



# **BILL NO. 158**

*Government Bill*

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

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## **An Act Respecting the Practice of Paramedicine**

CHAPTER 10  
ACTS OF 2005

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE  
MAY 19, 2005**

The Honourable Angus MacIsaac  
*Minister of Health*

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

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## **An Act Respecting the Practice of Paramedicine**

Be it enacted by the Governor and Assembly as follows:

- 1 This Act may be cited as the *Paramedics Act*.
- 2 In this Act,
  - (a) “College” means the College of Paramedics of Nova Scotia;
  - (b) “committee” includes a committee of the Council, an investigation committee or a hearing committee, as the context requires;
  - (c) “complaint” means any complaint, report or allegation in writing and signed by a person regarding the conduct, actions, competence, character, fitness, health or ability of a member, former member, professional corporation or the employees thereof, or any similar complaint, report or allegation initiated by the Registrar or referred pursuant to subsection 50(7);
  - (d) “Council” means the Council of the College;
  - (e) “court” means the Supreme Court of Nova Scotia;
  - (f) “disciplinary committee” means an investigation committee or a hearing committee;
  - (g) “disciplinary matter” means any matter involving an allegation of professional misconduct, conduct unbecoming a paramedic or professional incompetence including incompetence arising out of physical or mental incapacity;
  - (h) “hearing committee” means a hearing committee appointed pursuant to this Act;
  - (i) “investigation committee” means an investigation committee appointed pursuant to this Act;
  - (j) “licence” means a valid and subsisting licence issued pursuant to this Act;
  - (k) “member” means a member of the College whose name is on the Register and includes a person who holds a temporary licence or a temporary licence (paramedic education);
  - (l) “paramedic” means a person who is licensed to practise paramedicine under this Act;
  - (m) “practice of paramedicine” means the provision of health services, within the competencies of paramedics as prescribed pursuant to clause 21(2)(v), in co-ordination with physicians, nurses and other health care professionals;
  - (n) “prescribed” means prescribed by the regulations;
  - (o) “Provincial Medical Director” means the physician medical director responsible for emergency health services for the Province;

(p) “Register” means the Register of the College kept pursuant to this Act and includes, but is not limited to, the Record of Temporary Licences and the Record of Temporary Licences (Paramedic Education) under this Act;

(q) “registered” means registered pursuant to this Act;

(r) “Registrar” means the person holding the office of Registrar pursuant to this Act;

(s) “Registration Committee” means the committee appointed by Council that deals with the registration of members, temporary licences, temporary licences (paramedic education) and applicants for registration;

(t) “temporary licence” means a temporary licence approved pursuant to Section 23;

(u) “temporary licence (paramedic education)” means a temporary licence (paramedic education) approved pursuant to Section 24.

**3** The words “duly qualified paramedic”, “legally qualified paramedic”, “paramedic”, or any like words or expressions implying a person recognized by law as a paramedic or member of the paramedic profession in the Province, when used in any regulation, rule, order or by-law made pursuant to an Act of the Legislature enacted or made before, at or after the coming into force of this Act, or when used in any public document, includes a person registered in the Register.

**4 (1)** The College of Paramedics of Nova Scotia is hereby created and established as a body corporate.

**(2)** The College has perpetual succession and a common seal, with power to acquire, hold, lease, mortgage and otherwise dispose of real and personal property, and may sue and be sued.

**(3)** In order that the public interest may be served and protected, the objects of the College are to

(a) regulate the practice of paramedicine and govern its members in accordance with this Act and the regulations;

(b) establish, maintain and develop standards of knowledge and skill among its members;

(c) establish, maintain and develop standards of qualification and practice for the practice of paramedicine;

(d) establish, maintain and develop standards of professional ethics among its members; and

(e) administer this Act and perform such other duties and exercise such other powers as are imposed or conferred on the College by or under any Act.

**(4)** To more effectively carry out the objects and purpose of this Act, the College may

(a) examine applicants applying to be licensed;

- (b) issue or cause to be issued licences to persons who are qualified to practise paramedicine in accordance with this Act and the regulations;
- (c) establish and maintain all registers required to be kept pursuant to this Act and the regulations;
- (d) hear complaints against members and administer disciplinary procedures through the Council's investigation committees and discipline committees;
- (e) suspend, revoke, restrict or refuse to renew licences;
- (f) subject to the regulations, publicize disciplinary decisions at the discretion of a discipline committee;
- (g) review the operation of this Act and the regulations and make recommendations thereon;
- (h) perform such other tasks as are in keeping with the objects and purpose of this Act.

**5** In addition to any other power conferred by this or any other Act, the College may do such things as it considers appropriate to advance the objects of the College and, without limiting the generality of the foregoing, may

- (a) purchase, take in, lease, exchange, hire, construct and otherwise acquire and hold, sell, mortgage, hypothecate, lease out or otherwise deal with any real or personal property;
- (b) draw, make, accept, endorse, discount, execute, and issue promissory notes, bills of exchange, warrants and other negotiable and transferable instruments;
- (c) engage such agents and employees as it, from time to time, considers expedient;
- (d) establish and maintain such offices and agencies as it considers expedient;
- (e) invest and deal with any moneys and funds of the College that are not immediately required, in such manner as it considers expedient;
- (f) improve, manage, develop, exchange, dispose of, turn to account or otherwise deal with the real or personal property of the College;
- (g) borrow money for the use of the College on its credit, limit or increase the amount to be borrowed, issue bonds, debentures, debenture stock and other securities on the credit of the College and pledge or sell such securities for such sums or at such prices as it considers expedient;
- (h) do such things as are incidental or necessary to the exercise of the powers referred to in clauses (a) to (g).

**6 (1)** There shall be a Council of the College consisting of

- (a) eight members of the College
  - (i) appointed by the Governor in Council for the initial term of the Council, and
  - (ii) following the expiration of the initial term, elected by the College,

representing the geographical districts and each of the categories of paramedics, as prescribed;

(b) the Provincial Medical Director, appointed by the Governor in Council, who is a member for the initial term of the Council;

(c) four persons appointed by the Governor in Council, all of whom are persons who

(i) are not members of the College,

(ii) have shown an interest in serving on the Council, and

(iii) at least two of whom do not have a background in a health profession;

(d) one member of the Council of the College of Registered Nurses of Nova Scotia, as recommended by that Council, appointed by the Governor in Council who is a member for the initial term of the Council; and

(e) one member of the Council of the College of Physicians and Surgeons of Nova Scotia, as recommended by that Council, appointed by the Governor in Council who is a member for the initial term of the Council.

(2) Subject to subsection (3), the term of a member of the Council is three years.

