



BILL NO. 17

Government Bill

*1st Session, 62nd General Assembly
Nova Scotia
62 Elizabeth II, 2013*

**An Act to Amend Chapter 155
of the Revised Statutes, 1989,
the Executive Council Act, and
Chapter 376 of the Revised Statutes, 1989,
the Public Service Act**

CHAPTER 37
ACTS OF 2013

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 12, 2013**

The Honourable Stephen McNeil
President of the Executive Council

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

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**An Act to Amend Chapter 155
of the Revised Statutes, 1989,
the Executive Council Act, and
Chapter 376 of the Revised Statutes, 1989,
the Public Service Act**

Be it enacted by the Governor and Assembly as follows:

1 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, Chapter 14 of the Acts of 2009 and Chapter 9 of the Acts of 2011, and is further amended by

- (a) adding “and Early Childhood Development” immediately after “Education” in clause (g);**
- (b) adding “and Treasury Board” immediately after “Finance” in clause (i);**
- (c) striking out “Policy” immediately after “of” in clause (la) and substituting “Planning”; and**
- (d) striking out clause (r).**

2 Section 4 of Chapter 155 is amended by

- (a) adding “(1)” immediately after the Section number; and**
- (b) adding the following subsection:**

(2) An appointment made pursuant to subsection (1) may be made retroactive to the time when the Acting Minister began to act in the place of the incumbent of the office.

3 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, Chapter 14 of the Acts of 2009 and Chapter 9 of the Acts of 2011, is further amended by

- (a) adding “and Early Childhood Development” immediately after “Education” in clause (d); and**
- (b) adding “and Treasury Board” immediately after “Finance” in clause (f).**

4 Subsection 3(2) of Chapter 376 is amended by striking out “Governor in Council” in the third and fourth lines and substituting “Lieutenant Governor”.

5 Section 7A of Chapter 376, as enacted by Chapter 3 of the Acts of 2004 and amended by Chapter 14 of the Acts of 2009 and Chapter 2 of the Acts of 2010, is further amended by adding “and Policy” immediately after “Treasury” in the second last line.

6 (1) Subsection 9(1) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out everything after “Treasury” in the second, third and fourth lines and substituting “and Policy Board.”.

(2) Subsection 9(2) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out “Board is composed of the Chair of the Treasury Board” in the first and second lines and substituting “and Policy Board is composed of a chair”.

(3) Subsection 9(3) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by adding “and Policy” immediately after “Treasury” in the last line.

(4) Subsection 9(4) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by adding “and Policy” immediately after “Treasury” in the last line.

(5) Subsection 9(5) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by adding “and Policy” immediately after “Treasury” in the first line.

7 Subsection 10(2) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009 and amended by Chapter 2 of the Acts of 2010, is further amended by

(a) striking out “Board shall act as a committee of the Executive Council on” in the first and second lines and substituting “and Policy Board is charged to establish plans and policies for the operation of the Government of the Province, ensuring that the plans and policies are developed and implemented in a co-ordinated and fiscally responsible manner, and, without limiting the generality of the foregoing, is charged with”; and

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

(a) the development and implementation of policies, plans and strategies for the effective administration and operation of government;

(aa) the identification and prioritization of policy issues, selection of policy initiatives and direction of action on policy issues and initiatives;

(ab) the establishment of labour negotiation mandates;

(ac) the establishment of reporting requirements to ensure the full accountability of departments, offices and government agencies;

(ad) ensuring that decisions respecting any Provincial investment align with the economic development strategies and priorities of the Government of the Province;

(ae) ensuring alignment between the fiscal and policy agendas of the Government of the Province;

(af) the review and analysis of business plans of departments, offices and government agencies and approval of the allocation of financial and other resources to those departments, offices and government agencies;

8 Sections 11, 12 and 12A of Chapter 376 are repealed.

9 Section 13 of Chapter 376, as enacted by Chapter 14 of the Acts of 2009 and amended by Chapter 40 of the Acts of 2011, is further amended by

(a) striking out “Board, Policy and Priorities Committee and the Economic Investment Committee” in the second line and substituting “and Policy Board”; and

(b) striking out “them to discharge their” in the third and fourth lines and substituting “it to discharge its”.

