

Agriculture and Marketing Act

CHAPTER 6 OF THE REVISED STATUTES, 1989

as amended by

1992, c. 5, s. 23; 1998, c. 18, s. 545; 2001, c. 6, s. 97;
2001, c. 39; 2004, c. 24, ss. 2-12; 2005, c. 3., s. 19; 2005, c. 6, s. 2;
2006, c. 8; 2008, c. 4, s. 2; 2010, c. 4, s. 40; 2012, c. 3, s. 20;
2012, c. 53; 2012, c. 58, s. 33



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 amended 1992, c. 5, s. 23; 1998, c. 18, s. 545; 2001, c. 6, s. 97;
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 2012, c. 53; 2012, c. 58, s. 33

**An Act to Amend and Consolidate
 the Acts Relating to
 Agriculture and Marketing**

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Short title

1 This Act may be cited as the *Agriculture and Marketing Act*. R.S., c. 6, s. 1.

Interpretation

2 In this Act,

(a) “Department” means the Department of Agriculture and Fisheries;

(b) “Minister” means the Minister of Agriculture and Fisheries.
R.S., c. 6, s. 2; 2001, c. 39, s. 1.

PART I

ADMINISTRATION

Department of Agriculture and Fisheries

3 (1) A Department of Agriculture and Fisheries shall be continued and shall be presided over by the Minister of Agriculture and Fisheries.

(2) The Department shall be administered under and in accordance with this Act and the other statutes of the Province relating to agriculture and marketing. R.S., c. 6, s. 3; 2001, c. 39, s. 2.

Report

4 The Minister shall, at the close of each fiscal year, prepare a report of the administration of the agricultural affairs of the Province, and the amount expended for agricultural purposes for that year, and the report shall be laid before the Legislature. R.S., c. 6, s. 4.

Advisory committee

4A The Minister may

- (a) establish an advisory committee to advise the Minister on
 - (i) the content and administration of this Act, and
 - (ii) any policy, program, standard, guideline or other matter under the administration of the Minister;
- (b) include a representative from the Nova Scotia Federation of Agriculture on an advisory committee; and
- (c) provide for the remuneration of and payment of expenses of members of the advisory committee who are not in the public service. 2004, c. 24, s. 2.

Powers of Minister

4B The Minister may

- (a) establish and administer policies, programs and guidelines pertaining to agriculture and the development and protection of agricultural resources;
- (b) consult with and co-ordinate the work and efforts of other departments and agencies of the Province respecting any matter relating to agriculture;
- (c) enter into agreements with the Government of Canada or the government of any other province of Canada on matters relating to agriculture;
- (d) gather, compile, publish and disseminate information, including statistical data, relating to agriculture;
- (e) establish and assist demonstration programs that are consistent with the intent of this Act. 2012, c. 53, s. 1.

Rules and regulations

5 (1) The Minister, with the approval of the Governor in Council, may make rules and regulations for the purpose of carrying out the provisions of this Act.

(2) The Minister may, with the approval of the Governor in Council, make regulations respecting the livestock industry including, but not limited to, livestock breeding, production and facility standards, testing methods, inspection and livestock tracking. R.S., c. 6, s. 5; 2001, c. 39, s. 3.

Delegation by Minister

5A (1) The Minister may delegate the Minister's authority to issue a permit pursuant to this Act to any person.

(2) A delegation made pursuant to subsection (1) must be in writing. 2008, c. 4, s. 2.

PART II

AGRICULTURAL ASSOCIATIONS

Interpretation of Part

6 In this Part,

(a) *repealed 1992, c. 5, s. 23.*

(b) "Superintendent" means the Superintendent of Agricultural Associations. R.S., c. 6, s. 6; 1992, c. 5, s. 23.

A

AGRICULTURAL SOCIETIES

Superintendent of Agricultural Associations

7 (1) The Minister may appoint a person in the public service to be the Superintendent of Agricultural Associations.

(2) The Superintendent may

(a) take measures for the organization of agricultural societies;

(b) inspect the stock owned by such societies and see that stock purchased by such societies is of a sufficiently high standard;

(c) inspect the books and accounts of any society organized under this Part, and of any society or association organized under this Part and receiving government aid;

- (d) receive such accounts and reports of such societies as are required to entitle such societies to participate in the Provincial grant and to enforce compliance with this Act;
- (e) assist such societies in arranging for meetings and generally promote improvements in the agriculture of the Province;
- (f) provide for the distribution throughout the Province of agricultural literature and information;
- (g) perform such other duties as may be required of him by the Minister. R.S., c. 6, s. 7; 2004, c. 24, s. 3.

Inspection

8 The Governor in Council may from time to time appoint a person or persons to assist the Superintendent in inspecting the stock and the books and accounts of any society in the Province receiving government aid in connection with agriculture and the officers of every such society whenever required so to do shall permit its stock to be examined and shall submit its books and accounts to such inspection. R.S., c. 6, s. 8.

Formation of agricultural society

9 (1) An agricultural society may be organized for any district, whenever not less than ten persons signify their willingness to become members by signing a declaration in the Form in the Schedule to this Part and paying each not less than one dollar annually to the funds of the society, provided, always, that the amount required to be paid under this Section shall in no case be less than forty dollars.

(2) A true copy of the declaration shall, within one month after the organization of the agricultural society, be transmitted to the Superintendent.

(3) The boundaries of the district shall, subject to the approval of the Minister, be defined by the by-laws of the society. R.S., c. 6, s. 9.

Acquisition and alienation of property

10 An agricultural society, heretofore or hereafter formed under this Part, shall be a body corporate with power to acquire, hold, sell, lease, mortgage, improve and enjoy land. R.S., c. 6, s. 10.

Objects

11 (1) The objects of agricultural societies shall be to promote improvement in agriculture and in general rural community life by

- (a) holding exhibitions or fairs and in connection therewith the awarding of prizes or premiums for livestock other than grade breeding males, for agricultural and horticultural implements and machinery, for the production of grain and all kinds of vegetables, plants, flowers, fruits and the products of domestic manufacture

and industry, and generally for excellence in any agricultural or horticultural productions or operation, article of manufacture or work of art;

(b) organizing plowing matches, holding seed fairs, competitions respecting standing crops and for the best managed farms;

(c) owning or distributing or bonusing pure-bred registered animals, and seed and plants of new or of valuable kinds;

(d) promoting the circulation of agricultural literature;

(e) offering prizes for essays on questions of scientific inquiry relating to agriculture, horticulture, domestic industries, manufactures and the useful arts;

(f) promoting and encouraging the organization and formation of co-operative societies, boys' and girls' clubs and other organizations;

(g) taking action to eradicate poisonous and noxious insects and weeds;

(h) promoting the improvement of home and school grounds;

(i) improving the agricultural and social life of the community.

