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Police Advisory Board Meeting Agenda

Wednesday, October 26, 2022 – 9:00 a.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville

- 1. Call to Order**
- 2. Approval of Agenda** (as circulated)
- 3. Approval of Notes – July 27, 2022**
- 4. Presentations**
 - 4.1 Police Advisory Board Training, NS Department of Justice9:15 a.m.
- 5. Business Arising from the Notes**
 - 5.1 Ministerial Appointment to the Board – Dale Kelly 1-2
 - 5.2 Speed Trailer (verbal update)
 - 5.3 Speed Radar Sign Data Update 3-7
 - 5.4 Discussion - Human Trafficking/Follow-up to Be the Peace Institute’s Video (Councillor DeLong)
- 6. New Business**
- 7. Committee Member Matters**
 - 7.1 Noise Complaints Discussion (Al Cunningham)..... 8-13
- 8. In Camera**
 - 8.1. Public Security under Section 22(2)(h) - RCMP Report July to September 2022
- 9. Added Items**
- 10. Next Meeting – Wednesday January 25, 2023 at 9:00 a.m.**
- 11. Adjournment**



**Attorney General
Justice
Office of the Minister**

Police Advisory Board

Date: October 26, 2022

Item: 5.1

PO Box 7, Halifax, Nova Scotia, Canada B3J 2L6 • Telephone 902-424-4044 Fax 902-424-0510 • novascotia.ca

August 3, 2022

Via Electronic Mail: oceanfront2019@outlook.com

Dale Kelly
208 Bezanson Road
Second Peninsula, NS B0J 2C0

Dear Mr. Kelly:

RE: Appointment to District of Lunenburg Police (RCMP) Advisory Board

On behalf of the Executive Council of Nova Scotia, I am pleased to advise of your appointment as a member of the District of Lunenburg Police (RCMP) Advisory Board. The particulars of your appointment are as follows:

Ministerial Order MA 22-0339
Effective date is June 28, 2022
Term is for three (3) years

A copy of the Ministerial Appointment is enclosed for your records.

As per the mandate of the Police (RCMP) Advisory Board, the Board determines the administrative direction, organization and policy required to maintain an efficient and adequate police force.

Should you have any questions, the senior staff person to contact is Charcy Marchand, Acting Director, Public Safety & Investigations, Department of Justice, who can be reached at:

Address: 1690 Hollis Street, 1st Floor, Halifax, NS B3J 2L6
Phone: 902-240-6706
Email: charcy.marchand@novascotia.ca

Thank you for your willingness to serve in this capacity.

Sincerely,

Bradley Johns
Minister of Justice and Attorney General

cc: Dean Schmeisser, Chair, District of Lunenburg Police Advisory Board
Mayor Carolyn Bolivar-Getson, Mayor, Municipality of the District of Lunenburg
Charcy Marchand, A/Director, Public Safety & Investigations, Justice
William Trask, Executive Director, Policy and Information Management, Justice



**Executive Council
Ministerial Appointment**

Nova Scotia

MA 22-0339

Pursuant to Section 57 of Chapter 31 of the Acts of 2004, the *Police Act*, the undersigned has the honour to:

- a) appoint Anne Soucie of Belliveau Cove – District of Clare, Digby County, as a member of the Police (RCMP) Advisory Board, District of Clare for a term of three (3) years commencing June 28, 2022;
- b) appoint Dale Kelly of Second Peninsula, Lunenburg County, as a member of the Police (RCMP) Advisory Board, District of Lunenburg for a term of three (3) years commencing June 28, 2022;
- c) appoint Gabriele Braun of Baddeck, Victoria County, as a member of the Police (RCMP) Advisory Board, Victoria County for a term of three (3) years commencing June 28, 2022;
- d) appoint Jane Davis of Hantsport, Hants County, as a member of the Police (RCMP) Advisory Board, Municipality of West Hants for a term of three (3) years commencing June 28, 2022; and
- e) appoint Katherine McCarron of Mahone Bay, Lunenburg County, as a member of the Police (RCMP) Advisory Board, Town of Mahone Bay for a term of three (3) years commencing June 28, 2022.

Signed at Halifax, Nova Scotia this Day of 2022.

