



BILL NO. 52

Government Bill

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

An Act Respecting the Administration of Government

CHAPTER 9
ACTS OF 2011

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

The Honourable Frank Corbett
Deputy Premier

*Halifax, Nova Scotia
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An Act Respecting the Administration of Government

Be it enacted by the Governor and Assembly as follows:

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

2 Section 3 of Chapter 4 of the Acts of 1992, the *Emergency “911” Act*, as amended by Chapter 38 of the Acts of 1994 and Chapter 10 of the Acts of 1999 (2nd Session), is further amended by

(a) striking out clause (aa) and substituting the following clause:

(aa) “Department” means the Department of Justice;

and

(b) striking out everything after the second “Minister” in the first line of clause (g) and substituting “of Justice.”.

3 Section 9 of Chapter 4, as enacted by Chapter 10 of the Acts of 1999 (2nd Session), is amended by striking out “Emergency Measures Organization” in the third line and substituting “Department”.

4 Section 2 of Chapter 8 of the Acts of 1990, the *Emergency Management Act*, as amended by Chapter 48 of the Acts of 2005, is further amended by

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

(aa) “Department” means the Department of Justice;

(b) striking out clause (c); and

(c) striking out “Emergency Management” in the first and second lines of clause (g) and substituting “Justice”.

5 Section 4 of Chapter 8, as enacted by Chapter 48 of the Acts of 2005, is amended by striking out “Emergency Management Office” in the first line and substituting “Department”.

6 Clause 5A(1)(e) of Chapter 8 is repealed.

7 Subsection 6(1) of Chapter 8, as amended by Chapter 48 of the Acts of 2005, is further amended by striking out “Emergency Management Office” in the first and in the third and fourth lines and substituting in each case “Department”.

8 Clause 7(1)(d) of Chapter 8 is amended by striking out everything after “of” in the second line and substituting “emergency management.”.

9 Section 8 of Chapter 8, as amended by Chapter 48 of the Acts of 2005, is further amended by striking out “Emergency Management Office” in the first line and substituting “Department”.

10 Section 9 of Chapter 8, as amended by Chapter 48 of the Acts of 2005, is further amended by

(a) striking out “Emergency Management Office” in the third and fourth lines of clause (c) and substituting “Department”; and

(b) striking out “Emergency Management Office” in the second and third lines of clause (e) and substituting “Department”.

11 (1) Subsection 9A(1) of Chapter 8, as enacted by Chapter 10 of the Acts of 2007, is amended by striking out “Emergency Management Office” in the fifth line and substituting “Department”.

(2) Subsection 9A(2) of Chapter 8, as enacted by Chapter 10 of the Acts of 2007, is amended by striking out “Emergency Management Office” in the third line and substituting “Department”.

12 Section 10A of Chapter 8, as enacted by Chapter 12 of the Acts of 2009, is amended by striking out “Emergency Management Office” in the second line and substituting “Department”

13 Section 21 of Chapter 8, as amended by Chapter 48 of the Acts of 2005, is further amended by striking out “Emergency Management Office” in the second line and substituting “Department”.

14 Section 23 of Chapter 8, as amended by Chapter 48 of the Acts of 2005 and Chapter 12 of the Acts of 2009, is further amended by striking out “Emergency Management Office” in the second line and substituting “Department”.

15 Clause 25(1)(bb) of Chapter 8, as enacted by Chapter 12 of the Acts of 2009, is amended by striking out “Emergency Management Office” in the second and third lines and substituting “Department”.

