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N.S. Reg. 159/2004

Made: May 14, 2004

Filed: May 19, 2004

Polling Districts Order: Municipality of the County of Cumberland

Order dated May 14, 2004

Amendment to an order made by the Nova Scotia Utility and Review Board
pursuant to Section 368 of the *Municipal Government Act***Order****NSUARB-MB-04-01****Nova Scotia Utility and Review Board****In the Matter of the Municipal Government Act****- and -****In the Matter of an Application** by the **Municipality of the County of Cumberland** to amend the boundaries of polling districts 1, 2, 3, 4, 5, 6 and 7 pursuant to **s. 368** of the **Municipal Government Act****Before:** Peter W. Gurnham, Q.C.**Order**

The Board having heard an application by the **Municipality of the County of Cumberland** pursuant to **s. 368** of the **Municipal Government Act** to amend the boundaries of polling districts 1, 2, 3, 4, 5, 6 and 7, and the Board having issued its decision on April 5, 2004;

It is hereby ordered that the application is approved in part as follows:

1. The boundaries of polling districts 1, 2, 3, 4, 5, and a portion of polling district 7 are amended;
2. The boundaries of polling district 6 and the balance of polling district 7 remain unchanged;
3. The descriptions of the boundaries of the polling districts are set out in Schedule "A", attached to and forming part of this Order, with the amendments to Polling Districts 1, 2, 3, 4, 5 and 7 outlined in bold;

And it is further ordered that for the purposes of all provisions of the **Municipal Government Act** and the **Municipal Elections Act** and of any other acts of the Province of Nova Scotia applying to the preparation for and holding of the regular election of councillors of the Municipality in the year 2004, the above-noted changes shall be deemed to have taken effect on the first day of March, 2004, but for all other purposes, such changes shall take effect on the first day of the first meeting of the new Council after the election of councillors for the year 2004.

Dated at Halifax, Nova Scotia this 14th day of May, 2004.Sgd: *Elaine Wagner*
Clerk of the Board

Municipality of the County of Cumberland**Schedule "A"**District #1

All that portion of the County of Cumberland bounded by a line commencing at the point of intersection of the centre line of a Nova Scotia Power Inc. easement with the centre line of the Nappan River;

Thence northerly, along the centre line of said easement to an intersection with the centre line of the John Black Road;

Thence north along the centre line of the John Black Road to an intersection with the centre line of Highway No. 6;

Thence westerly along the centre line of Highway No. 6 to an intersection with an extension of the westerly lot line of the property having PID No. 25073925;

Thence northerly along the westerly lot line of said property;

Thence easterly along the northern lot line of said property to its intersection with the western lot line of the property having the LRIS No. 25371923;

Thence northeast along the westerly lot line of said property to the northern corner of said property;

Thence northerly to the intersection of the centre line of Purdy Brook with a Nova Scotia Power Inc. easement;

Thence northwesterly and along the said easement to its intersection with the centre line of the Missaguash River;

Thence southerly and along the various courses of the said river to its intersection with the centre line of the Cumberland Basin to an intersection with the centre line of the Maccan River;

Thence southerly, westerly and easterly along the various courses of the Maccan River centre line to its intersection with the centre line of the Nappan River;

Thence along the various courses of the said river to its intersection with the Nova Scotia Power Inc. easement, being also the point of beginning, saving and ~~exception~~ [excepting] thereout and therefrom all that land occupied within the corporate limits of the Town of Amherst and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose referenced to grid north based on the current issue 1:50,000 scale National Topographical Series mapping.

District #2

All that portion of the County of Cumberland bounded by a line commencing at the point of intersection of the centre line of the Little Forks Road and the centre line of the Canadian National Railway (CNR) right-of-way east of Athol Station;

Thence westerly along the various courses of the centre line of the said CNR right-of-way to its intersection with an extension of the easterly lot line of the property having LRIS No. 25068339;

Thence northerly along said extension and said lot line;

Thence westerly along the northerly lot line of said property;

Thence southerly along the westerly lot line of said property and extending to the centre line of the CNR right-of-way;

Thence westerly along the centre line of said right-of-way to an intersection with the centre line of Highway No. 302;

Thence in a straight line due westerly to the centre line of the Maccan River;

Thence northerly and westerly along the various courses of the centre line of the said Maccan River to its intersection with the centre line of the Nappan River;

Thence in a northerly and easterly direction along the various courses of the said centre line of the Nappan River and the Branch Nappan River to an intersection with a line extending from the intersection of the centre line of the Manship Road with an extension of the northerly lot line of the property having LRIS No. 25072885 to where an extension of the eastern lot line of the property having LRIS No. 25039983 intersects with the centre line of Highway No. 204;

Thence southeasterly to the intersection of the centre lines of Highway No. 104 and Stewarts Brook;

Thence westerly to the intersection of the centre lines of Highway No. 2 and the Little Forks Road;

Thence westerly along the various courses of the centre line of said Little Forks Road to the point of beginning, and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose referenced to grid north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #3

All that portion of the County of Cumberland bounded by a line commencing at the point of intersection of the centre lines of the Lake Killarney Road and the Mount Pleasant Road;

Thence southwestwardly in a straight line to the most northerly intersection of the centre line of a Nova Scotia Power Inc. easement with the centre line of Seaman Brook;

Thence northwestwardly to the point of intersection of the centre line of the Manship Road with the centre line of the Nappan River;

Thence southerly along the centre line of said road to an intersection with an extension of the northerly lot line of a property having LRIS No. 25072885;

Thence southwestwardly along a straight line between the preceding point to the West Leicester Community Boundary Sign on Highway No. 204, near Salem to its intersection with the centre line of the Branch Nappan River;

Thence westerly and northerly along the said Branch Nappan River centre line to its intersection with the centre line of the Nappan River;

Thence easterly along the centre line of the Nappan River centre line to its intersection with the centre line of a Nova Scotia Power Inc. easement;

Thence northerly, along the centre line of said easement to an intersection with the centre line of the John Black Road;

Thence north along the centre line of the John Black Road to an intersection with the centre line of Highway No. 6;

Thence west along the centre line of Highway No. 6 to an intersection with an extension of the westerly lot line of the property having PID No. 25073925;

Thence northerly along the westerly lot line of said property;

Thence easterly along the northern lot line of said property to its intersection with the western lot line of property having the PID No. 25371923;

Thence northeast along the westerly lot line of said property to the northern corner of said property;

Thence northerly to the intersection of the centre line of Purdy Brook with a Nova Scotia Power Inc. easement;

Thence northwesterly and along the said easement to its intersection with the centre line of the Missaguash River ~~River~~ (forming part of the Nova Scotia-New Brunswick border);

Thence northwesterly and northerly along the boundary of said property to an intersection with the southwesterly lot line of the property having LRIS No. 25073750;

Thence northwesterly along said lot line to an intersection with the southerly lot line of the property with LRIS No. 25344565;

Thence easterly along said lot line and continuing easterly along the southerly lot line of the property having LRIS No. 25073768;

Thence northerly along the easterly lot line of said property and extending to an intersection with the centre line of Highway No. 6;