(3) The terms of office of members of the Council upon the first appointment of members of the Council are

(a) one year for two members of the College;

(b) two years for three members of the College;

(c) three years for three members of the College;

(d) two years for two people who are not members of the College;

(e) three years for two people who are not members of the College;

(f) three years for the Provincial Medical Director; and

(g) two years for each of the members appointed pursuant to clauses (1)(d) and (e).

(4) Notwithstanding anything contained in this Section, persons appointed by the Governor in Council hold office until such time their successors are appointed, even if such appointment does not occur until after their specified term of office has otherwise expired.

(5) No person may be a member of the Council for more than two consecutive terms.

(6) In this Section, “consecutive” means that thirty-six months or fewer have occurred between the end of one term and the commencement of the next.

7 (1) In this Section, “consecutive” means that twelve months or fewer have occurred between the end of one term and the commencement of the next.

(2) The Council shall elect annually from its members a President and a Vice-president but no person may be elected President or Vice-president for more than two consecutive terms.

(3) The Council shall appoint a Registrar, who must be a paramedic as defined by the regulations for the purpose of this subsection and holds office during the pleasure of the Council at such salary or other remuneration as the Council determines.

(4) The Council may appoint such other officers, agents or employees at such salary or other remuneration, and for such term of office, as the Council considers necessary to assist it in carrying out its duties pursuant to this Act.

(5) Where an officer of the Council resigns or otherwise ceases to hold office before the expiration of the officer's term, the Council shall elect or appoint, as the case may be, a person from among its members to hold such office for the balance of the unexpired term.

**8** (1) Only members of the College who practise paramedicine in the Province are eligible to vote in an election of the Council.

(2) Every member in good standing is eligible to be nominated as and vote for a candidate for membership on the Council.

**9** The Council may make regulations governing elections of members of the Council and in those regulations may

- (a) provide for the procedure for the nomination of candidates;
- (b) prescribe the number of members of the Council to be elected from each paramedic category;
- (c) provide for the appointment or designation of presiding officers for the election;
- (d) prescribe the forms to be used;
- (e) prescribe the procedure to be used for the holding of the elections and for determining the persons elected as members of the Council.

**10** Members of the Council must be elected by secret ballot.

**11** The ballots used at an election must not be destroyed until all petitions pursuant to Section 12 in respect of the election have been decided and, until that time, must be retained by the Registrar together with all other papers in connection with the election.

**12** (1) A person may petition the Council against the election of a person to the Council by filing a petition with the Registrar within fifteen days after the election.

(2) The petitioner shall state in the petition the grounds on which the election is disputed.

(3) The petitioner shall serve a copy of the petition upon the person whose election is disputed.

(4) Where a petition is filed with the Registrar pursuant to subsection (1), the Council shall hold an inquiry and, where

(a) the election is found to have been conducted contrary to this Act or the regulations made pursuant to Section 9; or

(b) the person is found not to be eligible to be nominated as a candidate for membership on the Council,

shall order that a new election be held.

**13 (1) The Registrar**

(a) in case of failure in an election to elect the required number of duly qualified members of the Council; or

(b) in case of a vacancy occurring from the death or resignation of a member of the Council or from any other cause,

shall cause an election to be held, within sixty days of the vacancy or failed election, for the purpose of filling the vacancy.

(2) Notwithstanding subsection (1), where a vacancy occurs for any reason within six months before the date of an election of members of the Council, the vacancy must be filled at such election.

(3) Where an election is held pursuant to subsection (1) to fill a vacant Council position, the term of office for the vacant Council position is the remainder of the unexpired term of such position.

(4) A vacancy on the Council does not impair the right of the remaining members to act.

**14 (1) A member of the Council appointed or elected pursuant to clause 6(1)(a) ceases to hold office if**

(a) the member resigns by notice in writing delivered to the Registrar;

(b) the member ceases to practise paramedicine in the district for which the member was appointed or elected; or

(c) the member ceases to be a member in good standing of the College.

(2) Where a member of the Council fails to attend, in any twelve month period, at least seventy-five per cent of the Council meetings or meetings of committees of which the member is a member, without reasonable excuse, the President of the Council may, subject to subsection (3) and upon written notice to that member, revoke that member's membership on the Council or the committee, as the case may be.

(3) In the case of an appointment made pursuant to clause 6(1)(c), the President may only request that the Governor in Council revoke the appointment of the member in question.

**15 (1)** There shall be an annual meeting of the College at such time and place as the Council determines.

**(2)** A resolution in writing, in one or more counterparts of a resolution, signed by two thirds of all members of the College entitled to vote on a resolution at a meeting of the College is as valid and effective as if duly passed at a meeting of the members of the College.

**(3)** An annual report must be distributed at or before the annual meeting for review by the membership, and must include a report by an auditor.

**(4)** Auditors must be recommended by the Council but are subject to the approval of the College at the annual meeting.

**16** The Council shall meet at least four times in each calendar year at such time and place as the Council determines.

**17** Where ten per cent of the membership of the College request in writing, whether by petition or otherwise, that a special general meeting be held, the Council shall hold such meeting within fifteen working days of determining that ten per cent of the members have requested such a meeting.

**18** Except in the event of an equal number of votes being given for and against a resolution at any meeting, the President or other presiding officer may not vote.

**19** The Council may appoint annually such committees from among members of the Council or the College as the Council considers necessary to assist it in carrying out its duties pursuant to this Act.

**20 (1)** Subject to subsection (2), the President shall preside at all meetings of the Council and of the College.

**(2)** Where the President is absent from a meeting, the Vice-president or, in the Vice-president's absence, some other member of the Council chosen by the members present shall preside at the meeting.

**21 (1)** The Council shall, subject to this Act, govern, control and administer the affairs of the College and, without limiting the generality of the foregoing, may make regulations

(a) providing for the management of the College, including the keeping of the registers to be kept pursuant to this Act;

(b) providing for the holding of meetings of the College or the Council, and the conduct of such meetings;

(c) fixing the time and place for regular meetings of Council, determining by whom meetings may be called, regulating the conduct of meetings, providing for emergency meetings and regulating the notice required in respect of meetings;

(d) providing for the appointment of such committees as the Council may deem expedient;

(e) respecting the composition, powers and duties of such committees as may be appointed by the Council, and providing for the holding and conduct of meetings of such committees;

(f) respecting the powers, duties and qualifications of the Registrar and the officers, agents and employees of the College;

(g) prescribing fees payable pursuant to this Act by applicants and members of the College and the collection of those fees and, where the Council deems it advisable, designating different classes of applicants and members and prescribing different fees for different classes;

(h) prescribing the fees and expenses payable to members of the Council and committees, and providing for the payment of necessary expenses of the Council and committees;

(i) respecting examinations as prerequisites to registration;

(j) respecting the schedule for the members' registration;

(k) prescribing the seal of the College;

(l) providing for the execution of documents by the College;

(m) prescribing forms and providing for their use;

(n) providing procedures consistent with this Act for the making, amending and revoking of regulations;

(o) respecting the information to be included in the Register, the Record of Temporary Licences and the Record of Temporary Licences (Paramedic Education);

(p) providing for the division of the Province into paramedic geographical districts for the appointment or election of members of the Council pursuant to clause 6(1)(a);

(q) for the purpose of clause 6(1)(a), providing the number of members to be appointed or elected from each category of paramedics and paramedic geographical districts;

(r) determining the procedure to be followed at hearings by a hearing committee;

(s) subject to approval by the College at an annual or special meeting, prescribing a code of ethics;

(t) respecting all other things necessary for the administration of the affairs of the College.