(2) Any society, which expends any of its funds for any purpose inconsistent with the objects mentioned in this Section, shall forfeit all claim to participate in any grant or sum appropriated by the Legislature for the encouragement of agriculture. R.S., c. 6, s. 11.

Annual meeting and financial year

12 (1) The annual meeting of every agricultural society shall be held in accordance with the by-laws of the society but within ninety days of the financial year end of the society.

(2) At such meeting a president, vice-president, secretary and such other officers and directors as may be required for the proper conduct, management and operation of the society shall be elected.

(3) The quorum for a meeting shall be as prescribed by the by-laws of the society.

(4) The financial year of every agricultural society shall end on the thirty-first day of October in each year unless otherwise prescribed by by-law. R.S., c. 6, s. 12; 2004, c. 24, s. 4; 2005, c. 6, s. 2.

Power of officer at formation

13 The officers appointed at the formation of such societies shall, until the election of their successors at the annual meeting, exercise all the powers vested in the societies by this Act. R.S., c. 6, s. 13.

Special meeting

- 14** (1) Such societies may hold special meetings from time to time.
- (2) A special meeting may be called by the secretary's written notice not less than one week before the day appointed for the meeting.
- (3) The quorum at special meetings shall be as prescribed by the by-laws of the society. R.S., c. 6, s. 14; 2004, c. 24, s. 5.

By-laws

- 15** (1) A society may, subject to the approval of the Minister, make by-laws for the management and regulation of the business of the society and for the carrying out of its objects.
- (2) All such by-laws shall, within one month of the making thereof, be forwarded by the secretary to the Superintendent who shall forward the same to the Minister for the approval aforesaid. R.S., c. 6, s. 15; 2004, c. 24, s. 6.

Annual report and statement

16 (1) The officers and directors shall, in addition to the ordinary duties of management, present at the annual meeting an audited report of the proceedings of the society during the preceding year in which shall be stated the names of all the members of the society and the amount paid by each, together with an audited statement of the receipts and disbursements of the society during such year, which report and statement, if approved by the meeting, shall be entered in the journal of the society and a true copy thereof, verified by the oath of the president or secretary, shall be sent to the Superintendent within thirty days following the annual meeting held in accordance with subsection (1) of Section 12.

(1A) Notwithstanding subsection (1), the officers and directors may, subject to the approval of the Minister, provide, for the preceding year, in place of the audited report and statement referred to in subsection (1),

- (a) a report of the proceedings of the society stating the names of the members of the society and the amount paid by each;
- (b) a statement in the form of a balance sheet of its liabilities and assets signed by two officers; and
- (c) a statement of its income and expenditures signed by two officers.

(1B) The officers and directors shall enter the report and statements referred to in subsection (1A) in the journal of the society and a true copy, verified

by the oath of the president or secretary, shall be sent to the Superintendent within thirty days following the annual meeting held in accordance with subsection (1) of Section 12.

(2) Any society failing to comply with this Section shall forfeit any claim to participate in any grant or sum appropriated by the Legislature for the benefit of agriculture. R.S., c. 6, s. 16; 2004, c. 24, s. 7.

Present agricultural society

17 All agricultural societies organized previous to the fifteenth day of April, 1939, and in good standing, shall be deemed to have been duly organized and shall be entitled, on complying with the requirements of this Act, to draw their respective proportions of the annual grants. R.S., c. 6, s. 17.

Approval of formation

18 A society formed on or after the fifteenth day of April, 1939, under Chapter 4 of the Acts of 1939, Chapter 5 of the Revised Statutes, 1954, Chapter 3 of the Revised Statutes, 1967, or this Act shall not be deemed duly organized until the formation of the society has been approved by the Minister. R.S., c. 6, s. 18.

19 *repealed 1992, c. 5, s. 23.*

Change of breed of sire

20 No society shall change the breed or breeds of sires owned by it except with the approval in writing of two thirds of the members of the society and with the consent of the Superintendent. R.S., c. 6, s. 20.

21 *repealed 2004, c. 24, s. 8.*

Default of return

22 Any society, which fails for two successive years to make the return to the Superintendent of Agricultural Associations required by this Part, shall be deemed to be dissolved and the directors elected at the last properly constituted meeting of such society shall be trustees of the assets of the society until the same are disposed of by order of the Minister. R.S., c. 6, s. 22.

23 to 40 *repealed 1992, c. 5, s. 23.*

E

COMMUNITY CLUBS

Community club

41 A community club may be organized in any school section in the Province and shall include in its name the name of the community in which it is organized. R.S., c. 6, s. 41.

Eligibility as member

42 Every person ordinarily residing in the school district in which a community club is formed shall, subject to the by-laws of the club, be eligible for membership therein. R.S., c. 6, s. 42.

Special objects

43 The special objects of community clubs shall be to

(a) enable and to encourage members to confer together for the interchange of information on matters relating to agriculture and to the welfare and progress of the community generally;

(b) promote the distribution and circulation of agricultural literature; and

(c) improve the agriculture and rural life of the community. R.S., c. 6, s. 43.

Managing committee

44 (1) The affairs of every community club shall be managed by a managing committee of such number and with such officers as may be fixed by the by-laws of the club.

(2) The financial year of every community club shall end on the thirtieth day of September in each year.

(3) Every community club shall, not later than the fifteenth day of October in each year, hold an annual meeting at such time and place as may be fixed by the managing committee of the club. R.S., c. 6, s. 44.

By-laws

45 Every community club may make by-laws for the regulation and conduct of the affairs of the club and for the carrying out of its objects. R.S., c. 6, s. 45.

F

COMMODITY GROUPS

Commodity group

46 (1) A body of producers of a specific agricultural product or products organized on a Provincial basis may be designated by order of the Minister as a commodity group.

(2) The special objects of a commodity group shall be to

(a) facilitate the interchange of information among commodity producers;

(b) promote better means of commodity production and marketing; and

(c) encourage and promote the use of a commodity.

(3) Subject to the approval of the Minister, a commodity group may

(a) make by-laws for the regulation and conduct of its affairs and for the carrying out of its objects;

(b) require any person engaged in the production of the commodity to pay to it an amount fixed by way of levy or charge;

(c) require any person engaged in the marketing of the commodity to deduct, from any amount payable by him to any person engaged in the production of the commodity, any amount payable by the latter person to the commodity group by way of levy or charge fixed pursuant to clause (b) and to remit all amounts so deducted to the commodity group.

(4) Any sum collected pursuant to clause (b) of subsection (3) shall be used to further the objects of the commodity group.

(5) A person engaged in the production of a commodity who gives notice to the commodity group organized in respect of that commodity by registered mail prior to the fifteenth day of December in any year that he does not wish to be subject to the levy or charge fixed pursuant to clause (b) of subsection (3) shall not be subject to such levy or charge fixed by that commodity group in the year following that notice.