Honourable Brad Johns
Minister of Justice

Weekly Report: Statistics Summary

Location: Highway 325 EB
 Address: 2459, Highway 325
 Speed Limit: From schedule 70 km/h

Report Period: 2022-10-10 to 2022-10-23
 Total Vehicle Count: 17162

Hour	Total Vehicle	Average Vehicles	Total Violations	% Violations	MIN Speed	MAX Speed	Speed Average	85% Speed km/h
00:00 - 01:00	43	22	13	30 %	39	H 112	65	75
01:00 - 02:00	17	9	9	H 53 %	45	87	64	84
02:00 - 03:00	18	9	6	33 %	H 52	87	67	76
03:00 - 04:00	11	6	5	45 %	18	92	62	73
04:00 - 05:00	35	18	11	31 %	16	93	63	81
05:00 - 06:00	78	39	28	36 %	18	91	67	77
06:00 - 07:00	388	194	132	34 %	17	96	67	77
07:00 - 08:00	978	489	324	33 %	24	97	67	75
08:00 - 09:00	885	443	298	34 %	23	93	67	76
09:00 - 10:00	1052	526	276	26 %	13	96	67	74
10:00 - 11:00	1229	615	312	25 %	12	107	66	73
11:00 - 12:00	1283	642	356	28 %	11	97	67	74
12:00 - 13:00	1373	687	378	28 %	19	95	67	73
13:00 - 14:00	1440	720	380	26 %	31	88	66	73
14:00 - 15:00	1461	731	360	25 %	17	99	66	73
15:00 - 16:00	H 1479	H 740	427	29 %	15	99	67	74
16:00 - 17:00	1468	734	H 588	40 %	23	99	69	76
17:00 - 18:00	1181	591	420	36 %	24	106	68	75
18:00 - 19:00	966	483	290	30 %	26	106	67	74
19:00 - 20:00	687	344	159	23 %	15	100	65	74
20:00 - 21:00	492	246	169	34 %	26	98	68	76
21:00 - 22:00	349	175	111	32 %	23	108	68	76

Speed (km/h)	Count
1-5	0
6-10	0
11-15	9
16-20	12
21-25	12
26-30	16
31-35	26
36-40	35
41-45	62
46-50	195
51-55	657
56-60	1946
61-65	4075
66-70	4980
71-75	3136
76-80	1352
81-85	447
86-90	121
91-95	55
96-100	18
101-105	2
106-110	5
111-115	1

Police Advisory Board

Date: October 26, 2022

Item: 5.3

22:00 - 23:00	162	81	44	27 %	37	102	66	75	116-120	0
23:00 - 24:00	87	44	41	47 %	47	107	71	80	121-125	0
Summary	17162	8588	5137	AVG: 33 %	11	112	AVG: 67	AVG: 76	126-130	0
									131-135	0
									136-140	0
									141-145	0
									146-150	0
									151-155	0
									156-160	0
									Total	17162

H - highest value in the column, **H** is highest H value in report

** "n/a" - means the sign did not collect any data at the time stipulated in the report. "n/a" values are NOT included in calculations.

Vehicle Count

Location: Highway 325 EB
 Address: 2459, Highway 325
 Speed Limit: From schedule 70 km/h