**(2)** The Council may, with the approval of the Governor in Council, make regulations

(a) respecting the registration and licensing of members, but not including the scheduling of a member's registration;

(b) respecting the educational qualifications of applicants for registration as members;

(c) respecting the recognition of paramedic schools;

(d) respecting the qualifications required for registration in the Record of Temporary Licences and the Record of Temporary Licences (Paramedic Education);

(e) respecting the conditions for which temporary licences and temporary licences (paramedic education) may be issued;

(f) respecting a continuing competency program, and requiring members to participate in any such program, and providing for any other matter that will facilitate or give effect to such program;

(g) respecting the disciplining of members;

(h) respecting the limiting or qualifying of a member's licence including, but not limited to, procedures and interventions;

(i) respecting the revocation or suspension of licences issued pursuant to this Act and the re-instatement of such licences and allowing for conditions, limitations or restrictions to be attached to a re-instated licence;

(j) respecting the exemption of a member from the requirements of Section 35;

(k) prescribing the period from which a member can be absent from the Province pursuant to Section 35;

(l) respecting the reporting and publication of decisions in disciplinary matters;

(m) regulating, controlling and prohibiting the use of terms, titles or designations by members or groups or associations of members, in respect of the practice of those members;

(n) prescribing the records and accounts to be kept by members with respect to a member's practice, and providing for the production, inspection and examination of such records and accounts;

(o) providing that the licence of a member be suspended without notice or investigation upon contravention of any regulation that requires the member to pay a fee, file a document or do any other act by a specified or ascertainable date, and providing for the re-instatement of a registration so suspended;

(p) notwithstanding subsection 6(1), changing the number and characteristics of appointments to the Council;

(q) governing elections of members of the Council pursuant to Section 9;

(r) subject to subsection 36(2), respecting the supervision of paramedic acts and pertinent consultation with other health professions;

(s) determining the procedure to be followed by a hearing committee;

(t) prescribing the type of professional liability insurance or other form of malpractice coverage a member must hold;

(u) providing for the categories of paramedics;

(v) providing for essential competencies for the practice of paramedicine;

(w) defining any word or expression used but not defined in this Act;

(x) further defining any word or expression defined in this Act;

(y) respecting and governing such other subjects, matters and things as may be required to give effect to the objects of the College and this Act.

(3) The regulations of the College must be available for inspection by any person, free of charge, at the head office of the College at all reasonable times during business hours.

(4) A certificate purporting to be signed by the Registrar stating that a certain regulation of the College was, on a specified day or during a specified period, a duly enacted regulation of the College in full force and effect constitutes *prima facie* evidence in any court of that fact without proof that the person who signed it is the Registrar or that it is the Registrar's signature.

(5) Until such time as the Council of the College is established in accordance with subsection 6(1), the Minister of Health is vested with the regulation-making authority in subsection (1) and, with the approval of the Governor in Council, subsection (2).

(6) A member of the Council, or of a committee of the Council or of the College, may participate in any meeting of the Council or committee of the Council or of the College, with the exception of a hearing committee when it is conducting a hearing, as the case may be, by telephone or other communications facilities that permit all persons participating in a meeting to communicate with each other, and a member participating in a meeting by such means is deemed to be present at the meeting.

(7) A meeting of the Council, or of a committee of the Council, with the exception of a hearing committee when it is conducting a hearing, or of the College, may be held by conference telephone call or other communications facilities that permit all persons participating in the meeting to communicate with each other, and all members participating in the meeting by such means are deemed to have been present at the meeting.

**22** (1) The Council shall keep a Register and shall, upon payment of the prescribed fee, cause to be entered in the Register the name of every person who qualifies for registration according to this Act and the regulations.

(2) The Council shall cause to be maintained separate classes of licensing and, following entry of a member's name in the Register, shall maintain data respecting the names of the persons recorded in each class.

(3) The Council shall direct the Registrar to issue a licence and to enter in the Register the name, address, qualifications and any other pertinent information of any person who

(a) holds a paramedic certificate, diploma or degree from a paramedic school as prescribed;

(b) has completed a program, if necessary, of pre-registration paramedic training satisfactory to the Council;

(c) satisfies the Council that the person possesses the qualifications required in the regulations for registration in the Register;

(d) satisfies the Council that the person holds the prescribed professional liability insurance or other form of malpractice insurance;

(e) complies with this Act and the regulations and any conditions imposed by the Registrar or the Council; and

(f) complies with Section 27.

**(4)** Upon receiving a direction from Council pursuant to subsection (3), the Registrar shall

(a) enter the name, address and qualifications of the person named therein in the Register; and

(b) issue a licence to the person.

**23 (1)** Where a person

(a) fails to meet the requirements or conditions for a licence to practise paramedicine as prescribed by this Act and the regulations; or

(b) is licensed to practise paramedicine in another jurisdiction and it is otherwise impractical to issue a licence to practise paramedicine,

the Council, upon payment of the prescribed fee, may approve, with or without limitations, or refuse an application for a temporary licence and shall notify the applicant accordingly.

**(2)** A temporary licence approved pursuant to subsection (1) is

(a) for a specified period of time, not to exceed twelve months in total; and

(b) subject to any restriction on the practice of paramedicine in which the person so registered may engage.

**(3)** The College shall maintain a Record of Temporary Licences.

**24 (1)** Notwithstanding Section 23, where a person

(a) is engaged in a program of pre-registration paramedic training acceptable to the Council; or

(b) holds a paramedic degree, diploma or certificate from a paramedic school approved by the Council and is engaged in a program of post-graduate training acceptable to the Council and it is otherwise impractical to register the applicant to practise paramedicine,

the Council, upon payment of the prescribed fee, may approve, with or without limitations, or refuse an application for a temporary licence (paramedic education) and shall notify the applicant accordingly.

**(2)** A temporary licence (paramedic education) approved pursuant to subsection (1) is

(a) for a specified period of time, not to exceed twelve months in total; and

(b) subject to any restriction on the practice of paramedicine in which the person so registered may engage.

