

Executive Council Act

CHAPTER 155 OF THE REVISED STATUTES, 1989

as amended by

1992, c. 14, s. 30; 1993, c. 21; 1994, c. 19; 1995-96, c. 1, s. 147;
1996, c. 8; 1996, c. 25, s. 126; 2001, c. 4, s. 8; 2007, c. 16; 2008, c. 4, s. 6;
2009, c. 14, ss. 1-3; 2011, c. 9, s. 16; 2013, c. 37, ss. 1, 2; 2014, c. 34, s. 7;
2017, c. 6, ss. 2, 3; 2021, c. 29, s. 1; 2024, c. 6, s. 6; 2025, c. 8, ss. 5-8



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 2009, c. 14, ss. 1-3; 2011, c. 9, s. 16; 2013, c. 37, ss. 1, 2; 2014, c. 34, s. 7;
 2017, c. 6, ss. 2, 3; 2021, c. 29, s. 1; 2024, c. 6, s. 6; 2025, c. 8, ss. 5-8

An Act Respecting the Executive Council

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Short title

1 This Act may be cited as the *Executive Council Act*. R.S., c. 155, s. 1.

Interpretation

1A In this Act and in any other enactment, “member of the Executive Council” does not include an honorary member of the Executive Council except where expressly provided. 2007, c. 16, s. 1.

Executive Council

2 The Executive Council shall be composed of such persons as the Lieutenant Governor from time to time thinks fit. R.S., c. 155, s. 2.

Ministers

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;
- (j) the Minister of Communities, Culture, Tourism and Heritage;
- (k) the Minister of Cyber Security and Digital Solutions;
- (l) *repealed 2025, c. 8, s. 5.*
- (m) the Minister of Education and Early Childhood Development;
- (ma) the Minister of Emergency Management;
- (mb) the Minister of Energy;
- (n) the Minister of Environment and Climate Change;
- (o) the Minister of Equity and Anti-Racism;
- (p) the Minister of Finance and Treasury Board;
- (q) the Minister of Fisheries and Aquaculture;
- (r) the Minister of Gaelic Affairs;
- (ra) the Minister of Growth and Development;
- (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;
- (y) the Minister of Natural Resources;
- (ya) the Minister of Opportunities and Social Development;
- (z) *repealed 2025, c. 8, s. 5.*
- (aa) the Provincial Secretary;
- (ab) the Minister of the Public Service Commission;
- (ac) the Minister of Public Works;
- (ad) *repealed 2025, c. 8, s. 5.*
- (ae) the Minister of Seniors and Long Term Care;
- (aea) the Minister of Service Efficiency;
- (af) the Minister of Service Nova Scotia;
- (ag) the Minister of Trade. 2021, c. 29, s. 1; O.I.C. 2023-148; 2024, c. 6, s. 6; 2025, c. 8, s. 5.

Acting Minister

4 (1) The Governor in Council may appoint any member of the Executive Council as Acting Minister in the place of any other member while the other member is absent from the Province or is unable for any reason to perform the duties of his office and any act done by an acting minister shall have the same force, validity and effect as if done by the incumbent of the office.

(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. R.S., c. 155, s. 4; 2013, c. 37, s. 2.

Mayor or councillor ineligible

5 (1) Notwithstanding anything contained in this or any other enactment, no person who is a mayor, warden, alderman or councillor of a municipality may be appointed to the Executive Council while serving as such mayor, warden, alderman or councillor.

(2) In this Section, “municipality” means municipality as defined by the *Municipal Affairs Act*. R.S., c. 155, s. 5.

Honorary members of Executive Council

5A (1) The Lieutenant Governor may appoint under the Great Seal of the Province as honorary members of the Executive Council members and former members of the House of Assembly.

(1A) On and after the coming into force of this Section, the Lieutenant Governor shall appoint under the Great Seal of the Province as honorary members of the Executive Council persons who become former members of the Executive Council after the coming into force of this Section so long as the person has not been convicted of an offence as referred to in subsection (1B).

(1B) Where a person who is appointed as an honorary member of the Executive Council pursuant to this Section is convicted of an indictable offence that is punishable by imprisonment for a maximum of more than five years, that person forthwith ceases to be an honorary member of the Executive Council and is disqualified from being appointed as an honorary member again in the future. 2009, c. 14, s. 2.

Honoric and initials

5B A member of the Executive Council, including an honorary member, may use

- (a) the honorific “The Honourable” before the member’s name;
- and
- (b) the initials “E.C.N.S.” after the member’s name to indicate membership in the Executive Council. 2007, c. 16, s. 2.

