



BILL NO. 68

Government Bill

*1st Session, 64th General Assembly
Nova Scotia
70 Elizabeth II, 2021*

**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 29
ACTS OF 2021

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 5, 2021**

The Honourable Tim Houston
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:

EXECUTIVE COUNCIL ACT

1 Section 3 of Chapter 155 of the Revised Statutes, 1989, the *Executive Council Act*, is repealed and the following Section substituted:

3 The Lieutenant Governor may appoint under the Great Seal of the Province from among such persons as are appointed members of the Executive Council persons to hold the following offices during pleasure:

- (a) President of the Executive Council;
- (b) Deputy President of the Executive Council;
- (c) the Minister of Acadian Affairs and Francophonie;
- (d) the Minister of Addictions and Mental Health;
- (e) the Minister of Advanced Education;
- (f) the Minister of African Nova Scotian Affairs;
- (g) the Minister of Agriculture;
- (h) Attorney General and Minister of Justice;
- (i) the Minister of Communications Nova Scotia;
- (j) the Minister of Communities, Culture, Tourism and Heritage;
- (k) the Minister of Community Services;
- (l) the Minister of Economic Development;
- (m) the Minister of Education and Early Childhood Development;
- (n) the Minister of Environment and Climate Change;
- (o) the Minister of Equity and Anti-Racism Initiatives;
- (p) the Minister of Finance and Treasury Board;
- (q) the Minister of Fisheries and Aquaculture;
- (r) the Minister of Gaelic Affairs;
- (s) the Minister of Health and Wellness;
- (t) the Minister of Intergovernmental Affairs;
- (u) the Minister of Labour Relations;

- (v) the Minister of Labour, Skills and Immigration;
- (w) the Minister of L'nu Affairs;
- (x) the Minister of Municipal Affairs and Housing;
- (y) the Minister of Natural Resources and Renewables;
- (z) the Minister of Priorities and Planning;
- (aa) the Provincial Secretary;
- (ab) the Minister of the Public Service Commission;
- (ac) the Minister of Public Works;
- (ad) the Minister of Regulatory Affairs and Service Effectiveness;
- (ae) the Minister of Seniors and Long Term Care;
- (af) the Minister of Service Nova Scotia and Internal Services;
- (ag) the Minister of Trade.

PUBLIC SERVICE ACT

2 Section 2 of Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, is repealed and the following Section substituted:

2 For the administration of the public affairs of the Province, there are the following departments:

- (a) the Department of Advanced Education;
- (b) the Department of Agriculture;
- (c) the Department of Communities, Culture, Tourism and Heritage;
- (d) the Department of Community Services;
- (e) the Department of Economic Development;
- (f) the Department of Education and Early Childhood Development;
- (g) the Department of Environment and Climate Change;
- (h) the Department of Finance and Treasury Board;
- (i) the Department of Fisheries and Aquaculture;
- (j) the Department of Health and Wellness;
- (k) the Department of Intergovernmental Affairs;
- (l) the Department of Justice;
- (m) the Department of Labour, Skills and Immigration;
- (n) the Department of Municipal Affairs and Housing;
- (o) the Department of Natural Resources and Renewables;
- (p) the Department of Public Works;
- (q) the Department of Seniors and Long Term Care;

- (r) the Department of Service Nova Scotia and Internal Services;
- (s) the Executive Council Office.

3 Sections 14E and 14F of Chapter 376 are repealed.

4 (1) Subsection 24(1) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by striking out “Aboriginal” in the first line and substituting “L’nu”.

(2) Subsection 24(2) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by striking out “Aboriginal” in the third line and substituting “L’nu”.

(3) Subsection 24(3) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by

(a) striking out “Aboriginal” in the first line and substituting “L’nu”;
and

(b) striking out “responsible for Aboriginal” in the third line and substituting “of L’nu”.

(4) Subsection 24(4) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by striking out “Aboriginal” in the third line and substituting “L’nu”.

(5) Subsection 24(5) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 34 of the Acts of 2014, is further amended by striking out “Aboriginal” in the second line and substituting “L’nu”.

5 Section 25 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by striking out “Aboriginal” in the second line and substituting “L’nu”.

6 Sections 25J, 25K and 25L of Chapter 376 are repealed and the following Section substituted:

25J (1) The Office of Equity and Anti-Racism Initiatives, established by order in council, is continued.