Report Period: 2022-10-10 to 2022-10-23
 Total Vehicle Count: 17162

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Weekday Average	Weekend Average	Week Average	Speed Average	85% Speed(km/h)
00:00 - 01:00	11	6	7	2	3	5	9	6	7	6	65	75
01:00 - 02:00	3	2	6	1	1	2	2	3	2	2	64	84
02:00 - 03:00	3	4	5	2	1	n/a	3	3	3	3	67	76
03:00 - 04:00	2	2	2	3	2	n/a	n/a	2	n/a	2	62	73
04:00 - 05:00	7	12	7	2	5	2	n/a	7	2	6	63	81
05:00 - 06:00	16	17	23	14	5	3	n/a	15	3	13	67	77
06:00 - 07:00	64	96	107	48	45	15	13	72	14	55	67	77
07:00 - 08:00	153	252	246	130	131	48	18	182	33	140	67	75
08:00 - 09:00	138	211	193	108	120	77	38	154	58	126	67	76
09:00 - 10:00	176	230	246	129	126	101	44	181	73	150	67	74
10:00 - 11:00	212	275	H 259	126	143	134	80	203	107	176	66	73
11:00 - 12:00	226	308	150	155	168	168	108	201	138	183	67	74
12:00 - 13:00	257	316	157	170	156	H 173	H 144	211	159	196	67	73
13:00 - 14:00	289	355	159	169	H 185	162	121	231	142	206	66	73
14:00 - 15:00	275	359	170	186	181	154	136	234	145	209	66	73
15:00 - 16:00	H 293	340	186	H 211	179	131	139	242	135	211	67	74
16:00 - 17:00	285	H 368	194	199	181	123	118	245	121	210	69	76
17:00 - 18:00	229	295	158	158	151	91	99	198	95	169	68	75
18:00 - 19:00	185	221	138	131	116	98	77	158	88	138	67	74
19:00 - 20:00	127	165	93	83	95	62	62	113	62	98	65	74
20:00 - 21:00	95	139	53	72	46	43	44	81	44	70	68	76
21:00 - 22:00	48	83	50	44	56	47	21	56	34	50	68	76
22:00 - 23:00	34	36	17	20	31	15	9	28	12	23	66	75
23:00 - 24:00	11	17	8	7	23	14	7	13	11	12	71	80
Total	3139	4109	2634	2170	2150	1668	1292	2839	1488	2454	AVG: 67	AVG: 76

H - highest value in the column, **bolded H** is highest H value in report
 ** "n/a" - means the sign did not collect any data at the time stipulated in the report. "n/a" values are NOT included in calculations.

Summary Comparison Report

Location: Highway 325 EB
 Address: 2459, Highway 325
 Speed Limit: From schedule 70 km/h

Report Period 1: 2022-07-25 to 2022-09-04
 Report Period 2: 2022-09-19 to 2022-10-23

Day	Average vehicles count			Average speed			Average number of speed violations			Percent of speed violations		
	Period 1	Period 2	Difference	Period 1	Period 2	Difference	Period 1	Period 2	Difference	Period 1	Period 2	Difference
Monday	1928	1793	135	H 66	H 67	-1	543	561	-18	H 28 %	H 31 %	-3 %
Tuesday	2096	H 2057	39	H 66	66	0	574	H 578	-4	27 %	28 %	-1 %
Wednesday	2084	1806	278	H 66	H 67	-1	529	551	-22	25 %	H 31 %	-6 %
Thursday	H 2183	1736	447	H 66	66	0	H 588	492	H 96	27 %	28 %	-1 %
Friday	2146	1699	447	H 66	64	2	573	480	93	27 %	28 %	-1 %
Saturday	1743	1263	H 480	H 66	63	H 3	425	343	82	24 %	27 %	-3 %
Sunday	1482	1128	354	H 66	H 67	-1	396	355	41	27 %	H 31 %	-4 %
Total	13662	11482	2180	AVG: 66	AVG: 66	0	3628	3360	268	AVG: 26 %	AVG: 29 %	-21 %

Count By Speed Range

Speed	Total vehicles count			Percent of vehicles count			Total speed violations			Percent of speed violations		
	Period 1	Period 2	Difference	Period 1	Period 2	Difference	Period 1	Period 2	Difference	Period 1	Period 2	Difference
1-5	1	2	-1	0	0	0	0	0	0	0 %	0 %	0 %
6-10	21	203	-182	0	0	0	0	0	0	0 %	0 %	0 %
11-15	44	319	-275	0	1	-1	0	0	0	0 %	0 %	0 %
16-20	45	276	-231	0	0	0	0	0	0	0 %	0 %	0 %
21-25	59	179	-120	0	0	0	0	0	0	0 %	0 %	0 %
26-30	99	130	-31	0	0	0	0	0	0	0 %	0 %	0 %
31-35	140	117	23	0	0	0	0	0	0	0 %	0 %	0 %
36-40	168	124	44	0	0	0	0	0	0	0 %	0 %	0 %
41-45	359	244	115	0	0	0	0	0	0	0 %	0 %	0 %
46-50	1101	693	408	1	1	0	0	0	0	0 %	0 %	0 %
51-55	3798	2238	1560	5	4	1	0	0	0	0 %	0 %	0 %