Thence easterly along the centre line of Highway No. 6 to an intersection with an extension of the westerly lot line of the property having LRIS No. 25073925;

Thence northerly along the westerly lot line of said property;

Thence northeasterly along the northwesterly lot line of the property having LRIS No. 25063017 to its intersection with the northeasterly lot line of said property;

Thence northerly to the intersection of the centre line of Purdy Brook with a Nova Scotia Power Inc. easement;

Thence northwesterly ~~and~~ [a]long the said easement to its intersection with the centre line of the Missaguash River (forming part of the Nova Scotia-New Brunswick border);

Thence northeasterly and easterly along the various courses of said provincial boundary to the shoreline of the Northumberland Strait;

Thence southeast along the various courses of said Northumberland Strait shoreline to an intersection with an extension of the northwest lot line of the property having LRIS No. 25118423;

Thence southwest along the western lot line of said property and extending to an intersection with the centre line of Highway No. 366;

Thence southwest to the northeast corner of the property having LRIS No. 25118118;

Thence southwest along the eastern boundary of said property to the southeast corner of said property;

Thence northwest along the southern boundary of said property to the south-western corner of said property to an intersection with the eastern boundary of the property having LRIS No. 25118415;

Thence south along said boundary to the southern corner of said property;

Thence southwest in a straight line to the northeast corner of the property having LRIS No. 25097551;

Thence west along the northern boundary of said property to a point which intersects an extension of a straight line drawn from the southwest corner of the property having LRIS No. 25098641 to a point on the centre line of Highway No. 6 which is a distance of 307 meters from the intersection of the centrelines of the Casey Road and Highway No. 6;

Thence southwest in a straight line to a point on the centre line of Highway No. 6 which is a distance of 307 meters from the intersection of the centre lines of the Casey Road and Highway No. 6;

Thence southwest to an intersection of the southwest lot line of the property having LRIS No. 25097536 with a straight line drawn from the southwest corner of the property having LRIS No. 25098641 to a point on the centre line of Highway No. 6 which is a distance of 307 meters from the intersection of the centrelines of the Casey Road and Highway No. 6;

Thence southeast, along the southwest lot line of the property having LRIS No. 25097536, to an intersection with the northern lot line of the property having LRIS No. 25246182;

Thence southeast in a straight line to the southeast corner of said property where it intersects with the western lot line of the property having LRIS No. 25116864;

Thence south along the western lot line of the property having LRIS No. 25116864 to the southwest corner of said property;

Thence east, along said property boundary, to an intersection with the northwest corner of the property having LRIS No. 25246042;

Thence to an intersection between the western property line of the property having LRIS No. 25097601 and a line extending from the northwest corner of the property having LRIS No. 25246042 to the northwest corner of the property having LRIS No. 25097643;

Thence south from said point of intersection on the western property line of the property having LRIS No. 25097601 to an intersection with the northern corner of the property having LRIS No. 25098757;

Thence following the various courses of said property in a southwest, then southeast direction until it intersects with the northern property line of the property having LRIS No. 25098716;

Thence southeast, following the southwest property line of said property in a southeast direction until it intersects with the northern property line of the property having LRIS No. 25098690;

Thence southeast, following the southwest property line of said property in a southeast direction for a total distance of 150 meters;

Thence southwest in a straight line to the northern corner of the property having LRIS No. 25098674;

Thence southeast along the eastern property line of said property, (crossing the Leicester Road) and extending to the southern property line of the property having LRIS No. 25143306;

Thence southwest along said property line to the eastern property line of the property having LRIS No. 25143330;

Thence southeast following said boundary and continuing along the eastern boundary of the property having LRIS No. 25143264 to the southeast corner of said property;

Thence southwest along the southern boundary of said property and continuing in a **strait** [straight] line until said extension intersects with the eastern boundary of the property having LRIS No. 25143587;

Thence southeast along said property boundary to the southeast corner of said property;

Thence southwest following the southern property lines of those properties having the following LRIS Numbers: 25143363, 25143389, 25143397, 25246307, to the southwest corner of the property having LRIS No. 25246299;

Thence northwest following the western boundary of said property to its intersection with the centre line of the Dickson Brook;

Thence west following the various courses of the Dickson Brook to its intersection with the eastern property boundary of the property having LRIS No. 25143504;

Thence northwest in a straight line to an extension of the northwest property line of said property with the centre line of the Leicester Road;

Thence southwest following the centre line of the Leicester Road to its intersection with the centreline of the Mount Pleasant Road;

Thence north following the centreline of the Mount Pleasant Road to the point of beginning, and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose [referenced to grid] north based on the current issue 1:50,000 scale National Topographical Series mapping.

District #4

All that portion of the County of Cumberland bounded by a line starting at the intersection of the centre line of Big Lake Brook with the centre line of the Jersey Road;

Thence northerly along the centre line of the Jersey Road to an intersection with the centre line of the Hansford Road;

Thence in a straight line in a northeasterly direction to the point of intersection of the centre line of the Thompson Road, so called, and the centre line of the CNR Short-Line right-of-way;

Thence in a northwesterly direction in a straight line to an intersection with the prolongation of the division line between the William Hunter Grant No. 358 and William Rushton Grant No. 1105;

Thence along the prolongation of the division line between the William Hunter Grant No. 358 and William Rushton Grant No. 1105 to an intersection of the centre line of River Philip and [the] centre line of Grady Brook;

Thence northerly along the various courses of the centre line of the River Philip to a point (to the east of Goose Point) of intersection with an extension of the southwesterly lot line of the property having LRIS No. 25336203;

Thence northwesterly along said extension and said lot line and extending to an intersection with the centre line of Highway No. 301;

Thence northwesterly in a straight line to the intersection of the centre line of the Dickson Road with an extension of the northeasterly lot line of the property having LRIS No. 25133331;

Thence northwest to the intersection of the eastern property boundary of the property having LRIS No. 25143504 and the centre line of the Dickson Brook;

Thence east following the various courses of the Dickson Brook to its intersection with the western property boundary of the property having LRIS No. 25246299;

Thence southeast following the western boundary of said property to its southwest corner;

Thence northeast following the southern property line of said property and also the southern property lines of those properties having the following LRIS Numbers: 25246307, 25143397, 25143389, and 25143363, to the southeast corner of the property having LRIS No. 25143587;

Thence northwest along the eastern property boundary of the property having LRIS No. 25143587 to the southwest corner of the property having LRIS No. 25143348;

Thence northeast to the southeast corner of the property having LRIS No. 25143264;

Thence northwest along the eastern boundary of said property and continuing in a straight line along the eastern boundary of the property having LRIS No. 25143330 to the southwest corner of the property having LRIS No. 25143306;

Thence northwest along the southern boundary of said property to an intersection with an extension of the eastern lot line of the property having LRIS No. 25098674;

Thence northwest in a straight line across the Leicester Road to the southeast corner of the property having LRIS No. 25098674;

Thence, continuing northwest in a straight line along the eastern boundary of said property to the northeast corner of said property;

Thence northeast in a straight line to a point on the southern boundary of the property having LRIS No. 25098690 which is a total distance of 150 meters east of the southwest corner of said property following the southwestern property line of said property;