(2) The Office shall be presided over by the Minister responsible for the Office of Equity and Anti-Racism Initiatives who has the supervision, direction and control of all affairs and matters relating to the Office of Equity and Anti-Racism Initiatives and who shall supervise the performance of the functions of the Office.

(3) The object and purpose of the Office of Equity and Anti-Racism Initiatives is to work with partners and communities to help lead and support the Government’s anti-racism initiatives and promote equity.

(4) The Governor in Council may appoint a person to be Chief Executive Officer of the Office of Equity and Anti-Racism Initiatives and shall determine the salary and duties of the Chief Executive Officer.

(5) Such other officers and employees as are required for the purpose of the Office of Equity and Anti-Racism Initiatives may be appointed pursuant to the *Civil Service Act* and that Act applies to those officers and employees.

7 Chapter 376 is further amended by adding immediately after Section 25J the following Section:

25K (1) The Office of Addictions and Mental Health, established by order in council, is continued.

(2) The Office of Addictions and Mental Health shall be presided over by the Minister responsible for the Office of Addictions and Mental Health who has the supervision, direction and control of all affairs and matters relating to the Office of Addictions and Mental Health and who shall supervise the performance of the functions of the Office.

(3) The object and purpose of the Office of Addictions and Mental Health is to co-ordinate across agencies, departments and partners to improve mental health programs, access to those programs and mental health outcomes.

(4) The Governor in Council may appoint a person to be Chief Executive Officer of the Office of Addictions and Mental Health and shall determine the salary and duties of the Chief Executive Officer.

(5) Such other officers and employees as are required for the purpose of the Office of Addictions and Mental Health may be appointed pursuant to the *Civil Service Act* and that Act applies to those officers and employees.

8 Chapter 376 is further amended by adding immediately after Section 25K the following Section:

25L (1) The Office of Healthcare Professionals Recruitment, established by order in council, is continued.

(2) The Office of Healthcare Professionals Recruitment shall be presided over by the Minister of Health and Wellness who has the supervision, direction and control of all affairs and matters relating to the Office of Healthcare Professionals Recruitment and who shall supervise the performance of the functions of the Office.

(3) The object and purpose of the Office of Healthcare Professionals Recruitment is to recruit and retain physicians, nurses, paramedics, continuing care assistants and other healthcare professionals.

(4) The Office of Healthcare Professionals Recruitment is responsible for all affairs and matters relating to the recruitment of healthcare professionals throughout the Province.

(5) The Governor in Council may appoint a person to be Chief Executive Officer of the Office of Healthcare Professionals Recruitment who shall be referred to as the Chief Executive Officer of Healthcare Professionals Recruitment and be paid such salary as the Governor in Council determines and who shall perform such duties as from time to time are prescribed by the Governor in Council.

(6) Such other officers and employees as are required for the purpose of the Office of Healthcare Professionals Recruitment may be appointed pursuant to the *Civil Service Act* and that Act applies to those officers and employees.

9 Chapter 376 is further amended by adding immediately after Section 25L the following Sections:

25LA(1) The Office of Regulatory Affairs and Service Effectiveness, established by order in council, is continued.

(2) The Governor in Council may assign to a member of the Executive Council responsibility for the Office of Regulatory Affairs and Service Effectiveness.

(3) The Office of Regulatory Affairs and Service Effectiveness shall be presided over by the Minister of Regulatory Affairs and Service Effectiveness who has the supervision, direction and control of all affairs and matters relating to the Office and who shall supervise the performance of the functions of the Office.

25LB The Governor in Council may appoint a person to be the Chief Executive Officer of the Office of Regulatory Affairs and Service Effectiveness who shall be referred to as the Chief Regulatory Officer and be paid such salary as the Governor in Council determines and who shall perform such duties as from time to time are prescribed by the Governor in Council.

25LC In addition to any functions assigned by legislation or the Governor in Council, the objects and purposes of the Office of Regulatory Affairs and Service Effectiveness are to

- (a) reduce undue provincial burden on Nova Scotia businesses; and
- (b) align, where possible, regulatory systems across the Atlantic region.

10 Sections 25M, 25N and 25O of Chapter 376 are repealed and the following Sections substituted:

25M (1) The Department of Advanced Education, established by order in council, is continued.

(2) The Department of Advanced Education shall be presided over by the Minister of Advanced Education who has the supervision, direction and control of all matters relating to the Department and who shall supervise the performance of the functions of the Department.