Speed	Total vehicles count			Percent of vehicles count			Total speed violations			Percent of speed violations		
	Period 1	Period 2	Difference	Period 1	Period 2	Difference	Period 1	Period 2	Difference	Period 1	Period 2	Difference
56-60	10936	6681	4255	13	12	1	0	0	0	0 %	0 %	0 %
61-65	20641	13424	H 7217	25	23	H 2	0	0	0	0 %	0 %	0 %
66-70	H 22799	H 15985	6814	H 28	H 28	0	0	0	0	0 %	0 %	0 %
71-75	13566	10243	3323	17	18	-1	H 13566	H 10243	H 3323	H 62 %	H 61 %	H 1 %
76-80	5581	4310	1271	7	8	-1	5581	4310	1271	26 %	26 %	0 %
81-85	1776	1533	243	2	3	-1	1776	1533	243	8 %	9 %	-1 %
86-90	563	457	106	1	1	0	563	457	106	3 %	3 %	0 %
91-95	170	161	9	0	0	0	170	161	9	1 %	1 %	0 %
96-100	56	64	-8	0	0	0	56	64	-8	0 %	0 %	0 %
101-105	26	15	11	0	0	0	26	15	11	0 %	0 %	0 %
106-110	10	10	0	0	0	0	10	10	0	0 %	0 %	0 %
111-115	2	6	-4	0	0	0	2	6	-4	0 %	0 %	0 %
116-120	2	1	1	0	0	0	2	1	1	0 %	0 %	0 %
121-125	0	1	-1	0	0	0	0	1	-1	0 %	0 %	0 %
126-130	1	1	0	0	0	0	1	1	0	0 %	0 %	0 %
131-135	0	0	0	0	0	0	0	0	0	0 %	0 %	0 %
136-140	0	0	0	0	0	0	0	0	0	0 %	0 %	0 %
141-145	0	0	0	0	0	0	0	0	0	0 %	0 %	0 %
146-150	0	0	0	0	0	0	0	0	0	0 %	0 %	0 %
151-155	0	0	0	0	0	0	0	0	0	0 %	0 %	0 %
156-160	0	0	0	0	0	0	0	0	0	0 %	0 %	0 %
Total	81964	57417	24547	AVG: 3	AVG: 3	0	21753	16802	4951	AVG: 3 %	AVG: 3 %	0

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Request for Agenda Items
Police Advisory Board

Date: October 26, 2022

Item: 7.1

TO: Lead Staff Person
FROM: Al Cunningham
DATE: 2022-10-18

1. Agenda Item
PROTECTION of PROPERTY Act Revised STATUTES 1989

2. On what agenda do you want the item placed (date)?
Annual

3. Do you have written material to circulate with the agenda? Yes No

If you do, please attach it to this form. If you do not, please explain.
Chapter 363 Act - For (1) Mayor (2) RemP

4. What is its relevance to the Police Advisory Board?
In Policing this act provides RemP members more authority in dealing with noise complaints / model premises codes

5. What outcome(s) are you seeking?
All Above # 4 for both enforcement.

Al Cunningham
Board Member Signature

2022/10/18
Date

Approval for Agenda: Yes No

Reason for Denial:

Lead Staff Person

Date



Protection of Property Act

CHAPTER 363

OF THE

REVISED STATUTES, 1989

amended 2001, c. 12, s. 47

NOTE - This electronic version of this statute is provided by the Office of the Legislative Counsel for your convenience and personal use only and may not be copied for the purpose of resale in this or any other form. Formatting of this electronic version may differ from the official, printed version. Where accuracy is critical, please consult official sources.

An Act to Protect Property

Short title

1 This Act may be cited as the *Protection of Property Act*. R.S., c. 363, s. 1.

Interpretation

2 In this Act,

(a) "motor vehicle" means any vehicle propelled or driven otherwise than by muscular power, whether or not the vehicle is registered under the *Motor Vehicle Act*, and includes motor boats and motor vessels;

(b) "occupier" includes

(i) a person who is in possession of premises, or

(ii) a person who has responsibility for and control over the condition of premises or the activities there carried on, or control over persons allowed to enter the premises,

notwithstanding that there is more than one occupier of the same premises;

(c) "police officer" means a member of the Royal Canadian Mounted Police or a member of a municipal police force;

(d) "premises" means lands and structures, or either of them, and includes trailers and portable structures designed or used for residence, business or shelter. R.S., c. 363, s. 2.

