 128, 150 and 151 come into force on such day as the Governor in Council orders and declares by proclamation.

**And Whereas** it is deemed expedient that Sections 118 to 123 and 126 of Chapter 5 of the Acts of 2024, the *Advancing Nova Scotia Opportunities Act*, do come into force on and not before December 16, 2025;

**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 Sections 118 to 123 and 126 of Chapter 5 of the Acts of 2024, the *Advancing Nova Scotia Opportunities Act*, do come into force on and not before December 16, 2025, 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, Michael John Savage, Chancellor of Our Order of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

**Given** at Our Government House in the Halifax Regional Municipality, this 16th day of December in the year of Our Lord two thousand and twenty-five and in the Fourth year of Our Reign.

**By Command:**

**PROVINCIAL SECRETARY  
ATTORNEY GENERAL AND MINISTER OF JUSTICE**

**N.S. Reg. 276/2025**

Made: December 16, 2025

Filed: December 16, 2025

Aquaculture Licence and Lease Regulations—replacement

Order in Council 2025-371 dated December 16, 2025

Repeal of regulations and regulations made by the Governor in Council  
pursuant to Section 64 of the *Fisheries and Coastal Resources Act*

The Governor in Council on the report and recommendation of the Minister of Fisheries and Aquaculture dated November 12, 2025, and upon notice of a fee increase having been presented to the Clerk of the House of Assembly in accordance with Section 4 of Chapter 8 of the Acts of 2007, the *Fees Act*, and pursuant to Section 64 of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, is pleased, effective on and after December 16, 2025, to

- (a) repeal the *Aquaculture Licence and Lease Regulations*, N.S. Reg. 347/2015, made by the Governor in Council by Order in Council 2015-338 dated October 26, 2015; and
- (b) make new regulations respecting aquaculture licences and leases in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

**Schedule “A”**

**Regulations Respecting Aquaculture Licences and Leases  
made by the Governor in Council under Section 64  
of Chapter 25 of the Acts of 1996,  
the *Fisheries and Coastal Resources Act***

**Citation**

- 1 These regulations may be cited as the *Aquaculture Licence and Lease Regulations*.

**Definitions**

- 2 In these regulations,

“Act” means the *Fisheries and Coastal Resources Act*;

“aquaculture development area” means an aquaculture development area designated by the Minister under clause 56(1)(a) of the Act;

“bottom with gear method” means a method of aquatic plant cultivation or shellfish cultivation using gear placed on the solum;

“bottom without gear method” means a method of aquatic plant cultivation or shellfish cultivation without using gear placed on the solum;

“class”, in relation to an application, means a class of application specified for a type of application as set out in Schedule A;

“compliance review” means an assessment of an applicant’s record of compliance with federal or Provincial legislation;

“days” means calendar days;

“development plan”, in relation to an aquacultural operation at a particular site, means a document that specifies the production plan, technical aspects and feasibility for the operation;

“facility method” means a method of land-based cultivation whereby fishery resources are cultivated in a physical structure on land;

“institutional lease” means an institutional lease granted by the Administrator under Section 55A of the Act;

“institutional licence” means an institutional licence granted by the Administrator under Section 55A of the Act;

“lease” means an aquaculture lease as defined in the Act;

“lessee” means the holder of an aquaculture lease as defined in the Act;

“licence” means an aquaculture licence as defined in the Act;

“~~licensee~~ [licensee]” means the holder of an aquaculture licence as defined in the Act;

“marine cage method” means a method of finfish cultivation using gear placed in the water column above the solum;

“non-ADA” means an area not designated as an aquaculture development area;

“non-finish licence or lease” means a licence or lease authorizing the cultivation of aquatic plants or shellfish, but not finfish;

“option to lease” means an option issued by the Minister under subsection 44A(4) of the Act to lease a tract of Crown land that is not designated as an aquaculture development area;

“performance review” means an assessment of the historical use of an aquaculture site;

“reallocation” of a marine aquaculture site means the issuance of a licence or lease for the site by the Administrator under clause 58(1)(e) of the Act after the revocation of its previous licence or lease;

“relay depuration” means the transfer of shellfish to a ~~licensed~~ [licensed] aquaculture site for natural biological cleansing using the ambient environment;

“scoping requirements” means any terms and conditions required by the Minister under clause 6(5)(b) or subclause 44A(5)(aa) or 47A(5)(aa) of the Act;

“security bond” means a surety bond or any other form of financial security acceptable to the Administrator;

“special experimental lease” means a special experimental lease granted by the Administrator under Section 55 of the Act;

“special experimental licence” means a special experimental licence granted by the Administrator under Section 55 of the Act;

“suspended method” means a method of aquatic plant cultivation or shellfish cultivation using gear placed in the water column;

“U-fish method” means a method of finfish cultivation using a pond stocked with finfish that meets all of the following criteria:

- (i) it is located on private property,
- (ii) in the Administrator’s opinion, it is used primarily for the purpose of allowing persons to fish in the pond with rod and line for a fee and any finfish caught are not processed and are sold whole only to the person that caught the fish.

### **Calls for Proposals**

#### **Options to lease**

- 3 (1) A call for proposals for options to lease issued under subsection 44A(1) of the Act must include any details the Minister considers necessary, including all of the following:
- (a) a description of the geographic area under consideration;
  - (b) the species to be cultivated;
  - (c) the method of cultivation to be used;
  - (d) the deadline for submitting proposals;
  - (e) the number of options to be issued.
- (2) The Minister may consider an unsolicited proposal for an option to lease in the manner determined by the Minister.

#### **Aquaculture development areas—call for proposals**

- 4 (1) The Minister may issue a call for proposals for the exclusive right to apply to the Administrator for a licence and lease for a site in an aquaculture development area under Section 57 of the Act.
- (2) A call for proposals issued under subsection (1) must include any details the Minister considers necessary, including all of the following:
- (a) description of the location of the aquaculture development area;
  - (b) the species to be cultivated;
  - (c) the method of cultivation to be used;
  - (d) the size of a site within the aquaculture development area;
  - (e) the deadline for submitting proposals.
- (3) The Minister may consider an unsolicited proposal for the exclusive right to apply for a licence and lease for a site in an aquaculture development area, in the manner determined by the Minister.

#### **Reallocated marine aquaculture sites**

- 5 (1) The Administrator may issue a call for proposals for the exclusive right to apply to the



Administrator for reallocation of a marine aquaculture site under clause 58(1)(e) of the Act.

- (2) A call for proposals issued under subsection (1) must include any details the Administrator considers necessary, including all of the following:
  - (a) a description of the location and size of the aquaculture site;
  - (b) the species to be cultivated;
  - (c) the method of cultivation to be used;
  - (d) the deadline for submitting proposals.
- (3) The Administrator may consider an unsolicited proposal for the exclusive right to apply for reallocation of a marine aquaculture site in the manner determined by the Administrator.