25N The Minister of Advanced Education has, unless specifically assigned to another member of the Executive Council, the supervision, direction and control of all affairs and matters relating to post-secondary education, including financial assistance for students undertaking post-secondary education.

25O The Governor in Council may appoint a person to be the Deputy Minister of the Department of Advanced Education who shall be paid such salary as the Governor in Council determines.

11 Chapter 376 is further amended by adding immediately after Section 25O the following heading and Sections:

OFFICE OF PRIORITIES AND PLANNING

25P (1) The Office of Priorities and Planning, established by order in council, is continued.

(2) The Office of Priorities and Planning shall be presided over by the Minister responsible for the Office of Priorities and Planning who has the supervision, direction and control of all matters relating to the Office and who shall supervise the performance of the functions of the Office.

(3) The Governor in Council may appoint a person to be the Deputy Minister of the Office of Priorities and Planning who shall be paid such salary as the Governor in Council determines and who shall perform such duties as are from time to time prescribed by the Governor in Council.

(4) Such other officers and employees as are required for the purpose of the Office of Priorities and Planning may be appointed pursuant to the *Civil Service Act* and that Act applies to those employees.

25Q (1) The object and purpose of the Office of Priorities and Planning is the collaborative development, communication and measurement of Government priorities as identified by the Premier and Executive Council.

(2) The Office of Priorities and Planning shall communicate and manage priority objectives and work across departments to advance the Government's policy agenda.

12 Section 27 of Chapter 376, as enacted by Chapter 44 of the Acts of 2006, is amended by

(a) striking out “and” at the end of clause (b); and

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

(ba) all matters relating to the *Animal Protection Act*;

(bb) all affairs and matters pertaining to forest research on Christmas tree production under the *Forests Act*; and

13 The heading immediately before Section 30A of Chapter 376, as enacted by Chapter 9 of the Acts of 2011, is amended by adding “, TOURISM” immediately after “CULTURE”.

14 Section 30A of Chapter 376, as enacted by Chapter 9 of the Acts of 2011, is amended by adding “, Tourism” immediately after “Culture” in the first and in the third lines.

15 Section 30B of Chapter 376, as enacted by Chapter 9 of the Acts of 2011, is amended by

(a) adding “, Tourism” immediately after “Culture” in the first line;

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

(aa) improving the health of Nova Scotians through participation in physical activity, sport and recreation;

(ab) sport and recreation facility development;

(c) adding immediately after clause (k) the following clause:

(ka) carrying out tourism planning, development, marketing and operations;

and

(d) striking out “(k)” in the last line of clause (l) and substituting “(ka)”.

16 (1) Subsection 30C(1) of Chapter 376, as enacted by Chapter 9 of the Acts of 2011, is amended by adding “, Tourism” immediately after “Culture” in the first line.

(2) Subsection 30C(2) of Chapter 376, as enacted by Chapter 9 of the Acts of 2011, is amended by adding “, Tourism” immediately after “Culture” in the first line.

17 Section 32 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 34 of the Acts of 2014, is further amended by

(a) striking out “housing” in the second line of clause (a);

(b) striking out “disabled persons” in the last line of clause (a) and substituting “the disability support program”;

(c) striking out clause (aa); and

(d) striking out “clauses (a) and (aa)” in the third line of clause (b) and substituting “clause (a)”.

18 The heading immediately before Section 33 and Sections 33 and 34 of Chapter 376 are repealed and the following heading and Sections substituted:

DEPARTMENT OF ECONOMIC DEVELOPMENT

33 The Department of Economic Development, established by order in council, is continued.

34 The Department of Economic Development shall be presided over by the Minister of Economic Development who has the supervision, direction and control of all matters relating to the Department and who shall supervise the performance of the functions of the Department.

34A The Minister of Economic Development has, unless specifically assigned to another member of the Executive Council, the supervision, direction and control of all affairs and matters relating to

(a) creating the climate for private sector economic growth;

(b) leading and aligning government efforts to effectively and efficiently expand business and social enterprise growth in the Province;

(c) providing strategic direction and leadership to departments, Crown corporations and agencies to achieve alignment on strategy and operations for business and social enterprise growth;

(d) the administration of the Acts, orders and regulations relating to the matters referred to in clauses (a) to (c); and

(e) such other matters as may be assigned to the Minister by the Governor in Council or by statute.