(3) The College shall maintain a Record of Temporary Licences (Paramedic Education).

(4) The Registrar may strike the name of any person from the Record of Temporary Licences (Paramedic Education) who

- (a) ceases to be engaged in a program of pre-registration paramedic training or post-graduate training; or
- (b) has been registered in the Register or the Record of Temporary Licences.

**25** (1) Where a temporary licence is refused pursuant to Section 23 or 24, the person refused the temporary licence may, by written notice, appeal the refusal to the Registration Committee within thirty days of notification of the refusal.

(2) The Registrar shall give to an applicant who is refused registration written reasons for the refusal and the applicant may, by written notice, appeal that decision to the Registration Committee within thirty days of receipt of the written reasons.

(3) Upon receipt of an appeal pursuant to subsection (1) or (2) or subsection 26(1), the Registration Committee shall

- (a) set a date for a hearing of the appeal, which is not later than sixty days following receipt of the written notice of appeal;
- (b) serve written notice of the date, time and place for the hearing of the appeal upon the applicant and the Registrar; and
- (c) advise the applicant of the applicants' right to
  - (i) be represented by legal counsel or another representative at the expense of the applicant,
  - (ii) disclosure of any information to be provided to the Committee, and
  - (iii) a reasonable opportunity to present a response and make submissions to the Committee.

(4) Evidence is not admissible before the Registration Committee unless, at least ten days before the appeal, the opposing party has been given

- (a) in the case of written or documentary evidence, an opportunity to examine the evidence;
- (b) in the case of evidence of an expert, a copy of the expert's written report or, where there is no written report, a written summary of the evidence; and
- (c) in the case of evidence of any other witness, the identity of the witness.

(5) Notwithstanding subsection (4), the Registration Committee may, in its discretion, allow the introduction of evidence that is otherwise inadmissible under subsection (4) and may make directions it considers necessary to ensure that a party is not prejudiced.

(6) The Registration Committee, in accordance with the information it receives, may, when hearing an appeal, make any determination that, in its opinion, ought to have been made by the Registrar.

(7) The Registration Committee shall give its decision in writing and send to the applicant a copy of the written decision by registered mail or personal service.

**26 (1)** Notwithstanding anything contained in this Act, where any person has been convicted or found guilty, by a court in or out of Canada, of any offence that is inconsistent with the proper professional behaviour of a paramedic, including a conviction under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada), for which a pardon has not been granted and such person applies for registration, the Registrar may refuse to register such person, but the Registration Committee may at any time permit such person to be registered or to remain registered upon such terms and conditions as the Committee may direct following an appeal to the Committee.

(2) Upon application for registration or a licence, an applicant shall advise the Registrar, in writing, of any convictions referred to in subsection (1).

(3) A paramedic or a person holding a temporary licence or a temporary licence (paramedic education) who is convicted of an offence referred to in subsection (1) shall advise the Registrar, in writing, of the conviction within thirty days of the conviction being entered.

**27** Any person who applies for registration pursuant to this Act shall

- (a) apply in the prescribed manner;
- (b) satisfy the Council that the applicant is the person named in any diploma or documentation submitted in support of the application;
- (c) provide proof of insurance as prescribed by the regulations;
- (d) satisfy the Council that the applicant is of good character;
- (e) provide such information as the Council may require; and
- (f) pay the prescribed fee.

**28** A member of the College who changes address shall promptly inform the Registrar, who shall enter the change in the Register.

**29 (1)** Every member shall pay to the Registrar, or such person as the Registrar may designate,

- (a) at the time that the member is registered; and
  - (b) on or before a date or dates prescribed by Council in every year thereafter,
- the registration fee determined by Council.

(2) The registration of any member who fails to pay fees as required by subsection (1) or who fails to comply within the prescribed period with any continuing compe-

tenency requirements established in the regulations shall be suspended in accordance with the prescribed procedure.

(3) The Registrar shall forthwith notify, in writing, any person whose registration has been suspended pursuant to this Section.

(4) Where the registration of a member has been suspended pursuant to subsection (2) or there has been non-compliance with continuing competency requirements, or in any other case where the registration of a registered person has expired or lapsed pursuant to this Act for nonpayment of fees, such person may apply to the Registrar for re-registration.

(5) Where a person referred to in subsection (4) satisfies the Registrar

(a) as to the person's intention to practise paramedicine in the Province;

(b) as to the person's activities since the date of the suspension or expiry or lapsing of the person's licence;

(c) that the person has maintained and possesses an appropriate level of paramedic skill and knowledge;

(d) as to the person's good standing in all jurisdictions in which the person has practised paramedicine since the date of the suspension or expiry or lapsing of the person's licence; and

(e) that the person has paid all fees or any other amount owing to the College and such administrative fees as may be prescribed,

the Registrar may issue a licence to the person.

(6) Where the Registrar is not satisfied with the evidence presented pursuant to subsection (5), the Registrar

(a) may; or

(b) where the applicant so requests in writing, shall,

refer the matter to the Registration Committee.

(7) Upon a referral pursuant to subsection (6), the Registration Committee, in consultation with the Registrar, shall consider the eligibility of the application and may make such inquiries or demand such further information as the Committee sees fit, and the Committee shall consider the application in accordance with this Act.

(8) Where a person requests the opportunity to appear before the Registration Committee, the request must be granted within thirty days of receipt of the request and the person may appear with legal counsel.

(9) Where the registration or licensing of a person is refused pursuant to subsection (7), the person may, within thirty days of such refusal, request the opportunity to appear before the next scheduled meeting of the Council, with or without legal counsel, where the Council shall consider the application in accordance with this Act.

**(10)** No member of the Council who has already considered the application may participate in the Council's consideration of the application.

**(11)** After hearing the applicant and the Registrar, the Council may

- (a) direct the Registrar to issue a licence to the applicant;
- (b) direct the Registrar to issue to the applicant a licence subject to such conditions, limitations or restrictions as the Council considers appropriate;
- (c) adjourn further consideration of the application, pending completion by the applicant of such training, upgrading, clinical examinations or other examinations as the Council may designate; or
- (d) direct the Registrar to refuse the application where the Council is not satisfied that the applicant meets the criteria set out in subsection (5).

**30** Every licence issued pursuant to subsection 29(5) or (11) is subject to any conditions, limitations or restrictions contained in the licence that had expired, lapsed or been suspended pursuant to subsection 29(2), unless the Council orders otherwise.

**31** The Registrar shall, in each year, cause to be published in the manner prescribed a list that includes the names of those persons listed in the Register.

**32** The licence of a member may only be surrendered by the member after notice in writing to the Council and with the consent of the Council.

