



BILL NO. 17

Government Bill

*1st Session, 61st General Assembly
Nova Scotia
58 Elizabeth II, 2009*

An Act to Amend Chapter 22 of the Acts of 2000, the Agricultural Marshland Conservation Act

CHAPTER 7
ACTS OF 2009

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 5, 2009**

The Honourable John MacDonell
Minister of Agriculture

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 22
of the Acts of 2000,
the Agricultural Marshland Conservation Act**

Be it enacted by the Governor and Assembly as follows:

1 Clause 2(g) of Chapter 22 of the Acts of 2000, the *Agricultural Marshland Conservation Act*, is amended by striking out “and Fisheries” in the second line.

2 Section 9 of Chapter 22 is amended by striking out “and Fisheries” in the last line.

3 Chapter 22 is further amended by adding immediately after Section 20 the following Section:

20A Within ninety days after the end of each calendar year, the executive committee of a marsh body shall meet and submit to the Commission a report respecting the activities of the marsh body during that calendar year.

4 (1) Subsection 41(1) of Chapter 22 is renumbered as “(1A)” and the following subsection added immediately before subsection (1A):

(1) In this Section, “working day” means any day other than Saturday, Sunday, a holiday or another day on which the offices of the Government of the Province are closed.

(2) Subsection 41(4) of Chapter 22 is amended by

(a) striking out “fifteen” in the first line and substituting “thirty”; and

(b) adding “with or without conditions” immediately after “permit” in the third line.

(3) Subsection 41(5) of Chapter 22 is repealed and the following subsections substituted:

(5) The applicant may appeal a decision of the Marshland Administrator to the Commission within thirty working days of the decision being issued by the Marshland Administrator.

(5A) Within sixty working days of receiving an appeal, the Commission shall

(a) confirm the decision of the Marshland Administrator;

(b) order that the permit for variance be granted; or

(c) order that the permit for variance be granted and impose conditions on the variance.

(5B) A permit for variance expires

(a) twelve months after the date it is issued unless the development commences within twelve months of the date of its issue; or

(b) upon discontinuance of the development more than twelve months after the date of its issue.

(4) Subsection 41(6) of Chapter 22 is amended by striking out “(1)” in the first line and substituting “(1A)”.

5 (1) Subsection 42(1) of Chapter 22 is amended by striking out “41(1)” in the first line and substituting “41(1A)”.

(2) Clause 42(3)(b) of Chapter 22 is amended by striking out “41(1)” in the third line and substituting “41(1A)”.

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