19 The heading immediately after Section 36 and Sections 36A and 36B are repealed.

20 The heading immediately before Section 37 of Chapter 376, as enacted by Chapter 28 of the Acts of 2008, is amended by adding “AND CLIMATE CHANGE” immediately after “ENVIRONMENT”.

21 Section 37 of Chapter of 376, as enacted by Chapter 28 of the Acts of 2008, is amended by adding “and Climate Change” immediately after “Environment” in the first and in the second lines.

22 Section 38 of Chapter 376, as enacted by Chapter 28 of the Acts of 2008, is amended by adding “and Climate Change” immediately after “Environment” in the first line.

23 Section 39 of Chapter 376, as enacted by Chapter 28 of the Acts of 2008, is amended by adding “and Climate Change” immediately after “Environment” in the first line.

24 Section 41A of Chapter 376 is repealed and the following Sections substituted:

41A (1) The Executive Council Office, established by order in council, is continued.

(2) The President of the Executive Council, or such other member of the Executive Council as the Governor in Council may designate, presides over the Executive Council Office.

41B The Executive Council Office shall

(a) support the Executive Council and its committees in advancing the policy agenda of the Province;

(b) examine submissions to the Executive Council to ensure conformity with policy and legal requirements;

(c) prepare orders in council to implement decisions of the Executive Council;

(d) register, distribute, index and file orders in council;

(e) liaise with departments, offices and agencies of the Province with respect to matters of concern to the Executive Council;

(f) provide administrative support to the Executive Council and its committees;

(g) make such studies relating to administrative or policy matters as the Executive Council may decide; and

(h) keep informed as to pertinent administrative or policy matters in other jurisdictions.

25 Subclause 46(aa)(iii) of Chapter 376, as enacted by Chapter 9 of the Acts of 2011, is repealed.

26 Section 46E of Chapter 376, as enacted by Chapter 4 of the Acts of 2008 and amended by Chapter 9 of the Acts of 2011 and Chapter 34 of the Acts of 2014, is further amended by adding immediately after clause (d) the following clauses:

(e) trade policy;

(f) interprovincial and international trade negotiations, agreements and disputes;

(fa) the development of the Province's strategic approach to international markets;

27 The heading immediately before Section 46EA of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by adding "SERVICE NOVA SCOTIA AND" immediately after "OF".

28 Section 46EA of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by adding "Service Nova Scotia and" immediately after "of" in the first and in the second lines.

29 Section 46EB of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by

(a) adding "Service Nova Scotia and" immediately after "of" in the first line;

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

(b) geographic information services;

(c) striking out "policy" in the first line of clause (g) and substituting "policies, practices, services and resources";

(d) striking out clause (i) and substituting the following clause:

(i) business continuity planning and management for the Government of the Province;

(e) striking out clause (k);

(f) adding "and" immediately after clause (m); and

(f) striking out clause (n).

30 (1) Subsection 46EC(1) of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by striking out "Information" in the second line and substituting "Digital".

(2) Subsection 46EC(2) of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by

(a) striking out “Information” in the first and in the last lines and substituting “Digital” in each case; and

(b) adding “Service Nova Scotia and” immediately after “of” the second time it appears in the second line.

31 Chapter 376 is further amended by adding immediately after Section 46EC the following Section:

46ED(1) The Governor in Council shall appoint a person to be Provincial Tax Commissioner.

(2) The Provincial Tax Commissioner shall perform the duties and have the powers imposed and conferred upon the Provincial Tax Commissioner by or pursuant to the *Revenue Act* and any other Acts, and shall perform such other duties as are prescribed by the Governor in Council or the Minister of Service Nova Scotia and Internal Services.

(3) The Provincial Tax Commissioner shall, under the direction of the Deputy Minister of Service Nova Scotia and Internal Services, carry out and report upon those duties and responsibilities that are imposed and conferred upon the Provincial Tax Commissioner.

32 The heading immediately before Section 46F of Chapter 376, as enacted by Chapter 30 of the Acts of 2008 and amended by Chapter 9 of the Acts of 2011, is further amended by striking out “AND ADVANCED EDUCATION” in the second line and substituting “, SKILLS AND IMMIGRATION”.

33 Section 46F of Chapter 376, as enacted by Chapter 30 of the Acts of 2008 and amended by Chapter 9 of the Acts of 2011, is further amended by striking out “and Advanced Education” in the first and in the second lines and substituting “, Skills and Immigration” in each case.