**33** Where a person ceases to be a member or ceases to be registered for any reason, such person remains subject to the jurisdiction of the College in respect of any disciplinary matter arising out of the person's conduct while a member or while registered.

**34 (1)** A person licenced pursuant to this Act who practises paramedicine in violation of any condition or limitation contained in the person's registration is guilty of an offence.

**(2)** A person who practises paramedicine

- (a) while the person's licence is suspended or revoked; or
- (b) without a licence,

is guilty of an offence.

**35** A member of the College who leaves the Province and practises paramedicine on the member's return to the Province before providing the Registrar with a certificate of good standing from all jurisdictions in which the member had practised during such absence, is guilty of an offence.

**36 (1)** Except as provided in this Act and the regulations, no person, other than a paramedic who holds a licence, shall

- (a) publicly or privately, for hire, gain or hope of reward, practise or offer to practise paramedicine;

(b) hold himself or herself out in any way to be entitled to practise paramedicine; or

(c) assume any title or description implying or designed to lead the public to believe that that person is entitled to practise paramedicine.

(2) A paramedic may only practise paramedicine under the direct or indirect supervision of a duly qualified medical practitioner.

**37** Nothing in this Act applies to or prevents

(a) a paramedic entitled to practise paramedicine in any other province of Canada or country, from consulting in the Province with a paramedic who is registered;

(b) the domestic administration of family remedies;

(c) the practice of the religious tenets or general beliefs of any religious organization;

(d) the furnishing of first aid or emergency assistance in the case of emergency, if such aid or assistance is given without hire, gain or hope of reward;

(e) the practice of nursing by a person registered pursuant to the *Registered Nurses Act*;

(f) the practice of nursing by a person registered pursuant to the *Licensed Practical Nurses Act*; or

(g) the practise of medicine by a person registered pursuant to the *Medical Act*.

**38** A person who knowingly furnishes false information in any application pursuant to this Act or in any statement or return required to be furnished pursuant to this Act or the regulations is guilty of an offence.

**39** (1) In a prosecution for an offence contrary to this Act or the regulations, the onus of proof that a person accused of an offence has the right to practise paramedicine, or that a person comes within any of the exemptions provided by this Act, is on the person accused.

(2) Where a violation of this Act or the regulations by a person who does not have the right to practise paramedicine continues for more than one day, the offender is guilty of a separate offence for each day that the violation continues.

(3) For the purpose of this Act, proof of the performance of one act in the practice of paramedicine on one occasion is sufficient to establish that a person has engaged in the practice of paramedicine.

**40** A person who violates

(a) this Act; or

(b) any regulation pertaining to this Act,

is guilty of an offence, and the *Summary Proceedings Act* applies in addition to any penalty otherwise provided for in this Act or the regulations.

**41** All fines and penalties payable under this Act as a result of a prosecution by or on behalf of the College belong to the College.

**42** Any information to be laid pursuant to this Act may be laid by the Registrar or any member of the College authorized by the Council, with the consent of the Minister of Health.

**43 (1)** In the event of a threatened or continuing violation of this Act or the regulations, the College may apply to a judge for an injunction to restrain the person from continuing or committing the violation and the judge, where the judge deems it to be just, may grant such an injunction.

**(2)** A judge may, on application, grant an interim injunction pending the hearing of an application for an injunction pursuant to subsection (1) if the judge is satisfied that there is reason to believe that a person is likely to commit or is continuing to commit a violation of this Act or the regulations.

**(3)** A judge may make such orders as to costs as the judge considers appropriate in any proceedings pursuant to this Section.

**44** Complaints may be initiated by

- (a) the Registrar; or
- (b) any other person.

**45** The College or a disciplinary committee may employ, at the expense of the College, such legal or other assistance as it considers necessary for the purpose of the investigation of any disciplinary matter.

**46** Every person involved in the administration of this Act and any member of the Council, or a committee of the Council or the College, shall maintain confidentiality with respect to all health information that comes to that person's knowledge regarding clients except

- (a) in connection with the administration of Sections 44 to 65, and the regulations or proceedings thereunder;
- (b) to that person's own legal counsel;
- (c) as otherwise required by law; or
- (d) with the consent of the person to whom the information relates.

**47** A person or disciplinary committee investigating a disciplinary matter concerning a member may investigate any other disciplinary matter concerning the member that arises in the course of the investigation.

**48 (1)** Where a disciplinary committee

- (a) learns that the registration or licence of a member has been suspended or revoked for reasons of professional misconduct, conduct unbecoming a paramedic or professional incompetence by another regulatory authority;

(b) has provided the member with such notice as it may prescribe of a hearing, together with a copy of the relevant decision of the other regulatory authority; and

(c) has heard such evidence as is offered by the member, if any, at the hearing as to why the member should not be subject to disciplinary action,

the disciplinary committee may take any of the actions contemplated by clause 65(2)(e).

(2) Where a member has been convicted of an offence pursuant to the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) or has been convicted of an offence referred to in subsection 26(1), a disciplinary committee may, by such notice as it prescribes, require the member to attend a hearing to establish why the member should not be subject to disciplinary action.

(3) For the purpose of subsection (2), a certificate of conviction of a member is conclusive evidence that a person has committed the offence stated therein unless it is shown by the member that the conviction has been quashed or set aside.

(4) When a disciplinary committee is conducting a hearing pursuant to this Section, it may, if it deems proper, take any of the actions contemplated by clause 65(2)(e).

**49** The Registrar may not be a member of any disciplinary committee.

**50** (1) The Council shall appoint a committee or committees each to be known as an investigation committee.

(2) An investigation committee must be composed of at least three persons.

(3) An investigation committee must

(a) have a chair appointed by the Council who is a member or former member of the Council;

(b) have as a member at least one person who is a member or former member of the Council and a member of the College; and

(c) have as a member at least one person who does not hold a certificate, diploma or degree in paramedicine or the equivalent, who may be a member or former member of the Council.

(4) Notwithstanding subsection (2), any two members of an investigation committee constitute a quorum.

(5) The Council may appoint additional members to an investigation committee who are members of the College but who need not be members or former members of the Council.

(6) An investigation committee shall

(a) investigate complaints regarding a disciplinary matter concerning any member of the College;

- (b) investigate any matter referred to the committee by the Registrar; and
- (c) perform such other duties as may be assigned to the committee by the Council.

(7) The Registrar may refer a matter to an investigation committee notwithstanding that a written complaint has not been filed with the Registrar or the College.

- (8) Without receipt of a written complaint, an investigation committee may
- (a) do all things necessary to provide a full and proper investigation; and
  - (b) appoint a person or persons to conduct an investigation audit or a practice audit, or both.