(6) An amount deducted in any year and remitted to a commodity group pursuant to clause (b) of subsection (3) shall be refunded by the commodity group to the commodity producer within sixty days of the date the levy or charge was made upon receipt by registered mail of a notice given by a commodity producer that he does not wish to be subject to the levy or charge fixed pursuant to clause (b) of subsection (3).

(7) For the purposes of this Section, the commodity group shall have the power to determine whether subsection (5) or subsection (6) or both shall apply to that group's commodity.

(8) A commodity group shall submit to the Minister not later than the thirty-first day of January in each year an audited statement of the receipts and disbursements of the commodity group during the preceding year. R.S., c. 6, s. 46.

PARTS III to VI (Sections 47 to 75) *repealed 2001, c. 39, s. 4.*

PART VII

ENCOURAGEMENT OF HORTICULTURE

Provincial Horticulturist

76 The Governor in Council may appoint a person to be Provincial Horticulturist, who shall hold office during pleasure and shall be paid such salary as the Governor in Council from time to time determines. R.S., c. 6, s. 76.

Expenditure by Governor in Council

77 The Governor in Council, upon the recommendation of the Minister and under the direction of the Provincial Horticulturist, may annually, for the purpose of encouraging horticulture in the Province, expend such sums, not exceeding the amount voted for that purpose by the Legislature, as is deemed expedient, in

- (a) the collection of information in regard to horticulture;
- (b) the imparting of information and instruction on horticultural subjects;
- (c) the carrying on of such work or activities as may create interest in any of the various phases of horticulture;
- (d) the establishment, operation and care of such demonstrational plantings of a horticultural nature as may be considered desirable to carry into effect the intent and the purposes of this Part;
- (e) generally, in paying the expenses of and incidental to the promotion of horticulture in the Province. R.S., c. 6, s. 77.

Duties

78 The duties of the Provincial Horticulturist are to

- (a) supervise or take part in the carrying out of any activities considered desirable to carry into effect the intent and purposes of this Part;
- (b) supervise and give direction to the carrying out of the aims and objects of this Part;
- (c) generally improve the horticulture of the Province;

(d) perform such other duties as the Governor in Council may from time to time prescribe. R.S., c. 6, s. 78.

HORTICULTURAL SOCIETIES

Horticultural society

79 (1) A horticultural society may be organized in the Province subject to the following provisions.

(2) An application for permission to organize a society shall be made in writing to the Provincial Horticulturist and shall be signed by not less than twenty-five persons over the age of sixteen years, each of whom has subscribed one dollar to the funds of the society, and such money shall be paid to and be held by one of the members in trust for the society.

(3) The application shall be filed with the Provincial Horticulturist, who shall transmit the same to the Minister who, if he approves thereof, shall declare the subscribers and such other persons as may thereafter become members of the society to be a society within the meaning of this Part, and the Minister shall issue a certificate of organization accordingly.

(4) Every horticultural society shall take its name from the city, town, village or community where it is organized, provided that the name of the society shall be subject to the approval of the Minister.

(5) As soon as practicable after the formation of a society, a meeting of the subscribers and of such other persons as desire to become members shall be held at such time and place and after such notice as the Provincial Horticulturist directs.

(6) Within one week after the meeting, the secretary shall send to the Provincial Horticulturist a report of the meeting containing a statement of the names and addresses of the members of the society and a list of the officers of the society.

(7) The annual fee for each member of a horticultural society shall not be less than one dollar.

(8) The fiscal year of every horticultural society shall end on the thirty-first day of October in each year. R.S., c. 6, s. 79.

Objects

80 The objects of a horticultural society shall be to encourage interest and improvement in horticulture by

(a) holding meetings for instruction and discussions on subjects connected with the theory and practice of horticulture;

(b) encouraging the improvement of home and public grounds by planting of trees, shrubs and flowers and by otherwise promoting outdoor art and public beauty, co-operating with municipal authorities for the preservation of natural beauty and for the beautification of public parks, highways, streets and boulevards and accepting and administering grants for such purposes;

(c) importing and otherwise procuring and distributing seeds, plants, shrubs and trees of kinds desired by the members;

(d) interesting members and others in the study of horticulture by the holding of contests and competitions and such other means as may be considered proper;

(e) holding exhibitions and awarding premiums for the production of vegetables, plants, flowers, fruits, trees and shrubs; and

(f) promoting the circulation of horticultural periodicals and other horticultural publications. R.S., c. 6, s. 80.

Quorum

81 At the organization meeting and at any regular meeting of a horticultural society, ten members shall constitute a quorum. R.S., c. 6, s. 81.

Officers

82 The officers of a horticultural society shall consist of a president, a vice-president, a secretary-treasurer and such number, not more than ten, of directors as may be determined by the society. R.S., c. 6, s. 82.

Annual meeting

83 (1) Every society shall hold an annual meeting between the first day of November and the fifteenth day of November in each year at such time and place as the directors may determine.

(2) At least one week's notice of every annual meeting shall be given by publication of the notice of the meeting in a newspaper having a general circulation in the district in which the society is formed or by mailing notices of the meeting to every member of the society at least one week before the meeting. R.S., c. 6, s. 83.

Annual report and financial statement

84 At every annual meeting, the directors shall present a report of the activities and accomplishments of the society during the preceding year, together with a financial statement for the preceding year certified by auditors approved for that purpose by the Minister. R.S., c. 6, s. 84.

Meetings

85 (1) General meetings of the society, other than the annual meeting, shall be called by the directors from time to time during each year.

(2) Notice of such general meetings shall be given as nearly as may be in the manner provided for the annual meeting.

(3) Meetings of the directors may be held at the call of the president or of the secretary-treasurer on three days' notice. R.S., c. 6, s. 85.

Annual grant

86 Out of any moneys appropriated by the Legislature for the purpose, every society organized under this Part shall be entitled to an annual grant of fifteen dollars, provided

(a) the society has held a minimum of four general meetings during the year;

(b) the secretary-treasurer, or some other person designated for the purpose by the society, has submitted a list of officers of the society, a list of members of the society and the audited financial statement of the society;

(c) the society has carried on an active program promoting some of the phases of horticultural work within the objects of such society and has not later than the twenty-fifth day of November made a report of the work of the preceding year to the Provincial Horticulturist; and

(d) the Minister approves. R.S., c. 6, s. 86.

PART VIII

ENCOURAGEMENT OF SEED GROWING

Provincial Agronomist

87 (1) The Governor in Council may appoint a person to be the Provincial Agronomist who shall hold office during pleasure and be paid such salary as the Governor in Council from time to time determines.

(2) The Provincial Agronomist shall have and may exercise all the powers of an inspector appointed under this Part. R.S., c. 6, s. 87.

