



# **BILL NO. 125**

*Government Bill*

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

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**An Act to Establish  
the Creative Nova Scotia Leadership Council –  
Conseil de leadership pour  
la création en Nouvelle-Écosse**

CHAPTER 34  
ACTS OF 2011

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
DECEMBER 15, 2011**

The Honourable David A. Wilson  
*Minister of Communities, Culture and Heritage*

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

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**An Act to Establish  
the Creative Nova Scotia Leadership Council –  
Conseil de leadership pour  
la création en Nouvelle-Écosse**

Be it enacted by the Governor and Assembly as follows:

- 1** This Act may be cited as the *Creative Nova Scotia Leadership Council Act*.
- 2** In this Act,
  - (a) “by-law” means a resolution of the Council designated by the Council as a by-law and passed by a majority of at least two thirds of the Council;
  - (b) “Council” means the Creative Nova Scotia Leadership Council – Conseil de leadership pour la création en Nouvelle-Écosse established by this Act;
  - (c) “creative” includes all aspects of Nova Scotia’s culture sector and culturally diverse and vibrant communities;
  - (d) “member” means a member of the Creative Nova Scotia Leadership Council;
  - (e) “Minister” means the Minister of Communities, Culture and Heritage.
- 3** The Minister has the general supervision and management of this Act.
- 4** There is hereby established a body corporate to be known as the Creative Nova Scotia Leadership Council – Conseil de leadership pour la création en Nouvelle-Écosse.
- 5** The objects of the Council are to provide advice to government on matters related to
  - (a) promoting cultural vibrancy in the Province;
  - (b) encouraging community spirit through creative endeavours and pursuits throughout the Province;
  - (c) undertaking activities that facilitate the development, promotion and preservation of arts and culture and cultural activity throughout the Province;
  - (d) educating the public regarding the cultural, recreational, educational, social and economic importance of culture and the uniqueness of Nova Scotians’ diverse cultural identities;
  - (e) investing in cultural development, the cultural industries and cultural activity;
  - (f) researching matters relating to the creative economy and the culture sector; and
  - (g) existing or new cultural policy.
- 6** **(1)** The Council shall consist of fifteen members and be composed of the following:

- (a) thirteen members appointed by the Minister;
- (b) two members from staff within the Department of Communities, Culture and Heritage appointed by the Minister upon recommendation from the Deputy Minister; and
- (c) one non-voting member appointed by Arts Nova Scotia – Arts Nouvelle-Écosse.

**(2)** Appointments made pursuant to subsection (1) shall be for a term not exceeding three years.

**(3)** A member may be re-appointed except that no person may serve more than six years.

**(4)** Members who serve the maximum term may be eligible for re-appointment after a one-year absence from the Council.

**(5)** The Chair may appoint persons who are not members to serve on Council committees if approved by a two-thirds majority vote of the members.

**7** There shall be a nominating committee of the Council consisting of the Chair and at least three members of the Council.

**8 (1)** The membership of the Council must reflect the diversity found within the Province's culture community.

**(2)** When possible, the members should include representatives of differing art disciplines, generations and Nova Scotia's cultural mosaic, members from African Nova Scotia, Mi'kmaq and Acadian communities and equal representation between women and men.

**9 (1)** The nominating committee shall, by a two-thirds majority vote of the members, annually elect the Chair and Vice-chair and other officers as determined by the members.

**(2)** The terms of office begin and end with the Council's annual general meeting.

**(3)** The Chair, Vice-chair and at least one other appointed member and the two departmental appointees comprise the Executive Committee.

**(4)** The Executive Committee shall establish and manage the Council's agenda and perform other duties as assigned by the Council.

**10** The Council shall meet regularly at least four times a year on such dates and at such times and places as are determined by a two-thirds majority vote of the members.

**11** Where a member fails to attend three consecutive regular meetings of the Council without an excuse acceptable to the Chair and the Executive Committee members, the Chair may recommend to the Minister that the member's appointment be revoked.

- 12** A majority of the members constitutes a quorum.
- 13** A vacancy on the Council does not impede the right of the remaining members to act.
- 14** A member or a person serving on a committee of the Council is entitled to be reimbursed for reasonable expenses necessarily incurred.
- 15** The Council is a department for the purpose of the definition of “department” in the *Conflict of Interest Act* and, for greater certainty, Section 22 of that Act applies to the members of the Council.
- 16** The Council may, with the approval of the Minister, make by-laws regulating its proceedings respecting the conduct and management of its activities and the establishment of such committees as it deems necessary to assist in carrying out its objects and duties.
- 17** The fiscal year of the Council is the same as the fiscal year of the Province.
- 18** No later than June 30th of each year, the Chair shall submit to the Minister a report for the previous fiscal year.
- 19** (1) The Governor in Council may make regulations
- (a) defining any word or expression used in this Act but not defined in this Act;
  - (b) respecting any matter or thing the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.
- (2) Regulations made pursuant to subsection (1) may be of general or specific application.
- (3) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*.
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