(9) Upon receipt of a written complaint and giving to the member a copy of the complaint, an investigation committee may require the member to

- (a) submit to physical or mental examinations by such qualified persons as the committee designates;
- (b) submit to an inspection or audit of the practice of the member by such qualified persons as the committee designates;
- (c) submit to such examinations as the committee directs to determine whether the member is competent to practise paramedicine;
- (d) produce records and accounts kept with respect to the member's practice.

(10) Where the member fails to comply with subsection (9), the investigation committee may suspend or restrict the registration or the licence, or both, of the member until the member complies.

(11) Where an investigation committee has, pursuant to clause (9)(a), (b) or (c), required a member to submit to physical or mental examinations or submit to inspection or audit of the member's practice by a qualified person designated by the committee, the committee shall deliver to the member any report it receives from that person.

(12) An investigation committee or person appointed to conduct an investigation pursuant to clause (8)(b) may

- (a) employ such other experts as the committee or person considers necessary;
- (b) require the member being investigated or any other member of the College who may have information relevant to the investigation to attend before the committee or the person conducting the investigation to be interviewed;
- (c) investigate any other matter relevant to the conduct, capacity or fitness of the member to practise paramedicine that arises in the course of the investigation.

(13) An investigation committee may

- (a) dismiss the complaint;
- (b) attempt to resolve the matter informally;

- (c) with the consent of both parties, refer the matter, in whole or in part, to mediation;
- (d) refer the matter, in whole or in part, to a hearing committee;
- (e) counsel the member;
- (f) caution the member;
- (g) counsel and caution the member;
- (h) reprimand the member with the member's consent; or
- (i) with the consent of the member, require the member to undergo such treatment or re-education as the committee considers necessary.

**(14)** Where an investigation committee is considering a decision to counsel, caution or counsel and caution a member pursuant to clause (13)(e), (f) or (g), the committee shall give notice to the member and the member must be given the opportunity to appear, with or without legal counsel, before the committee prior to the committee making a decision.

**(15)** A member who has consented to a requirement for treatment or re-education pursuant to subsection (13) may consent to such requirement in principle, while reserving the right to appeal the actual content of the requirement for treatment or re-education to a hearing committee within fifteen days of receiving notice thereof.

**(16)** A member who appeals pursuant to subsection (15) shall bear the member's costs of the appeal and the hearing committee may order the payment of costs in the manner prescribed in Section 65.

**(17)** An appeal pursuant to subsection (15) must be conducted without oral testimony and a hearing committee shall review an agreed statement of facts supplied by the legal counsel for the College and signed by the member.

**(18)** Where an agreed statement of facts is not filed within thirty days of filing the notice of appeal, the consent of the member is deemed to have been withdrawn and the matter referred back to the investigation committee which may consider other actions or dispositions as authorized by this Act.

**(19)** When making findings pursuant to clauses (13)(e), (f), (g), (h) or (i), an investigation committee may make any combination of the dispositions that are set out in those clauses, or the committee may make such other dispositions as it considers appropriate, in accordance with the objects of this Act.

**(20)** The member and the complainant must be advised in writing of the disposition of the investigation committee.

**51 (1)** Notwithstanding anything contained in this Act, where

- (a) an investigation committee receives information that indicates that a member may be professionally incompetent or guilty of professional misconduct or conduct unbecoming a paramedic; and

(b) the investigation committee concludes that it is in the public interest to suspend the member from practice or restrict the practice of the member,

the investigation committee may, without a hearing,

(c) immediately suspend the registration or licence, or both, of the member on a temporary basis; or

(d) immediately impose restrictions on the registration or licence, or both, of the member on a temporary basis.

(2) The member must be given forthwith notice in writing, with reasons, of a decision made pursuant to subsection (1).

(3) Subject to a determination pursuant to subsection (5), a decision pursuant to subsection (1) continues in force until final resolution by a hearing committee, which must occur without undue delay.

(4) The member who receives written notice pursuant to subsection (2) may request, in writing, an opportunity to meet with the investigation committee.

(5) Where a request is received pursuant to subsection (4), the investigation committee shall

(a) provide an opportunity for the member to meet with the committee within ten days of the written request; and

(b) after meeting with the member, confirm, vary or terminate the suspension or restrictions imposed pursuant to subsection (1).

**52** Notwithstanding anything contained in this Act, where a decision is made pursuant to subsection 51(1), subject to any disposition made pursuant to subsection 51(5), a hearing committee shall be appointed pursuant to subsection 56(1) to proceed with a hearing to determine whether the member is guilty of charges relating to a disciplinary matter.

**53** Notwithstanding that a member or members of an investigation committee or a hearing committee have ceased to hold office by reason of the lapse of the member's or members' appointments, such member or members are seized with the jurisdiction to complete any matter the committees have commenced if necessary to retain a quorum and, for this purpose, such member or members continue to have the same powers, privileges, immunities and duties as provided by this Act and the regulations.

**54 (1)** After an investigation committee refers a matter to a hearing committee pursuant to clause 50(13)(d), the member complained of may, at any time before the commencement of the hearing, forward to the investigation committee a proposed settlement agreement, in writing, consented to by legal counsel for the College that includes an admission of a disciplinary matter violation or violations and the member's consent to a specified disposition, conditional upon the acceptance of the agreement by a hearing committee.

(2) The investigation committee may, in its discretion, recommend or refuse to recommend acceptance of a proposed settlement agreement by the hearing committee.

(3) Where the investigation committee recommends the acceptance of a proposed settlement agreement, the committee shall instruct legal counsel for the College to advise the hearing committee hearing the complaint of its recommendation.

(4) Where the investigation committee refuses to recommend a proposed settlement agreement, the hearing shall proceed without reference to the proposed settlement agreement.

(5) Where the hearing committee appointed to hear the complaint accepts the recommendation of the investigation committee, the hearing committee shall confirm such acceptance by written decision that incorporates the settlement agreement.

(6) Where the hearing committee appointed to hear the complaint rejects the recommendation of the investigation committee

(a) the hearing committee shall advise the Registrar of its decision;

(b) the hearing committee shall proceed no further with the hearing of the complaint;

(c) a new hearing committee shall be appointed to hear the complaint and no member of the hearing committee that considered the proposed settlement agreement may be a member of the new committee; and

(d) the investigation committee retains jurisdiction over a complaint until the commencement of the hearing by a new hearing committee.

**55** The Registrar may request an investigation committee to investigate the activities of a non-member but the committee has no compulsory powers in relation to the investigation of the non-member, except that the committee may require a member who may have information relevant to the investigation to attend before the committee or the person conducting the investigation to be interviewed.

**56 (1)** A hearing committee must be appointed for the purpose of hearing any charges relating to a disciplinary matter against a member when a disciplinary matter is referred, in whole or in part, to a hearing committee.