Special growing area

88 The Governor in Council, upon the recommendation of the Minister, may proclaim any area or areas in any part of the Province as a special area for the purpose of encouraging the growing of pure seed of any farm or garden crops and to prevent the cross pollination of such seed. R.S., c. 6, s. 88.

Alteration of area

89 The Governor in Council may from time to time alter the boundaries of any such area or areas and determine or change the variety or varieties of seed to be grown in any such area or areas. R.S., c. 6, s. 89.

Prohibited growing within area

90 No person shall grow within any such area an open pollinated seed crop of a variety other than that for which the area is proclaimed. R.S., c. 6, s. 90.

Rules and regulations

- 91** The Governor in Council may make rules and regulations
- (a) for the approval of a variety or varieties of seed;
 - (b) for the proclaiming of a variety area or areas;
 - (c) for the cancelling of any or all of such areas;
 - (d) providing for the inspection, test and approval of such seed and the inspection of such areas;
 - (e) providing for the appointment of an inspector or inspectors;
 - (f) providing for the remuneration, travelling and other expenses of the inspectors, together with all other expenses incurred in carrying out this Part or any rule or regulation made under the authority thereof;
 - (g) prohibiting the growing of any variety of seed other than that for which the area is proclaimed;
 - (h) providing penalties for the breach of any provision of this Part or any rule or regulation made under the authority thereof;
 - (i) regulating such other matters as may be expedient or necessary to carry out the purposes and provisions of this Part. R.S., c. 6, s. 91.

PART IX

ENCOURAGEMENT OF DAIRYING

Interpretation

- 92** In this Part,
- (a) “cheese factory”, “condensed milk factory”, “creamery”, “cream station”, “dairy” and “ice cream factory” have the same meaning as in the *Dairy Commission Act*;
 - (b) “Superintendent” means the Superintendent of Dairying. R.S., c. 6, s. 92.

Superintendent of Dairying and personnel

93 The Superintendent of Dairying, and such deputies, inspectors, officers and clerks as may be necessary to enable him to perform the duties assigned to him, shall be appointed in accordance with the *Civil Service Act*. R.S., c. 6, s. 93.

Duties of Superintendent

94 The Superintendent shall advise the Minister in respect of matters relating to dairying in the Province and shall take measures for the promotion of dairying in the Province by such means as may from time to time be approved of by the Minister. R.S., c. 6, s. 94.

Duties of Superintendent and inspector

95 The Superintendent and any dairy inspector shall carry out the provisions of this Part and shall perform such additional duties as may from time to time be assigned to them by the Governor in Council or by the Minister. R.S., c. 6, s. 95.

Inspection and promotion of dairying

96 The Superintendent and any dairy inspector shall, for the purpose of carrying out this Part, inspect cheese factories, condensed milk factories, creameries, cream stations, dairies and ice cream factories and shall give such instructions and advice as may be deemed necessary for the promotion of dairying in the Province. R.S., c. 6, s. 96.

Annual encouragement grant

97 The Governor in Council, upon the recommendation of the Minister, may annually for the purpose of encouraging dairying in the Province, expend such sum as the Legislature may appropriate for such purpose in

- (a) the collection of information in regard to dairying;
- (b) the imparting of information and instruction on the management, operation and care of dairies;
- (c) aiding and encouraging, in such manner and by such means as may be deemed expedient, dairying within the Province. R.S., c. 6, s. 97.

DAIRYMEN'S ASSOCIATION OF NOVA SCOTIA

Dairymen's Association

98 The Dairymen's Association of Nova Scotia shall continue to exist as before the fifteenth day of April, 1939. R.S., c. 6, s. 98.

99 *repealed 2012, c. 3, s. 20.*

Objects

100 The objects of the Association shall be the furthering of the interests of the dairy industry of the Province by

- (a) holding an annual convention;
- (b) co-operating with the dairymen in various sections of the Province and by holding local dairy meetings and sending speakers to annual meetings;
- (c) collecting, arranging and sending out to dairymen useful information in connection with dairying;
- (d) co-operating in promoting the educational work of the Department;
- (e) holding exhibitions of dairy products; and
- (f) such other means as may be approved by the Minister. R.S., c. 6, s. 100.

By-laws

101 The Association may, subject to the approval of the Governor in Council, make by-laws for the regulation of the business of the Association and the carrying out of its objects. R.S., c. 6, s. 101.

Annual grant

102 The Governor in Council may out of the Consolidated Fund of the Province annually grant for the use of the Association an amount not exceeding one thousand dollars, subject to such terms and conditions as may be prescribed by the Governor in Council. R.S., c. 6, s. 102.

PART X

SOIL IMPROVEMENT

“agricultural limestone” defined

103 In this Part, “agricultural limestone” includes pulverized limestone and marl for use on lands. R.S., c. 6, s. 103.

Provincial Chemist

104 The Governor in Council may appoint a person to be the Provincial Chemist who shall hold office during pleasure and receive such salary as the Governor in Council from time to time determines. R.S., c. 6, s. 104.

Duties

- 105** The duties of the Provincial Chemist shall be to
- (a) study, examine or test soil for the purpose of determining its suitability for agricultural purposes or for certain agricultural purposes;
 - (b) advise farmers and other persons as to the most economical and suitable use of fertilizers and other soil amendments;

(c) examine the limestone deposits of the Province and to encourage the use of ground, pulverized, burnt or hydrated limestone for agricultural purposes;

(d) analyze and determine the suitability for agricultural purposes of water, feed, sprays and other substances used for agricultural purposes;

(e) perform such other duties as may from time to time be assigned to him by the Minister or the Governor in Council. R.S., c. 6, s. 105.

Powers of Governor in Council

106 The Governor in Council may from time to time

(a) operate such limestone or marl quarries, plants, mills, workshops, warehouses or storage depots for the production, manufacture, storage or distribution of agricultural limestone as may be deemed useful in carrying into effect the provisions of this Part;

(b) facilitate the economical distribution of agricultural limestone by rebates of freight rates, cash bonuses or by such other methods as may be deemed advisable and for such periods as is deemed expedient;

(c) purchase, acquire or own machinery or equipment for the purpose of grinding, manufacturing or distributing agricultural limestone, and lease or rent the same on such terms as may be deemed expedient;

(d) without in any way limiting or being limited by the foregoing clauses, generally do all such things as may be deemed necessary or advisable for the purpose of carrying into effect the purposes and intent of this Part. R.S., c. 6, s. 106.

Regulations

107 (1) The Minister may, subject to the approval of the Governor in Council, from time to time make such regulations as he deems necessary for the better carrying out of the purposes and intent of this Part and for the effective administration thereof.

(2) Such regulations shall be published in the Royal Gazette and, upon being so published, shall have the same force and effect as if enacted in this Part. R.S., c. 6, s. 107.

