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November 14, 2012

To: Law Amendments

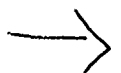
In reference to Bill 112 amendments to the Municipal Government Act and Halifax Regional Municipality Charter, I wish to use this opportunity as a private citizen and a member of the Legislative Liaison Committee for Nova Scotia Land Surveyors to expand on some aspects of administrative law as created by Nova Scotia Legislation.

In regards to the Acts of Legislative Authority for many Professions in Nova Scotia, these Acts have a defined jurisdiction and authority to review and render decisions on particular matters of which are solely of public interests. In other words the Acts themselves are focused to act in the best interest of the public in regards to Common Law rules developed to protect the rights of individuals. These rules have been commonly known as **Natural Justice** and for lack of a detail explanation it can be considered “**fair play**” in regards to the rights of individuals and assistance to the courts.

In recent times the HRM has granted a broad exercise of uncontrolled authority to municipal officials, such as **Development Officers**, of whom on many occasions from my experiences of 25 years as Professional Engineer and Nova Scotia Land Surveyor have interfered with the legislative roles and responsibilities of others and/or have interfered with the process of Natural Justice.

The Municipal Development Officers Association of Nova Scotia, (MDOANS), **have not been formed by an Act of Legislative Authority** and as such in regards to public law MDOANS is an association or administration that is created **without Statute Law** and therefore are unregulated. Such an association then is exercising undue influence and **expenses for the taxpayers of Nova Scotia** more particularly to HRM in regards to what they claim to be the interpretations or administering existing legislations per mandate 1(f) below.

1(f) to work with government and other agencies in identifying problems in administering existing legislation and promoting necessary amendments. (MDOANS)



As such, MDOANS has no **Legislative Authority** to make interpretations as required to administer existing legislation. Administrative Law is a division of law afforded by the Legislature to specific Professional authorities of which existence is in the public interest in and for the Province of Nova Scotia.

This act, (MGA), must clarify the roles and responsibilities of the Auditor General of HRM to ensure complete accountability, compliance and transparency in decisions made on and behalf of the laws, regulations and by-laws that are accountable to the Province of Nova Scotia.

In closing, I thank all Honourable Members of the Legislature for their attention to the concerns that I have raised on behalf of myself, my colleagues and all other Nova Scotians.

Should you have any further questions or comments please feel free to contact me at your convenience.

Yours truly

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