(2) A hearing committee must be composed of at least three persons of whom one member must be appointed by the Council as the chair of the committee.

(3) The committee must be composed of

(a) at least one person who is not a registered paramedic, who is a member of the Council; and

(b) at least two members of the Council.

(4) Notwithstanding subsection (2), any two members of a hearing committee constitute a quorum.

(5) Subject to the regulations, the hearing committee may do all things necessary to provide a full and proper inquiry.

**(6)** In a matter over which a hearing committee has jurisdiction, the hearing committee and each member of the committee has all the powers, privileges and immunities of a commissioner appointed pursuant to the *Public Inquiries Act*.

- (7)** Upon the application of
- (a) any party to the hearing;
  - (b) the chair of the hearing committee; or
  - (c) legal counsel for the College or a hearing committee,

the Registrar shall sign and issue a summons to witness for the purpose of procuring the attendance and evidence of witnesses before the hearing committee.

**(8)** It is the duty of the member who is charged in a disciplinary matter to appear at the hearing but in the event of non-attendance by such member, the hearing committee, upon proof by affidavit, statutory declaration or other evidence acceptable to the hearing committee of service of the notice, pursuant to subsection (9), may proceed with the hearing and, without further notice to such member, render its decision and take such other action as it is authorized to take pursuant to this Act.

**(9)** Unless the member has agreed to a shorter notice period, a notice of hearing must be served at least thirty days before the holding of the hearing upon the member whose disciplinary matter is being heard.

**(10)** A notice of a hearing must state the details of the charges and the time and place of the hearing, and shall be signed by the Registrar.

**(11)** The College shall place the notice referred to in subsection (9) in such publications as it deems necessary in order to inform the public.

**57 (1)** The following evidence is not admissible before a hearing committee unless the opposing party has been given, at least ten days before the hearing

- (a) in the case of written or documentary evidence, an opportunity to examine the evidence;
- (b) in the case of evidence of an expert, a copy of the expert's written report or, where there is no written report, a written summary of the evidence; or
- (c) in the case of evidence of a witness, the identity of the witness.

**(2)** Notwithstanding subsection (1), a hearing committee may, in its discretion, allow the introduction of evidence that would be otherwise inadmissible under subsection (1) and may make such directions it considers necessary to ensure that a party is not prejudiced.

**58** No member of a hearing committee holding a hearing shall communicate outside the hearing, in relation to the subject-matter of the hearing, with a party or the party's representative unless the other party has been given notice of the subject-matter of the communication and an opportunity to be present during the communication, except for communications where the sole purpose is to make administrative arrangements.

**59** Where a hearing committee obtains expert opinion regarding paramedicine with respect to a hearing, it shall make the nature of the opinion known to the parties and the parties may make submissions with respect to the opinion.

**60 (1)** Subject to subsection (2), a hearing must be open to the public.

**(2)** A hearing committee may make an order that the public, in whole or in part, be excluded from a hearing or any part of it if the hearing committee is satisfied that

(a) matters involving public security may be disclosed;

(b) financial or personal or other matters may be disclosed at the hearing of such a nature that the desirability of avoiding public disclosure of those matters in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public; or

(c) the safety of a person may be jeopardized.

**(3)** Where it thinks fit, a hearing committee may make orders it considers necessary to prevent the public disclosure of matters disclosed at a hearing, including orders prohibiting publication or broadcasting of those matters.

**(4)** No order may be made under subsection (3) that prevents the publication of anything that is contained in the Register and available to the public.

**(5)** A hearing committee may make an order that the public be excluded from the part of a hearing dealing with a motion for an order pursuant to subsection (2).

**(6)** A hearing committee may make any order necessary to prevent the public disclosure of matters disclosed in a submission relating to any motion described in subsection (5), including prohibiting the publication or broadcasting of those matters.

**(7)** Subject to any orders pursuant to this Section, a hearing committee shall state, at the hearing, its reasons for any order made pursuant to this Section.

**61** Where a hearing committee makes an order pursuant to subsection 60(2), wholly or partly because of the desirability of avoiding disclosure of matters in the interest of a person affected,

(a) the committee shall allow the parties, the complainant and their legal and personal representatives; and

(b) the committee may allow such other persons as the committee considers appropriate,

to attend the hearing.

**62** A hearing committee shall, on the request of a witness, other than the member, whose testimony is in relation to allegations of misconduct of a sexual nature by a member involving the witness, make an order that no person shall publish the identity of the witness or any information that could disclose the identity of the witness.

**63** A hearing committee holding a hearing shall ensure that

- (a) the oral evidence is recorded;
- (b) copies of the transcript of the hearing are available to a party at the party's request and expense, the complainant at the complainant's request and expense and to other persons the hearing committee or the Registrar considers appropriate at those persons request and expense; and
- (c) copies of the transcript of any part of the hearing that is not closed nor the subject of an order prohibiting publication are available to any person at that person's expense.

**64** Where a transcript of a part of a hearing that is the subject of an order for a closed hearing or an order prohibiting publication is filed with a court in respect of proceedings, only the court, the parties to the proceedings and the complainant may examine it unless the court or the hearing committee orders otherwise.

**65 (1)** At a hearing of a hearing committee, a member is entitled to all the rights of natural justice, including the right to be represented by legal counsel, to know all the evidence considered by the hearing committee, to present evidence and to cross-examine witnesses.

**(2)** A hearing committee

- (a) shall hear each case in such manner as it considers fit;
- (b) may require a member to
  - (i) submit to physical or mental examinations by such qualified persons as the committee designates,
  - (ii) submit to an inspection or audit of the member's practice by such qualified persons as the committee designates,
  - (iii) undergo such examinations as the committee directs to determine whether the member is competent to practise paramedicine, and
  - (iv) produce records and accounts kept with respect to the member's practice;
- (c) where the member fails to comply with clause (b), may resolve that the registration or licence, or both, of the member be suspended until the member does comply;
- (d) where the committee has, pursuant to subclause (b)(i), (ii) or (iii), required a member to submit to physical or mental examinations, or submit to inspection or audit of the practice by a qualified person designated by the committee, shall deliver to the member any report it receives from that person;
- (e) shall determine whether the member is guilty of charges relating to a disciplinary matter, and
  - (i) where there is a guilty finding, may determine that
    - (A) the registration of the member be revoked and that member's name be stricken from the Register in which it is entered,
    - (B) the licence of the member be suspended

- (I) for a fixed period, or
  - (II) for an indefinite period until the occurrence of some specified future event or until compliance with conditions prescribed by the committee,
  - (C) conditions, limitations or restrictions be imposed on the member's licence,
  - (D) the member undergo such treatment or re-education as the committee considers necessary,
  - (E) such fine as the committee considers appropriate to a maximum of fifteen thousand dollars be paid by the member to the College for the purpose of funding paramedical education and research as determined by the Council,
  - (F) the member be reprimanded,
  - (G) such other disposition as it considers appropriate be imposed,
- or
- (ii) where there is a not guilty finding, the committee may dismiss the charges; and
- (f) shall file its decision, including reasons, at the offices of the College.