PART XI (Sections **108** and **109**) *repealed 1998, c. 18, s. 545.*

PART XII

PLANT DISEASES, INSECTS AND PESTS

Interpretation of Part

110 In this Part,

- (a) “inspector” means an inspector or other officer appointed under this Part for carrying out this Part;
- (b) “vegetation” means any tree, shrub, vine or plant or the fruit or any portion whatsoever of a tree, shrub, vine or plant. R.S., c. 6, s. 110.

Application of Part

111 This Part shall apply only to such plant diseases, insects and pests as the Governor in Council may from time to time declare to be subject to this Part. R.S., c. 6, s. 111.

Provincial Entomologist

112 (1) The Governor in Council may appoint a person to be Provincial Entomologist, who shall hold office during pleasure and be paid such salary as the Governor in Council from time to time determines.

(2) The Provincial Entomologist shall have and may exercise all the power of an inspector appointed under this Part. R.S., c. 6, s. 112.

Regulations

113 The Governor in Council may from time to time make such regulations as are deemed expedient to eradicate, control or to prevent the introduction into the Province or the dissemination therein of any such plant disease, insect or pest. R.S., c. 6, s. 113.

Content of regulations

114 Such regulations may provide

- (a) that except as is otherwise provided in the regulations, it shall be unlawful for any person to have in his possession, in the Province, or in any particular part thereof at any time or during any particular time or times, any vegetation, vegetable or other matter that the Minister deems to be likely to introduce into the Province or to disseminate therein any such plant disease, insect or pests;
- (b) the terms or conditions upon which any person may lawfully have in his possession any such vegetation, vegetable or other matter;
- (c) for the treatment and method of treatment to be given to any vegetation, vegetable matter or premises to eradicate or control or to prevent the spread of any such plant disease, insect or pest, and whether the treatment shall be given by the owner or by a person appointed for the purpose;
- (d) for the treatment, prior to the sale or disposal thereof of any vegetation, vegetable or other matter infected or suspected to be infected with any such plant disease, insect or pest;
- (e) for the prohibition of the sale of any vegetation or vegetable matter infected with any such plant disease, insect or pest;

(f) that the occupier of the premises, on which is discovered any such plant disease, insect or pest, shall immediately notify the Minister thereof, and shall also send specimens of the plant disease, insect or pest to the Provincial Entomologist;

(g) for establishing quarantine areas in the Province and regulating or prohibiting the moving or transportation of any vegetation or vegetable matter from or into any area so established;

(h) for the entry upon and inspection for the purposes of this Part of any premises and of anything growing or found thereon;

(i) for the seizure, confiscation, destruction or other disposal of any vegetation, vegetable or other matter and the container thereof, if any, in respect of which a breach of this Part, or of any regulation made thereunder, is committed;

(j) for the payment of such fees as are deemed necessary to meet the cost of inspection, fumigation or other treatment of any vegetation, vegetable or other matter or containers brought or sent into the Province;

(k) for the payment by the owners of vegetation, vegetable or other matter of the expense of any treatment required by the regulations;

(l) generally for or respecting the doing or abstaining from the doing of any act, matter or thing whatsoever that the Minister may deem expedient for carrying out this Part, whether such regulations are of the kind enumerated in this Section or not. R.S., c. 6, s. 114.

Appointment of officers

115 (1) The Minister may appoint inspectors and such other officers as he deems expedient for carrying out this Part, and the regulations made thereunder.

(2) The inspectors and other officers shall act under the direction of the Minister. R.S., c. 6, s. 115.

Right of entry

116 Any inspector may enter any place or premises whatsoever in which he suspects that any such plant disease, insect or pest exists. R.S., c. 6, s. 116.

Penalty

117 Any person contravening or neglecting to carry out or offering any hindrance to the carrying out of any provision of this Part, or of any regulation made thereunder, is liable upon summary conviction to a fine of not more than one hundred dollars, and in default of payment to imprisonment for a period not exceeding sixty days. R.S., c. 6, s. 117.

Publication of Regulation

118 Every regulation made under this Part shall be published in two successive issues of the Royal Gazette, but every such regulation shall nevertheless be in force on and from the date on which the same is made. R.S., c. 6, s. 118.

PART XIII

PREVENTION AND CONTROL OF THE APPLE MAGGOT
(*Rhagoletis pomonella* Walsh)**Interpretation**

119 In this Part,

- (a) “agrologist” means a member of the Nova Scotia Institute of Agrologists;
- (b) “control zone” means any area designated as an apple-maggot control zone where apples are grown commercially;
- (c) “inspector” means an inspector appointed pursuant to this Part;
- (d) “occupant” means the person in possession of real property on which or in which apple maggot is found or, where such person cannot be determined, the owner of the real property as shown on the last revised assessment roll of the municipality in which the property is located;
- (e) “orchard” means any land on which any apple tree is growing;
- (f) “regulation” means a regulation made pursuant to this Part;
- (g) “vegetation” means any apple tree or American hawthorn tree of any age or fruit of any apple tree or American hawthorn tree. 2001, c. 39, s. 5.

Agrologist and inspector

120 (1) The Minister shall appoint an agrologist who is responsible for this Part and for the inspectors appointed pursuant to this Part.

(2) Where the agrologist appointed pursuant to subsection (1) is not an employee of the Department, the agrologist is subject to the supervision of the Department.

(3) The agrologist referred to in subsection (1) may also serve as an inspector.

(4) The Minister may appoint inspectors to enforce this Part and the regulations made pursuant to this Part.

(5) Additional duties and responsibilities of inspectors may be prescribed by regulation. 2001, c. 39, s. 5.

Owner or occupier responsibility

121 (1) An owner or occupant is required to control apple maggot in or on infested vegetation that is within a control zone of a commercial orchard.

(2) Where an inspector finds infested vegetation, the inspector shall confer with the owner or occupant as to a satisfactory method of control as prescribed by regulation.

(3) Where, after consulting with the owner or occupant, prompt effective action is not taken, the inspector may issue a destruction order in the form prescribed by regulation and the order may be served by registered mail or, where the owner or occupant is unknown or cannot be located, by posting it in a conspicuous place on the land.

(4) Where the person to whom a destruction order has been issued pursuant to subsection (3) feels that the order is unjust, the person may, within four days of service of the notice, appeal, by telephone, facsimile transmission or registered mail, to the agrologist who shall immediately cause a reinspection to take place.

(5) Following a reinspection pursuant to subsection (4), the agrologist may confirm, vary or rescind the destruction order. 2001, c. 39, s. 5.

Inspector

122 (1) An inspector may enter upon any lands on which the inspector suspects any apple maggot exists.

(2) No person shall hinder or obstruct an inspector in the course of the inspector's duties or furnish the inspector with false information or refuse to furnish the inspector with information.

(3) Where an inspector is denied access or is obstructed in any way except as provided in subsection (4), the inspector may apply to a justice of the peace for a warrant.

