

PETITION FOR JUSTICE # 2 APRIL 23/2012

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 April 2012

AGGREGATE EXTRACTION

Mr. Toby Barrett: I have signatures on a petition for justice and MNR compliance to OMB and ARA legislation [*inaudible*] from Nichols Gravel Ltd.

“To the Legislative Assembly of Ontario:

“Whereas officials of MNR Aylmer district April 1, 2003, illegally imposed on licence 103717 without legislative or delegated authority preconditions to be completed prior to operation of the quarry, which in fact were impossible to complete without quarry operations, and then used ARA legislation to revoke the licence for non-compliance, when to this date no ‘operational licence’ has yet been delivered to Nichols Gravel Ltd. under direction of OMB order 1194;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“For an order to the Ministry of Natural Resources and the Ministry of the Attorney General to comply with the legislation of the Aggregate Resources Act, OMB Act 86(1), to Superior Court judgment order July 23, 2007, to OMB order 1194, and the court (June 15, 2006 judicial review declaratory order to attachment ‘A’ to conditions of licence 103717) to which these two ministries and the Ontario Legislature remain in contempt of court for failure to respond to a petition of April 21, 2009, P-23, which previously identified this legislation and court orders;

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“And a further order to request the RCMP to investigate the Ministry of Natural Resources and the Ministry of the Attorney General for conspiracy to restrict competition, contrary to the federal Combines Act, s. 45(c), abuse of discretionary authority to obstruction of justice through numerous withdrawals of criminal charges to the continued enforcement of the illegal revoke of licence 103717 based on preoperational conditions not directed at OMB order 1194 or licence 103717.

“Reference: www.injusticecanada.com, miscarriage of justice series 1 to 10.”

I affix my signature to these other signatures.

NON RESPONSE PETITION FOR JUSTICE #2 AUG 27/2012

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MNR450CPR-2012-750

Sessional Paper No. P-103

Petition relating to Nichols Gravel Limited (Sessional Paper No. P - 103 Mr. Barrett (Tabled April 23, 2012).

RESPONSE:

The Ministry of Natural Resources is concerned about any activity that could jeopardize our natural resources and potentially impact public safety. My ministry is also concerned about the impact an operation of this magnitude while operating without a licence could have on neighbouring groundwater supplies.

The Ministry of Natural Resources has been involved in proceedings against Nichols Gravel Ltd. and two of its Directors. In March 2003, a licence subject to a number of conditions ordered by the Ontario Municipal Board was issued by MNR to Nichols Gravel Ltd. In April 2003 the licence was suspended and in September 2004 the licence was revoked for failure of the licensee to address many of the conditions of the licence.

Proceedings under the *Aggregate Resources Act* remain ongoing against Nichols Gravel Ltd. and two of its Directors. As matters pertaining to these issues are currently before the courts, it would be inappropriate for me to comment further.

* THIS RESPONSE IS THE SAME WORD FOR WORD AS THE PREVIOUS RESPONSE OF JUNE 10/2009. PETITION # I. HOWEVER THIS MATTER IS NOT CURRENTLY BEFORE THE COURTS, AS THE COURTS PREVENTED THIS MATTER FROM PROCEEDING ON APPEAL. THIS HAS ALL RECENTLY BEEN CONFIRMED AS AN EXERCISE TO ENFORCEMENT OF FRAUD, AS THIS GOVERNMENT, THE MNR AND M.A.G. AS WELL AS THE COURTS ARE IN CONTRAVENTION OF THE RULE OF "STARE DESISIS" TO THE JUNE 15/2006 SUPERIOR COURT ORDERS NOT APPEALED OR COMPLIED WITH BY THIS GOVERNMENT AND ITS' MINISTRIES.

Hon. Michael Gravelle
Minister