

Designation of Eligible Bodies Regulations

made under Section 16 of the

Conservation Easements Act

S.N.S. 2001, c. 28

O.I.C. 2002-32 (February 1, 2002, effective January 18, 2002), N.S. Reg. 12/2002

as amended up to O.I.C. 2009-77 (February 25, 2009), N.S. Reg. 48/2009

Citation

1 These regulations may be cited as the Designation of Eligible Bodies Regulations.

Definitions

2 In these regulations

(a) “Act” means the Conservation Easements Act;

(b) “designated” means, with respect to an organization, designated as an eligible body in accordance with clause 16(1)(b) of the Act;

(c) “Minister” means the Minister of Natural Resources.

Application

3 (1) An organization may apply to the Minister to be designated.

(2) An application made pursuant to subsection (1) must include

(a) proof that the organization has been legally incorporated without purpose of gain for its members under legislation that requires that any profits or other benefits to the organization be used solely to promote its objectives;

(b) proof of current registration and good standing issued by the Registrar of Joint Stock Companies or equivalent authority in the jurisdiction in which the organization was incorporated or registered;

(c) if the organization was incorporated outside the Province, the name and address of a person residing within the Province to whom any communications and notices may be sent;

(d) a copy of the objects and by-laws of the organization confirming that

(i) the objects are

(A) directed to purposes that are beneficial to the public, and

(B) consistent with the purposes of a conservation easement as provided for in the Act,
and

(ii) upon the dissolution, surrender or winding-up of the organization, or upon the revocation of its designation, the organization will make all reasonable efforts to have any easement or covenant acquired by the organization pursuant to the Act assigned to the Minister or another eligible body;
and

(e) a fee in the amount of \$25.00.

Recommendation for designation

4 If the Minister is satisfied that an organization that applies pursuant to Section 3 has complied with these regulations, the Minister may approve the application and recommend to the Governor in Council that the organization be designated and that its name be added to Schedule “A”.

Revocation of designation

5 A designation may be revoked and the organization’s name removed from Schedule “A” if the designated organization

(a) fails to remain legally incorporated in accordance with the criteria set out in clause 3(2)(a);

(b) fails to maintain current registration and good standing in accordance with the criteria set out in clause 3(2)(b);

(c) amends its objects so that they are no longer directed to purposes that are beneficial to the public or are no longer consistent with the purposes of a conservation easement as provided for in the Act; or

(d) contravenes the Act or these regulations.

Schedule "A"

List of Organizations Designated as Eligible Bodies

under the Conservation Easements Act

American Friends of Canadian Land Trusts

Archaeological Land Trust of Nova Scotia Society

Ecology Action Centre

Nova Scotia Nature Trust (originally designated by Order in Council 95-160)

Nature Conservancy of Canada (originally designated by Order in Council 95-91)

Bras d'Or Preservation Foundation (originally designated by Order in Council 93-944)

Ducks Unlimited Canada (originally designated by Order in Council 94-998)

Federation of Nova Scotia Naturalists (originally designated by Order in Council 95-451)

Kingsburg Coastal Conservancy Association (originally designated by Order in Council 97-235)

Blomidon Naturalists Society (originally designated by Order in Council 97-235)

Shubenacadie Canal Commission (originally designated by Order in Council 2000-146)

Schedule "A" amended: O.I.C. 2009-77, N.S. Reg. 48/2009.