(4) An inspector may be denied access if granting access would result in an immediate threat of injury or harm to the inspector. 2001, c. 39, s. 5.

Offence and penalty

123 Every person who contravenes this Part or a regulation is guilty of an offence and liable on summary conviction to the penalties provided for in the *Summary Proceedings Act*. 2001, c. 39, s. 5.

Regulations

124 (1) The Governor in Council, on the recommendation of the Minister, may make regulations

- (a) prescribing additional duties and responsibilities of inspectors;
- (b) prescribing the treatment and method of treatment to be given to any orchard or vegetation to control or to prevent the spread of the apple maggot and determining whether the treatment should be given by the owner, occupant or by a person appointed for that purpose;
- (c) prescribing the treatment, prior to the sale or disposal, of any vegetation infested with the apple maggot;
- (d) prescribing the method of destruction and the manner of disposal of any vegetation infested with the apple maggot including the container, if any, to be used for the disposal;
- (e) prescribing fees for inspections and payment to inspectors;
- (f) prescribing any forms required by this Part;
- (g) respecting any matter deemed necessary or advisable to carry out effectively the intent and purpose of this Part.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*, 2001, c. 39, s. 5.

125 to 138 *repealed 2001, c. 39, s. 5.*

PART XIV (Sections **139 to 154**) *repealed 2005, c. 3, s. 19.*

PART XV

COUNTY AND DISTRICT EXHIBITIONS

Annual exhibition

155 Subject to the approval of the Governor in Council, any agricultural society, county or district federation of agriculture or any other society or association may hold for its respective county or district an annual exhibition of agricultural or horticultural produce, farm stock and articles of domestic manufacture, at which prizes shall be granted for the best specimen produced. R.S., c. 6, s. 155.

Grant

156 (1) The Governor in Council may grant to any society or association, in aid of an exhibition under this Part, such sum or sums not exceeding in total the amount voted for that purpose by the Legislature as is deemed expedient.

(2) No money granted under this Section shall be paid to any society or association unless the society or association has filed with the Minister an

audited financial statement satisfactory to him of the affairs of the society or association for the preceding year. R.S., c. 6, s. 156.

Combined grant

157 (1) The Governor in Council may combine the grants in aid of two or more adjoining counties, districts or parts of counties or districts for one exhibition if a majority of the agricultural societies in each of such counties, districts or parts of counties or districts so request.

(2) Where two or more counties, districts or parts of counties or districts unite for the purpose of a joint exhibition, no separate grant in aid shall be made to any such counties, districts or parts of counties or districts.

(3) Where there is a united exhibition under this Part, the Governor in Council may grant, in aid to such exhibitions, the maximum grant which may have been made in the county or district in which the exhibition is held and in addition thereto such amount as the Governor in Council determines, but not exceeding the minimum amount which could be granted if a separate exhibition were held in such counties or districts or parts of counties or districts. R.S., c. 6, s. 157.

Municipal grant

158 (1) The council of any city, town or municipality in a county in which a county or district exhibition is held, or in a county or district which has joined with another county or district pursuant to Section 157, may annually grant to the exhibition such sum of money as the council determines.

(2) Every sum granted for such purpose shall be held to be sums required for the ordinary, lawful purposes for the city, town or municipality and shall be raised, levied and collected in the same manner and in all respects as other sums required for the ordinary, lawful purposes of the city, town or municipality are raised, levied or collected. R.S., c. 6, s. 158.

Grant for judge

159 (1) The Minister may annually expend, for the purpose of sending competent judges to county or district exhibitions, a sum not exceeding the amount voted by the Legislature for this purpose.

(2) Any society or association desiring the services of such judges shall select dates for its exhibition that are satisfactory to the Minister and for this purpose shall submit the proposed dates to the Minister at the time of the application for a grant in aid. R.S., c. 6, s. 159.

Regulations

160 The Minister, with the approval of the Governor in Council, may make regulations

- (a) prescribing the form and content of applications for a grant in aid of an exhibition;
- (b) prescribing conditions for the payment of grants or of any specific grant;
- (c) providing for the transfer to the Exhibition Association of Nova Scotia or other organization of any fund which relates to exhibitions and which is administered by the Minister or the Department, or by the Minister of Finance or the Department of Finance on behalf of the Minister or the Department, and regulating the operation of any such fund which has been so transferred;
- (d) restricting the eligibility of exhibits for prizes at more than one exhibition;
- (e) respecting the place where an exhibition may be held, and providing for the determination of a location of an exhibition by votes of society or association members or by any other means;
- (f) respecting the qualifications of judges;
- (g) respecting the granting of concessions at exhibitions, including restrictive conditions to apply to concessions and to the operators of the concessions;
- (h) generally respecting the conduct of exhibitions and the terms and conditions relating thereto. R.S., c. 6, s. 160.

PART XVI (Sections 161 to 164A) *repealed 2012, c. 3, s. 20.*

PART XVII

GRADING, PACKING, INSPECTION AND SALE OF NATURAL PRODUCTS OF THE PROVINCE

Interpretation of Part

165 In this Part,

- (a) “grade” means any grade established pursuant to this Part or the regulations;
- (b) “grader” means a grader appointed under this Part;
- (c) “inspector” means an inspector appointed under this Part;
- (d) “product” includes animals, wool, meats, eggs, poultry, fruit, fruit products, vegetables, vegetable products, maple products, honey and such other natural products of agriculture as the Governor in Council may designate and such articles of food or drink wholly or partly manufactured or derived from any such product as the Governor in Council may designate;
- (e) “regulations” means regulations made by the Governor in Council under this Part. R.S., c. 6, s. 165.

Regulations

- 166** The Governor in Council may from time to time make regulations
- (a) classifying and establishing grades for any product;
 - (b) with respect to packages or containers and providing for the inspection, grading, packaging, packing, marking, shipping, advertising and selling of products within the Province;
 - (c) prescribing when and where any regulations shall be in force;
 - (d) for the registration of packers and of persons assembling products and for the registration of and licensing of brokers, commission agents and dealers and prescribing fees for such registration and licensing and fees for the inspection of products;
 - (e) prescribing the powers and duties of inspectors;
 - (f) generally for the better carrying out of the provisions and purposes of this Part. R.S., c. 6, s. 166.

Inspectors

- 167** The Minister may appoint an inspector or inspectors whose duty it shall be to assist in carrying out the provisions of this Part. R.S., c. 6, s. 167.

Graders

- 168** The Minister may appoint a grader or graders and may prescribe the duties and functions of a grader. R.S., c. 6, s. 168.

