

NEWFOUNDLAND AND LABRADOR
REGULATION 156/04

**Torngat Mountains Special Management
Area Regulations**
under the Lands Act

(O.C. 2004-527)
(Filed December 22, 2004)

Under the authority of sections 58, 59 and 60 of the Lands Act, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's , December 22, 2004 .

Tim Murphy
Deputy Clerk of the Executive Council
REGULATIONS

Analysis

1. Short title
2. Definitions
3. Administration
4. Application
5. Integrity of area
6. Conflicting action prohibited

Short title

1. These regulations may be cited as the Torngat Mountains Special Management Area Regulations .
Back to Top

Definitions

2. In these regulations
 - (a) "Memorandum of Understanding" means the Memorandum of Understanding on Interim Measures Related to the Proposed Torngat Mountains National Park Reserve between the Government of Newfoundland and Labrador and the Labrador Inuit Association executed on June 30, 2000, including all amendments that may be made to it;
 - (b) "minister" means the minister designated under section 3;
 - (c) "public authority" means Her Majesty in right of the province, an agent of Her Majesty or a municipality; and
 - (c) "special management area" means the Torngat Mountains Special Management Area designated under section 57 of the Lands Act .Back to Top

Administration

3. The Minister of Environment and Conservation shall administer these regulations.
Back to Top

Application

4. These regulations apply throughout the Torngat Mountains Special Management Area .

Back to Top

Integrity of area

5. Maintenance of the ecological integrity of the Torngat Mountains Special Management Area so as to facilitate the future establishment of a national park through the limitation of any development and the protection of renewable and non-renewable resources from commercial or industrial exploitation shall be the first priority in the consideration of any use of the special management area.

Back to Top

Conflicting action prohibited

6. All public authorities and all other persons, corporations, partnerships, associations or other organizations are prohibited

(a) from taking any action or undertaking any development that conflicts with or is inconsistent with the Memorandum of Understanding;

(b) from undertaking the commercial or industrial development of any renewable or non-renewable natural resource in the special management area; or

(c) from taking any other action or undertaking any other development described as follows which is not otherwise addressed in the Memorandum of Understanding unless that action or development is approved in writing by the minister following consultation according to the Memorandum of Understanding and all applicable permits have been obtained:

(i) conveying, leasing or licensing of privately owned lands in the special management area, or the conveyance of other rights in those lands,

(ii) erecting, constructing or placing buildings, structures or things in, on or over the lands in the special management area,

(iii) digging for, extracting, removing and disposing of soapstone and serpentinite for carving purposes using power tools or explosives but the reference to power tools does not apply to the use of chain-saws having a guide-bar of 41 centimetres or less in length,

(iv) accessing the special management area by land through the use of a motorized vehicle, including a snowmobile, except the use of a snowmobile for personal transportation, guiding, touring or sight seeing purposes and otherwise where necessary for the protection and management of the Torngat Mountains Special Management Area , or

(v) carrying on an archaeological investigation or interfering with or removing an historic resource within the meaning of the Historic Resources Act .

©Earl G. Tucker, Queen's Printer