

From: [REDACTED]
Sent: September 23, 2018 8:18 PM
To: Office of the Legislative Counsel
Subject: Submission regarding Bill 32 The body Armour control act

To whom it may concern:

My name is Doug Stallard from Stewiacke NS

I wish to submit if I might my concerns regarding the Bill 32, The Body Armor act.

Firstly The definition regarding stopping piercing is problematic .Re 3a ii in that firstly most modern motorcycle jackets for example are Ballistic material to stop a piercing object and a vague definition may give an issue as jacket materials evolve as fast as they did thus far.

Not being required by any act or law or regulation, these commonly acquired jackets could incorrectly be classed as Armour. My jacket as an example <https://www.klim.com/Badlands-Pro-Jacket-4052-002?quantity=1> Note the word armour mentioned and these type jackets are designed to stop piercings. and have plating everywhere in them now a days and most jackets are made out on Ballistic nylon or kevlar. you can even buy jeans with kevlar in them I understand. and like a home user of chain saw Kevlar pants, we arent mentioned in the act.

Additionally input from personal experience and some postings I saw on the subject by a well versed firearms lawyer in Alberta on this act. ian@ianrunkle.com, 780-710-2584 who could expound on the issue also.

Secondly People who wear heavy gear such as football equipment could theoretically be criminalized or paintball players or goalies and on and on whom use armor of some types, none are per any OSH reg but surely are worn out of pure safety, yet the act fails to mention them for courts to have clarity. Even commercial and at home craftsmen use armor facemasks or aprons to protect them selves. I can tell you also as a someone who works in aviation, Helicopter pilots use them as a protective seat cushion at times. there was one vest we used (average employees arent mentioned in the act on a casual need basis is it?) that pilots had under the seat during hunting or spraying season etc as hunters being observed overhead might take a shot at the pilots. these folks arent covered.(literally and figuratively)just the conservation officer.and you can bet they have sat on one as well as wearing one up there during hunting season .

I can tell you also, that mechanics and racers have used outdated and surplus (yes they are time lifed) vests to lay over operating engines transmissions or hydraulic components when operating them. Racers used to lay them on the floor in case a transmission under their feet blew up, Fishermen even tossed them over and under a transmission just because someday it might help if a transmission blew up.They called it cheap insurance, yet this law fails to carve out some allowance for people trying to be simply safe out there.

Indeed, taxi drivers who have been attacked would be criminals if they tried to own one for safety. yet someone carrying a bag of money, well wear two if you like, Your covered here , The average Joe or Jane, not a chance. just Bonne Chance as it were.

People setting up fireworks displays as well, have used body armor trying to be safe, now they will be criminals.and with little clarity again, judges and the Crown will have issues as only those covered under an act are allowed. The common folk we are on our own. Would even a Sears catalog put under your sweater when playing nets in street hockey be considered a criminal even, thats what we had as kids, as a catalog would surely stop a small bullet or a knife wouldnt it as I'm sure if someone wanted to make a case.

The narrow definitions laid out here fail to capture just these few thing one quickly thinks of, and the list could be endless. Even community support workers who might want one are not permitted as of now they dont have the ability under this act to make a personal safety choice. Section S7 of the Charter guarantees the security of the person, so one might submit that a Charter case would be made for the constitutionality of an act that criminalizes one for just trying to do just that. there is no pressing case I know of regarding public safety that I'm aware of in the province and I'm sure a defense lawyer would be pointing just that out as well.

Target shooters as well, buy and wear new and outdated (cheaper but still good) armour so they can practice and participate at military type shoots here and across the country and internationally (are not covered under this act), or just to be bystanders or umpires at shoots arent exempt .

Once again one is now a criminal just trying to be safe. I hear that even used and surplus kevlar backpacks are popular among high school students. Kevlar being a material designed to stop piercings of any type are not exempt under this Bill, So are about to be banned. What about body braces? they have steel plating and are prescribed not by an this act, but by a Doctor. yet the courts will need to struggle on the act as they are not mind readers. Someone just owning one for when they run a power saw at home as they are cheap at the surplus store are now about to be criminals.

Respectfully submitted

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