



FACT SHEET for: Bill No. 116, “Biodiversity Act”

Since the spring of 2019, we in the forestry sector of Nova Scotia have been watching closely the activities of the Biodiversity Act as presented in the House of Assembly and we feel landowners, farmers, forest professionals, and individuals will be negatively affected by this Act as it is currently written.

Scope of the Act:

- The Act covers all types of land Crown or Private land, Forest land, Agriculture land, Christmas Tree Lots, etc...
- The government may declare any land to be a “biodiversity management zone”
- Once the land is declared a “biodiversity management zone” regulations can be placed on the land to restrict or prohibit activities for an undetermined amount of time.
- “No person affected by this Act or the regulations is entitled to compensation for any restriction...”

Concerns with Enforcement of the Act:

- First offence fines for individuals convicted under section 37(1)(a) of this Act are up to \$500,000 or imprisonment, or both.
- First offence fines for companies convicted under section 37(1)(b) of this Act are up to \$1,000,000 or imprisonment, or both.
- The government may partner with “any person” to investigate and enforce the Act.

Lack of Openness in the Process:

- Government hosted information sessions in the summer of 2019 where many asked questions that are still not answered as promised. When follow up meetings were scheduled, they were on an invitation only basis and a confidentiality agreement had to be signed to attend so new information on the Act could not be shared.
- Bill No.116 “Biodiversity Act” contains a robust listing of “Ministerial Powers and Duties”, “Enforcement” and “Offences and Penalties” to those who are in contravention of Bill 116, however, no regulatory framework has been seen to substantiate the Act.