



BILL NO. 91

Government Bill

*2nd Session, 63rd General Assembly
Nova Scotia
68 Elizabeth II, 2019*

An Act Respecting the Nova Scotia Museum

CHAPTER 7
ACTS OF 2019

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 12, 2019**

The Honourable Leo A. Glavine
Minister of Communities, Culture and Heritage

*Halifax, Nova Scotia
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An Act Respecting the Nova Scotia Museum

Be it enacted by the Governor and Assembly as follows:

- 1** This Act may be cited as the *Nova Scotia Museum Act*.
- 2** In this Act,
 - (a) “Board” means the Board of Governors of the Museum;
 - (b) “Department” means the Department of Communities, Culture and Heritage;
 - (c) “directly managed site” means a Museum site staffed and operated directly by the Province with staff employed under the *Civil Service Act*;
 - (d) “locally managed site” means a Museum site staffed and operated on behalf of the Province by a community-based incorporated not-for-profit society, government-appointed commission or municipality through an agreement with the Province;
 - (e) “Minister” means the Minister of Communities, Culture and Heritage;
 - (f) “Museum” means the Nova Scotia Museum, including the land, buildings, artifacts, specimens and other property held by Her Majesty in right of the Province and designated by the Governor in Council to be part of the Museum.
- 3**
 - (1) The Minister has the general supervision and management of this Act.
 - (2) The Department shall oversee, manage and support the operations of the Museum and provide administrative and other support to the Board.
- 4** The Nova Scotia Museum is continued as a body corporate, administered and conducted in accordance with this Act.
- 5**
 - (1) The Governor in Council shall appoint at least five and not more than 13 members of a Board of Governors for a term of not more than three years.
 - (2) Subject to subsection (3), a member of the Board may be reappointed when the member’s term expires.
 - (3) A member of the Board who has served two consecutive terms may not be appointed to another term until at least one year has passed since the expiry of the most recent consecutive term.
- 6** The Minister may, after consulting with the Board, designate two members of the Board to act as Chair and Vice-chair.
- 7** A majority of the members of the Board constitutes a quorum.

8 The Board shall meet at least once every two months and more often as may be determined by the Chair.

9 (1) The Board shall appoint a nominating committee, consisting of the Chair and at least three other members of the Board.

(2) The nominating committee shall assist in the recruitment, screening and selection of new members of the Board as requested by the Minister.

(3) The nominating committee shall, to the greatest extent possible, when making recommendations under subsection (2), recommend candidates who reflect the cultural, generational, gender and ability diversity of Nova Scotian society.

10 (1) Subject to subsection (2), no member of the Board shall receive any payment or remuneration for the member's services as a member.

(2) The members of the Board are to be reimbursed for such reasonable expenses as are necessarily incurred by them in carrying out their duties.

11 The objects of the Board are to

- (a) assist the Department to set the strategic direction of the Museum for the benefit of Nova Scotians;
- (b) engage in activities to advance the general knowledge of the natural sciences and of human activities relating to the Province;
- (c) advise the Minister on the structure and functions of the Museum; and
- (d) exercise and perform the functions and duties conferred on it by this Act or the Governor in Council.

12 (1) The Board may, with the approval of the Governor in Council, make by-laws for the conduct of its business and for the control and direction of the work of the Museum.

(2) The Board may

- (a) administer grants to Museum sites, organizations and individuals for promoting the purpose of this Act;
- (b) prescribe reasonable fees for programming, special exhibits, admissions, operation and administration;
- (c) conduct fundraising on behalf of the Museum;
- (d) make rules respecting
 - (i) the use of Museum buildings and their contents, and
 - (ii) the protection of Museum buildings and the fittings, furniture and contents thereof from injury, destruction or mischief;

(e) approve policies related to the operation of the Museum and the classification, storage, study, deaccessioning and exhibition of specimens, articles or materials relating to human activities and natural sciences;

(f) acquire specimens, articles or materials relating to human activities and the natural sciences of the Province and classify, store, study, lend, use and exhibit them in any manner it considers desirable;

(g) deaccession or otherwise dispose of artifacts and specimens in its possession that are no longer necessary or relevant to achieving its objectives or furthering the aims of this Act;

(h) enter into agreements to achieve its objects or to advance the purposes of this Act;

(i) preserve, maintain, reconstruct, restore and manage property of historical, architectural, natural and cultural interest for the use, enjoyment and benefit of the people of the Province;

(j) identify, mark, preserve and develop sites of significance to the human and natural history of the Province;

(k) manage and disburse funds contained in trust or endowed to the Museum;

(l) create committees of the Board and appoint persons who are not members of the Board to committees; and

(m) perform such other duties, functions or powers as the Governor in Council may require from time to time.

13 (1) A Director of the Museum must be appointed in accordance with the provisions of the *Civil Service Act*.

(2) The Director shall support the work of the Board and act as its secretary.

(3) For greater certainty, the Director is not a member of the Board.

14 (1) All employees of directly managed sites must be appointed in accordance with the *Civil Service Act* and the regulations made under it.

(2) For the purpose of the *Public Service Superannuation Act*,

(a) every full-time employee of a directly managed site is a person employed in the public service of the Province; and

(b) full-time employment in the service of a directly managed site is employment in the public service of the Province.

15 (1) No later than June 30th of each year, the Chair of the Board shall submit a report for the previous fiscal year to the Minister, including a summary of activities of the Board and other subjects directed by the Minister.

(2) A report submitted under subsection (1) must not be made public unless it is approved by the Minister.

16 Any gift, devise, bequest or trust to or for the benefit of the Museum or the Board is a gift to Her Majesty in right of the Province and is exempt from taxation by the Province and subject to its provisions, enures to the benefit of the Museum and is held and applied for the purpose of this Act.

17 (1) The Governor in Council may make regulations

- (a) prescribing additional duties, functions or powers of the Board;
- (b) defining any word or expression used but not defined in this Act;
- (c) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purposes of this Act.

(2) The exercise of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*.

18 Notwithstanding Section 5, the members of the Board at the time of the coming into force of this Act remain in office until the expiry of their terms.

19 Chapter 315 of the Revised Statutes, 1989, the *Nova Scotia Museum Act*, is repealed.