10 Section 14 of Chapter 376, as enacted by Chapter 14 of the Acts of 2009 and amended by Chapter 40 of the Acts of 2011, is further amended by

(a) striking out “Board, Policy and Priorities Committee and the Economic Investment Committee” in the first and second lines and substituting “and Policy Board”; and

(b) striking out “Board, Policy and Priorities Committee or the Economic Investment Committee consider necessary for the performance of their” in the second last and last lines and substituting “and Policy Board considers necessary for the performance of its”.

11 Section 14A of Chapter 376, as enacted by Chapter 14 of the Acts of 2009 and amended by Chapter 40 of the Acts of 2011, is further amended by

(a) striking out “Board, Policy and Priorities Committee and the Economic Investment Committee” in the first and second lines and substituting “and Policy Board”; and

(b) striking out “they consider necessary for the performance of their” in the second last and last lines and substituting “it considers necessary for the performance of its”.

12 Section 14B of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out “Board and the Policy and Priorities Committee” in the second line and substituting “and Policy Board”.

13 Sections 14C and 14D of Chapter 376 are repealed.

14 (1) Subsection 14E(1) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out “Policy” in the first line and substituting “Planning”.

(2) Subsection 14E(2) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out “Policy” in the first and in the second lines and substituting in each case “Planning”.

(3) Subsection 14E(3) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out “Policy” in second line and substituting “Planning”.

(4) Subsection 14E(4) of Chapter 376, as enacted by Chapter 14 of the Acts of 2009, is amended by striking out “Policy” in second line and substituting “Planning”.

15 Section 14F of Chapter 376 is repealed and the following Section substituted:

14F The objects and purposes of the Office of Planning and Priorities are to support the Executive Council and its committees in advancing the policy agenda of the Government of the Province.

16 (1) Clause 15(1)(a) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 14 of the Acts of 2009, is further amended by adding “and Policy” immediately after “Treasury” in the last line.

(2) Subsection 15(2) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 14 of the Acts of 2009, is further amended by adding “and Policy” immediately after “Treasury” in the last line.

17 The heading immediately before Section 35 of Chapter 376 is amended by adding “AND EARLY CHILDHOOD DEVELOPMENT” immediately after “EDUCATION”.

18 Section 35 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “and Early Childhood Development” immediately after “Education” each time it occurs in the first and in the second lines.

19 Section 36 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 4 of the Acts of 2008 and Chapter 9 of the Acts of 2011, is further amended by

(a) adding “and Early Childhood Development” immediately after “Education” in the first line; and

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

(b) all affairs and matters pertaining to early childhood development services, including day care and early intervention;

20 The heading immediately before Section 42 of Chapter 376 is amended by adding “AND TREASURY BOARD” immediately after “FINANCE”.

21 Section 42 of Chapter 376, as amended by Chapter 2 of the Acts of 2010, is further amended by adding “and Treasury Board” immediately after “Finance” each time it occurs in the first and in the second lines.

22 Section 43 of Chapter 376 is amended by adding “and Treasury Board” immediately after “Finance” in the second line

23 Subsection 43A(1) of Chapter 376, as enacted by Chapter 29 of the Acts of 1994, is amended by adding “and Treasury Board” immediately after “Finance” in the third line.

24 Section 44A of Chapter 376, as enacted by Chapter 38 of the Acts of 1993, is amended by

(a) adding “and Treasury Board” immediately after “Finance” in the first line; and

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

(da) be responsible for all affairs and matters assigned to the former Treasury Board Office;

(db) assist the Treasury and Policy Board in carrying out its duties under this Act;

25 Clause 68(la) of Chapter 376, as enacted by Chapter 3 of the Acts of 2004, is amended by adding “and Treasury Board” immediately after “Finance” in the last line.