### **Proposals to the Minister**

#### **Proposal to advance area-size increase amendment application before Administrator**

- 6 (1) For an amendment that would result in an increase to the area of an aquaculture site, a ~~licensee~~ [licensee] or lessee who holds a non-fish licence or lease may submit a proposal to the Minister to advance an application before the Administrator for an amendment under clause 58(1)(b) of the Act to change the boundaries of an associated aquaculture site.
- (2) A proposal under subsection (1) must be submitted within such time and in such manner as the Minister determines.
- (3) A proposal under subsection (1) must include such information as the Minister determines.
- (4) On reviewing a proposal under subsection (1) and subject to Section 9, the Minister may, in the Minister's discretion, issue an approval to advance an application for an amendment before the Administrator.
- (5) An approval to advance an application
  - (a) must convey the exclusive right, for the duration of the approval, to apply to the Administrator for the amendment;
  - (b) must include any terms and conditions required by the Minister;
  - (c) must be for a prescribed duration; and
  - (d) is subject to the prescribed fee.
- (6) If, in the Minister's opinion, an applicant does not comply with all the terms and conditions in an approval to advance the application issued under subsection (4), the Minister may, in the Minister's discretion, do 1 of the following:
  - (a) require the applicant to submit any additional information the Minister requires to demonstrate compliance with the terms and conditions to the Minister's satisfaction;
  - (b) terminate the approval to advance the application.

- (7) Pending the Administrator's determination of an application that has been issued an approval to advance under subsection (4), the Minister must not approve another proposal to advance an application or grant an option to lease relating to the area that may be added to the existing aquaculture site, further to the application for an amendment.
- (8) Where there are competing proposals of equivalent and acceptable stature, the Minister shall issue an approval to advance an application for amendment to the proponent who, in the Minister's opinion, is the best overall proponent based on the information available to the Minister under this Section.

### Definitions for Sections 8 to 11

7 In Sections 8 to 11 of these regulations,

“proposal” means any of the following:

- (i) a proposal to the Minister under subsection 44A(2) of the Act for an option to lease,
- (ii) a proposal to the Minister under subsection 47A(1) of the Act to advance an application before the Review Board for an adjudicative amendment to a licence or lease,
- (iii) a proposal to the Minister under subsection 6(1) to advance an area-size increase amendment application before the Administrator;

“approval” means any of the following:

- (i) the issuance by the Minister of an option to lease under subsection 44A(4) of the Act,
- (ii) an approval issued by the Minister under subsection 47A(4) of the Act to advance an application before the Review Board for an adjudicative amendment to a licence or lease,
- (iii) an approval issued by the Minister under subsection 6(4) to advance an area-size increase amendment application before the Administrator;

“scoping period” means any of the following:

- (i) the duration of an option to lease under clause 44A(5)(b) of the Act,
- (ii) the duration of an approval to advance an application for an adjudicative amendment before the Review Board under clause 47A(5)(b) of the Act,
- (iii) the duration of an approval to advance an area-size increase amendment application before the Administrator under clause 6(5)(c).

### Issuing approvals

- 8 (1) The Minister may establish procedures for evaluating proposals and issuing approvals.
- (2) The Minister has sole discretion in deciding whether to issue an approval and, if issued, whether to issue it
- (a) as set out in the proposal; or
  - (b) with variations from the proposal.

- (3) In deciding on whether to approve a proposal, the Minister may take any of the following into consideration:
- (a) the potential benefits to the community and Province;
  - (b) any previous record of the proponent related to aquacultural operations;
  - (c) the ability of the proponent to carry out the proposal;
  - (d) the concentration of current and proposed aquacultural operations;
  - (e) the orderly development of the industry;
  - (f) the suitability of the proposal, determined in accordance with any policies established by the Minister;
  - (g) any additional factors that the Minister considers relevant to the proposal.
- (4) Before issuing an approval, the Minister must notify the proponent of all of the following:
- (a) that their proposal has been approved, subject to any variations made by the Minister under clause (2)(b);
  - (b) any scoping requirements to be met during the scoping period;
  - (c) the prescribed fee to secure the approval, to be paid as required by Section 9 before the approval will be issued.

**Fee required to secure approval**

- 9 (1) To secure an approval, a proponent must pay a fee of \$500.00 no later than 15 days after the date the Minister notifies the proponent under subsection 8(4) that their proposal is approved.
- (2) The Minister must not issue an approval to a proponent who has not paid the fee required by subsection (1).

**Duration of scoping period**

- 10 (1) Unless it is extended in accordance with subsection (2), a scoping period expires on the date determined by the Minister, which must be no later than 12 months from the date the approval is issued.
- (2) At the written request of the holder of an approval, the Minister may grant an extension of up to 6 months to the duration of the scoping period.

**Public notice of approval**

- 11 (1) The Minister must publish notice of an approval on the Department's website and in the Royal Gazette Part I no later than 60 days after the approval has been issued.
- (2) Notice of an approval must include any information determined by the Minister.
- (3) In addition to publishing notice of an approval as required by subsection (1), the Minister may do any of the following:
- (a) notify any person, group of persons or organization that the Minister considers necessary of

the approval;

- (b) publish notice of the approval by any means determined by the Minister.

### **Proposals to the Administrator**

#### **Definitions for Sections 13 to 15**

**12** In Sections 13 to 15,

“proposal” means any of the following:

- (i) a proposal to the Administrator for the exclusive right to apply for a licence and lease for a site in an aquaculture development area under subsection 4(1),
- (ii) a proposal to the Administrator for the exclusive right to apply for reallocation of a marine aquaculture site under subsection 5(1);

“approval” means any of the following:

- (i) an approval issued by the Administrator to advance an application for a licence and lease for a site in an aquaculture development area,
- (ii) an approval issued by the Administrator to advance an application for reallocation of a marine aquaculture site;

“approval period” means any of the following:

- (i) the duration of an approval to advance an application for a licence and lease for a site in an aquaculture development area before the Administrator,
- (ii) the duration of an approval to advance an application for reallocation of a marine aquaculture site.

#### **Issuing approvals**

- 13** (1) The Administrator may establish procedures for evaluating and the criteria for selecting proposals and issuing approvals.
- (2) The Administrator has sole discretion in deciding whether to issue an approval and, if issued, whether to issue it
- (a) as set out in the proposal; or
  - (b) with variations from the proposal.
- (3) On issuing an approval under subsection (2), the Administrator must notify the proponent that their proposal has been approved, subject to any variations made by the Administrator under clause (2)(b).

#### **Duration of approval period**

- 14** (1) An approval period expires on the date determined by the Administrator, which must be no later than 90 days from the date the approval is issued.
- (2) An approval holder who wishes to apply for a licence and lease associated with their approval must



submit their application before the date their approval period expires.

**Public notice of issued approval**

- 15** (1) The Administrator must publish notice of an approval on the Department's website no later than 30 days after the approval is issued.
- (2) Notice of an approval must include any information determined by the Administrator.
- (3) In addition to publishing notice of an approval as required by subsection (1), the Administrator may do any of the following:
- (a) notify any person, group of persons or organization, as determined by the Administrator, of the approval;
  - (b) publish notice of the approval by any means determined by the Administrator.

**Aquaculture Applications****Classes of applications**

- 16** (1) Applications for or in relation to licences or leases are divided into the following 3 classes:
- (a) Class I applications;
  - (b) Class II applications;
  - (c) Class III applications.
- (2) Class I applications are further divided into the following 2 subclasses:
- (a) Class IA applications;
  - (b) Class IB applications.
- (3) The types of applications under each Class is set out in Schedule A together with the applicable decision maker, as determined under the Act.