Thence west along the southern boundary of said property to the southwest corner of said property where it meets the southeast corner of the property having LRIS No. 25098716;

Thence northwest along the southern boundary of the property having LRIS No. 25098716 to the southeast corner of [the property having LRIS No.] 25098757;

Thence following the various courses of said property boundary in a northwest and then northeast direction until it reaches an intersection with the western boundary of the property having LRIS No. 25097601;

Thence northwest along the western boundary of said property to an intersection between the western property line of said property and a line extending from the northwest corner of the property having LRIS No. 25246042 to the northwest corner of the property having LRIS No. 25097643;

Thence southwest in a straight line to the northeast corner of the property having LRIS No. 25246190;

Thence west along the northern boundary of said property until it intersects with the southeast corner of the property having LRIS No. 25439894;

Thence north along the eastern boundary of said property until it intersects with the southeast corner of the property having LRIS No. 25246182;

Thence northwest in a straight line to the northwest corner of said property;

Thence northwest along the southern boundary of the property having LRIS No. 25097536 to a point which intersects a straight line drawn from the southwest corner of the property having LRIS No. 25098641 to a point on the centre line of Highway No. 6 which is a distance of 307 meters from the intersection of the centre lines of the Casey Road and Highway No. 6;

Thence northeast in a straight line to a point on the centre line of Highway No. 6 which is a distance of 307 meters from the intersection of the centre lines of the Casey Road and Highway No. 6;

Thence continuing in a straight line to an intersection with the northern boundary of the property having LRIS No. 25097551;

Thence east following the northern boundary of said property to the northeast corner of said property;

Thence northeast in a straight line to the southwest corner of the property having LRIS No. 25118118;

Thence southeast along the southern boundary of said property to the southeast corner of said property where it intersects the southwest corner [of] the property having LRIS No. 25118423;

Thence northeast along the eastern boundary of said property and continuing in a straight line crossing Highway 366 following the western boundary of said property to the Northumberland Strait;

Thence east along the various courses of said Northumberland Strait shoreline to an intersection with an extension of the western lot line of the property having LRIS No. 25152133;

Thence south along the western boundary of said property, crossing the Gulf Shore Road to the southeast corner of the property having LRIS No. 25152182;

Thence west to an intersection with the western lot line of the property having LRIS No. 25274887;

Thence in a straight line south to an intersection with the southern boundary of said property at a point 100 meters west of the southeast corner of said property;

Thence west along the southern lot line of said property and continuing along the southern lot line of the property having LRIS No. 25274895 a distance of 280 meters;

Thence due north in a straight line a distance of 150 meters;

Thence in a straight line due west to the eastern boundary of the property having LRIS No. 25152299;

Thence south to an intersection with the northern lot line of the property having LRIS No. 25151713;

Thence west in a straight line following the northern lot lines of said property and those properties having the LRIS Numbers 25151689 and 25371840 to an intersection with the eastern lot line of the property having LRIS No. 25151671;

Thence north along the eastern lot line of said property to the northeast corner of said property;

Thence west along the northern boundary of said property to the northwest corner of said property;

Thence northwest in a straight line to the southeast corner of the property having LRIS No. 25393521;

Thence west along the southern boundary of said property to the southeast corner of the property having LRIS No. 25149451;

Thence continuing in a straight line west along the southern boundary of said property to the southwest corner of said property;

Thence southwest in a straight line to the southwest corner of the property having LRIS No. 25152513;

Thence southwest in a straight line to the northwest corner of the property having LRIS No. 25274804;

Thence south to an intersection with the northern lot line of the property having LRIS No. 25372533;

Thence east following the northern boundary of said property to an intersection with the western lot line of the property having LRIS No. 25151606;

Thence south along the western lot line of said property to an intersection with the northern lot line of the property having LRIS No. 25151564;

Thence east along the northern boundary of said property to an intersection with the western lot line of property having LRIS No. 25151580;

Thence south to an intersection of a continuation of the western lot line of said property to the centre line of the North Wallace Road;

Thence southward to an intersection of the centre line of the North Wallace River and a line extending from [the] previously described point on the North Wallace Road to the intersection of the centre line of Highway 6 and the centre line of the Aboiteau Road;

Thence west following the various courses of the said centre line of the North Wallace River to an intersection with an extension of the southwest property line of the property having LRIS No. 25276973;

Thence south to the northwest corner of the property having LRIS No. 25275009;

Thence southwest following the western boundary of said property to its intersection with the northern lot line of the property having LRIS No. 25338245;

Thence southwest in a straight line to the northeast corner of the property having LRIS No. 25151051;

Thence west along the northern boundary of said property to its intersection with the property having LRIS No. 25276908;

Thence south along the eastern boundary of said property to the southeast corner of said property;

Thence in a straight line to the intersection of the centre line of Highway 6 with the centreline of Highway 368;

Thence to [the] point of intersection between one line drawn from the intersection of the centre lines of Highway 6 and Highway 368 to the southwest corner of the property having LRIS No. 25151028 and another line drawn from the intersection of the centre lines of Highway 6 and the Thomson Road to the southeast corner of the property having LRIS No. 25151036;

Thence south to the northwest corner of the property having LRIS No. 25276866;

Thence southwest along the western lot line of said property to an intersection with the northern lot line of the property having LRIS No. 25430992;

Thence east along the northern lot line of said property a distance of 116 meters;

Thence southwest to a point on the southern lot line of said property which is 114 meters west of the southeast corner of said property;

Thence west in an extension of the southern lot line of said property a distance of 250 meters;

Thence southeasterly, in a straight line, to the intersection of the centre lines of the Hartford Road and Montrose Road (**also know as the Mitchell Road**);

Thence southwesterly to an intersection of the northeasterly and southerly lot lines of the property having LRIS No. 25167420;

Thence southerly to the intersection of the centre lines of the Middleboro Road and the Mitchell Road;

Thence southerly to the intersection of the centre lines of Grant Brook with the Streets Ridge Road;

Thence southwesterly to the point where Wigmore Brook enters Wigmore Lake;

Thence southwesterly to the point of beginning; and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose [referenced to grid] north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #5

All that portion of the County of Cumberland bounded by a line starting **in the Northumberland Strait at an extension of the western lot line of the property having LRIS No. 25152133;**

Thence south along the western boundary of said property, crossing the Gulf Shore Road to the southeast corner of the property having LRIS No. 25152182;

Thence west to an intersection with the western lot line of the property having LRIS No. 25274887;

Thence in a straight line south to an intersection with the southern boundary of said property at a point 100 meters west of the southeast corner of said property;

Thence west along the southern lot line of said property and continuing along the southern lot line of the property having LRIS No. 25274895 a distance of 280 meters;

Thence due north in a straight line a distance of 150 meters;

Thence in a straight line due west to the eastern boundary of the property having LRIS No. 25152299;

Thence south to an intersection with the northern lot line of the property having LRIS No. 25151713;

Thence west in a straight line following the northern lot lines of said property and those properties having the LRIS Numbers 25151689 and 25371840 to an intersection with the eastern lot line of the property having LRIS No. 25151671;

Thence north along the eastern lot line of said property to the northeast corner of said property;

Thence west along the northern boundary of said property to the northwest corner of said property;