16 Section 3 of Chapter 155 of the Revised Statutes, 1989, the *Executive Council Act*, as amended by Chapter 14 of the Acts of 1992, Chapter 21 of the Acts of 1993, Chapter 19 of the Acts of 1994, Chapter 1 of the Acts of 1995-96, Chapter 8 of the Acts of 1996, Chapter 25 of the Acts of 1996, Chapter 4 of the Acts of 2001, Chapter 4 of the Acts of 2008 and Chapter 14 of the Acts of 2009, is further amended by

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

(ba) the Minister of Acadian Affairs;

(bb) the Minister of African Nova Scotian Affairs;

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

(da) the Minister of Communities, Culture and Heritage;

- (c) adding “and Tourism” immediately after “Development” in the second line of clause (f);
- (d) adding immediately after clause (ia) the following clause:
 - (ib) the Minister of Gaelic Affairs;
- (e) adding “and Wellness” immediately after “Health” in the first line of clause (j);
- (f) striking out clause (ja);
- (g) striking out “Workforce Development” in the first and second lines of clause (ka) and substituting “Advanced Education”; and
- (h) striking out clause (p).

17 The title of Chapter 26 of the Acts of 2004, the *French-language Services Act*, is amended by striking out “Office of Acadian Affairs and the”.

17 Le titre de la *Loi sur les services en français*, chapitre 26 des Lois de 2004, est modifiée par suppression de «l’Office des affaires acadiennes et».

18 Clause 3(b) of Chapter 26 is amended by striking out “Acadian Affairs” in the second line and substituting “Communities, Culture and Heritage”.

18 L’alinéa 3b) du chapitre 26 est modifié par suppression de «des Affaires acadiennes» à la deuxième ligne et son remplacement par «des Communautés, de la Culture et du Patrimoine».

19 Section 5 of Chapter 26, is amended by

19 L’article 5 du chapitre 26 est modifié:

(a) striking out the first two lines and substituting “In addition to the responsibilities set out in Section 30B of the *Public Service Act*, the objects of the Department of Communities, Culture and Heritage are to”; and

(a) par suppression des deux premières lignes et leur remplacement par «Outre les responsabilités énumérées à l’article 30B de la loi intitulée *Public Service Act*, le ministère des Communautés, de la Culture et du Patrimoine a pour mission :»;

(b) striking out “serve as a central support agency” in the first and second lines of clause (c) and substituting “provide support”.

(b) par suppression de «servir d’organisme central de soutien auprès des» aux première et deuxième lignes de l’alinéa c) et son remplacement par «fournir des mesures de soutien aux».

20 Subsection 6(1) of Chapter 26, is amended by striking out “The” in the first line and substituting “In consultation with the Minister of Acadian Affairs, the”.

20 Le paragraphe 6(1) du chapitre 26 est modifié par la suppression de «Le» à la première ligne et son remplacement par «En consultation avec le ministre des Affaires acadiennes, le».

21 Subsection 7(1) of Chapter 26, is amended by

(a) striking out “submit annually to the Governor in Council” in the first and second lines and substituting “annually prepare”; and

(b) striking out “and purposes of the Office of Acadian Affairs” in the seventh and eighth lines and substituting “set out in Section 5”.

22 Clause 9(1)(b) of Chapter 26, is amended by striking out “Office of Acadian Affairs” in the second and third lines and substituting “Acadian Affairs Division of the Department of Communities, Culture and Heritage”.

23 Subsection 45A(8) of Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the *House of Assembly Act*, as enacted by Chapter 5 of the Acts of 2009, is amended by

(a) adding “and” at the end of clause (a); and

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

(b) there shall be no inquiry and report undertaken pursuant to subsection (1) following the general election held in 2009 until after the general election next following that election.

24 Section 2 of Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, as amended by Chapter 14 of the Acts of 1992, Chapter 38 of the Acts of 1993, Chapter 31 of the Acts of 1994, Chapter 1 of the Acts of 1995-96, Chapter 8 of the Acts of 1996, Chapter 25 of the Acts of 1996, Chapter 4 of the Acts of 2001, Chapter 2 of the Acts of 2006, Chapter 44 of the Acts of 2006, Chapter 4 of the Acts of 2008, Chapter 28 of the Acts of 2008, Chapter 29 of the Acts of 2008, Chapter 30 of the Acts of 2008 and Chapter 14 of the Acts of 2009, is further amended by