**Factors to be considered in decisions related to aquaculture applications**

- 17** (1) In making decisions related to marine aquaculture sites, the Review Board or Administrator must take into consideration the optimum use of marine resources, as determined by taking into consideration the following factors only:
- (a) the contribution of the proposed operation to community and Provincial economic development;
  - (b) fishery activities in the public waters surrounding the proposed aquacultural operation;
  - (c) the oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation;
  - (d) the other users of the public waters surrounding the proposed aquacultural operation;
  - (e) the public right of navigation;

- (f) for marine finfish applications, the sustainability of wild salmon;
  - (g) the number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation.
- (2) In making decisions related to land-based aquaculture sites, the Administrator must take all of the following factors into consideration:
- (a) the contribution of the proposed operation to community and Provincial economic development;
  - (b) the technical viability of the proposed operation;
  - (c) the ability of the applicant to carry out the proposed operation;
  - (d) any previous record of the applicant related to aquacultural operations.

**Incomplete Class I applications**

- 18 (1) If the Minister considers a Class I application to be incomplete, the Minister must notify the applicant in writing of all the following:
- (a) that the application is incomplete;
  - (b) that for the application to be processed, the applicant must provide the additional required information no later than 90 days after the date of the Minister's notice.
- (2) At the written request of an applicant, the Minister may grant an extension to the deadline in clause (1)(b) for providing additional required information.
- (3) If an applicant does not submit the required additional information by the applicable deadline in this Section, the Minister must notify the applicant in writing that their application is deemed to be withdrawn.

**Incomplete Class II or Class III applications**

- 19 (1) If the Administrator considers a Class II application or Class III application to be incomplete, the Administrator must notify the applicant in writing of all the following:
- (a) that the application is incomplete;
  - (b) that for the application to be processed, the applicant must provide the additional required information no later than 90 days after the date of the Administrator's notice.
- (2) At the written request of an applicant, the Administrator may grant an extension to the deadline in clause (1)(b) for providing the additional required information.
- (3) If an applicant does not submit the required additional information by the applicable deadline in this Section, the Administrator must notify the applicant in writing that the application is deemed to be withdrawn.

**Withdrawn application deemed terminated**

- 20 If an application is withdrawn, either as a result of Section 18 or 19 or upon written request by the applicant, the application is deemed to be terminated.

## Class I Applications

### Scoping process

- 21** (1) An applicant for a Class I application must complete a scoping process before submitting their application.
- (2) The scoping process required by subsection (1) must be carried out as determined by the Minister and must meet any scoping requirements in accordance with clause 8(4)(b).
- (3) The scoping requirements must include at least 1 public information meeting organized by the applicant and held in the community that the Minister determines is the most appropriate community closest to the location of the aquaculture site that is the subject of the application.
- (4) An applicant must publish notice of the public information meeting required by subsection (3) in a manner determined by the Minister.

### Submitting a Class I application

- 22** (1) An applicant must submit a completed Class I application to the Minister within the following timeframe:
- (a) after completing the scoping process required by Section 21;
- (b) before their scoping period expires under Section 10.
- (2) In addition to the applicable application fee under Section 93, a Class I application must include all of the following:
- (a) a report on the scoping process carried out under Section 21, including any details required by the Minister;
- (b) a development plan that meets the criteria established by the Minister for the type of aquacultural operation to be carried out under the licence or lease;
- (c) any additional information required to be submitted as a result of the scoping requirements;
- (d) any additional information required by the Minister.
- (3) If the Minister considers that an application is not in compliance with the scoping requirements, the Minister may do 1 of the following:
- (a) require the applicant to resubmit the application in accordance with the timeframe specified in subsection (1), subject to any requirements stipulated by the Minister; or
- (b) reject the application.

### Consultations on Class I application

- 23** (1) Except as provided in subsection (2), on receiving a completed Class I application, an employee of the Department appointed by the Minister under subsection 47(2) of the Act must consult with those persons or entities set out in clauses 47(2)(a) to (c) of the Act.
- (2) On receiving an application to amend a non-fish licence or lease to change the boundaries of an existing aquaculture site to increase the area of the associated aquaculture site, the Minister must appoint an employee of the Department to consult with all of the following:

- (a) other departments or agencies of the Government or the Government of Canada, as may be required under the laws of the Province or of Canada;
- (b) any person, group of persons or organization that the Minister considers necessary or advisable in the circumstances; and
- (c) the public, in the manner set out in Section 43.

**Compliance review on Class I application**

**24** On receiving a completed Class I application, the Administrator, or an employee of the Department appointed by the Administrator, must conduct a compliance review of the applicant in accordance with Sections 86 and 87.

**Performance review on Class I application**

**25** On receiving a completed Class I application relating to an existing licence or lease, the Administrator, or an employee of the Department appointed by the Administrator, must conduct a performance review of the aquaculture site that is the subject of the application in accordance with Sections 89 and 90.

**Minister must refer Class I application**

- 26 (1)** After all reviews and consultations required by Sections 21 to 25 are completed, the Minister must refer a completed Class I application to the Review Board or Administrator, as applicable, along with all of the following:
- (a) a report on the outcomes of any consultations undertaken under Section 23;
  - (b) a report on the outcomes of the compliance review conducted under Section 24;
  - (c) a report on the outcomes of any performance review conducted under Section 25;
  - (d) a report prepared by the Department, based on the review of the application materials required to be submitted under clauses 22(2)(b) to (d).
- (2)** In these regulations, an application of the type set out in Section 49 of the Act is referred to, consistent with Schedule “A,” as the Class IA application type and must be referred to the Review Board for decision.
- (3)** In these regulations, an application of the type set out in clause 54A(1)(aa) of the Act or subsection 6(1) is referred to, consistent with Schedule “A,” as the Class IB application type and must be referred to the Administrator for decision.

**Requirement for hearing**

**27** The Review Board must follow the hearing process with respect to Class IA applications, in accordance with Sections 49 and 51 of the Act and Sections 44 to 66.

**Administrator decision on Class IB applications**

- 28 (1)** No later than 30 days after receiving a Class IB application referred by the Minister, the Administrator must decide on the application and issue a written decision that includes the reasons for the decision.
- (2)** Upon issuing a written decision, the Administrator must do both of the following:
- (a) send a copy of the written decision to the applicant;

- (b) publish a copy of the decision on the Department's website.

### **Class II Applications**

#### **Applicant in good standing**

- 29 (1)** For the purpose of this Section, an applicant is deemed to be in good standing if they meet all of the following criteria:
- (a) they have no outstanding fees due under the Act or these regulations;
  - (b) they have no outstanding reports due under the Act or these regulations.
- (2)** The Administrator may refuse to process a Class II application if the applicant is not in good standing.

#### **Submitting a Class II application**

- 30** On receiving any of the following types of applications, the Minister must refer the application directly to the Administrator:
- (a) marine special experimental licence and lease;
  - (b) marine institutional licence and lease.

#### **Class II application requirements**

- 31** A Class II application must include all of the following:
- (a) a development plan that meets the criteria established by the Administrator for the type of aquacultural operation to be carried out under the licence or lease;
  - (b) any additional information required by the Administrator.

#### **Consultations on Class II application**

- 32** On receiving a completed Class II application, the Administrator must undertake consultations with all of the following:
- (a) other departments or agencies of the Government or the Government of Canada, as may be required under the laws of the Province or of Canada;
  - (b) any person, group of persons or organization that the Administrator considers necessary or advisable in the circumstances;
  - (c) the public, in the manner provided in Section 43.

#### **Compliance review on Class II application**

- 33** On receiving a completed Class II application, the Administrator, or an employee of the Department appointed by the Administrator, must conduct a compliance review of the applicant in accordance with Sections 86 and 87.