Thence northwest in a straight line to the southeast corner of the property having LRIS No. 25393521;

Thence west along the southern boundary of said property to the southeast corner of the property having LRIS No. 25149451;

Thence continuing in a straight line west along the southern boundary of said property to the southwest corner of said property;

Thence southwest in a straight line to the southwest corner of the property having LRIS No. 25152513;

Thence southwest in a straight line to the northwest corner of the property having LRIS No. 25274804;

Thence south to an intersection with the northern lot line of the property having LRIS No. 25372533;

Thence east following the northern boundary of said property to an intersection with the western lot line of the property having LRIS No. 25151606;

Thence south along the western lot line of said property to an intersection with the northern lot line of the property having LRIS No. 25151564;

Thence east along the northern boundary of said property to an intersection with the western lot line of property having LRIS No. 25151580;

Thence south to an intersection of a continuation of the western lot line of said property to the centre line of the North Wallace Road;

Thence southward to an intersection of the centre line of the North Wallace River and a line extending from [the] previously described point on the North Wallace Road to the intersection of the centre line of Highway 6 and the centre line of the Aboiteau Road;

Thence west following the various courses of the said centre line of the North Wallace River to an intersection with an extension of the southwest property line of the property having LRIS No. 25276973;

Thence south to the northwest corner of the property having LRIS No. 25275009;

Thence southwest following the western boundary of said property to its intersection with the northern lot line of the property having LRIS No. 25338245;

Thence southwest in a straight line to the northeast corner of the property having LRIS No. 25151051;

Thence west along the northern boundary of said property to its intersection with the property having LRIS No. 25276908;

Thence south along the eastern boundary of said property to the southeast corner of said property;

Thence in a straight line to the intersection of the centre line of Highway 6 with the centreline of Highway 368;

Thence to [the] point of intersection between one line drawn from the intersection of the centre lines of Highway 6 and Highway 368 to the southwest corner of the property having LRIS No. 25151028 and

another line drawn from the intersection of the centre lines of Highway 6 and the Thomson Road to the southeast corner of the property having LRIS No. 25151036;

Thence south to the northwest corner of the property having LRIS No. 25276866;

Thence southwest along the western lot line of said property to an intersection with the northern lot line of the property having LRIS No. 25430992;

Thence east along the northern lot line of said property a distance of 116 meters;

Thence southwest to a point on the southern lot line of said property which is 114 meters west of the southeast corner of said property;

Thence west in an extension of the southern lot line of said property a distance of 250 meters;

Thence southeasterly, in a straight line, to the intersection of the centre lines of the Hartford Road and Montrose Road (**also know as the Mitchell Road**);

Thence southwesterly to an intersection of the northeasterly and southerly lot lines of the property having LRIS No. 25167420;

Thence southerly to the intersection of the centre lines of the Middleboro Road and the Mitchell Road;

Thence southerly to the intersection of the centre lines of Grant Brook with the Streets Ridge Road;

Thence northwesterly in a straight line, to the intersection of the centre lines of the Wallace River and the bridge crossing it on the road between the Fountain Road and the Six Mile Road near Middleboro;

Thence southerly along the various courses of the centre line of the Wallace River to a point where Flemming Brook flows into the Wallace River;

Thence in a straight line at a bearing of south 83E 30' east to a point on the Cumberland-Colchester boundary;

Thence in a northeasterly direction along the various courses of the boundary line between Cumberland and Colchester Counties to its intersection with the shore of Tatamagouche Bay;

Thence easterly, northerly and westerly along the shore lines of Tatamagouche Bay and Northumberland Strait to the place of beginning, and including the islands off the shore of the said County Polling District No. 5 and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose referenced to grid north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #6

All that portion of the County of Cumberland bounded by a line starting at a point on the boundary between Cumberland Colchester Counties due south of an intersection of the centre line of Sherman Brook with the extreme southwest lot line of the property having LRIS No. 25125535;

Thence northerly to the intersection of said Sherman Brook centre line with said lot line;

Thence northeasterly, in a straight line, to the intersection of the centre line of Davidson Brook with the centre line of a Nova Scotia Power Inc. easement;

Thence, northeasterly, in a straight line to the intersection of the centre lines of the Windham Hill Road and Highway No. 486;

Thence northerly to the intersection of the centre line of Polly Brook with the southwesterly lot line of the property having LRIS No. 25128364;

Thence easterly along the centre line of said Polly Brook across Highway No. 486, to an intersection with the centre line of the River Philip;

Thence northerly along said River Philip centre line to its intersection with the centre line of Tillits Brook;

Thence easterly along the various courses of the said Tillits Brook centre line to its intersection with the centre line of Colonels Brook;

Thence southeasterly along the centre line of Colonels Brook to an intersection with the centre line of the Thompson Road;

Thence northeasterly to the intersection of the centre lines of Highway No. 104 and the Jersey Road;

Thence northerly along the centre line of the Jersey Road to an intersection with [the] centre line of Big Lake Brook;

Thence easterly, in a straight line, to the intersection of the centre line of Wigmore Brook with the shoreline of Wigmore Lake;

Thence northeasterly, in a straight line, to the intersection of the centre line of Grant Brook with the centre line of Streets Ridge Road;

Thence continuing northeasterly to the intersection of the centre lines of the Wallace River and the bridge crossing it along the road between the Fountain Road and the Six Mile Road near Middleboro;

Thence southerly along the various courses of the centre line of the Wallace River to a point where Flemming Brook flows into the Wallace River;

Thence in a straight line at a bearing of south 83E 30' east to a point on the Cumberland-Colchester boundary;

Thence southwesterly, northerly and westerly along the various courses of the boundary line between Cumberland and Colchester Counties to the point of beginning, and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose referenced to grid north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #7

All that portion of the County of Cumberland bounded by a line commencing at the point of intersection of the centre lines of the Lake Killarney Road and the Mount Pleasant Road;

Thence southwesterly in a straight line to the most northerly intersection of the centre line of a Nova Scotia Power Inc. easement with the centre line of Seaman Brook;

Thence northwesterly to the point of intersection of the centre line of the Manship Road with the centre line of the Nappan River;

Thence southerly along the centre line of said road to an intersection with an extension of the northerly lot line of the property having LRIS No. 25072885;

Thence southwest in a straight line to where an extension of the eastern lot line of the property having LRIS No. 25039983 intersects with the centre line of Highway No. 204;

Thence southeasterly in a straight line to a point of intersection of the centre line of Highway No. 104 with the centre line of Stewarts Brook;

Thence southeasterly in a straight line to the intersection of a Nova Scotia Power Inc. easement centre line with Rutledge Brook;

Thence southwesterly to the ~~northernmost~~ [northernmost] point on the Town of Springhill boundary;

Thence easterly and southerly and along the various courses of said town boundary to its intersection with the centre line of Highway No. 321;

Thence easterly along the Highway No. 321 centre line to its intersection with the centre line of a Nova Scotia Power Inc. easement;

Thence southeasterly along said easement centre line to its intersection with the centre line of Polly Brook;

Thence easterly along the various courses of the centre line of Polly Brook to its intersection with the centre line of River Philip;