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

(ab) the Department of Communities, Culture and Heritage;

(b) adding “and Tourism” immediately after “Development” in the second line of clause (c);

(c) adding “and Wellness” immediately after “Health” in the first line of clause (g);

(d) striking out clause (ga);

(e) striking out “Workforce Development” in the first and second lines of clause (ia) and substituting “Advanced Education”; and

21 Le paragraphe 7(1) du chapitre 26 est modifié:

(a) par suppression de «présente chaque année au gouverneur en conseil» aux première et deuxième lignes et son remplacement par «dresse chaque année»;

(b) par suppression de «de l’Office des affaires acadiennes» à la huitième ligne et son remplacement par «énoncée à l’article 5».

22 L’alinéa 9(1)(b) du chapitre 26 est modifié par suppression de «l’Office des affaires acadiennes» aux deuxième et troisième lignes et son remplacement par «la division des affaires acadiennes du ministère des Communautés, de la Culture et du Patrimoine».

23 Subsection 45A(8) of Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the *House of Assembly Act*, as enacted by Chapter 5 of the Acts of 2009, is amended by

(a) adding “and” at the end of clause (a); and

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

(b) there shall be no inquiry and report undertaken pursuant to subsection (1) following the general election held in 2009 until after the general election next following that election.

24 Section 2 of Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, as amended by Chapter 14 of the Acts of 1992, Chapter 38 of the Acts of 1993, Chapter 31 of the Acts of 1994, Chapter 1 of the Acts of 1995-96, Chapter 8 of the Acts of 1996, Chapter 25 of the Acts of 1996, Chapter 4 of the Acts of 2001, Chapter 2 of the Acts of 2006, Chapter 44 of the Acts of 2006, Chapter 4 of the Acts of 2008, Chapter 28 of the Acts of 2008, Chapter 29 of the Acts of 2008, Chapter 30 of the Acts of 2008 and Chapter 14 of the Acts of 2009, is further amended by

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

(ab) the Department of Communities, Culture and Heritage;

(b) adding “and Tourism” immediately after “Development” in the second line of clause (c);

(c) adding “and Wellness” immediately after “Health” in the first line of clause (g);

(d) striking out clause (ga);

(e) striking out “Workforce Development” in the first and second lines of clause (ia) and substituting “Advanced Education”; and

(f) striking out clause (l).

25 Sections 25EA, 25F, 25G, 25H, 25I, 25IC, 25ID and 25M of Chapter 376 are repealed.

26 Chapter 376 is further amended by adding immediately after Section 30 the following heading and Sections:

DEPARTMENT OF COMMUNITIES, CULTURE AND HERITAGE

30A The Nova Scotia Department of Communities, Culture and Heritage shall be presided over by the Minister of Communities, Culture and Heritage who has the supervision, direction and control of all matters relating to the Department and who shall supervise the performance of the functions of the Department.

30B The Minister of Communities, Culture and Heritage has, unless specifically assigned to another member of the Executive Council, the supervision, direction and control of all matters relating to

- (a) the development of the Province's culture sector, including cultural industries;
- (b) the development and preservation of the Province's natural and cultural heritage, including operation of the Nova Scotia Museum heritage service;
- (c) Nova Scotia Archives;
- (d) the Provincial Library;
- (e) the French-language Services Act;
- (f) creating and promoting an integrated approach within the Government on matters related to the African Nova Scotia community of the Province;
- (g) representing the interests of the Province in intergovernmental, and other initiatives and negotiations on matters integral to the interests of African Nova Scotians;
- (h) providing research analysis and policy advice on African Nova Scotian issues;
- (i) developing and co-operating on communication strategies and public education to increase within the Province of African Nova Scotian culture, heritage and community issues;
- (j) advocating the interests of the African Nova Scotian community;
- (k) developing and promoting the Gaelic language and culture in the Province;
- (l) the administration of Acts, orders and regulations relating to matters set out in clauses (a) to (k); and
- (m) such other matters as may be assigned to the Minister by the Governor in Council or by statute.