#### **Performance review on Class II application**

- 34** On receiving a completed Class II application related to an existing licence or lease, the Administrator or an employee of the Department appointed by the Administrator, must conduct a performance review of the aquaculture site that is the subject of the application in accordance with Sections 89 and 90.



**Decision on Class II application**

- 35** (1) No later than 30 days after all reviews and consultations required by Sections 32 to 34 are completed, the Administrator must decide on the Class II application and issue a written decision that includes the reasons for the decision.
- (2) On issuing a written decision, the Administrator must do all of the following:
- (a) send a copy of the written decision issued to the applicant;
  - (b) publish a copy of the decision on the Department's website.

**Class III Applications****Applicant in good standing**

- 36** (1) For the purpose of this Section, an applicant is deemed to be in good standing if they meet all of the following criteria:
- (a) they have no outstanding fees due under the Act or these regulations;
  - (b) they have no outstanding reports due under the Act or these regulations
- (2) The Administrator may refuse to process a Class III application if the applicant is not in good standing.

**Submitting a Class III application**

- 37** A Class III application must be submitted to the Administrator in a manner determined by the Administrator and include the applicable application fee under Section 93.

**Consultations on Class III application**

- 38** On receiving a completed Class III application, the Administrator
- (a) must undertake consultations with other departments or agencies of the Government or the Government of Canada, as may be required under the laws of the Province or of Canada;
  - (b) may undertake consultations with any person, group of persons or organization that the Administrator considers necessary or advisable in the circumstances.

**Compliance review on Class III application**

- 39** On receiving a completed Class III application, the Administrator or an employee of the Department appointed by the Administrator, may conduct a compliance review of the applicant in accordance with Sections 86 and 87.

**Performance review on Class III application**

- 40** On receiving a completed Class III application related to an existing licence or lease, the Administrator or an employee of the Department appointed by the Administrator, may conduct a performance review of the aquaculture site that is the subject of the application in accordance with Sections 89 and 90.

**Decision on Class III application**

- 41** (1) No later than 30 days after any reviews or consultations conducted under Sections 38 to 40 are completed, the Administrator must decide on the Class III application.
- (2) The Administrator must inform the applicant of the decision made and publish a copy of the decision on the Department's website.

- (3) If the Administrator decides to reject a Class III application, the Administrator must provide the applicant with the reasons for the decision.

**Pre-October 26, 2015 sites**

- 42** (1) Despite Section 6 and subsection 23(2), an application to amend a non-fish licence or lease that was granted before October 26, 2015, to change the boundaries of an existing aquaculture site may be submitted to the Administrator for determination as a Class III application, if an inspection completed by the Department on or before December 31, 2024, confirmed that equipment associated with the aquaculture site is located outside the boundaries of the aquaculture site as set out in the licence or lease.
- (2) Before deciding on an application received under subsection (1), the Administrator must be satisfied that the scope of the requested boundary amendment is reasonably necessary to ensure that equipment associated with the aquaculture site is located within the boundaries of the aquaculture site as set out in the licence or lease.

**Public Written Comment on Applications****Inviting public to submit written comment on Class I and II applications**

- 43** (1) A notice of public consultation required by the Act or these regulations for a Class I or Class II application must invite the public to submit written comments and be published by the Minister or Administrator, as applicable,
- (a) on the Department's website and in the Royal Gazette Part I; and
  - (b) by any other means determined by the Minister or Administrator.
- (2) A public notice referred to in subsection (1) must specify that comments must be submitted within the 30-day period following the date the notice is published together with any additional information that the Minister or Administrator, as applicable, considers necessary for the notice.
- (3) A member of the public may submit written comments about an application in the manner described in the public notice.
- (4) To be considered by the Minister or Administrator, as applicable, a written submission from a member of the public must meet all of the following requirements:
- (a) it must identify the person making the comments and include contact information;
  - (b) it must describe how the person making the comment is connected with the matter to be determined;
  - (c) it must be submitted within the period specified in the notice;
  - (d) it must be in reference to 1 or more of the factors set out in subsection 17(1).

**Review Board Hearing Process****Definitions for Sections 44 to 66**

- 44** In this Section and Sections 45 to 66,

“hearing” means a public hearing held by the Review Board as required by Section 51 of the Act;

“intervenor” means a person who is granted leave to intervene in a hearing before the Review Board under Section 51.

### **Review Board authority**

- 45** (1) If procedures are not provided for in these regulations or in the Act, the Review Board may do whatever is necessary and permitted by law to enable it to effectively and completely adjudicate on the matter before it.
- (2) The Review Board may dispense with, amend, vary or supplement all or part of the procedures for hearings set out in these regulations if it is satisfied that the special circumstances of the application before it so requires or it is in the public interest to do so.
- (3) All instances where the Review Board exercises its discretion under subsection (1) must be documented by the clerk of the Review Board, identifying the particulars and the reason for doing so.

### **Parties to hearing**

**46** All of the following are parties to a hearing:

- (a) the applicant;
- (b) any intervenor;
- (c) the Minister or the Minister’s designate.

### **Location of hearing**

**47** A hearing must be held in the community that the Review Board determines is the most appropriate community closest to the aquaculture site that is the subject of the hearing.

### **Date of hearing**

- 48** (1) The Review Board must set a date for a hearing no later than 30 days after the date it receives an application referred by the Minister.
- (2) A date set for a hearing under subsection (1) must be at least 180 days but no later than 270 days from the date the Review Board sets the hearing date.
- (3) The Review Board must give the Minister, or Minister’s delegate, and the applicant to a hearing at least 180 days’ written notice of the hearing date.

### **Public notice of hearing**

- 49** (1) Public notice of a hearing by the Review Board
- (a) must be published on the Department’s website and in the Royal Gazette Part I; and
  - (b) may be published by any additional means determined by the Review Board.
- (2) Public notice of a hearing must be published by the clerk of the Review Board no later than 30 days after the date the Review Board receives an application referred by the Minister and must include all of the following information:
- (a) the date the application was received by the Review Board;
  - (b) the nature of the application submitted to the Review Board;

- (c) the applicant's name;
- (d) the time and place of the hearing;
- (e) the location of the aquaculture site that is the subject of the hearing;
- (f) the proposed species to be cultivated;
- (g) the proposed method of cultivation;
- (h) directions for how the public may request intervenor status from the Review Board;
- (i) the prescribed time period for submitting a request for intervenor status to the Review Board;
- (j) the prescribed time period for the public to submit written comments or requests to make a sworn oral statement or affirmation under Section 55;
- (k) any additional information about the hearing that the Review Board considers should be made public at this stage in the process.

**Request for intervenor status**

- 50** (1) A person may request intervenor status from the Review Board.
- (2) A request under subsection (1) must be in writing in a manner determined by the Review Board and must be submitted to the Review Board no later than 15 days after the date that notice of the hearing is published under Section 49.

**Decision on request for intervenor status**

- 51** (1) The Review Board must decide all requests received under subsection 50(2) no later than 30 days after the date that notice of the hearing is published under Section 49.
- (2) The Review Board must grant intervenor status to any person requesting it who, in the Review Board's opinion, is substantially and directly affected by the hearing.
- (3) The Review Board may grant intervenor status on such terms and conditions as the Review Board considers appropriate.
- (4) The Review Board may consolidate 2 or more intervenors into a single party.
- (5) Unless otherwise permitted by the Review Board, the participation of an intervenor is limited to the issues set out by the intervenor in their request under Section 50.
- (6) A decision made by the Review Board under subsection (1) is final.
- (7) The clerk of the Review Board must provide written notice of a decision made under subsection (1) to the person requesting intervenor status no later than 10 days after the date the decision is issued.
- (8) The clerk of the Review Board must provide all other parties to a hearing with a written notice containing the final list of intervenor parties no later than 10 days after the date the decision on their status is issued.