Thence northerly along the River Philip centre line to an intersection with the centre line of Tillits Brook;

Thence easterly along the Tillits Brook centre line to an intersection with Colonels Brook;

Thence southeasterly along the centre line of Colonels Brook to an intersection with the centre line of the Thompson Road;

Thence northeasterly to the intersection of the centre lines of Highway No. 104 and the Jersey Road;

Thence northerly along the centre line of the Jersey Road to an intersection with the centre line of the Hansford Road;

Thence in a straight line in a northeasterly direction to the point of intersection of the centre line of the Thompson Road, so called, and the centre line of the CNR Short-Line right-of-way;

Thence in a northwesterly direction in a straight line to an intersection with the prolongation of the division line between the William Hunter Grant No. 358 and William Rushton Grant No. 1105;

Thence along the prolongation of the division line between the William Hunter Grant No. 358 and William Rushton Grant No. 1105 to an intersection with the centre line of River Philip and the centre line of Grady Brook;

Thence northerly along the various courses of the centre line of the River Philip to a point of intersection (to the east of Goose Point) with an extension of the southwesterly lot line of the property having LRIS No. 25336203;

Thence northwesterly along said extension and said lot line and extending to an intersection with the centre line of Highway No. 301;

Thence northwesterly in a straight line to the intersection of the centre line of the Dickson Road with an extension of the northeasterly lot line of the property having LRIS No. 25133331;

Thence northwesterly to the intersection of the centre line of Dickson Brook with the easterly lot line of the property having LRIS No. 25143504 and extending in a straight line to an intersection with the centre line of the Leicester Road;

Thence westerly along the centre line of the Leicester Road to its intersection with the centre line of the Mount Pleasant Road;

Thence northerly along the centre line of the Mount Pleasant Road to the point of beginning; saving and excepting thereout and therefrom all that land occupied within the corporate limits of the Town of Oxford; and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose [referenced to grid] north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #8

All that portion of the County of Cumberland bounded by a line commencing at the northwestern corner of the Franklin Manor Indian Reserve 22;

Thence southwesterly crossing the Harrison Settlement Road, to the northwest corner of the property having LRIS No. 25199159;

Thence southeasterly, in a straight line, crossing the Halfway River, Brown Brook, Jones Brook to the intersection of the centre lines of Broad Brook and Fullerton Brook, being also on the eastern lot line of the property having LRIS No. 25199035;

Thence southerly to the most northerly intersection of the centre line of Wharton Brook with the Smith Hollow Road right-of-way;

Thence northeasterly to the northwestern corner of the property with LRIS No. 25199548;

Thence easterly along the northerly lot line of said property to the centre line of Highway No. 2, being also the Glooscap Trail;

Thence northeasterly, in a straight line, crossing the Newville Lake Road to the intersection of the centre line of Jeffers Brook with the southwesterly shoreline of Cranberry Lake;

Thence easterly to the point of intersection of the centre lines of the West Branch Harrington River with the Harrington River, being the border dividing the counties of Cumberland and Colchester;

Thence northerly and easterly along said county boundary to a point due south of an intersection of the centre line of Sherman Brook with the extreme southwest lot line of the property having LRIS No. 25125535;

Thence northerly to the intersection of said Sherman Brook centre line with said lot line;

Thence northerly, in a straight line, to the intersection of the centre line of Davidson Brook with the centre line of a Nova Scotia Power Inc. easement;

Thence, northeasterly, in a straight line to the intersection of the centre lines of the Windham Hill Road and Highway No. 486;

Thence northerly to the intersection of the centre line of Polly Brook with the southwesterly lot line of the property having LRIS No. 25128364;

Thence westerly along the centre line of said Polly Brook to an intersection with the centre line of a Nova Scotia Power Inc. easement;

Thence northwesterly along said easement centre line to its intersection with the centre line of Highway No. 321;

Thence westerly along said highway centre line to its intersection with the boundary of the Town of Springhill;

Thence westerly and along the various courses of said town boundary to its northern most point;

Thence northeasterly to the intersection of the centre line of Rutledge Brook with the centre line of a Nova Scotia Power Inc. easement;

Thence northerly to the intersection of the centre line of Highway No. 104 with the centre line of Stewarts Brook;

Thence westerly, in a straight line, to the intersection of the centre lines of Highway No. 2 and the Little Forks Road;

Thence westerly along the centre line of the Little Forks Road to its intersection with the centre line of the CNR right-of-way to its intersection with an extension on the easterly lot line of the property having LRIS No. 25068339;

Thence northerly along said extension and said lot line;

Thence westerly along the northerly lot line of said property;

Thence southerly along the westerly lot line of said property and extending to the centre line of the CNR right-of-way;

Thence westerly along the centre line of said right-of-way to its intersection with the centre line of Highway No. 302;

Thence in a straight line due west to the centre line of the Maccan River;

Thence southerly along the various courses of said River to its intersection with the centre line of the Little Forks River;

Thence southwesterly to the northwest corner of the Franklin Manor Indian Reserve No. 22, the point of beginning, saving and excepting thereout and therefrom all that land occupied within the corporate limits of the Town of Springhill; and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose referenced to grid north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #9

All that portion of the County of Cumberland bounded by a line commencing at the point of intersection of the centre line of the Sand River, so called, with the Chignecto Bay;

Thence easterly and along the various courses of the said Sand River to its intersection with the centre line of Highway No. 507;

Thence easterly in a straight line crossing the East Branch of the Sand River, Shulie River and the Sand River Road, to an intersection with the northwestern corner of the boundary of the Franklin Manor Indian Reserve No. 22;

Thence northeasterly in a straight line to the point of intersection of the centre ~~lines~~ [line] of the Maccan River with the centre line of the Little Forks River;

Thence in a northerly direction along the various courses of the centre line of the said Maccan River;

Thence following the various courses of the Maccan River and the shoreline of the Cumberland Basin;

Thence southerly and easterly along the various courses of the shores of the Cumberland Basin and southerly along the various courses of the shores of Chignecto Bay to the point of beginning; and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose [referenced to grid] north based on the current issue 1:50,000 scale National Topographic Series mapping.

District #10

All that portion of the County of Cumberland bounded by a line commencing at the northwestern corner of the Franklin Manor Indian Reserve No. 22;

Thence southwesterly crossing the Harrison Settlement Road, to the northwest corner of the property with LRIS No. 25199159;

Thence southeasterly, in a straight line, crossing the Halfway River, Brown Brook, Jones Brook to the intersection of the centre lines of Broad Brook and Fullerton Brook, being also on the eastern lot line of the property with LRIS No. 25199035;

Thence southerly to the most northerly intersection of the centre line of Wharton Brook with the Smith Hollow Road right-of-way;

Thence northeasterly to the northwestern corner of the property with LRIS No. 25199548;

Thence along the northerly line to the centre line of Highway No. 2, being also the Glooscap Trail;

Thence northeasterly, in a straight line, crossing the Newville Lake Road to the intersection of the centre line of Jeffers Brook with the southwesterly shoreline of Cranberry Lake;

Thence easterly to the point of intersection of the centre lines of the West Branch Harrington River with the Harrington River, being the border dividing the counties of Cumberland and Colchester;

Thence southerly and along the said boundary to its intersection with the shoreline of the Minas Basin;

Thence westerly along the various courses of the shoreline of the Minas Basin and the Minas Channel;

Thence northerly and along the various courses of the shoreline of Chignecto Bay to its intersection with the centre line of Sand River;

Thence easterly and along the various courses of the centre line of the said Sand River to an intersection with the centre line of Highway No. 507;

Thence easterly, in a straight line, crossing the East Branch of the Sand River, Shulie River and the said Sand River Road to the point of beginning, including also the islands off the shore of this District, saving and excepting thereout and therefrom all that land occupied within the corporate limits of the Town of Parrsboro and, interpretation of the foregoing [is] subject to the rule that all courses of lines described by bearings are for this purpose referenced to grid north based on the current issue 1:50,000 scale National Topographic Series mapping.