Powers of inspector and regulations

- 169 (1)** Any inspector may at all reasonable times, for the purpose of enforcing any provisions of this Part or the regulations,
- (a) enter any place or premises, any steamship, vessel or boat or any carriage, car, truck or other vehicle used or being used for the carriage of products or believed by the inspector as being so used;
 - (b) require to be produced, for inspection or for the purposes of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading, sale records or other records or papers;
 - (c) inspect any product which is being transported by vehicle and require the driver, of any vehicle believed by the inspector to be carrying a product or products, to stop for the purpose of inspection;
 - (d) detain any product for the time necessary to complete his inspection or otherwise;
 - (e) at the expense of the producer, packer or owner, take samples of products wherever or whenever he may deem necessary.

(2) Whenever an inspector believes on reasonable grounds that this Act or the regulations have been violated, he may seize the products and other things by means of or in relation to which he reasonably believes the violation was committed.

(3) Products and other things seized pursuant to subsection (2) shall not be detained after

(a) the provisions of this Act and the regulations have, in the opinion of the inspector, been complied with; or

(b) the expiration of ninety days from the day of seizure, or such longer period as may be prescribed with respect to any agricultural product or other thing,

unless before that time proceedings have been instituted in respect of the violation, in which event the agricultural products and other things may be detained until the proceedings are finally concluded.

(4) Where a person has been convicted of a violation of this Act, every agricultural product or other thing by means of or in relation to which the offence was committed is, upon the conviction, in addition to any penalty imposed, forfeited to Her Majesty if such forfeiture is directed by the court.

(5) The Governor in Council may make regulations

(a) respecting the detention of articles seized under this Section and for preserving or safeguarding any articles so detained;

(b) respecting the disposition of articles forfeited under this Section. R.S., c. 6, s. 169.

Risk and expense upon detention

170 Any product detained under this Part or the regulations shall at all times be at the risk and expense of the owner, but the inspector shall immediately notify the owner or person having possession of the product or products by prepaid telegram, letter or otherwise that the product or products are being detained in storage or otherwise as the case may be. R.S., c. 6, s. 170.

Evidence

171 (1) A certificate of the appointment of any inspector or grader and any certificate purporting to be signed by an inspector or grader shall without further proof of the signature or official position of the person signing the certificate be *prima facie* evidence in any court of the facts set forth in any such certificate.

(2) In a prosecution under this Part or the regulations the fact that the person charged had a product in his possession is *prima facie* proof that the product is a product to which this Part or the regulations, as the case may be, applies. R.S., c. 6, s. 171.

Obstruction of inspector or grader

172 No person shall obstruct an inspector or grader, refuse to permit any product to be inspected or give to an inspector or grader a false name or address or other false information. R.S., c. 6, s. 172.

Registration of head packer

173 The Minister may at the request of any provincial producers' association authorize the registration of foreman packers or head packers or other persons in charge of or responsible for the work of those engaged in the packing of a product or products in orchards, packing-houses, warehouses or other places. R.S., c. 6, s. 173.

Penalty

174 Every person who

(a) transports, packs, advertises, sells, offers for sale or has in his possession for sale any product or products, which in any respect does not comply with the provisions of this Part or the regulations, except as may by regulation be permitted for manufacturing or processing purposes;

(b) represents any product to be of a certain grade, variety or class unless such product has been so graded or classed in accordance with the regulations;

(c) misrepresents the grade, variety, class or origin of any product;

(d) sells, offers for sale or has in his possession for sale any product in any package or container of which the faced or shown surface falsely represents the contents or any package or container which is not properly filled; or

(e) violates any provision of this Part or the regulations,

shall be liable to a fine of not more than one hundred dollars, and in default of payment to imprisonment for a term not exceeding thirty days. R.S., c. 6, s. 174.

Consent to prosecution

175 No prosecution shall be commenced under this Part or the regulations except with written consent of the Attorney General. R.S., c. 6, s. 175.

PART XVIII

COMMUNITY PASTURES

Advisory committee

176 The Minister may

(a) appoint an advisory committee to advise the Minister with respect to policies and agreements in relation to the use and management of community pastures; and

(b) provide for the remuneration of and payment of expenses of members of the advisory committee who are not in the public service. 2004, c. 24, s. 12.

177 to 183 *repealed 2004, c. 24, s. 12.*

PART XIX

LAND CONSERVATION AND USE

Federal-Provincial agreement

184 With the approval of the Governor in Council the Minister may enter into and carry out an agreement with the Government of Canada or a minister or agency thereof for the execution, in collaboration with that Government, minister or agency, of work or a program of work for the protection, reclamation, conservation and improvement of land and for the more effective and economical utilization of land or for any of those purposes. R.S., c. 6, s. 184.

Execution of work

185 Where an agreement is in effect under Section 184, the Minister may enter into and carry out an agreement with any person or municipality for the joint execution of work or a program of work for any or all of the purposes referred to in the agreement with the Government of Canada or a minister or agency thereof. R.S., c. 6, s. 185.

Municipal-Provincial agreement

186 (1) A municipality may enter into and carry out an agreement with the Minister for any of the purposes referred to in Section 184.

(2) Any money required by a municipality for the purpose of carrying out an agreement under this Part shall, for the purposes of the *Municipal Affairs Act*, be deemed to be money required for municipal purposes. R.S., c. 6, s. 186.

Powers of Minister

187 For the purpose of carrying out an agreement entered into under this Part, the Minister may

- (a) acquire and use real and personal property;
- (b) construct drains, roads, break-waters, dams, ditches, canals, excavations and other works and things for the reclamation, protection, conservation or improvement of land;
- (c) engage, employ or enter into contracts with persons for execution of any work;
- (d) make regulations respecting the use or protection of or the more effective utilization of land reclaimed, protected or improved by work

performed pursuant to an agreement and prescribe penalties for violation of those regulations;

(e) do any other act or thing necessary or incidental to the carrying out of any such agreement. R.S., c. 6, s. 187.

Sum charged to Capital Account

188 The Minister of Finance, with the approval of the Governor in Council, may charge to Capital Account such sum or sums as are considered necessary for the purposes of this Part or, if it is considered expedient so to do, the Minister of Finance may pay the said sum or sums out of the Special Reserve Account of the Province or out of the revenue of the Province for any year or years. R.S., c. 6, s. 188.

PART XX

FUR FARMING

Interpretation

189 In this Part,

(a) “fur farm” means an enclosure in which fur-bearing animals are kept in captivity and which is so constructed that it will effectively prevent ingress or egress of animals of the same species as those so kept in captivity;

(b) “fur-bearing animal” means mink, chinchilla, fox or rabbit. R.S., c. 6, s. 189.