**Copies of documents to intervenor**

- 52** (1) Except as provided in subsection (2), the Review Board must provide copies of all of the documents

referred to the Board under subsection 26(1) to an intervenor at the time they are provided with notice of the decision under Section 51.

- (2) Subsection (1) does not apply to any document that an applicant has requested be held in confidence until the Review Board makes an order respecting the confidentiality of the document, and then applies only in a manner consistent with that order.

#### **Copies of documents and correspondence to parties**

- 53** (1) Except as provided in subsection (2), at the same time any correspondence or document is filed with the Review Board by a party to a hearing, copies of the correspondence or document must also be delivered to each of the other parties to the hearing.
- (2) Subsection (1) does not apply to any document that an applicant has requested be held in confidence until the Review Board makes an order respecting the confidentiality of the document, and then applies only in a manner consistent with that order.
  - (3) At the same time the Review Board delivers any correspondence to a party to a hearing, the Review Board must deliver a copy of the correspondence to each of the other parties.

#### **Pre-hearing conference**

- 54** The Review Board must conduct pre-hearing conferences with the parties to a hearing, the purpose of which may include any of the following:

- (a) consolidating, determining, or addressing issues raised by parties;
- (b) consolidating witnesses;
- (c) pre-qualifying experts;
- (d) determining the order of filing documents along with their respective due dates;
- (e) establishing how evidence will be presented or otherwise entered into the record;
- (f) determining the most suitable date for a hearing;
- (g) any additional purposes considered necessary by the Review Board.

#### **Public participation in hearing**

- 55** (1) A member of the public who is not a party to the hearing may participate by submitting 1 of the following to the Review Board no later than 15 days after the date that notice of the hearing is published under Section 49:
- (a) written comments, in the manner determined by the Review Board;
  - (b) a request to make a sworn oral statement or an affirmation, in the manner determined by the Review Board.
- (2) To be considered by the Review Board, a sworn oral statement or an affirmation provided by any member of the public must be in relation to 1 or more of the factors set out in subsection 17(1).
  - (3) The Review Board may establish any limits, terms and conditions for a submission received under subsection (1).



**Submission of written evidence**

- 56** (1) A party who intends to present written or visual evidence at a hearing must provide the evidence to the Review Board as follows:
- (a) at least 60 days before the date of the hearing; and
  - (b) by means of an affidavit, with a copy to each of the other parties.
- (2) The Review Board may require all or part of 2 or more intervenors' evidence to be consolidated if the Review Board determines that consolidation is necessary to avoid repetitive or cumulative evidence presented.
- (3) The Review Board may establish procedures for the order and timeframe in which parties are to submit responses to written evidence.

**Submissions by Minister**

- 57** (1) The reports referred by the Minister to the Review Board under subsection 26(1) form part of the record of a hearing and, in the absence of evidence to the contrary, are deemed admissible as proof of the truth of their contents.
- (2) The Minister may submit rebuttal evidence in response to evidence that has been submitted by other parties.

**Opening hearing**

- 58** The Review Board must open a hearing by describing in general terms the purpose of the hearing and the general procedure governing its conduct.

**Adjourning and reconvening hearing**

- 59** (1) The Review Board may adjourn a hearing and reconvene the hearing at any time and at any place the Review Board considers appropriate.
- (2) The Review Board must provide reasonable notice of the time and place of a reconvened hearing to the parties to the hearing and to the public.

**Evidence at hearing**

- 60** (1) Evidence presented at a hearing must be relevant to all of the following:
- (a) the proposed aquacultural operation, including its geographic location;
  - (b) the factors required to be considered by the Review Board under subsection 17(1).
- (2) The Review Board may exclude anything it considers to be hearsay, irrelevant, immaterial or unduly repetitious from the evidence presented at a hearing.
- (3) Unless otherwise permitted by the Review Board, intervenor evidence is limited to any terms and conditions placed on the grant of their intervenor status under subsection 51(3).
- (4) A party to a hearing may submit written evidence to the Review Board or present oral testimony at the hearing to explain their position.
- (5) The Review Board may establish limits on any of the following:
- (a) the number of pages in submissions;

- (b) the length of oral testimony;
  - (c) the length of presentations.
- (6) A party is not entitled to present the evidence of an expert witness at a hearing unless
- (a) the evidence is in the form of a report that includes all of the following:
    - (i) the expert's name, address and qualifications,
    - (ii) a statement of the substance of the expert's proposed evidence; and
  - (b) the party has provided the evidence to the Review Board and each of the other parties as required by subsection 56(1).
- (7) The Review Board may take notice of any facts of which judicial notice could be taken.

**Documentary and real evidence at hearing**

- 61 (1) The clerk of the Review Board must number or otherwise identify each document, material item and object offered and accepted as evidence in a hearing.
- (2) The Review Board may accept evidence submitted in the form of a copy or excerpt if the original is not readily available.
- (3) The Review Board may require any person presenting a document or photograph as an exhibit to submit a specified number of copies, unless the document or photograph is determined to be unsuitable for reproduction.

**Questions at hearing**

- 62 (1) The chair of a panel of the Review Board may do all of the following at a hearing:
- (a) determine the order of questioning;
  - (b) exclude any question that, in the panel chair's opinion, is outside of the terms of reference of the Review Board or is needlessly repetitive in nature;
  - (c) limit the number of questions that may be asked.
- (2) The Review Board may request a party to empanel 2 or more witnesses in order to answer questions.
- (3) A question asked at a hearing that is addressed to a group of persons representing a party may be directed to a specific member of the group or all members present in person.
- (4) If a question asked at a hearing is directed to a specific member of a group representing a party and that person is unable to answer because of a lack of knowledge or qualification, the panel chair may permit another member of the group to provide an answer.
- (5) If a party is unable to answer a question at a hearing without further consultation or research, the party must undertake to provide an answer by the following applicable deadline and the Review Board must provide the response to the person who asked the question and to any other person, on request,
- (a) on or before the close of the hearing; or

- (b) if it is not possible to comply with clause (a), no later than 7 days after the close of the hearing.

**Conclusion of hearing**

- 63** (1) At the conclusion of a hearing, the record of the hearing must be closed and no other evidence may be entered into the record, except by agreement of all parties or in accordance with subsection (2).
- (2) The Review Board may re-open the record of a hearing after it has been closed to take additional evidence on specific issues if the Review Board is not satisfied that all necessary information to make a decision has been presented.

**Record of hearing**

- 64** (1) The clerk of the Review Board must keep a full and complete record for each hearing.
- (2) A record of a hearing must include all of the following:
- (a) the application;
  - (b) supporting documents; and
  - (c) all exhibits.

