



BILL NO. 99

Government Bill

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

**An Act to Amend Chapter 1
(1992 Supplement)
of the Revised Statutes, 1989,
the House of Assembly Act**

CHAPTER 11
ACTS OF 2018

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

The Honourable Geoff MacLellan
Government House Leader

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

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**An Act to Amend Chapter 1
(1992 Supplement)
of the Revised Statutes, 1989,
the House of Assembly Act**

Be it enacted by the Governor and Assembly as follows:

1 Subsection 5(5) of Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the *House of Assembly Act*, is repealed and the following subsections substituted:

(5) The commission must be broadly representative of the population of the Province, including at least one person representing the Acadian community of the Province and at least one person representing the African Nova Scotian community.

(5A) The commission may not include a present or former

- (a) member of the House;
- (b) member of the House of Commons;
- (c) member of the Senate; or
- (d) Chief Electoral Officer.

(5B) The terms of reference of the commission include the following:

- (a) there is a right to effective representation and elector parity is the prime factor in determining the electoral boundaries;
- (b) deviation from elector parity is justified because of geography;
- (c) deviation from elector parity may be justified because of historical, cultural or linguistic settlement patterns and because of political boundaries;
- (d) subject to clause (e), the estimated number of electors in each electoral district may vary by no more than 25% above or below the estimated average number of electors per electoral district;
- (e) subject to subsection (5C), there may be one or more exceptional electoral districts where, in exceptional circumstances, the estimated number of electors in the electoral district is more than 25% above or below the estimated average number of electors per electoral district;
- (f) electoral districts may be non-contiguous;
- (g) subject to subsection (5C), the preliminary report must include electoral boundaries for the existing number of electoral districts and for at least one different total number of electoral districts; and
- (h) for greater certainty, the final report must include only one recommendation of electoral boundaries.

(5C) In determining the terms of reference of the commission in addition to those in subsection (5B), the select committee may

- (a) define terms in subsection (5B) and this subsection;

(b) define the parameters for deviation more than 25% above or below the estimated average number of electors per electoral district in exceptional electoral districts, including the scope for deviation, and determining the circumstances, such as communities and community interests, justifying the exceptional electoral districts;

(c) determine the minimum and maximum number of electoral districts that the commission may consider;

(d) direct or authorize the commission to recommend the number of electoral districts;

(e) determine the number of different total numbers of electoral districts to be included in the preliminary report; and

(f) determine such other matters as the select committee considers necessary or advisable.

(5D) The terms of reference are binding on the commission.

(5E) The commission shall

(a) prepare a draft of proposed boundary changes prior to its first public hearings;

(b) prepare a preliminary report and hold public hearings prior to preparing the preliminary report; and

(c) following the preparation of the preliminary report, hold further public hearings prior to preparing its final report.

2 (1) Subsection 39(1) of Chapter 1 is amended by

(a) striking out “and allowance for expenses” in the third line;

**(b) striking out “amounts” in the third line and substituting “amount”;
and**

(c) striking out “45” in the last line and substituting “45A”.

(2) Subsection 39(2) of Chapter 1 is amended by striking out “and allowance for expenses” in the second and third lines.

(3) Subsection 39(3) of Chapter 1 is amended by striking out “and allowance for expenses” in the third and fourth and in the fifth and sixth lines.

3 Subsection 40(1) of Chapter 1, as amended by Chapter 47 of the Acts of 2001, Chapter 39 of the Acts 2011 and Chapter 21 of the Acts of 2015, is further amended by

(a) striking out “and allowance” in the first line of clause (d); and

(b) striking out “and allowance” in the last two lines.

4 (1) Section 1 has effect on and after March 27, 2018.

- (2) Sections 2 and 3 have effect on and after January 1, 2006.