190 and 191 *repealed 2010, c. 4, s. 40; 2012, c. 58, s. 33.*

Prohibited entry

192 When notices prohibiting trespassing that are easily discernible at a distance of not less than twenty-five yards are posted upon the outer fence or enclosure surrounding the dens or pens of fur-bearing animals that are kept on a fur farm or are kept in captivity for breeding purposes, no person, except with the consent of the owner or caretaker of the farm or place where the animals are kept, shall

(a) enter upon the land of the owner of the farm or place within a distance of twenty-five yards of the fence or enclosure;

(b) upon the land of the owner of the farm or place, approach within twenty-five yards of the fence or enclosure; or

(c) for the purpose of entering the enclosed area or for any other purpose, pass within the fence or enclosure or climb over, break or cut through it. R.S., c. 6, s. 192.

Prohibition

193 (1) No person owning, possessing or having the care of a dog shall permit the dog on land upon which a fur farm is operated or an enclosure exists where fur-bearing animals are kept for breeding purposes to be or to approach within fifty yards of the outer fence or enclosure within which the dens or pens of the animals are located.

(2) The owner or caretaker of a fur farm or enclosure, where fur-bearing animals are kept for breeding purposes, may kill a dog that he finds on land on which a fur farm is operated or an enclosure is maintained where fur-bearing animals are kept for breeding purposes and within fifty yards of the outer fence or enclosure within which the dens or pens of the animals are located. R.S., c. 6, s. 193.

Penalty

194 (1) A person who violates any provision of this Part is liable on summary conviction to a penalty of not less than fifty dollars or more than three hundred dollars and in default of payment to imprisonment for one day for every five dollars or major fraction thereof of the fine or penalty imposed.

(2) and (3) *repealed 2010, c. 4, s. 40; 2012, c. 58, s. 33.*

R.S., c. 6, s. 194; 2010, c. 4, s. 40; 2012, c. 58, s. 33.

PART XXA

NOVA SCOTIA WINE, CIDERS AND FRUIT LIQUEURS
INDUSTRY DEVELOPMENT BOARD**Interpretation of Part**

194A In this Part,

(a) “Board” means the Nova Scotia Wine, Ciders and Fruit Liqueurs Industry Development Board;

(b) “member” means a member of the Nova Scotia Wine, Ciders and Fruit Liqueurs Industry Development Board;

(c) “wine” means an alcoholic beverage made from

(i) grapes, apples or other fruits, or

(ii) other agricultural products containing sugar,

and

(iii) includes ciders and fruit liqueurs, and

(iv) meets the requirement of the regulations to be designated as a Nova Scotia wine;

(d) “winery” means the production facilities and related growing area for the production of wine. 2006, c. 8, s. 1.

Nova Scotia Wine, Ciders and Fruit Liqueur Industry Development Board

194B (1) There is hereby established a board to be known as the Nova Scotia Wine, Ciders and Fruit Liqueurs Industry Development Board.

(2) The Minister may appoint such members of the Board the Minister determines advisable, and shall include a representative of each of

- (a) the Department of Agriculture;
- (b) the Department of Tourism, Culture and Heritage;
- (c) the Office of Economic Development; and
- (d) the Nova Scotia Liquor Corporation.

(3) The member that represents the Department of Agriculture is the Chair of the Board.

(4) Members shall be appointed for a term not exceeding three years and are eligible for re-appointment. 2006, c. 8, s. 1.

Duties of Board

194C The Board shall

- (a) advise the Minister on
 - (i) standards for the quality and production of wine,
 - (ii) standards, guidelines, policy and the regulation of the wine industry,
 - (iii) standards, guidelines, policy and the regulation of the Nova Scotia grape-growing industry,
 - (iv) the production, processing, labelling, classification, composition, promotion and certification of wine; and
- (b) perform such other duties that the Minister assigns with respect to assisting the Minister with the proper administration of this Part. 2006, c. 8, s. 1.

Agreements

194D The Minister may enter into an agreement with any person, the Government of Canada, a provincial government, a municipal government or any agency of those governments for any purpose under this Part or the regulations made pursuant to this Part. 2006, c. 8, s. 1.

Duty of owner or operator of registered winery

194E Every owner or operator of a registered winery shall comply with the requirements of this Part and the regulations. 2006, c. 8, s. 1.

Nova Scotia wine appellation

194F No person shall sell or offer for sale a product as a Nova Scotia wine unless it meets the requirements of the regulations. 2006, c. 8, s. 1.

Category or class of wine

194G No person shall sell or offer for sale a product as a category or class of wine unless it meets the requirements of the regulations. 2006, c. 8, s. 1.

Audit of winery

194H The Minister may cause to be conducted an audit of a winery registered under the regulations. 2006, c. 8, s. 1.

Offence and penalty

194I Every person who contravenes this Part or the regulations is guilty of an offence and liable on summary conviction to the penalties provided for by the *Summary Proceedings Act*. 2006, c. 8, s. 1.

Regulations

194J (1) The Minister may, with the approval of the Governor in Council, make regulations

- (a) respecting the registration and certification of wineries;
- (b) respecting the suspension and revocation of the registration and certification of wineries;
- (c) respecting categories of wineries;
- (d) establishing classifications and categories of wine;
- (e) prescribing acreage requirements for the registration of a winery;
- (f) respecting the certification of production facilities of agricultural inputs in the production of wine;
- (g) respecting the suspension and revocation of the certification of production facilities of agricultural inputs in the production of wine;
- (h) respecting terms and conditions for the labelling and promotion of wine;
- (i) respecting compliance with permit and contracting requirements of the Nova Scotia Liquor Corporation;
- (j) respecting standards for the production and quality of wine;
- (k) respecting standards for wine producing facilities;

- (l) respecting the criteria for a product to be designated as a Nova Scotia wine;
- (m) respecting the criteria for a wine to be designated as a particular classification or category of wine;
- (n) prescribing geographic boundaries of wine production regions;
- (o) respecting the keeping of records;
- (p) respecting the auditing of wineries and the reporting of the results of an audit;
- (q) prescribing fees;
- (r) delegating any of the duties set out in these regulations to a third party;
- (s) defining any word or expression used but not defined in this Part;
- (t) further defining any word or expression defined in this Part;
- (u) respecting any matter the Minister determines necessary or advisable to carry out effectively the intent and purpose of this Part.

(2) The exercise by the Minister of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*. 2006, c. 8, s. 1.

PART XXI

Regulations

- 195 (1) The Minister may make regulations
- (a) prescribing forms and providing for their use;
 - (b) prescribing fees for the purpose of this Act.

(2) The exercise by the Minister of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*. 2012, c. 53, s. 2.

SCHEDULE TO PART II

Form

We, whose names are hereunto subscribed, agree to form ourselves into a society under the provisions of Part II of the Agriculture and Marketing Act, to be named The

. Agricultural Society; and we severally agree to pay annually to the Treasurer of the said Society for the purposes of the said Society a sum not less than \$1.00.

Names of Subscribers	Sums Subscribed

SCHEDULE TO PART IV *repealed 2001, c. 39, s. 6.*