30C (1) The Minister of Communities, Culture and Heritage shall annually prepare a report for the previous fiscal year respecting access by African Nova Scotians to government services and assistance.

(2) The Minister of Communities, Culture and Heritage shall table the annual report in the Assembly, if the Assembly is then sitting, and if the Assembly is not sitting, within fifteen days of its next sitting.

27 (1) The heading immediately preceding Section 33 of Chapter 376, as enacted by Chapter 30 of the Acts of 2000 and amended by Chapter 14 of the Acts of 2009, is further amended by adding “AND TOURISM” immediately after “DEVELOPMENT”.

(2) Subsection 33(1) of Chapter 376, as enacted by Chapter 30 of the Acts of 2000 and amended by Chapter 14 of the Acts of 2009, is further amended by adding “and Tourism” immediately after “Development” in the second and in the third lines.

(3) Subsection 33(2) of Chapter 376, as enacted by Chapter 30 of the Acts of 2000 and amended by Chapter 14 of the Acts of 2009, is further amended by

(a) adding “and Tourism” immediately after “Development” in the third and in the last lines; and

(b) striking out “and” at the end of clause (g);

(c) striking out the period at the end of clause (h) and substituting a semicolon; and

(d) adding immediately after clause (h) the following clauses:

(i) carry out tourism planning, development, marketing and operations;

(j) carry out all affairs and matters related to the Province’s Gateway Initiative;

(k) carry out all affairs and matters related to the Province’s trade policy and trade-related activities;

(l) serve as the primary contact point for other governments in respect of interprovincial and international trade negotiations, agreements and disputes; and

(m) carry out all affairs and matters related to business development field services.

28 Section 34 of Chapter 376, as enacted by Chapter 30 of the Acts of 2000 and amended by Chapter 14 of the Acts of 2009, is further amended by adding “and Tourism” immediately after “Development” in the third line.

29 Clauses 36(b) and (e) of Chapter 376 are repealed.

30 The heading immediately preceding Section 45 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “AND WELLNESS” immediately after “HEALTH”.

31 Section 45 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “and Wellness” immediately after “Health” in the first and in the second lines.

32 (1) Section 46 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “and Wellness” immediately after “Health” in the first line.

(2) Section 46 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding immediately after clause (a) the following clause:

(aa) development and implementation of an integrated and strengthened public health system emphasizing both the promotion and protection of the health and well-being of Nova Scotians by

(i) promoting healthy eating and improving nutritional health by maintaining collaboration between partners,

(ii) leading a co-ordinated population-health approach to youth sexual health,

(iii) improving the health of Nova Scotians through participation in physical activity, sport, recreation, sport and recreation facility development,

(iv) promoting reduction in tobacco use through the implementation of the Province’s comprehensive tobacco-control strategy,

(v) providing leadership and ensuring intersectoral collaboration with respect to the Nova Scotia Injury Prevention Strategy,

(vi) providing a continuum of addiction-related care and service spanning health promotion, addiction prevention and problem gambling,

(vii) promoting chronic disease prevention by leading the Province’s co-ordinated and integrated multi-year initiatives, and

(viii) protecting public health in the areas of communicable disease prevention and control, environmental-health and public health emergency preparedness and response;

33 (1) The heading immediately preceding Section 46A and Sections 46A and 46B of Chapter 376 are repealed.

(2) Section 46C is amended by striking out “Health Promotion and Protection” in the first line and substituting “Health and Wellness”.

34 Section 46E of Chapter 367 as enacted by Chapter 4 of the Acts of 2008 is amended by:

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

(ca) Government House; and

(b) striking out clauses (e) and (f).

35 The heading immediately preceding Section 46F of Chapter 376, as enacted by Chapter 30 of the Acts of 2008, is amended by striking out “WORKFORCE DEVELOPMENT” in the first line and substituting “ADVANCED EDUCATION”.