**Review Board decision**

- 65** (1) No later than 60 days after the date that a hearing concludes, the Review Board must decide on the application and issue a written decision that includes the reasons for the decision.
- (2) In setting out reasons in a written decision, the Review Board must include all of the following:
- (a) the findings of fact on the evidence related to the factors required to be considered under subsection 17(1);
  - (b) the conclusions of law based on the findings of fact;
  - (c) the particulars of any deviations by the Review Board from the hearing procedures set out in these regulations.
- (3) Once a written decision on an application is issued by the Review Board, the clerk of the Review Board must do both of the following:
- (a) send a certified copy of the decision to each party to the hearing;
  - (b) publish a certified copy of the decision on the Department's website.

**Deadline for implementing Review Board decision**

- 66** An action of the Minister to implement a decision of the Review Board under Section 52 of the Act must be taken no later than 15 days after [the] date the appeal period set out in Section 50 of the Act ends.

**Terms and Conditions of Licences and Leases****Information included on licence or lease**

- 67** (1) A licence or lease must indicate all of the following information:
- (a) the type of aquaculture site;

- (b) the type of aquacultural operation;
  - (c) the methods of cultivation authorized;
  - (d) the species that may be cultivated;
  - (e) the term of the licence or lease;
  - (f) the geographic coordinates of the boundaries of the aquaculture site.
- (2) In addition to the requirements of subsection (1), a licence or lease may specify the maximum amount of aquacultural produce allowed on the aquaculture site.

**Types of aquaculture sites**

**68** (1) Aquaculture sites are limited to the following 2 types:

- (a) marine;
  - (b) land-based.
- (2) An aquaculture site in brackish waters is deemed to be of the marine type.
- (3) A licence or lease may be issued for only 1 type of aquaculture site.

**Types of aquacultural operations**

**69** (1) All of the following are the types of aquacultural operations:

- (a) commercial;
  - (b) special experimental;
  - (c) institutional;
- (2) A licence or lease may be issued for only 1 type of aquacultural operation at a time.
- (3) A ~~licencee~~ [licensee] or lessee who seeks to substitute one type of aquacultural operation for another must apply to the Minister for a new licence or lease in accordance with Section 45 of the Act and these regulations, including any requirement to submit a proposal for an option to lease.

**Special experimental licences and leases**

**70** (1) Aquaculture conducted under a special experimental licence or special experimental lease must be for the following purposes only:

- (a) to test or develop new technology or methods;
  - (b) to test the technical feasibility of an aquaculture site.
- (2) Aquaculture conducted under a special experimental licence must not be on a scale that exceeds the purposes for which the licence was granted.

**Institutional licences and leases**

**71** Aquaculture conducted under an institutional licence or institutional lease must be for the following purposes only:

- (a) to carry out public fishery enhancement;
- (b) to carry out general research activities.

### Methods of cultivation and types of species

- 72 (1) The methods of cultivation and types of species for each type of aquaculture site are as set out in the following table:

Type of Aquaculture Site	Method of Cultivation	Type of Species
marine	marine cage	finfish
	suspended	shellfish or aquatic plants
	bottom with gear	shellfish or aquatic plants
	bottom without gear	shellfish or aquatic plants
land-based	facility	finfish, shellfish or aquatic plants
	U-fish	finfish

- (2) A licence or lease may be issued for 1 or more methods of cultivation or types of species at a time, consistent with subsection (1).
- (3) A ~~licencee~~ [licensee] or lessee may apply to the Minister to amend a licence or lease in accordance with the Act and these regulations to add, remove, or substitute 1 or more methods of cultivation or species.

### Term and renewal of licence or lease

- 73 (1) The term of a licence must not exceed 10 years and may be renewed for further terms of no longer than 10 years each.
- (2) The term of a lease must not exceed 20 years and may be renewed for further terms of no longer than 20 years each.
  - (3) Unless otherwise permitted by the Minister, an application to renew a licence or lease must be submitted to the Minister at least 12 months before the licence or lease expires and no later than 6 months before their licence or lease expires.
  - (4) A ~~licencee~~ [licensee] or lessee may submit an application to the Minister to amend their licence or lease to change the expiry date so that it corresponds with the expiry date of another licence or lease granted to the same holder, but only if this does not result in the granting or renewal of a term longer than that permitted under this Section.
  - (5) Despite subsections (1) to (3), a special experimental licence or special experimental lease must not exceed 5 years and may not be renewed for further terms.

### Location and marking

- 74 (1) A lessee must mark each of their aquaculture sites in a manner determined by the Minister and ensure that each of their aquaculture sites is marked as required before any development takes place at the site.
- (2) A lessee must ensure that gear and aquacultural produce related to any of their aquaculture sites remains within the geographic boundaries of that site.



**Security bond**

- 75** (1) A lessee must ensure that a security bond is in place for the aquaculture site under the lease until a certificate of discharge is issued by the Administrator.
- (2) The holder of a new lease must not begin their aquacultural operation until the security bond required by subsection (1) is approved by the Administrator.
- (3) A security bond must be in a form satisfactory to the Administrator.
- (4) Except as provided in subsections (5) and (6), and subject to subsection (7), a security bond must be in an amount equal to or exceeding the amount set out in the following table for the method of cultivation authorized under the lease:

Method of Cultivation	Size of Aquaculture Site (in Hectares)	Minimum Security Bond Amount
marine cage	any size	\$25 000
suspended	> 50 ha	\$15 000
	> 10 ha and ≤ 50 ha	\$10 000
	≤ 10 ha	\$5000
bottom with gear	> 50 ha	\$1500
	> 10 ha and ≤ 50 ha	\$1000
	≤ 10 ha	\$500
bottom without gear	any size	\$50

- (5) For a holder of a special experimental lease or a holder of an institutional lease, the amount required for a security bond is 50% of the applicable amount specified in subsection (4).
- (6) For a lessee who is authorized for more than 1 method of cultivation on a site, the amount required for a security bond is the highest amount listed in subsection (4) that is applicable to the lessee.
- (7) The Minister may approve collective security arrangements for a group of lessees if the Minister is satisfied that those arrangements will effectively meet the requirements of this Section.

**Access for adjacent land owner**

- 76** A ~~licensee~~ [licensee] must conduct their aquacultural operation so as not to deprive any owner of real property adjacent to a body of fresh, brackish or marine water from reasonable access to and from the water.

**Recording and reporting requirements**

- 77** (1) A ~~licensee~~ [licensee] must maintain current and accurate records of all of the following with respect to their aquacultural operation:
- (a) all aquacultural produce sales, including the date, number or weight and destination of each sale;
- (b) all losses of aquacultural produce by any means, including predation and weather;
- (c) all on-site inventory;

- (d) all transfers of produce into and out of the aquaculture site (including for the purposes of relay depuration), including the date, amount (in units each and/or weight), source and destination; and
  - (e) any additional information that the Minister requires to be recorded.
- (2) A ~~licencee~~ [licensee] must retain each record maintained under subsection (1) at their normal place of business for at least 7 years from the date of the last entry in the record.
- (3) On request, a ~~licencee~~ [licensee] must provide the Minister or the Minister's designate with any information from their records that is specified in the request, in the manner and within the time period specified in the request.
- (4) A ~~licencee~~ [licensee] must submit an annual report to the Minister at a time determined by the Minister that sets out any information required by the Minister about the ~~licencee's~~ [licensee's] use of the aquaculture site under the licence and the productivity of the site.
- (5) At the end of the term of a special experimental licence, the ~~licencee~~ [licensee] must make a summary of the research results from the aquaculture conducted under the special experimental licence available to the Minister.
- (6) The Minister, in the Minister's sole discretion, may release a summary submitted under subsection (5) to the public in full or in part.