Salary of Premier and minister with portfolio

6 (1) There shall be paid to the member of the Executive Council holding the recognized position of Premier in addition to the amounts to which he is entitled under the *House of Assembly Act* an annual salary in the amount determined pursuant to Section 45A of that Act.

(2) There shall be paid to every other member of the Executive Council having charge of a department or departments or office or offices in addition to the amounts to which he is entitled under the *House of Assembly Act* an annual salary in the amount determined pursuant to Section 45A of that Act.

(3) The salaries under subsections (1) and (2) shall be payable out of the General Revenue Fund of the Province provided that a salary shall commence as of the first day of the month in which the member takes the office and shall be discontinued as of the last day of the month in which the member ceases to hold the office in respect of which the salary is paid.

(4) All fees attached to the office of a member of the Executive Council shall be paid into the General Revenue Fund of the Province. R.S., c. 155, s. 6; 2010, c. 2, s. 84; 2017, c. 6, s. 2; 2025, c. 8, s. 6.

Salary and expenses of minister without portfolio

7 (1) There must be paid to every member of the Executive Council not having charge of a department or office an annual salary in the amount provided under the *House of Assembly Act*.

(2) The salary referred to in subsection (1) commences on the first day of the month in which the member takes office and is discontinued on the earlier of

(a) the last day of the month in which the member ceases to hold the office in respect of which the salary is paid; and

(b) the first day of the month in which the member is appointed the head of a department or office.

(3) There must be paid to every member of the Executive Council not in charge of a department or office a sum sufficient to indemnify the member for the member's expenses incurred by reason of the member's duties as a member of the Council.

(4) Where a member of the Executive Council not having charge of a department or office attends at meetings of the Council on fewer than thirty-six days on which such meetings are held, there must be deducted from the salary mentioned in subsection (1) the sum of seventy-five dollars in respect of each day short of thirty-six on which the member failed to attend.

(5) Where pursuant to Section 4 of the *Public Service Act* an affair or matter is assigned to a member of the Executive Council not in charge of a department, there must be paid to the member a supplementary allowance of an amount or at a rate determined by the Governor in Council. 2025, c. 8, s. 7.

Expenses of outside member

8 Every member of the Executive Council who is an outside member as defined by the *House of Assembly Act* shall be paid out of the General Revenue Fund of the Province in addition to the amounts to which he is entitled under the *House of Assembly Act* an amount to reimburse him for travelling expenses between the City of Halifax and his constituency and for actual expenses for accommodation and other reasonable expenses incurred as a result of being in the City of Halifax while a member of the Executive Council. R.S., c. 155, s. 8; 2010, c. 2, s. 84.

Other expenses of member

9 Every member of the Executive Council shall be paid from the General Revenue Fund of the Province a sum sufficient to indemnify him for reasonable expenses incurred for travelling or otherwise in the discharge of his official duties. R.S., c. 155, s. 9; 2010, c. 2, s. 84.

Ministerial assistants

9A (1) The Governor in Council may appoint members of the House of Assembly to be ministerial assistants.

(2) There shall be paid to every ministerial assistant in addition to the amounts to which the ministerial assistant is entitled under the *House of Assembly Act* an annual salary in the amount determined pursuant to Section 45A of that Act.

(3) The salary under subsection (2) shall be payable out of the General Revenue Fund of the Province, commencing as of the first day of the month in which the ministerial assistant is appointed and being discontinued as of the last day of the month in which the ministerial assistant ceases to hold the position of ministerial assistant.

(4) Every ministerial assistant shall be paid from the General Revenue Fund of the Province a sum sufficient to indemnify the ministerial assistant for reasonable expenses incurred for travelling or otherwise in the discharge of the ministerial assistant's official duties. 2009, c. 14, s. 3; 2025, c. 8, s. 8.

Regulations respecting expenses

10 The Governor in Council may make regulations in respect of expenses, including the basis of reimbursement, any representation or incidental expense allowance for the Premier, the form of reimbursement account and the manner of certification and approval for payment. R.S., c. 155, s. 10.

Clerk

11 (1) The Governor in Council may appoint a Clerk of the Executive Council who shall be paid such salary as the Governor in Council deems.

(2) The duties and functions of the Clerk of the Executive Council shall be to

- (a) examine submissions to the Executive Council to ensure conformity with policy and legal requirements;
- (b) prepare draft orders in council;
- (c) register, certify, distribute, index and file orders in council;
- (d) maintain liaison with departments and agencies of the Province in relation to matters of concern to the Executive Council; and
- (e) perform such other duties as may be from time to time prescribed by the Governor in Council.

(3) The Clerk of the Executive Council shall have the status of a deputy head and the provisions of the *Civil Service Act* relating to a deputy or to a deputy head shall apply to him. R.S., c. 155, s. 11.