Entry or certain activity on premises

3 (1) Every person who, without legal justification, whether conferred by an enactment or otherwise, or without the permission of the occupier or a person authorized by the occupier, the proof of which rests upon the person asserting justification or permission,

(a) enters on premises that is a lawn, garden, orchard, vineyard, golf course or acreage managed for agricultural crops;

(b) enters on premises that is apparently a tree plantation area or a Christmas tree management area;

(ba) enters on premises that is apparently a railway line within the meaning of the *Railways Act* except to cross the railway line at a legally recognized crossing;

(c) enters on premises that is enclosed in a manner that indicates the occupiers intention to keep persons off the premises or to keep animals on the premises;

(d) dumps or deposits material of any kind or causes, suffers or permits material to be dumped or deposited on premises;

(e) enters on premises where entry is prohibited by notice; or

(f) engages in an activity which is prohibited on the premises by notice,

is guilty of an offence and on summary conviction is liable to a fine of not more than five hundred dollars.

(2) A notice under this Section may be given orally or in writing.

(3) Where the notice in writing is by means of a sign, the sign shall be posted so that it is clearly visible in daylight under normal conditions from the approach to each usual point of access to the premises to which it applies.

(4) A notice under this Section may be given in respect of any part of the premises of an occupier.

(5) Every person who, without legal justification, whether conferred by an enactment or otherwise, removes a sign or notice posted by an occupier is guilty of an offence and on summary conviction is liable to a fine of not more than five hundred dollars.

(6) Every person who, not being an occupier of the premises or acting for the occupier of the premises, posts a sign or notice restricting entry or prohibiting activity on premises is guilty of an offence and is liable on summary conviction to a fine of not more than five hundred dollars. R.S., c. 363, s. 3; 2001, c. 12, s. 47.

Remaining on premises after request to leave

4 Every person who, without legal justification, whether conferred by an enactment or otherwise, remains on premises after being directed to leave by the occupier of the premises or a person authorized by the occupier is guilty of an offence and is liable on summary conviction to a fine of not more than five hundred dollars. R.S., c. 363, s. 4.

Defence

5 (1) It is a defence to a charge under Section 3 or 4 that the person charged reasonably believed that he had legal justification, or permission of the occupier or a person authorized by the occupier, to enter on the premises or to do the act complained of.

(2) It is a defence to a charge of violating a written notice prohibiting entry on premises or engaging in an activity on premises that the person was unable to see or understand the notice. R.S., c. 363, s. 5.

Arrest and detention

6 (1) A police officer may arrest a person for an offence under this Act and detain that person in custody after the arrest if on reasonable and probable grounds he believes that the arrest and detention is necessary to

- (a) prevent the continuation or repetition of the offence; or
- (b) establish the identity of the person.

(2) Notwithstanding the power of arrest conferred by subsection (1), a police officer shall not arrest a person for an offence under this Act committed in a shopping centre having four or more stores unless the person persists in committing the offence after being told to leave the premises and being warned by the occupier or police officer that he may be arrested for the offence if he remains or returns. R.S., c. 363, s. 6.

Disturbing occupier

7 Every person who disturbs an occupier of premises by

- (a) the unreasonable operation for recreational purposes of a motor vehicle on, or in the vicinity of, the premises; or
- (b) disorderly behaviour,

is guilty of an offence and is liable on summary conviction to a fine of not more than five hundred dollars. R.S., c. 363, s. 7.

Duty to identify person in charge or operator of vehicle

8 (1) When a motor vehicle is operated in violation of this Act, the owner of the vehicle on the request of any police officer shall, within forty-eight hours of the request, supply the police officer with the name and address of the person in charge of the vehicle at the time of such violation.

(2) Where under this Section the owner of a motor vehicle, at the request of a police officer, supplies the name of a person who had the motor vehicle with the consent of the owner, that person on the request of any police officer shall, within forty-eight hours of the request, supply the police officer with the name and address of the person operating the vehicle at the time of the violation.

(3) An owner or other person who is requested pursuant to this Section to supply the name and address of the person operating a vehicle and who refuses, fails, neglects or is unable to supply the name and address of the person operating the vehicle within forty-eight hours after being so requested is liable on summary conviction to a penalty prescribed for the offence of the operator.

(4) In any prosecution under this Section it is a defence if the owner or the person who had the vehicle with the consent of the owner, as the case may be, can prove that the vehicle was being operated at the time of the violation without his knowledge or consent, either expressed or implied. R.S., c. 363, s. 8.