**No sublicensing or subletting**

- 78 (1) A ~~licencee~~ [licensee] must not ~~sublicence~~ [sublicense] their interest in an aquaculture site.
- (2) A lessee must not sublet their interest in an aquaculture site.
- (3) A sublicense or sublease contrary to this Section is void.

**Use of aquaculture site**

- 79 (1) A lessee must use all of the aquaculture site for aquaculture purposes, to the degree and in the manner determined by the Administrator.
- (2) A lessee is responsible for any aquaculture gear present at an aquaculture site, regardless of whether the gear was abandoned by a previous site operator.

**Administrator may amend licence or lease without application**

- 80 The Administrator may amend a licence or lease without requiring an application to do so under any of the following circumstances:
- (a) to correct an error;
  - (b) to address a revised policy or a regulatory change of the Government or of the Government of Canada;
  - (c) as a matter of administrative clarity.

**Community benefits plan**

- 81 (1) In this Section,

“community benefits plan” means a plan that identifies measurable social and economic benefits of

an aquacultural operation to the community and the Province.

- (2) A community benefits plan must be in a form acceptable to the Minister and contain any information the Minister determines is necessary.
- (3) The Minister, in their discretion, may require any ~~licencee~~ [licensee] or lessee, including a ~~licencee~~ [licensee] or lessee who applies to the Minister to renew a licence or lease, to have a community benefits plan approved by the Minister for an aquacultural operation that is subject to a licence or lease they hold.
- (4) Upon approval by the Minister of a community benefits plan under subsection (3), compliance with the plan, to the satisfaction of the Minister, is deemed to be a term and condition of the licence or lease, including any renewed licence or lease.
- (5) The Minister may require a ~~licencee~~ [licensee] or lessee whose licence or lease is subject to a community benefits plan to submit information, in the form and manner prescribed by the Minister, about implementation of the community benefits plan.

### **Discontinuance of Marine Aquacultural Operation**

#### **Request for certificate of discharge**

- 82** (1) A lessee or former lessee must obtain a certificate of discharge from the Administrator
- (a) on revocation of a lease by the Administrator under Section 59A of the Act; or
  - (b) on the decision of a lessee to discontinue their marine aquacultural operation.
- (2) A request to the Administrator for a certificate of discharge must include all of the following:
- (a) a remediation plan;
  - (b) an anticipated date of completion of the remediation plan;
  - (c) payment of any outstanding fees that are owed for the lease.
- (3) On receiving a request for a certificate of discharge, the Administrator must do 1 of the following with respect to the remediation plan submitted with the request:
- (a) accept the remediation plan as submitted;
  - (b) establish an amended remediation plan with or without adjusting the anticipated date of completion of the remediation plan.

#### **When Minister may remediate aquaculture site**

- 83** (1) The Minister may remediate an aquaculture site at the risk and expense of a lessee or former lessee of the site in either of the following circumstances:
- (a) the site is not remediated in accordance with the remediation plan by the anticipated date of completion provided in the request for a certificate of discharge under Section 82;
  - (b) in the Minister's opinion, the site is abandoned without a request for a certificate of discharge.
- (2) The Minister may draw on the security bond of a lessee or former lessee to recover any costs

associated with the Minister remediating an aquaculture site.

- (3) If a security bond fails to cover all expenses incurred, the Minister may issue an order under Section 103 of the Act to a lessee or former lessee to recover any outstanding expenses associated with remediating an aquaculture site.

### **Certificate of discharge**

- 84 On verifying that remediation of an aquaculture site of a former lessee or lessee is complete, either as set out in a plan established under Section 82 or as carried out by the Minister under Section 83, the Administrator must issue a certificate of discharge to the former lessee or lessee and release any unused portion of their security bond.

## **Compliance Review**

### **Timing of compliance reviews**

- 85 (1) In addition to the compliance reviews required by Sections 24 and 33 for Class I and Class II applications, the Administrator, or an employee of the Department appointed by the Administrator, must conduct compliance reviews at the following times:
- (a) for a new licence, following the first production cycle, as determined on initial issuance of the licence;
  - (b) at any time the Minister considers a compliance review to be necessary.
- (2) In addition to the compliance review required by Section 39 for a Class III application, the Administrator or an employee of the Department appointed by the Administrator, may conduct compliance reviews at the following times:
- (a) when any ~~licencee~~ [licensee] or lessee has outstanding annual fees, as required by Section 94, that remain unpaid for more than 3 months;
  - (b) when any ~~licencee~~ [licensee] has outstanding annual reports, as required by subsection 77(4), that remain overdue for more than 3 months.

### **Process for compliance review**

- 86 (1) The Minister must determine the criteria for and scope of a compliance review.
- (2) While conducting a compliance review, the Administrator, or an employee of the Department appointed by the Administrator, may consult with
- (a) other departments or agencies of the Government or the Government of Canada; or
  - (b) any person, group of persons or organization considered necessary.

### **Outcomes of compliance review**

- 87 (1) The Administrator, or an employee of the Department appointed by the Administrator, must generate a report on the outcomes of a compliance review they conduct.
- (2) If concerns are raised by a compliance review, on completion of the review the Administrator may address the concerns by doing 1 of the following:
- (a) suspending a licence or lease;

- (b) varying the terms and conditions of a licence or lease;
- (c) revoking a licence or lease under Section 59A of the Act.

### **Performance Review of an Aquacultural Operation**

#### **Timing of performance reviews**

**88** In addition to the performance reviews required by Sections 25 and 34 for Class I and Class II applications, the Administrator or an employee of the Department appointed by the Administrator, must conduct performance reviews at the following times:

- (a) for a new licence, following the first production cycle, as determined on initial issuance of the licence;
- (b) before entering the information related to the aquaculture site into the aquaculture registry;
- (c) at any time the Minister considers a performance review to be necessary.

#### **Process for performance review**

**89** The Minister must determine the criteria for and scope of a performance review.

#### **Outcomes of performance review**

- 90** (1) The Administrator, or an employee of the Department appointed by the Administrator, must generate a report on the outcomes of a performance review they conduct.
- (2) If concerns are raised by a performance review, on completion of the review the Administrator may address the concerns by doing 1 of the following:
- (a) suspending the licence or lease;
  - (b) varying the terms and conditions of the licence or lease;
  - (c) revoking the licence or lease under Section 59A of the Act.

### **Fee Payments and Fee Waivers**

#### **Payment of fees**

- 91** (1) A fee must be paid for each application for, or associated with, a licence or lease.
- (2) All fees are payable to the Minister of Finance and Treasury Board.
- (3) All fees are non-refundable once an application is processed by the Department, and withdrawal of an application does not result in a refund of fees.

#### **Application fee payable with completed application**

- 92** (1) An application is not considered complete and ready for processing until the application fee is paid.
- (2) Submission of an application fee without a completed application is not sufficient to constitute an intent to apply for, or renew, a licence or lease.

