



BILL NO. 61

Government Bill

*4th Session, 61st General Assembly
Nova Scotia
61 Elizabeth II, 2012*

An Act to Amend Chapter 25 of the Acts of 1996, the Fisheries and Coastal Resources Act

CHAPTER 22
ACTS OF 2012

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 17, 2012**

The Honourable Sterling Belliveau
Minister of Fisheries and Aquaculture

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

This page is intentionally blank.

**An Act to Amend Chapter 25
of the Acts of 1996,
the Fisheries and Coastal Resources Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 25 of the Acts of 1996, the *Fisheries and Coastal Resources Act*, as amended by Chapter 2 of the Acts of 1999 and Chapter 51 of the Acts of 2010, is further amended by

- (a) adding “(1)” immediately after the Section number;**
- (b) striking out clause (da) and substituting the following clause:**

(da) “fish products” includes fishery resources and any parts, products or by-products derived from fishery resources, including, for greater certainty, processed fish;

and

- (c) adding the following subsection:**

(2) For the purpose of this Act,

(a) a person is in possession of a thing when it is in that person’s personal possession or when that person knowingly

(i) has it in the actual possession or custody of another person, or

(ii) has it in any place, whether or not that place belongs to or is occupied by that person, for the use or benefit of that person or of another person; and

(b) when one of two or more persons, with the knowledge and consent of the rest has anything in that person’s custody or possession, it is in the possession of each of them.

2 The heading immediately before Section 72 of Chapter 25 is amended by striking out “FISH AND” in the third line.

3 Section 72 of Chapter 25, as amended by Chapter 2 of the Acts of 1999 and Chapter 51 of the Acts of 2010, is further amended by striking out “fisheries resources” in the third line and substituting “of fish products”.

4 Section 73 of Chapter 25, as amended by Chapter 2 of the Acts of 1999 and Chapter 51 of the Acts of 2010, is further amended by

(a) striking out “or sell” in the first line and substituting “, sell, be in possession of or market”; and

(b) striking out “without” in the second line and substituting “except in accordance with the terms of”.

5 Subsection 74(1) of Chapter 25 is repealed and the following subsection substituted:

- (1) A person may apply to the Minister, in the manner required by the Minister, for a licence to
- (a) process fish products; or
 - (b) buy fish products.

6 Section 75 of Chapter 25, as amended by Chapter 2 of the Acts of 1999 and Chapter 51 of the Acts of 2010, is further amended by striking out “, buy or sell” in the second line and substituting “or buy”.

7 (1) Clause 77(1)(b) of Chapter 25 is amended by striking out “fishery” in the second line and substituting “fish”.

(2) Subsection 77(2) of Chapter 25, as amended by Chapter 2 of the Acts of 1999 and Chapter 51 of the Acts of 2010, is further amended by

- (a) striking out “fishery” in the fourth line and substituting “fish”;**
 - (b) adding “, in possession of” immediately after “selling” in the second line of clause (ca);**
 - (c) striking out “fishery” in the second line of clause (d) and substituting “fish”;**
 - (d) striking out “, buying, selling or marketing” in the second and third lines of clause (e) and substituting “or buying”; and**
 - (e) adding “, possession” immediately after “selling” in the second line of clause (f).**
-