



BILL NO. 7

Government Bill

*3rd Session, 61st General Assembly
Nova Scotia
60 Elizabeth II, 2011*

An Act Respecting the Administration of Justice

CHAPTER 10
ACTS OF 2011

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE
MAY 19, 2011**

The Honourable Ross Landry
Minister of Justice

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

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An Act Respecting the Administration of Justice

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Justice Administration Amendment (2011) Act*.

CIVIL SERVICE COLLECTIVE BARGAINING ACT

2 (1) Subsection 22(2) of Chapter 71 of the Revised Statutes, 1989, the *Civil Service Collective Bargaining Act*, is amended by

- (a) striking out “arbitral” in the second line of clause (a);
- (b) striking out “arbitral” in the second line of clause (b); and
- (c) striking out “arbitral” in the second line of clause (c).

(2) Subsection 22(3) of Chapter 71, as amended by Chapter 37 of the Acts of 2010, is further amended by striking out “arbitral” in the third line.

(3) Subsection 22(4) of Chapter 71, as amended by Chapter 37 of the Acts of 2010, is further amended by

- (a) striking out “arbitral” in the third line;
- (b) adding “it wishes to be referred to arbitration” immediately after “items” in the third line; and
- (c) striking out “them” in the fourth line and substituting “it”.

3 Subclause 23(1)(b)(ii) of Chapter 71, as amended by Chapter 37 of the Acts of 2010, is further amended by adding “in dispute” immediately after “employment” in the first line.

4 Subsection 26(1) of Chapter 71, as amended by Chapter 37 of the Acts of 2010, is further amended by

- (a) adding “a” immediately after “as” in the first line;
- (b) striking out “members” in the second line and substituting “member”; and
- (c) striking out “arbitral” in the first line of clause (b).

5 (1) Subsection 27(1) of Chapter 71 is amended by striking out “arbitral” in the second and in the fourth lines.

(2) Subsection 27(2) of Chapter 71 is amended by striking out “An arbitral award” in the first line and substituting “The award of an arbitration board”.

6 (1) Subsection 28(1) of Chapter 71 is amended by striking out “arbitral” in the first line.

(2) Subsection 28(2) of Chapter 71 is amended by striking out “arbitral award” in the second line and substituting “award of an arbitration board”.

7 (1) Subsection 29(1) of Chapter 71 is amended by striking out “arbitral” in the first line.

(2) Subsection 29(2) of Chapter 71 is amended by striking out “arbitral award” in the second line and substituting “award of an arbitration board”.

8 (1) Subsection 31(4) of Chapter 71, as amended by Chapter 37 of the Acts of 2010, is further amended by striking out “arbitral” in the first line.

(2) Subsection 31(5) of Chapter 71 is amended by

(a) striking out “arbitral” in the second, in the third, in the fifth and in the last lines; and

(b) adding “of an arbitration board” immediately after “award” in the second line.

(3) Subsection 31(6) of Chapter 71 is amended by striking out “arbitral” both times it appears in the second line and in the fifth and in the last lines.

9 (1) Subsection 32(1) of Chapter 71 is amended by striking out “arbitral” in the first line.

(2) Subsection 32(2) is amended by striking out “arbitral” in the third, in the seventh and in the last lines.

CORRECTIONS ACT

10 Subparagraph 17(1) of Schedule A of Chapter 103 of the Revised Statutes, 1989, the *Corrections Act*, is amended by striking out “are arbitral” in the second line and substituting “may be referred to an arbitration board”.

11 (1) Subparagraph 18(1) of Schedule A of Chapter 103, as enacted by Chapter 37 of the Acts of 2010, is amended by striking out “and are arbitral terms and conditions of employment within Paragraph 17” in lines four and five and substituting “except pensions”.

(2) Subparagraph 18(2) of Schedule A of Chapter 103 is amended by

(a) striking out “arbitral” in the second line of clause (a);

(b) striking out “arbitral” in the second line of clause (b); and

(c) striking out “arbitral” in the second line of clause (c).

(3) Subparagraph 18(3) of Schedule A of Chapter 103 is amended by striking out “arbitral items and” in the third line and substituting “items”.

12 Clause 22(1)(b) of Schedule A of Chapter 103, as enacted by Chapter 37 of the Acts of 2010, is amended by striking out “arbitral” in the first line.

13 (1) Subparagraph 23(1) of Schedule A of Chapter 103 is amended by striking out “arbitral” in the second and in the third lines.

