



BILL NO. 243

Government Bill

*1st Session, 59th General Assembly
Nova Scotia
54 Elizabeth II, 2005*

**An Act to Amend Chapter 8
of the Acts of 1990,
the Emergency Measures Act,
and Chapter 376
of the Revised Statutes, 1989,
the Public Service Act**

CHAPTER 48
ACTS OF 2005

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 8, 2005**

The Honourable Ernest L. Fage
Minister responsible for the Emergency Measures Act

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 8
of the Acts of 1990,
the Emergency Measures Act,
and Chapter 376
of the Revised Statutes, 1989,
the Public Service Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 1 of Chapter 8 of the Acts of 1990, the *Emergency Measures Act*, is amended by striking out “*Measures*” in the first line and substituting “*Management*”.

2 Section 2 of Chapter 8 is amended by

(a) striking out clause (a);

(b) striking out clause (c) and substituting the following clause:

(c) “Emergency Management Office” means the Emergency Management Office established pursuant to the *Public Service Act*;

and

(c) striking out clause (g) and substituting the following clause:

(g) “Minister” means the Minister of Emergency Management;

3 Section 4 of Chapter 8 is repealed and the following Section substituted:

4 The Emergency Management Office has and shall exercise and perform such powers and duties as are vested in it by or under this Act and those assigned to it by the Minister.

4 (1) Clause 7(1)(a) of Chapter 8 is amended by

(a) adding “, a state of the United States of America” immediately after “municipality” in the second line; and

(b) adding “or the provision of emergency services” immediately after “plans” in the fourth line.

(2) Section 7 of Chapter 8 is further amended by adding immediately after subsection (1) the following subsection:

(1A) Subject to the regulations, a person sent to the Province under an agreement entered into under clause (a) of subsection (1), who holds a licence, certificate or permit respecting the person’s profession, trade or other qualifications from a jurisdiction that is a party to the agreement is deemed to be similarly qualified in the Province when providing assistance during a state of emergency or a state of local emergency.

5 (1) Subsection 25(1) of Chapter 8 is amended by adding immediately after clause (b) the following clause:

(ba) respecting the recognition of the professional, trade or other qualifications of persons sent to the Province by another jurisdiction under an agreement entered into under clause (a) of subsection (1) of Section 7 during a state of emergency or state of local emergency;

(2) Section 25 of Chapter 8 is further amended by adding immediately after subsection (2) the following subsections:

(3) An order or regulation made under this Act may be made retroactive to the date in the order or regulation.

(4) Notwithstanding the *Regulations Act*, an order or regulation made under this Act during a state of emergency or a state of local emergency comes into force immediately on the signing by the Governor in Council or by the person who makes it, unless some other time is stated as being the time when it comes into force.

6 Chapter 8 is further amended by

(a) striking out “measures” wherever it appears in Chapter 8 and substituting in each case “management”; and

(b) striking out “Measures Organization” wherever it appears in Chapter 8 and substituting in each case “Management Office”.

7 Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, is amended by adding immediately after Section 25L the following Section:

25M (1) There shall be an Emergency Management Office.

(2) The Governor in Council may assign to a member of the Executive Council responsibility for the Emergency Management Office.

(3) The Emergency Management Office shall be presided over by the Minister of Emergency Management who has the supervision, direction and control of all affairs and matters relating to the Office and who shall supervise the performance of the functions of the Office.

(4) The Governor in Council may appoint a person to be Chief Executive Officer of the Emergency Management Office who shall be paid such salary as the Governor in Council determines and who shall perform such duties as are from time to time prescribed by the Governor in Council.

(5) The Chief Executive Officer of the Emergency Management Office is a deputy head in accordance with the *Civil Service Act*.

(6) Such other officers and employees as are required for the purposes of the Emergency Management Office may be appointed pursuant to the *Civil Service Act* and that Act applies to those employees.

8 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
