



# **BILL NO. 104**

*Local Bill*

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*2nd Session, 62nd General Assembly  
Nova Scotia  
64 Elizabeth II, 2015*

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**An Act to Amalgamate  
the Fire Protection Commissioners  
of the Fire Department  
of the Fire District of Guysborough  
and the Fire Protection Commissioners  
for the Fire District of Manchester–Boylston**

CHAPTER 28  
ACTS OF 2015

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
MAY 11, 2015**

Lloyd Hines  
*Guysborough–Eastern Shore–Tracadie*

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

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**An Act to Amalgamate  
the Fire Protection Commissioners  
of the Fire Department  
of the Fire District of Guysborough  
and the Fire Protection Commissioners  
for the Fire District of Manchester–Boylston**

Be it enacted by the Governor and Assembly as follows:

- 1 This Act may be cited as the *Milford Haven Fire Protection Commissioners Act*.
- 2 In this Act,
  - (a) “amalgamated body” means the fire protection commissioners amalgamated and continued by this Act;
  - (b) “amalgamated district” means the fire protection districts amalgamated and continued as one fire protection district by this Act;
  - (c) “amalgamating bodies” means
    - (i) the Fire Protection Commissioners of the Fire Department of the Fire District of Guysborough, incorporated by Chapter 141 of the Acts of 1917, *An Act to Enable the Police District of Guysborough to Assess Money for Fire Protection*, and to which the *Rural Fire District Act* applies by Order in Council 82-626, made pursuant to the *Rural Fire District Act*, and
    - (ii) the Fire Protection Commissioners for the Fire District of Manchester–Boylston, incorporated by Order in Council 75-1410, made pursuant to the *Rural Fire District Act*;
  - (d) “amalgamating district” means the fire protection district of either of the amalgamating bodies;
  - (e) “Amalgamation Agreement” means the agreement dated March 31, 2015, between the amalgamating bodies respecting the amalgamation of those bodies.
- 3
  - (1) In accordance with the Amalgamation Agreement,
    - (a) the amalgamating bodies are amalgamated and continued as a body corporate and fire protection commissioners under the name of “The Fire Protection Commissioners for the District of Milford Haven”;
    - (b) the fire protection districts of the amalgamating bodies are amalgamated and continued as one fire protection district;
    - (c) the commissioners who make up the amalgamated body are deemed to be commissioners incorporated pursuant to the *Rural Fire District Act* and the amalgamated district is deemed to be a fire protection district for which the commissioners are appointed for the purpose of that Act;

(d) the commissioners who make up the amalgamating bodies continue as commissioners of the amalgamated body until their successors are duly elected and sworn into office;

(e) the persons who are appointed to offices of either of the amalgamating bodies continue as appointees of the amalgamated body until their successors are duly appointed;

(f) the by-laws and policies of each of the amalgamating bodies continue to apply in the amalgamating district in which they applied immediately before the coming into force of this Act until repealed by the amalgamated body;

(g) the property of the amalgamating bodies is the property of the amalgamated body;

(h) the assets of the amalgamating bodies are the assets of the amalgamated body;

(i) unpaid rates and taxes imposed by the amalgamating bodies belong to the amalgamated body and may be received or collected as if they had been imposed by the amalgamated body;

(j) grants or other money paid or payable to the amalgamating bodies belong to and may be received or collected by the amalgamated body as if the grants or money were paid or payable to the amalgamated body;

(k) the liabilities of the amalgamating bodies are the liabilities of the amalgamated body, and the amalgamated body stands in the place and stead of the amalgamating bodies;

(l) any reference in any enactment or document to either of the amalgamating bodies is, as regards to any subsequent transaction, matter or thing, deemed to be a reference to the amalgamated body; and

(m) any reference in any enactment or document to either of the amalgamating districts is, as regards to any subsequent transaction, matter or thing, deemed to be a reference to the amalgamated district.

**(2)** For greater certainty,

(a) the amalgamated body is liable for all of the obligations of the amalgamating bodies;

(b) the rights of creditors and others against, and any liens upon, the property or assets of the amalgamating bodies are not affected;

(c) the rights, properties, contracts and obligations of the amalgamating bodies are not affected;

(d) the amalgamating bodies are not liquidated or dissolved;

(e) any existing cause of action, claim or liability to prosecution against either of the amalgamating bodies or any of their officers is unaffected; and

(f) an order or judgment in favour of or against either of the amalgamating bodies continues to be enforceable by or against the amalgamated body.

4 The vesting of an asset of an amalgamating body in the amalgamated body does not void any policy of insurance with respect to the asset, including public liability policies, and the amalgamated body is deemed to be the insured party for the purpose of any such policy.

5 This Act has effect on and after January 1, 2015.

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