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BILL
78

**AN ACT TO AMEND THE
SCALERS ACT**

Read first time: November 29, 1994

Read second time:

Committee:

Read third time:

PROJET DE LOI
78

**LOI MODIFIANT LA
LOI SUR LES MESUREURS**

Première lecture: le 29 novembre 1994

Deuxième lecture:

Comité:

Troisième lecture:

HON. ALAN R. GRAHAM

L'HON. ALAN R. GRAHAM

BILL 78

PROJET DE LOI 78

**An Act to Amend the
Scalers Act**

**Loi modifiant la
Loi sur les mesureurs**

Her Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:

Sa Majesté, sur l'avis et du consentement de l'Assemblée législative du Nouveau-Brunswick, décrète:

1 *Section 2 of the English version of the Scalers Act, chapter S-4.1 of the Acts of New Brunswick, 1981 is amended by striking out "chairman" and substituting "chairperson".*

1 *L'article 2 de la version anglaise de la Loi sur les mesureurs, chapitre S-4.1 des Lois du Nouveau-Brunswick de 1981, est modifié par la suppression du mot «chairman» et son remplacement par le mot «chairperson».*

2 *Section 4 of the Act is repealed and the following is substituted:*

2 *L'article 4 de la Loi est abrogé et remplacé par ce qui suit:*

4 Before performing any duties as a member of the Board of Examiners, a person appointed under section 3 shall take an oath of office in the manner and form prescribed by regulation.

4 Avant de prendre ses fonctions de membre du bureau des examinateurs, la personne nommée en vertu de l'article 3 doit prêter un serment d'entrée en fonction de la manière et en la forme prescrites par règlement.

3 *Section 5 of the Act is repealed.*

3 *L'article 5 de la Loi est abrogé.*

4 *Subsection 10(1) of the English version of the Act is repealed and the following is substituted:*

4 *Le paragraphe 10(1) de la version anglaise de la Loi est abrogé et remplacé par ce qui suit:*

10(1) Where the Minister is satisfied that the services of a licensed scaler are not procurable, the Minister may issue a special license to a competent person authorizing the person to scale primary forest products.

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5 *Section 11 of the English version of the Act is repealed and the following is substituted:*

11 A scaler shall scale fairly and correctly, to the best of the scaler's ability and in accordance with the regulations, all primary forest products that the scaler is employed to scale.

6 *Subsection 14(1) of the English version of the Act is amended in the portion following paragraph (b) by striking out "his license" and substituting "the scaler's license".*

7 *Paragraph 19(d) of the Act is repealed.*

5 *L'article 11 de la version anglaise de la Loi est abrogé et remplacé par ce qui suit:*

11 A scaler shall scale fairly and correctly, to the best of the scaler's ability and in accordance with the regulations, all primary forest products that the scaler is employed to scale.

6 *Le paragraphe 14(1) de la version anglaise de la Loi est modifié au passage qui suit l'alinéa (b), par la suppression des mots «his license» et leur remplacement par les mots «the scaler's license».*

7 *L'alinéa 19d) de la Loi est abrogé.*

EXPLANATORY NOTES

Section 1

The term "chairperson" is substituted for the term "chairman".

Section 2

The present provision is as follows:

4 Before entering on his duties, an examiner shall take an oath of office in the manner and form prescribed by regulation.

Section 3

The present provision is as follows:

5 Members of the Board, other than those employed within the Department, shall be paid fees for their services, and shall be reimbursed for their expenses, in accordance with the regulations.

Section 4

The present provision is as follows:

10(1) Where the Minister is satisfied that the services of a licensed scaler are not procurable he may issue a special license to a competent person authorizing him to scale primary forest products.

Section 5

The present provision is as follows:

11 A scaler shall scale fairly and correctly, to the best of his ability and in accordance with the regulations, all primary forest products he may be employed to scale.

Section 6

The present provision is as follows:

14(1) If a scaler

(a) neglects or refuses to comply with the provisions of this Act or the regulations, or

(b) is convicted of an offence under this Act,

the Minister, upon the advice of the Board, may cancel his license.

NOTES EXPLICATIVES

Article 1

Remplacement du mot «chairman» par le mot «chairperson».

Article 2

La disposition actuelle se lit comme suit:

4 Before entering on his duties, an examiner shall take an oath of office in the manner and form prescribed by regulation.

Article 3

La disposition actuelle se lit comme suit:

5 Members of the Board, other than those employed within the Department, shall be paid fees for their services, and shall be reimbursed for their expenses, in accordance with the regulations.

Article 4

La disposition actuelle se lit comme suit:

10(1) Where the Minister is satisfied that the services of a licensed scaler are not procurable he may issue a special license to a competent person authorizing him to scale primary forest products.

Article 5

La disposition actuelle se lit comme suit:

11 A scaler shall scale fairly and correctly, to the best of his ability and in accordance with the regulations, all primary forest products he may be employed to scale.

Article 6

La disposition actuelle se lit comme suit:

14(1) If a scaler

(a) neglects or refuses to comply with the provisions of this Act or the regulations, or

(b) is convicted of an offence under this Act,

the Minister, upon the advice of the Board, may cancel his license.

Section 7

The present provision is as follows:

19 The Lieutenant-Governor in Council may make regulations...

(d) prescribing fees for services, and providing for reimbursement of expenses, with respect to members of the Board;

Article 7

La disposition actuelle se lit comme suit:

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(d) prescribing fees for services, and providing for reimbursement of expenses, with respect to members of the Board;