

NEWFOUNDLAND AND LABRADOR  
REGULATION 63/97

*Fossil Ecological Reserve Regulations*

under the

*Wilderness and Ecological Reserves Act*

(O.C. 97-248)

(Filed May 21, 1997)

Under the authority of sections 25 and 29 of the *Wilderness and Ecological Reserves Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, May 13, 1997.

John Cummings

Deputy Clerk of the Executive Council

REGULATIONS

**Short title**

1. These regulations may be cited as the *Fossil Ecological Reserve Regulations*.

**Definitions**

2. In these regulations
  - (a) "Act" means the *Wilderness and Ecological Reserves Act*;
  - (b) "managing agency" means the Parks and Natural Areas Division of the Department of Tourism, Culture and Recreation;
  - (c) "management plan" means the management plan for a declared fossil ecological reserve on file with the managing agency;
  - (d) "permit" means a permit issued and valid under these regulations;
  - (e) "reserve" means a fossil ecological reserve set aside under the Act, and described in the Schedule;

(f)"structure" means a man-made object intended to be permanent or semi-permanent or temporary in nature and includes but is not limited to buildings, houses, cottages, cabins, wharves, docks, boathouses, slipways, trailers, mobile homes, tents, tent platforms, camps, shelters and recreational vehicles used for any purpose, but does not include semi-permanent blinds or signs erected under the authority of the management plan; and

(g) "wildlife" means an animal or plant.

### **Restrictions**

**3.** Within a reserve, a person shall not

(a) destroy, damage or remove any fossil material;

(b) pollute or obstruct a stream or other body of water or dispose of any garbage;

(c) build or erect or cause to have built or erected a structure;

(d) destroy, damage, remove, disturb, or handle the home, den, or nest of wildlife;

(e) destroy, damage, remove, disturb or handle an egg of any wild bird;

(f)destroy, damage, or remove any wildlife or natural object;

(g) damage or remove a sign or other government property;

(h) remove sand, stone, or gravel;

(i)use, operate or be in possession of a motor car, motor truck, four-wheel drive vehicle, all-terrain vehicle, snow mobile, or other motorized conveyance;

(j)land an aircraft;

(k) operate a commercial establishment or commercial enterprise within a reserve, except guiding, touring and outfitting subject to section 9;

(l)display, post or broadcast an advertisement;

(m) prospect, claimstake, mine or quarry; and

(n) use explosives, mechanical and electrical rock cutting or removal tools (e.g. tile saws, percussion hammers).

### **Domestic animals**

4. The grazing of domestic animals may be permitted within a reserve provided it does not exceed existing limits at the time of the reserve establishment.

### **Exception**

5. A person engaged in the administration or management of a reserve in the normal course of his or her duties is exempt from paragraphs 3(d), (e), (f), (g) and (j).

### **Research in reserve**

6. Scientific research within a reserve shall require a permit and those permits may be obtained from the managing agency on submission of a written request outlining the research project, and subject to the terms and conditions that the managing agency may determine.

### **Exception for research**

7. A person engaged in a scientific study which is approved by the managing agency and for which a permit has been issued under section 6 may be exempted from paragraphs 3(a), (d), (e), (f) and (j) and researchers who hold a valid permit may be allowed to use geological hammers, sledge hammers and rock chisels only if they are considered necessary for the research.

### **Hunting and fishing**

8. With the exception of Fortune Head Ecological Reserve, all hunting and fishing within a reserve is allowed in accordance with permits or licences issued under the *Wildlife Act*, the *Migratory Birds Convention Act* ( Canada ) or the *Fisheries Act* ( Canada ).

### **Permit required**

9. (1) A person engaged in a touring, guiding and outfitting enterprise shall obtain a permit for the enterprise from the managing agency.

(2) Applications for a permit shall provide a full description of the enterprise planned.

### **Application of regulations**

**10.** These regulations shall apply to the fossil ecological reserves listed in the Schedule, except to the extent that they have been modified by the Order declaring a given Fossil Ecological Reserve in effect.

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### **Schedule**

- 1.** Fortune Head Ecological Reserve.
- 2.** Mistaken Point Ecological Reserve.
- 3.** Table Point Ecological Reserve.

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