



BILL NO. 65

Government Bill

*1st Session, 63rd General Assembly
Nova Scotia
67 Elizabeth II, 2018*

An Act to Amend Chapter 32 of the Acts of 2000, the Psychologists Act

CHAPTER 19
ACTS OF 2018

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE
APRIL 18, 2018**

The Honourable Randy Delorey
Minister of Health and Wellness

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

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**An Act to Amend Chapter 32
of the Acts of 2000,
the Psychologists Act**

Be it enacted by the Governor and Assembly as follows:

1 Chapter 32 of the Acts of 2000, the *Psychologists Act*, is amended by adding immediately after Section 3 the following Section:

- 3A (1) The objects of the Board are to
- (a) serve and protect the public interest in the practice of psychology;
 - (b) preserve the integrity of the profession of psychology; and
 - (c) maintain public confidence in the ability of the Board to regulate the practice of psychology.
- (2) In order to carry out the objects of the Board, the Board shall
- (a) regulate the practice of psychology and govern its registrants through
 - (i) registration, discipline and other processes set out in this Act and the regulations,
 - (ii) the approval and promotion of
 - (A) standards for the practice of psychology,
 - (B) a code of ethics, and
 - (C) a continuing competency program; and
 - (b) do such other acts and things as are incidental to the matters described in clause (a).

- 2 (1) Subsection 4(1) of Chapter 32 is amended by**
- (a) striking out clause (a) and substituting the following clause:**
 - (a) five members who are registered psychologists elected in accordance with the regulations by those whose names appear on the Register of Psychologists or the Register of Candidates; and
 - (b) striking out “two” in the first line of clause (b) and substituting “three”.**
- (2) Subsection 4(3) of Chapter 32 is amended by**
- (a) striking out “three” in the second line and substituting “two”; and**
 - (b) striking out “two” in the third line and substituting “three”.**

(3) Subsections 4(4) to (6) of Chapter 32 are repealed and the following subsections substituted:

(4) At the end of the term of each member of the Board elected under clause (1)(a), an election for that vacant position must be held in accordance with the regulations.

(5) Notwithstanding subsections (3) and (4), a person appointed or elected as a member of the Board holds office until such time as the person's successor is elected or appointed, even if such election or appointment does not occur until after the person's term of office has expired.

(6) Notwithstanding subsections (3) and (4), upon the coming into force of this subsection, the term of the members of the Board appointed by Association of Psychologists of Nova Scotia is extended until elections for replacement members have taken place.

(7) The Board shall hold the elections referred to in subsection (6) within the six-month period after the coming into force of this subsection.

3 Section 6 of Chapter 32 is amended by striking out "appointed" in the second line and substituting "elected".

4 Section 8 of Chapter 32 is amended by

(a) striking out the period at the end of clause (q) and substituting a semi-colon; and

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

(r) providing for the election of members of the Board, including eligibility for voting, procedures for voting and all other matters associated with the election of members of the Board.

5 Subsection 9(1) of Chapter 32 is amended by adding immediately after clause (l) the following clauses:

(la) respecting the review process described in Section 16B;

(lb) respecting the powers, authority and processes of the Registration Appeal Committee;

(lc) respecting the membership of the Registration Appeal Committee;

6 (1) Subsection 15(1) of Chapter 32 is amended by adding immediately after clause (b) the following clause:

(ba) has the capacity, competence and character to safely and ethically practise psychology;

(2) Subsection 15(2) of Chapter 32 is amended by adding immediately after clause (b) the following clause:

(ba) has the capacity, competence and character to safely and ethically practise psychology;

7 Subsection 16(1) of Chapter 32 is amended by adding immediately after clause (a) the following clause:

(aa) has the capacity, competence and character to safely and ethically practise psychology;

8 Chapter 32 is further amended by adding immediately after Section 16 the following Sections:

16A (1) The Board shall appoint a Registration Appeal Committee, the membership of which is as set out in the regulations.

(2) The Board shall designate a member of the Registration Appeal Committee as its Chair.

(3) The Registration Appeal Committee shall perform such registration functions as are set out in this Act and the regulations.

(4) Subject to subsection (5), the Registration Appeal Committee has all the rights, powers and privileges of a public commissioner appointed pursuant to the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment.

(5) The Registrar and each person on the Registration Appeal Committee is authorized to sign on behalf of the Registration Appeal Committee documents issued pursuant to the authority of the *Public Inquiries Act*, if the Chair of the Registration Appeal Committee has authorized the issuing of such documents.

16B The Registrar shall advise an applicant of the review process set out in the regulations if the applicant

(a) has been refused registration; or

(b) has had terms or conditions imposed on the applicant's registration without the consent of the applicant.

9 Subsection 18(2) of Chapter 32 is amended by adding immediately after clause (c) the following clause:

(ca) that the person has the capacity, competence and character to safely and ethically engage in the practice of psychology;

10 Sections 5 to 9 come into force on such day as the Governor in Council orders and declares by proclamation.