N.S. Reg. 160/2004

Made: May 21, 2004

Filed: May 25, 2004

Apprenticeship and Trades Qualifications Act General Regulations

Order in Council 2004-219 dated May 21, 2004

Amendment to regulations made by the Governor in Council
pursuant to Section 29 of the *Apprenticeship and Trades Qualifications Act*

The Governor in Council on the report and recommendation of the Minister of Education dated April 6, 2004, and pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*, is pleased to amend the *Apprenticeship and Trades Qualifications Act General Regulations* made by the Governor in Council by Order in Council 2003-304 dated June 27, 2003, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 21, 2004.

Schedule "A"

Amendments to the *Apprenticeship and Trades Qualifications Act General Regulations* made by the Governor in Council pursuant to Section 29 of Chapter 1 of the Acts of 2003, the *Apprenticeship and Trades Qualifications Act*

- 1 Section 4 of the *Apprenticeship and Trades Qualifications Act General Regulations* made by the Governor in Council by Order in Council 2003-304 dated June 27, 2003, is repealed and the following Section is substituted:
 - 4 (1) These regulations apply generally to all designated trades.
 - (2) If trade regulations are inconsistent with these regulations, these regulations prevail, unless expressly stated otherwise in these regulations.
- 2 Subsection 12(2) of the regulations is repealed and the following subsection is substituted:

- (2) A term of apprenticeship may include a probationary period of a duration prescribed in the applicable trade regulations or, in the absence of applicable trade regulations, a probationary period of up to 3 months.
- 3 Subsection 28(1) of the regulations is repealed and the following subsection is substituted:
- (1) An apprentice who has successfully completed the practical experience and technical training components of the apprenticeship program for a designated trade is eligible to take the certification examination, for a certificate of apprenticeship in that trade.
- 4 (1) Subsection 30(1) of the regulations is amended by
- (a) adding “who does not hold a certificate of apprenticeship in the trade” immediately after “to a person”; and
- (b) repealing clause (a) and substituting the following clause:
- (a) provides evidence acceptable to the Director that the person has been employed in the designated trade during the 10 years immediately before their application and,
- (i) if there are no trade regulations for the designated trade, has been employed in the designated trade for a period of time that is at least 1.5 times the term of apprenticeship for the designated trade, or
- (ii) if there are trade regulations for the designated trade,
- (A) has completed the practical experience prescribed in the trade regulations as a requirement of eligibility to be examined for a certificate of qualification, or
- (B) has been employed in the designated trade for the period of time that is prescribed in the applicable trade regulations for the purpose of this Section;
- (c) adding “, in the opinion of the Director,” immediately after “are” in clause “c”.
- (2) Section 30 is further amended by adding the following subsection immediately after subsection (1):
- (2) Despite subsection (1), if a person applies for a certificate of qualification in a designated trade within 2 years after the date that the trade is first designated, the Director may issue a certificate of qualification in the designated trade to the person if the person
- (a) meets the requirements of clauses (1)(a), (b), (d) and (e);
- (b) is able to satisfy the Director that the person has received training that relates to the trade and that is acceptable to the Director; and
- (c) is recommended for a certificate of qualification by 2 persons who are, in the opinion of the Director, knowledgeable in the trade and who have vouched for the person’s skill and experience.
- 5 Subsection 37(1) of the regulations is amended by
- (a) repealing clause (b) and substituting the following clause:
- (b) a person in the trade who is serving a probationary period; and

- (b) striking out “student, apprentice or youth apprentice” and substituting “student, person or youth apprentice”.
-

N.S. Reg. 161/2004

Made: May 21, 2004

Filed: May 25, 2004

Pheasant Shooting Preserve Regulations

Order in Council 2004-221 dated May 21, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 16, 2004, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Pheasant Shooting Preserve Regulations* made by the Governor in Council by Order in Council 88-404 dated April 20, 1988, to effect a number of housekeeping changes and ensure consistency with other regulations, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 21, 2004.

Schedule “A”

**Amendments to the *Pheasant Shooting Preserve Regulations*
made by the Governor in Council
pursuant to subsection 113(1) of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Pheasant Shooting Preserve Regulations* made by the Governor in Council by Order in Council 88-404 dated April 20, 1988, is amended by
 - (a) striking out “on an area of land covering not less than 100 acres nor more than 1000 acres” in clause (g);
 - (b) striking out the period at the end of clause (g) and substituting a semicolon; and
 - (c) adding the following clause immediately after clause (g):
 - (h) “quail” means *Colinus virginianus*, commonly known as bobwhite quail.
- 2 Section 4 of the regulations is amended by adding the following subsection immediately after subsection (3):
 - (4) A person who applies to operate or is operating a pheasant shooting preserve must own or have a legal right to use a minimum of 100 acres of land capable of providing adequate cover to released birds.
- 3 Section 5 of the regulations is amended by
 - (a) repealing subsection (2) and substituting the following subsection:
 - (2) An applicant for a pheasant shooting preserve licence must provide the Minister with

- (a) a plan of the lands proposed to be included in the reserve, including a boundary diagram and description of the lands, in a form acceptable to the Minister; and
 - (b) proof that the applicant owns the lands or has written permission from the owner of the lands to use the lands for a pheasant shooting preserve.
- (b) striking out “survey and” in subsection (3);
- (c) repealing subsection (4) and substituting the following subsection:
- (4)** Any alterations to boundaries identified in a plan submitted under clause (2)(a) must be submitted in writing to the Minister and approved in writing by the Minister.
- (d) repealing subsection (5); and
- (e) adding the following subsection immediately after subsection (6):
- (7)** No pheasant shooting preserve shall be larger than 1000 acres.
- 4 Subsection 7(1) of the regulations is amended by adding “who is the holder of a valid base licence, when” immediately after “Any person”.
- 5 Subsection 8(2) of the regulations is amended by
- (a) striking out “Notwithstanding” and substituting “Despite”; and
 - (b) striking out “, except on Sundays”.
- 6 Section 9 of the regulations is amended by
- (a) striking out “bird” wherever it appears in subsection (2) and substituting “animal”; and
 - (b) adding the following subsection immediately after subsection (3):
- (4)** No pheasant shooting preserve operator shall take or allow to be taken on that operator’s pheasant shooting preserve more game birds than have been released on the preserve in that operating season.
- 7 Section 10 of the regulations is amended by adding the following subsection immediately after subsection (5):
- (6)** A pheasant shooting preserve operator who releases quail must make every effort to re-capture unharvested quail by the use of a quail recall box, which is a holding cage that has 2 or more separate compartments and that, for purposes of attracting the unharvested quail, already has quail in at least 1 compartment.