(2) Subparagraph 23(2) of Schedule A of Chapter 103 is amended by striking out “An arbitral award” in the first line and substituting “The award of an arbitration board”

14 (1) Subparagraph 24(1) of Schedule A of Chapter 103 is amended by striking out “arbitral” in the first line.

(2) Subparagraph 24(2) of Schedule A of Chapter 103 is amended by striking out “arbitral award” in the first line and substituting “award of an arbitration board”.

15 (1) Subparagraph 25(1) of Schedule A of Chapter 103 is amended by striking out “arbitral” in the first line.

(2) Subparagraph 25(2) of Schedule A of Chapter 103 is amended by striking out “arbitral award” in the second line and substituting “award of an arbitration board”.

16 (1) Subparagraph 27(4) of Schedule A of Chapter 103, as amended by Chapter 37 of the Acts of 2010, is further amended by striking out “arbitral” in the first line.

(2) Subparagraph 27(5) of Schedule A of Chapter 103 is amended by

(a) striking out “arbitral” both times it appears in the second line and in the fourth and in the last lines; and

(b) adding “of an arbitration board” immediately after “award” in the second line.

(3) Subparagraph 27(6) of Schedule A of Chapter 103 is amended by striking out “arbitral” both times it appears in the second line and in the fourth and in the last lines.

17 Paragraph 28 of Schedule A of Chapter 103 is amended by striking out “arbitral” in the first line.

18 Subparagraph 38(1) of Schedule A of Chapter 103 is amended by striking out “an arbitral term and condition” in the first and second lines and substituting “one which may be referred to an arbitration board for the purpose of Paragraph 18”.

ESTREATS ACT

19 Chapter 153 of the Revised Statutes, 1989, the *Estreats Act*, is repealed.

FORCIBLE ENTRY AND DETAINER ACT

20 Chapter 177 of the Revised Statutes, 1989, the *Forcible Entry and Detainer Act*, is repealed.

HIGHWAY WORKERS COLLECTIVE BARGAINING ACT

21 (1) Subsection 24(2) of Chapter 1 of the Acts of 1997 (Second Session), the *Highway Workers Collective Bargaining Act*, is amended by

- (a) striking out “arbitrable” in the second line of clause (a);**
- (b) striking out “arbitrable” in the second line of clause (b); and**
- (c) striking out “arbitrable” in the second line of clause (c).**

(2) Subsection 24(3) of Chapter 1, as amended by Chapter 37 of the Acts of 2010, is further amended by striking out “arbitrable” in the third line.

(3) Subsection 24(4) of Chapter 1, as amended by Chapter 37 of the Acts of 2010, is further amended by

- (a) striking out “arbitrable” in the third line;**
- (b) adding “it wishes to be referred to arbitration” immediately after “items” in the third line; and**
- (c) striking out “them” in the fourth line and substituting “it”.**

22 Clause 28(1)(b) of Chapter 1 is amended by striking out “arbitrable” in the first line.

23 (1) Subsection 29(1) of Chapter 1 is amended by striking out “arbitrable” in the second and in the fourth lines.

(2) Subsection 29(2) of Chapter 1 is amended by striking out “An arbitrable award” in the first line and substituting “The award of an arbitration board”.

24 (1) Subsection 30(1) of Chapter 1 is amended by striking out “arbitral” in the first line.

(2) Subsection 30(2) of Chapter 1 is amended by striking out “arbitral award” in the last line and substituting “award of an arbitration board”.

25 (1) Subsection 31(1) of Chapter 1 is amended by striking out “arbitral” in the first line.

(2) Subsection 31(2) of Chapter 1 is amended by striking out “arbitral award” in the second line and substituting “award of an arbitration board”.

26 (1) Subsection 33(4) of Chapter 1, as amended by Chapter 37 of the Acts of 2010, is further amended by striking out “arbitral” in the first line.

(2) Subsection 33(5) of Chapter 1 is amended by

(a) striking out “arbitral” in the second, in the third, in the fifth and in the last lines; and

(b) adding “of an arbitration board” immediately after “award” in the second line.

(3) Subsection 33(6) of Chapter 1 is amended by striking out “arbitral” both times it appears in the second line and in the fifth and in the last lines.

27 (1) Subsection 34(1) of Chapter 1 is amended by striking out “arbitral” in the first line.

(2) Subsection 34(2) of Chapter 1 is amended by striking out “arbitral” in the second, in the sixth and in the last lines.

INDIGENT DEBTORS ACT

28 Chapter 220 of the Revised Statutes, 1989, the *Indigent Debtors Act*, is repealed.

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