Right to seize and detain vehicle

9 (1) Where a police officer has reasonable and probable grounds to believe

- (a) an offence under this Act has been committed by means of a motor vehicle; and
- (b) the seizure of the motor vehicle is necessary to prevent the continuation or repetition of the offence or the commission of another offence under this Act,

the police officer may seize and detain the motor vehicle for such period of time not exceeding forty-eight hours as he deems necessary.

(2) Before the motor vehicle is released, the expenses relating to its seizure and detention under this Section shall be paid by the person to whom it is to be released. R.S., c. 363, s. 9.

Order prohibiting entry by convicted person

10 (1) Where a person is convicted of an offence under this Act in respect of premises generally open to the public, the court may make an order prohibiting that person from entering the premises in relation to which the conviction was entered for a period not exceeding six months.

(2) A person who is bound by an order made pursuant to subsection (1) and who fails to comply with that order is guilty of an offence and is liable on summary conviction to a fine of not more than five hundred dollars. R.S., c. 363, s. 10.

Restitution order

11 (1) Where a person is convicted of an offence under this Act and another person has, as a result of the commission of the offence, suffered damage caused by the person convicted, the court may, on the application of the person who suffered the damage, determine the amount of the damages and order restitution by the person convicted, but no restitution order shall be for an amount in excess of two thousand dollars.

(2) No application may be made under subsection (1) unless the person who suffered the damage has given reasonable notice to the defendant of his intention to make the application.

(3) Where a prosecution under this Act is conducted by a private prosecutor, and the defendant is convicted, the court may, unless the court is of the opinion that the prosecution was not necessary for the protection of the occupier or his interests, order a sum not exceeding five hundred dollars, or such larger sum as may be determined from time to time by the Governor in Council, to be paid by the defendant to the private prosecutor by way of costs incurred for the prosecution.

(4) An order for restitution under subsection (1) or an award of costs under subsection (3) shall be in addition to any fine that is imposed under this Act.

(5) An order for restitution under subsection (1) does not extinguish the right of the person in whose favour the order is made to bring a civil action for damages against the person convicted arising out of the same facts.

(6) The failure to request or refusal to grant an order for restitution under subsection (1) does not affect a right to bring a civil action for damages arising out of the same facts. R.S., c. 363, s. 11.

Order of court

12 (1) An order made by a court pursuant to Section 11 may be made an order of the county court and thereupon may be enforced in a like manner as any order of such court.

(2) To make the order of the court an order of the county court, the judge or justice of the peace shall endorse a copy of the order certified by him to be a true copy as follows:

Make the within an order of the county court.

Dated this day of, 19.....

.....

Judge or Justice of the Peace

and the judge or justice of the peace shall forward the order so endorsed to the clerk of the county court who shall, on receipt thereof, enter the same as a record, and it shall thereupon become and be an order of the county court and be enforceable as any order thereof. R.S., c. 363, s. 12

Person under twelve years

13 No person under twelve years of age may be prosecuted for violating this Act. R.S., c. 363, s. 13.

Civil remedy for trespass

14 Nothing contained in this Act restricts or shall be deemed to restrict the availability of injunctive relief or any other civil remedy for trespass to property that is otherwise available. R.S., c. 363, s. 14.

No prosecution for recreational activity

15 (1) In this Section, "forest land" means a wooded area, forest stand, tract covered by underbrush, barren ground, marsh or bog, but does not include

- (a) an area which is apparently a tree plantation area or a Christmas tree management area;
- (b) a special forestry study area;
- (c) the immediate area where any activity is apparently being carried out on woodlands for the purpose of harvesting a forest product;
- (d) a commercial berry growing area.

(2) No person may be prosecuted for contravening any notice given pursuant to this Act prohibiting entry or prohibiting activity on forest land if that person is hunting as defined in the *Wildlife Act*, fishing, picnicking, camping, hiking, skiing or engaged in another recreational activity or engaged in a study of flora or fauna. R.S., c. 363, s. 15.

No prosecution if legal strike activity or demonstration

16 This Act does not apply to a person who is engaged in

- (a) a lawful activity of employees on strike, including picketing; or
- (b) a peaceful demonstration in the vicinity of premises to which the public normally has access. R.S., c. 363, s. 16.



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