36 Section 46F of Chapter 376, as enacted by Chapter 30 of the Acts of 2008, is amended by striking out “Workforce Development” in the first and in the second lines and substituting “Advanced Education” in each case.

37 Section 46G of Chapter 376, as enacted by Chapter 30 of the Acts of 2008, is amended by

- (a) striking out “Workforce Development” in the first line and substituting “Advanced Education”;
- (b) striking out clause (f);
- (c) adding immediately after clause (i) the following clause:
 - (ia) all affairs and matters relating to post-secondary education, including financial assistance for students undertaking post-secondary education;
- (d) adding immediately after clause (k) the following clause:
 - (ka) the Advisory Council on the Status of Women; and
- (e) striking out “(k)” in the second line of clause (l) and substituting (ka).

38 Section 68 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 3 of the Acts of 2004 and Chapter 19 of the Acts of 2006, is further amended by adding immediately after clause (j) the following clause:

- (ja) liquor control, film licensing and classification, amusement control and gaming control;

39 The heading immediately preceding Section 70 and Sections 70 and 71 of Chapter 376 are repealed.

40 A reference in any Act of Legislature or in any rule, order, regulation, by-law, ordinance or proceeding or in any document whatsoever to

- (a) the Department of Health Promotion and Protection or the Minister or Deputy Minister of that Department; or
- (b) the Department of Health or the Minister or Deputy Minister of that Department,

whether the reference is by official name or otherwise, shall as regards any subsequent transaction, matter or thing be held and construed to be a reference to the Department of Health and Wellness or to the Minister or Deputy Minister of that Department where the reference relates to an affair, matter or function that, by or pursuant to the *Public Service Act* or this Act, is assigned to the Department of Health and Wellness or to the Minister or Deputy Minister of that Department.

41 A reference in any Act of the Legislature or in any rule, order, regulation, by-law, ordinance or proceeding or in any document whatsoever to the Department of Tourism, Culture and Heritage or the Minister or Deputy Minister of that Department, whether the reference is by official name or otherwise, shall as regards any subsequent transaction, matter or thing be held and construed to be a reference to the Department of Communities, Culture and Heritage or to the Minister or Deputy Minister of that Department where the reference relates to an affair, matter or function that, by or pursuant to the Public Service Act or this Act, is assigned to the Department of Communities, Culture and Heritage or to the Minister or Deputy Minister of that Department.

42 A reference in any Act of the Legislature or in any rule, order, regulation, by-law ordinance or proceeding or in any document whatsoever to

(a) the Department of Labour and Workforce Development or the Minister or Deputy Minister of that Department; or

(b) the Department of Education or the Minister or Deputy Minister of that Department,

whether the reference is by official name or otherwise, shall as regards any subsequent transaction, matter or thing be held and construed to be a reference to the Department of Labour and Advanced Education or to the Minister or Deputy Minister of that Department where the reference relates to an affair, matter or function that, by or pursuant to the *Public Service Act* or this Act, is assigned to the Department of Labour and Advanced Education or to the Minister or Deputy Minister of that Department.

43 A reference in any Act of the Legislature or in any rule, order, regulation, by-law, ordinance or proceeding or in any document whatsoever to

(a) the Department of Economic and Rural Development or the Minister or Deputy Minister of that Department; or

(b) the Department of Tourism, Culture and Heritage or the Minister or Deputy Minister of that Department,

whether the reference is by official name or otherwise, shall as regards any subsequent transaction, matter or thing be held and construed to be a reference to the Department of Economic and Rural Development and Tourism or to the Minister or Deputy Minister of that Department where the reference relates to an affair, matter or function that, by or pursuant to the *Public Service Act* or this Act, is assigned to the Department of Economic and Rural Development and Tourism or to the Minister or Deputy Minister of that Department.

44 Chapter 496 of the Revised Statutes, 1989, the *Voluntary Planning Act*, is repealed.