34 Chapter 376 is further amended by adding immediately after Section 46F the following Section:

46FA The function of the Department of Labour, Skills and Immigration with respect to immigration is to

(a) take a lead role in engaging and in working with partners in the private, public, academic and non-governmental organization sectors in order to facilitate and promote a co-ordinated approach within the Government to immigration; and

(b) develop advice and provide support to the Government in policy, planning, research and co-ordination in matters involving immigration and settlement.

35 Section 46G of Chapter 376, as enacted by Chapter 30 of the Acts of 2008 and amended by Chapter 9 of the Acts of 2011 and Chapter 34 of the Acts of 2014, is further amended by

- (a) striking out “and Advanced Education” in the first line and substituting “, Skills and Immigration”;**
- (b) striking out clause (ia);**
- (c) adding immediately after clause (k) the following clauses:**
 - (ka) attracting immigrants to, integrate immigrants into and retain immigrants in the Province;
 - (kb) promoting the culture of a welcoming community for immigrants, including by raising public awareness and education on immigration and diversity issues;
 - (kc) marketing the Province as an attractive immigration destination;
 - (kd) strengthening immigration and settlement planning, policy and programming in the Province in order to improve opportunities to attract, integrate and retain immigrants;
 - (ke) ensuring planning and capacity for the effective delivery of immigrant settlement and integration programming in the Province;
- (d) striking out “(ka)” in the second line of clause (l) and substituting “(ke)”.**

36 The heading immediately after Section 46G of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by adding “AND HOUSING” immediately after “AFFAIRS”.

37 Section 46H of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by adding “and Housing” immediately after “Affairs” in the first and in the second lines.

38 Section 46I of Chapter 376, as enacted by Chapter 34 of the Acts of 2014, is amended by

- (a) adding “and Housing” immediately after “Affairs” in the first line; and**
- (b) adding immediately after clause (b) the following clause:**
 - (ba) housing;

39 The heading immediately after Section 46I of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “AND RENEWABLES” immediately after “RESOURCES”.

40 Section 47 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “and Renewables” in the first and in the second lines.

41 (1) Section 48 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “and Renewables” immediately after “Resources” in the first line.

(2) Clause 48(a) of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is amended by adding “, excluding affairs and matters pertaining to forest research on Christmas tree production under the *Forests Act*, geoscience, mines” immediately after “forests” in the fourth line.

(3) Section 48 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001, is further amended by adding immediately after clause (a) the following clause:

(ab) all matters relating to energy resources, including oil and gas, electricity and renewable energy and other natural resources when used for the production of energy, including

- (i) developing and implementing energy policies and programs,
- (ii) conducting research and analysis related to the effective management, including exploration, development and use, of the Province’s energy resources,
- (iii) liaising with other governments, departments, organizations, advisory groups, regulators and associations to advance the interests and concerns of the Province and facilitating co-ordinated energy policies, activities and programs,
- (iv) managing the Province’s energy resources in order to achieve optimum economic, social and environmental value from the energy sector, including issuing rights to use the Province’s oil and gas resources and monitoring the use of these rights, and
- (v) promoting the efficient, effective and environmentally sound use of energy;

42 The heading immediately before Section 66A of Chapter 376, as enacted by Chapter 29 of the Acts of 2008, is amended by adding “AND LONG TERM CARE” immediately after “SENIORS”.

43 Section 66A of Chapter 376, as enacted by Chapter 29 of the Acts of 2008, is amended by adding “and Long Term Care” immediately after “Seniors” in the first and in the second lines.

44 Section 66B of Chapter 376, as enacted by Chapter 29 of the Acts of 2008, is amended by

- (a) adding “and Long Term Care” immediately after “Seniors” in the first line;**
and
- (b) adding immediately after clause (a) the following clause:**
 - (aa) continuing care and continuing care infrastructure;

45 The heading immediately before Section 72 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 4 of the Acts of 2008, is further amended by striking out “TRANSPORTATION AND INFRASTRUCTURE RENEWAL” in the first and second lines and substituting “PUBLIC WORKS”.

46 Section 72 of Chapter 376, as enacted by Chapter 4 of the Acts of 2001 and amended by Chapter 4 of the Acts of 2008, is further amended by striking out “Transportation and Infrastructure Renewal” in the first and second and in the third lines and substituting “Public Works” in each case.

47 Section 73 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 34 of the Acts of 2014, is further amended by striking out “Transportation and Infrastructure Renewal” in the first and second lines and substituting “Public Works” in each case.