N.S. Reg. 162/2004

Made: May 21, 2004

Filed: May 25, 2004

Dog Hunting and Training Regulations

Order in Council 2004-222 dated May 21, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 16, 2004, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Dog Hunting and Training Regulations* made by the Governor in Council by Order in Council 87-1185 dated September 29, 1987, to permit the use of a dog on leash to track wounded bear, moose or deer, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 21, 2004.

Schedule "A"

**Amendments to the *Dog Hunting and Training Regulations*
made by the Governor in Council
pursuant to subsection 113(1) of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

The *Dog Hunting and Training Regulations* made by the Governor in Council by Order in Council 87-1185 dated September 29, 1987, are amended by adding the following subsection immediately after subsection 9(7):

- (8) Despite subsection (7), a person may use a dog to track and recover a wounded deer, moose or bear if:
- (a) the deer, moose or bear was wounded by a person hunting it pursuant to a valid hunting licence for that species and in accordance with the Act and regulations;
 - (b) the hunter who wounded the deer, moose or bear is the dog's handler or accompanies the dog's handler during the tracking and recovery of the wounded animal; and
 - (c) the dog is on a leash that is held by the dog's handler at all times when the dog is in a wildlife habitat.

N.S. Reg. 163/2004

Made: May 21, 2004

Filed: May 25, 2004

Firearm and Bow Regulations

Order in Council 2004-223 dated May 21, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 16, 2004, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Firearm and Bow Regulations* made by the Governor in Council by Order in Council 89-837 dated July 18, 1989, to clarify that individuals who carry a combination rifle/shotgun while hunting small game or other harvestable wildlife are not permitted to hunt game birds with the rifle portion of the weapon, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 21, 2004.

Schedule “A”**Amendments to the *Firearm and Bow Regulations*
made by the Governor in Council pursuant to subsection 113(1) of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 5(2B) of the *Firearm and Bow Regulations* made by the Governor in Council by Order in Council 89-837 dated July 18, 1989, is repealed and the following subsection substituted:

(2B) Despite clause (1)(aa), no person shall hunt a game bird with the rifle portion of a rifle/shotgun combination firearm.

N.S. Reg. 164/2004

Made: May 21, 2004

Filed: May 25, 2004

Fur Harvesting Regulations

Order in Council 2004-224 dated May 21, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 16, 2004, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Fur Harvesting Regulations* made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, to extend the open season for most species to the end of March, and to clarify what types of traps or snares may be used and where, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 21, 2004.

Schedule “A”**Amendments to the *Fur Harvesting Regulations*
made by the Governor in Council pursuant to subsection 113(1) of Chapter 504 of
the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

- 1 Section 2 of the *Fur Harvesting Regulations* made by the Governor in Council by Order in Council 87-956 dated August 18, 1987, is amended by
 - (a) striking out the period at the end of clause (o) and substituting a semicolon; and
 - (b) adding the following clause immediately after clause (o):
 - (p) “rat trap” means a trap originally designed to kill house rats (*Rattus norvegicus*) that
 - (i) has a solid base,
 - (ii) has a single rotating jaw, and
 - (iii) is spring powered.
- 2 Subsection 3(4) of the regulations is amended by striking out “March” and substituting “April”.

- 3 Subsection 6(3) of the regulations is amended by
- (a) striking out “otter” in clause (a);
 - (b) striking out “February” and substituting “March” in clause (a);
 - (c) striking out “or weasel” in clause (b);
 - (d) striking out “February” and substituting “March” in clause (c);
 - (e) striking out “February” and substituting “March” in clause (d);
 - (f) striking out the period at the end of clause (d) and substituting a semicolon; and
 - (g) adding the following clauses immediately after clause (d):
 - (e) for trapping of otter is the period from the first day of November to the last day of February in the year following, both dates inclusive;
 - (f) for trapping or hunting of weasel is the period from the first day of November to the last day of March in the year following, both dates inclusive.
- 4 Subsection 6(4) of the regulations is amended by adding “or from the first day of March to the last day of March, both dates inclusive,” immediately before “unless”.
- 5 Section 11 of the regulations is amended by
- (a) adding “, but no lower than 61 cm above water when it is the frozen surface of any water body” immediately after “water” in clause [(7)](a); and
 - (b) adding the following subsections immediately after subsection (16):
 - (17)** No person shall set or maintain a trap or snare for squirrels or weasels during the month of March in any year, except a snare of 20 gauge or smaller wire, a rat trap or a box trap.
 - (18)** No person shall set or maintain a trap for mink during the month of March in any year, unless the trap is at least 50% submerged in water or is a box trap.

N.S. Reg. 165/2004

Made: May 21, 2004

Filed: May 25, 2004

General Wildlife Regulations

Order in Council 2004-225 dated May 21, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 16, 2004, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *General Wildlife Regulations* made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, to enable the Province to recover the costs associated with the recapture of escaped wildlife, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after May 21, 2004.

Schedule "A"

**Amendments to the *General Wildlife Regulations*
made by the Governor in Council pursuant to subsection 113(1) of
Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act***

Subsection 6(7) of the *General Wildlife Regulations* made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, is amended by adding the following clause immediately after clause (c):

- (d) A person whose wildlife escapes from captivity is liable for the costs of recovering the escaped wildlife, whether the costs are incurred during or after the time period referred to in clause (c).

N.S. Reg. 166/2004

Made: May 27, 2004

Filed: May 31, 2004

Insured Dental Services Tariff Regulations

Order in Council 2004-231 dated May 27, 2004

Amendment to regulations made by the Minister of Health and the Governor in Council pursuant to Section 13 and subsection 17(2) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated May 7, 2004, and pursuant to subsection 17(2) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased to, effective on and after April 1, 2004,

- (a) amend the *Insured Dental Services Tariff Regulations* made by the Minister of Health and the Governor in Council by Order in Council 2001-327 dated July 5, 2001, to correct an error in the dates set for increases in accordance with the amended tariff established by the Minister of Health pursuant to clause 13(1)(c) of the Act, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) approve the authorization of the Minister of Health of payments in respect of the amendments to the tariff referred to in clause (a).

**In the matter of the *Insured Dental Services Tariff Regulations* made pursuant to
Section 13 and subsection 17(2) of the *Health Services Insurance Act***

- and -

**In the matter of an increase to the tariff of fees established by the Minister of Health
pursuant to clause 13(1)(c) of the *Health Services Insurance Act*
with respect to insured dental services**

Order

I, Angus MacIsaac, Minister of Health for the Province of Nova Scotia, pursuant to clause 13(1)(c) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, do hereby establish that the tariff to be paid in respect of insured dental services is amended as set forth in Schedule "A" to correct the date establishing increases for the year 2005 and I hereby authorize payments in respect of the amendments set forth in Schedule "A".

This Order is effective on and after the making by the Governor in Council of the amendments to the *Insured Dental Services Tariff Regulations*.