### **Application Fees and Annual Fees**



**Fees for licence and lease applications**

- 93 (1)** The application fees for a new or reallocated licence or lease that is for a non-ADA are as set out in the following table:

New Licence/Lease (non-ADA)				Application Fee	
Operation Type	Site Type	Cultivation Method (Species Type)	Application Class	Licence	Lease
commercial	marine	marine cage (finfish)	Class IA	\$1000.00	\$1000.00
		suspended (shellfish)	Class IB	\$500.00	\$500.00
		suspended (aquatic plants)		\$250.00	\$250.00
		bottom with gear (aquatic plants or shellfish)		\$375.00	\$375.00
		bottom without gear (aquatic plants or shellfish)		\$250.00	\$250.00
	land-based	any	Class III	\$500.00	n/a
special experimental	marine	any	Class II	\$250.00	\$250.00
	land-based	any	Class III	\$250.00	n/a
institutional	marine	any	Class II	\$250.00	\$250.00
	land-based	any	Class III	\$250.00	n/a

- (2)** The application fees for a new licence or lease that is for an area designated as an aquaculture development area are as set out in the following table:

New Licence/Lease (Aquaculture Development Area)				Application Fee	
Operation Type	Site Type	Cultivation Method (Species Type)	Application Class	Licence	Lease
commercial	marine	marine cage (finfish)	Class II	\$2000.00	\$2000.00
		suspended (shellfish)		\$1000.00	\$1000.00
		suspended (aquatic plants)		\$500.00	\$500.00
		bottom with gear (aquatic plants or shellfish)		\$750.00	\$750.00
		bottom without gear (aquatic plants or shellfish)		\$500.00	\$500.00
special experimental	any	any	Class II	\$250.00	\$250.00
institutional	any	any	Class II	\$250.00	\$250.00

- (3)** The application fees to amend an existing licence or lease are as set out in the following table:

Amendment to Licence/Lease				Application Fee	
Operation Type	Site Type	Amendment to Cultivation Method or Species Type	Application Class	Licence	Lease
commercial	marine	add marine cage method	Class IA	\$1000.00	\$1000.00
		add suspended method	Class II	\$375.00	\$375.00
		add bottom with gear method	Class II	\$250.00	\$250.00
		add bottom without gear method	Class II	\$125.00	\$125.00
		remove cultivation method	Class III	\$125.00	\$125.00
		add or remove 1 or more species (no change to cultivation method)	Class III	\$250.00	\$250.00
		change to site boundaries (resulting in increase to size of site)	Class IA or IB	\$500.00	\$500.00
		change to site boundaries (no increase to size of site)	Class II	\$500.00	\$500.00
		change to site boundaries (pre-October 2015 site)	Class III	\$125.00	\$125.00
special experimental	marine	add suspended, bottom with gear or bottom without gear method	Class II	\$250.00	\$250.00
		remove a cultivation method	Class III	\$125.00	\$125.00
		add or remove 1 or more species (no change to cultivation method)	Class III	\$250.00	\$250.00
institutional	marine	add suspended, bottom with gear or bottom without gear method	Class II	\$250.00	\$250.00
		remove a cultivation method	Class III	\$125.00	\$125.00
		add or remove 1 or more species (no change to cultivation method)	Class III	\$250.00	\$250.00
any	land-based	any	Class III	\$250.00	n/a
any	any	change to term under subsection 73(4)	Class III	\$125.00	\$125.00

any	any	assignment	Class III	\$250.00	\$250.00
any	any	amalgamation	Class III	\$500.00	\$500.00

- (4) The application fees to renew an existing licence or lease are as set out in the following table:

Licence/Lease Renewal				Application Fee	
Operation Type	Site Type	Cultivation Method (Species Type)	Application Class	Licence	Lease
commercial	marine	any	Class II	\$500.00	\$1000.00
institutional	marine	any	Class II	\$125.00	\$125.00
commercial	land-based	any	Class III	\$500.00	n/a
institutional	land-based	any	Class III	\$250.00	n/a

#### Annual fees

- 94 (1) Except as provided in subsection (2), a ~~licencee~~ [licensee] or lessee must pay an annual fee on each anniversary date of the expiry date of the licence or lease.
- (2) There is no annual fee for an institutional licence or an institutional lease.
- (3) The annual fees for any type of aquacultural operation other than for a licensee or lessee described in subsection (2), are as set out in the following table:

Item	Annual Fee Amount
licence	\$398.10
lease	\$13.30 per hectare

- (4) An annual fee that is paid later than as required by subsection (1) is subject to a late fee of the greater of the following:
- (a) 10% of the annual fee amount;
- (b) \$100.00.
- (5) If an amendment to a licence or lease results in a change to the annual fee, the annual fee payable is adjusted at the next anniversary date.
- (6) The holder of a land-based licence that exclusively uses the U-fish cultivation method is eligible for a rebate of \$124.60 on their annual fees.

#### Minister may waive annual fee

- 95 (1) The Minister may waive annual fees payable by a ~~licencee~~ [licensee] or lessee if all of the following conditions are met:
- (a) existing environmental, food safety, market or fish health conditions have resulted in a loss to the ~~licencee~~ [licensee] or lessee;
- (b) the loss referred to in clause (a) cannot, in the Minister's opinion, be mitigated;

- (c) significant hardship is demonstrated by the ~~licencee~~ [licensee] or lessee.
- (2) An annual fee waiver granted under subsection (1) may apply to any of the following:
- (a) 1 or more types of aquacultural operations;
  - (b) 1 or more species of aquacultural produce;
  - (c) 1 or more geographic areas.
- (3) A request to have an annual fee waived must be submitted by a ~~licencee~~ [licensee] or lessee before the date that payment of the fee is due and be accompanied by any supporting information required by the Minister.
- (4) Once a year, the Minister must review the records of fees waived during the preceding year.

#### Schedule A: Classification of Applications

Class I Applications	
Class IA Application Type	Decision maker (as set out in Act)
New marine commercial licence or lease for the marine cage cultivation of finfish (non-ADA)	Review Board
Amendment to an existing marine commercial licence or lease to add the marine cage cultivation of finfish	
Amendment to an existing marine cage commercial licence or lease to modify the site boundaries resulting in an increase in the size of the site	
Class IB Application Type	Decision maker (as set out in Act)
New marine commercial licence or lease <b>except</b> for those involving the marine cage cultivation of finfish (non-ADA)	Administrator
Amendment to an existing marine commercial licence or lease to modify the site boundaries resulting in an increase in the size of the site <b>except</b> for those involving the marine cage cultivation of finfish	

Class II Applications	
Application Type	Decision maker (as set out in Act)
New marine licence or lease within an aquaculture development area	Administrator
New marine special experimental or marine institutional licence or lease	
Amendment to an existing marine licence or lease to add the suspended, bottom with gear or bottom without gear cultivation methods	
Amendment to an existing marine licence or lease to modify the site boundaries (without an increase in the size of the site)	
Renewal of marine commercial or marine institutional licence or lease	

Reallocation of an existing marine aquaculture site, resulting in a new licence or lease	
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Class III Applications	
Application Type	Decision maker (as set out in Act or regulations)
New land-based licence (commercial, special experimental, institutional)	Administrator
Renewal of land-based licence (commercial, institutional)	
Amendment to an existing land-based licence (commercial, special experimental, institutional)	
Amendment to an existing marine licence or lease to remove a method of cultivation	
Amendment to an existing marine licence or lease to add or remove species (with no change to the method of cultivation)	
Amendment to an existing licence or lease (marine and land-based) to change the expiry date under subsection 73(4)	
Assignment of an existing licence or lease (marine and land-based)	
Amalgamation of 2 or more marine licences or leases and their associated aquaculture sites (with no change to the type of operation, site boundaries or methods of cultivation)	
Amendment to an existing licence or lease to modify the site boundaries under Section 42	