**(3)** When making dispositions pursuant to clause (2)(e), the committee may impose one or more of the penalties that are set out in that clause, or the committee may make such other dispositions as it considers appropriate, in accordance with the objects of this Act.

**(4)** The Registrar shall provide the member complained of, the complainant and such other persons as the Registrar considers appropriate with a copy of the decision of the hearing committee except that, where there are references identifying clients or other persons other than the complainant, those references as well as other personal information about those persons shall be deleted where, in the Registrar's opinion, it is appropriate.

**(5)** The decision of a hearing committee has effect immediately upon service on the member or from such time as the decision may direct.

**(6)** A hearing committee shall release documents and things put into evidence at a hearing to the person who produced them, on request, within a reasonable time after the matter in issue has been finally determined.

**66 (1)** In this Section, "costs of the Council" include

- (a) expenses incurred by the College, the Council, an investigation committee and a hearing committee;
- (b) honoraria paid to members of an investigation committee and a hearing committee;
- (c) solicitor and client costs and disbursements of the College relating to the investigation and hearing of a complaint; and

(d) additional costs resulting from a member causing the postponement of a hearing without sufficient reason.

(2) Where a hearing committee finds a member guilty of charges relating to a disciplinary matter, it may order that the member pay the costs of the Council, in whole or in part.

(3) Where a member is ordered to pay costs pursuant to subsection (2), the Council may make it a condition of the registration of the member that such costs be paid forthwith or at such time and on such terms as the Council may fix.

**67** (1) A member complained against may appeal on any point of law from the findings of the hearing committee to the Nova Scotia Court of Appeal.

(2) The notice of appeal must be served upon the Registrar and the complainant.

(3) The record on appeal from the findings of a hearing committee consists of a copy of the transcript of the proceedings, the decision of the committee and the evidence before the hearing committee certified by the chair of the hearing committee.

(4) The *Civil Procedure Rules* governing appeals from the Supreme Court of Nova Scotia to the Nova Scotia Court of Appeal that are not inconsistent with this Act apply *mutatis mutandis* to appeals to the Nova Scotia Court of Appeal pursuant to this Section.

(5) Where a matter is appealed to the Nova Scotia Court of Appeal pursuant to this Section, the Nova Scotia Court of Appeal has jurisdiction to, pending a decision by the Nova Scotia Court of Appeal, grant a stay of any order made pursuant to this Act where, in its discretion, it deems it fit.

**68** (1) A person, whose registration has been revoked by a resolution of a hearing committee pursuant to subclause 65(2)(e)(i), may apply to the Council for the entering of the person's name, address and qualifications on the Register.

(2) An application pursuant to subsection (1) may not be made earlier than

- (a) two years after the revocation; and
- (b) six months after the previous application.

(3) Upon

- (a) being satisfied that the interest of the public has been adequately protected;
- (b) being satisfied as to the intention of a person referred to in subsection (1) to practise paramedicine in the Province;
- (c) being satisfied as to the activities of the person since the time of the resolution of the hearing committee;
- (d) the person producing a letter of good standing from all jurisdictions in which the person had practised paramedicine since the date of the resolution of the hearing committee; and

(e) the person undergoing such clinical or other examinations as the Council may designate,

the Council may direct the Registrar to

(f) enter the name, address and qualifications of the person in the Register; and

(g) issue a licence to the person upon such terms and conditions as the Council may direct.

**69** Where an employer suspends a member, the employer shall report such suspension, as well as the reasons for the suspension, to the Registrar.

**70 (1)** No action for damages lies against the College, the Council, the Provincial Medical Director, the Registrar, a member, officer or employee of the College or Council, a member of a committee or subcommittee of the College or the Council or a member of the College for

(a) any act or failure to act, or any proceeding initiated or taken, in good faith under this Act, or in carrying out their duties or obligations as an officer, employee or member under this Act; or

(b) any decision, order or resolution made or enforced in good faith under this Act.

**(2)** No action lies against any person for the disclosure of any information or any document or anything therein pursuant to this Act unless such disclosure is made with malice.

**(3)** Without limiting the generality of subsection (2), no action for damages lies against a member or other person for disclosing any books, records, papers and other documents in that person's possession or control if done pursuant to this Act.

**71** A certificate purporting to be signed by the Registrar stating that any person named in the certificate was or was not, on a specified day or during a specified period, registered and licensed, is *prima facie* evidence in any court of that fact without proof that the person signing it is the Registrar or without proof of the Registrar's signature.

**72** The presence of the name of any person in a document purporting for any year to be an annual list published by the Registrar pursuant to Section 31 is *prima facie* evidence in any court of the fact that a person whose name so appears is or was registered and licensed at the time of publication of the annual list.

**73 (1)** Service of any notice, order, resolution or other document pursuant to this Act or the regulations may be made

(a) upon a member by registered letter addressed to such person at the member's address as set forth in the Register; and

(b) upon any other person by registered letter.

**(2)** Where service is made by registered letter, service is deemed to be made on the third day after the notice, order, resolution or other document is mailed, and proof that the notice,

order, resolution or other document was addressed and posted in accordance with subsection (1) is proof of service.

(3) Service of any document on the College may be made by service on the Registrar.

74 Where a member of the College voluntarily renders first aid or emergency treatment without the expectation of monetary compensation to a person outside of a hospital, or in any other place not having proper and necessary medical facilities, that member is not liable for the death of such person, or damages alleged to have been sustained by such person by reason of an act or omission in the rendering of such first aid or emergency treatment, unless it is established that such injuries were, or such death was caused, by conduct on the part of the member that, if committed by a person of ordinary experience learning and skill, would constitute negligence.

75 (1) Subject to any publication bans, the College shall publish a hearing committee's decision or summary of the decision in its annual report and may publish the decision or summary in any other publication.

(2) Where the registration or licence, or both, of a member of the College has been revoked or suspended or where conditions, limitations or restrictions are imposed on the licence of a member, the College shall place a notice in such publications as it considers necessary in order to inform the public.

76 Every person who, on the coming into force of this Act, practises paramedicine in the Province and is registered with Emergency Health Services Nova Scotia, is entitled, for one year immediately following the coming into force of this Act, to be registered pursuant to this Act and the name and address of every such person shall, upon application in accordance with clause 27(a) and compliance with clauses 27(c) and (f), be entered in the Register and such person shall be issued a licence.

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

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