Dated and made at Halifax Regional Municipality, Province of Nova Scotia, May 7, 2004.

Sgd: *Angus MacIsaac*
Honourable Angus MacIsaac
Minister of Health

Schedule "A"

**Amendments to the *Insured Dental Services Tariff Regulations*
made by the Minister of Health and the Governor in Council
pursuant to Section 13 and subsection 17(2) of Chapter 197 of the Revised Statutes
of Nova Scotia, 1989, the *Health Services and Insurance Act***

The *Insured Dental Services Tariff Regulations* made by the Minister of Health and the Governor in Council by Order in Council 2001-327 dated July 5, 2001, are amended by striking out "2004" in clause 2(4)(b) and substituting "2005".

N.S. Reg. 167/2004 to 168/2004

Made: May 27, 2004

Filed: May 31, 2004

Fish Buyers' Licensing and Enforcement Regulations and
Fish Inspection Regulations

Order in Council 2004-234 dated May 27, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 77(2) of the *Fisheries and Coastal Resources Act*

The Governor Council on the report and recommendation of the Minister of Agriculture and Fisheries dated April 20, 2004, and pursuant to subsection 77(2) of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, is pleased, effective on and after May 27, 2004, to

- (a) amend the *Fish Buyers' Licensing and Enforcement Regulations* made by the Governor in Council by Order in Council 2000-286 dated June 1, 2000, to provide for show cause hearings and enforcement provisions to deal with illegal trade in fish and fish products in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) amend the *Fish Inspection Regulations* made by the Governor in Council by Order in Council 84-1404 dated December 4, 1984, to provide for show cause hearings and enforcement provisions to deal with illegal trade in fish and fish products in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation.

N.S. Reg. 167/2004

Fish Buyers' Licensing and Enforcement Regulations

Schedule "A"**Amendments to the *Fish Buyers' Licensing and Enforcement Regulations*
made by the Governor in Council pursuant to subsection 77(2) of Chapter 25
of the Acts of 1996, the *Fisheries and Coastal Resources Act***

- 1 The *Fish Buyers' Licensing and Enforcement Regulations* made by the Governor in Council by Order in Council 2000-286 dated June 1, 2000, are amended by renumbering Section 3 as subsection 3(1) and adding the following subsection immediately after subsection (1):
 - (2) For the purposes of Section 73 of the Act, the following persons are exempt from the requirement to hold a sellers licence:
 - (a) a person selling fish or fish products to a licence holder;
 - (b) a person selling fish or fish products to a person who is exempt under subsection (1);
 - (c) a person reselling fish or fish products, other than lobster, in a retail outlet owned by that person;
or
 - (d) a person reselling fish for a non-profit organization.
- 2 Section 15 of the regulations is amended by
 - (a) striking out "may require a licence holder" in subsection (1) and substituting "shall notify the licence holder of the pending action, and the licence holder may apply for a show cause hearing in accordance with the procedure determined under subsection (2)";
 - (b) striking out "where a licence holder is required pursuant to subsection (1) to show cause why their buyers licence should not be terminated, amended or suspended" in subsection (2), and substituting "when a licence holder applies for a show cause hearing under subsection (1)"; and
 - (c) adding the following subsection immediately after subsection (2):
 - (3) An application under subsection (1), must be accompanied by a non-refundable fee of \$200.
- 3 Section 19 of the regulations is amended by
 - (a) striking out the heading "Offences" and substituting the heading "Prohibitions"; and
 - (b) repealing subsection (1) and substituting the following subsection:
 - (1) No person shall
 - (a) buy, sell, or possess fish or fish products that have been illegally caught, cultured, raised, harvested or processed;
 - (b) buy fish or fish products caught by a person who does not hold a valid commercial fishing licence issued by Fisheries and Oceans Canada;
 - (c) buy fish or fish products caught pursuant to an aboriginal communal fishing licence issued for food, social and ceremonial purposes pursuant to the *Aboriginal Communal Fishing Licences Regulations* made under the *Fisheries Act* (Canada);

- (d) buy fish or fish products from a person who does not hold a sellers licence, unless that person is exempt under subsection 3(2);
- (e) obstruct, impede, or refuse to admit, or aid or assist any person in obstructing, impeding or refusing to admit, an inspector or any other person acting in the execution of the Act and these regulations.

N.S. Reg. 168/2004

Fish Inspection Regulations

Schedule "B"**Amendments to the *Fish Inspection Regulations* made by the Governor in Council pursuant to subsection 77(2) of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act***

- 1 Section 1A of the *Fish Inspection Regulations* made by the Governor in Council by order in Council 84-1404 dated December 4, 1984, is amended by adding the following clause immediately after clause (i):
 - (ia) "licence holder" means a person who holds a valid licence;
- 2 The regulations are further amended by adding the following Sections immediately after Section 6A:
 - 6B (1)** If the Minister has reason to believe that terminating, amending or suspending a licence is justified under subsection 76(2) or (3) of the Act, the Minister shall notify the licence holder of the pending action and the licence holder may apply for a show cause hearing in accordance with the procedure determined under subsection (2), to show cause why their licence should not be terminated, amended or suspended.
 - (2)** The Minister shall determine the practice and procedure to be followed when a licence holder applies for a show cause hearing under subsection (1).
 - (3)** An application under subsection (1), must be accompanied by a non-refundable fee of \$200.
- 6C** For the purposes of clause 76(3)(ba) of the Act, a licence holder is required to
 - (a) comply with federal and Provincial legislation and regulations;
 - (b) comply with the terms and conditions of their licence; and
 - (c) comply with the terms and conditions of any other licence issued to the licence holder pursuant to the Act or regulations made under the Act.
- 3 The regulations are further amended by adding the following Section immediately after Section 21:
 - 22 (1)** No person shall
 - (a) process or package fish or fish products that have been illegally caught, cultured, raised, harvested or processed;
 - (b) process or package fish or fish products that have been bought contrary to the *Fish Buyers' Licensing and Enforcement Regulations*;
 - (c) obstruct, impede or refuse to admit, or aid or assist any person in obstructing, impeding or refusing to admit, an inspector or any other person acting in the execution of the Act and these regulations.

- (2) For the purpose of clause (1)(a), “illegally” means
- (a) without an appropriate licence issued either by Fisheries and Oceans Canada or the Department or without the appropriate authorization from the Canadian Food Inspection Agency; or
 - (b) in contravention of federal or Provincial legislation or regulations, including but not limited to legislation and regulations relating to size, season and quota.
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N.S. Reg. 169/2004

Made: May 27, 2004

Filed: May 31, 2004

Business Registry Regulations

Order in Council 2004-241 dated May 27, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 4 of the *Business Electronic Filing Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations and the Minister of Tourism, Culture and Heritage dated May 19, 2004, and pursuant to Section 4 of Chapter 3 of the Acts of 1995-96, the *Business Electronic Filing Act*, is pleased to amend the *Business Registry Regulations* made by the Governor in Council by Order in Council 2000-24 dated February 2, 2000, by adding the following clause immediately after clause 3(p):

(pa) *Tourist Accommodations Act*;

effective on and after June 1, 2004.