



BILL NO. 34

Government Bill

*1st Session, 61st General Assembly
Nova Scotia
58 Elizabeth II, 2009*

An Act to Amend Chapter 8 of the Acts of 1990, the Emergency Management Act

CHAPTER 12
ACTS OF 2009

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 5, 2009**

The Honourable Ramona Jennex
Minister of Emergency Management

*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 Management Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 8 of the Acts of 1990, the *Emergency Management Act*, is repealed and the following Section substituted:

3 (1) Where there is a conflict or inconsistency between this Act or the regulations and any other enactment respecting emergencies, this Act and the regulations prevail.

(2) The Minister has authority over all matters respecting emergency planning, preparedness, response, mitigation, recovery and emergencies in the Province.

(3) The Minister's authority under subsection (2) includes

- (a) the general supervision and management of this Act;
- (b) the co-ordination of emergency management plans within the Province; and
- (c) authority to delegate powers vested in the Minister by or pursuant to this Act.

2 Chapter 8 is further amended by adding immediately after Section 5 the following Section:

5A (1) There shall be an Executive Emergency Management Committee consisting of

- (a) the Minister, who is the Chair;
- (b) the Deputy Minister of Treasury Board;
- (c) the Deputy Minister of the Office of the Premier;
- (d) the Deputy Minister of Justice;
- (e) the Chief Executive Officer of the Emergency Management Office;
- (f) such experts as appointed by the Minister.

(2) The Executive Emergency Management Committee shall provide oversight and direction to the Minister regarding emergency preparedness, response, mitigation and recovery.

3 Chapter 8 is further amended by adding immediately after Section 10 the following Section:

10A Every municipality shall, immediately upon becoming aware of it, inform the Emergency Management Office of any real or anticipated event or emergency that

could impact the health, safety or welfare of Nova Scotians, their property or the environment.

4 Section 23 of Chapter 8 is amended by striking out “to a fine not exceeding one thousand dollars or to imprisonment of not more than six months or both.” in the last three lines and substituting

(c) in the case of an individual, to a fine not exceeding ten thousand dollars; or

(d) in the case of a corporation, to a fine not exceeding one hundred thousand dollars,

or to imprisonment of not more than six months or both.

5 Chapter 8 is further amended by adding immediately after Section 23 the following Section:

23A In addition to any penalty imposed under Section 23, a court may increase the fine imposed on a person by an amount equal to the financial benefit that was acquired by or that accrued to the person as a result of the commission of the offence.

6 Subsection 25(1) of Chapter 8, as amended by Chapter 48 of the Acts of 2005, is further amended by

(a) adding immediately after clause (ba) the following clauses:

(bb) requiring municipalities to assess their level of preparedness and report their findings to the Emergency Management Office;

(bc) respecting the emergency planning, evaluation, and level of preparedness required of municipalities;

(bd) respecting emergency plans to be submitted by municipalities to the Emergency Management Office;

and

(b) adding immediately after clause (c) the following clause:

(ca) respecting emergency planning, evaluation and reporting for non-governmental entities;
