



CHAPTER 142

An Act to Restrict Travelling Through Forest Lands

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| <p>1. This Act may be cited as The Forest Travel Act.</p> | Short title. |
| <p>2. In this Act</p> <p>(a) "forest land" means any uncultivated land within the province upon which are growing or standing trees or shrubs and includes dry marsh, bogland and land commonly known as "barrens";</p> <p>(b) "Minister" means the Minister of Mines, Agriculture and Resources;</p> <p>(c) "order" means an order made by the Minister under this Act;</p> <p>(d) "permit" means a permit issued by the Minister under this Act;</p> <p>(e) "restricted area" means any forest land which the Minister declares to be a restricted area.</p> | Interpretation. |
| <p>3.—(1) The Minister may by order declare any forest land to be a restricted area.</p> | Declaration of restricted area. |
| <p>(2) An order may describe the restricted area by the boundaries of the area or by the use of any name by which the area is generally or commonly known.</p> | Description of restricted area. |

Travel or use of restricted area prohibited.

(3) Subject to this Act, no person shall travel through or be in a restricted area while an order is in force except in accordance with the provisions of that order or under and in accordance with a permit.

Exception.

(4) The Minister may in an order

(a) allow travel in or use of a restricted area or part thereof for such purposes or upon such conditions as he may specify in the order;

(b) exempt from the operation of the order such persons or classes of persons as he may specify in the order.

Minister may make different orders.

(5) The Minister may make different orders in respect of different forest lands or in respect of the same forest land for different times.

Minister may vary order.

(6) The Minister may vary an order in respect of the period during which it applies, the area in which it applies and the person or classes of persons to whom it applies.

Permits.

4.—(1) Subject to subsection (2), the Minister may issue permits for travel in or use of a restricted area or part thereof for such purposes and subject to such conditions, if any, as the Minister may prescribe in the permit.

Limitation of rights under permit.

(2) A permit shall not be deemed to give to the holder thereof any rights or privileges which he would not have had in respect of travel in or use of a restricted area if this Act had not been passed or if the permit had not been issued to him.

Cancellation or variation.

(3) The Minister may by notice to the holder of a permit cancel or vary the permit or any of the conditions to which it is subject.

Delegation by Minister.

(4) The Minister may authorize other persons to issue permits in his name if the terms of those permits have been approved by him.

Offence and penalty.

5. A person who violates or fails to comply with any provision of this Act or of an order or of a permit or any condition

attached to that permit is guilty of an offence and liable on summary conviction to a fine of not more than one thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

6.—(1) Notwithstanding any other statute or law or any grant, lease, licence or other rights granted, given or reserved to any person under or pursuant to any statute but subject to subsection (2), this Act applies to all forest land in the province.

Application
of Act.

(2) This Act does not apply to

Non-
application
of Act.

(a) forest land within the boundaries of

(i) the Cities of St. John's and Corner Brook,

(ii) a municipality or Local Improvement District established under The Local Government Act,

(iii) a community organized under The Community Councils Act, or

(iv) any other settlement;

(b) a highway as defined in The Department of Highways Act which is vested in Her Majesty in right of Newfoundland under that Act; and

(c) persons who are required to be in a restricted area in the course of their duty under any statute.