

3.6 Decisions of Executive Council

Decision Process on Report and Recommendation

- A Report and Recommendation (R&R, Appendix 3-C) approved by the Executive Council is evidenced by the initials of the Clerk of the Executive Council and the date on which it was approved.
- Matters which are stood will remain on the agenda until they are either approved or withdrawn.
- An R&R which has been withdrawn from the Executive Council or committee agenda will remain at the Executive Council Office as part of the official record. A letter will be sent to the Minister indicating the submission has been withdrawn.
- With respect to an R&R approved by the Executive Council, the Clerk of the Executive Council will prepare the requested Order in Council for signature of the Lieutenant Governor. In the absence of the Lieutenant Governor the Administrator of the Government of Nova Scotia (currently the Chief Justice of Nova Scotia), as provided by Section 67 of the *Constitution Act, 1867*, will sign such Order.

Decision Process on Proposed Regulations

Once the regulations have been made or approved by the Governor in Council, the Order in Council (OIC, Appendix 3-F), the regulations, and, if applicable, the Order of the minister or regulation-making body are returned to the Registrar of Regulations for filing and publication in the next issue of the Royal Gazette Part II.

Decision Process on Proposed Appointments to an Agency, Board, or Commission (ABC)

Upon approval by the Executive Council, the R&R or Ministerial Appointment form and Form "A" is signed and dated by the Clerk of the Executive Council, indicating Executive Council approval of the requested appointment. The Clerk of the Executive Council will separate the Form "A" and Human Resources Guidelines form (Appendix 3-O) from the R&R and forward them along with the applicant's cover letter and resume to the House of Assembly Standing Committee on Human Resources for its consideration of the names of the candidates for an appointment pursuant to Rule 60 of the Rules and Forms of Procedure of the House of Assembly. The committee has jurisdiction to approve or not approve the names of the candidates for appointment.

When the committee approves a candidate for appointment, the chair of the committee signs the Form “A,” indicating the committee’s approval and returns the Form “A” to the Clerk of the Executive Council. Upon receipt, the Clerk prepares the Order requested in the R&R and processes it for signature by the Lieutenant Governor or Administrator, as described above. If the appointment is made by a Ministerial Appointment, a Ministerial Appointment is prepared by the Clerk of the Executive Council and forwarded to the responsible department for signature by the Minister.

If the Standing Committee on Human Resources does not approve a candidate for appointment, the chair of the Committee stamps the Form “A” “NOT APPROVED” and returns it to the Clerk of the Executive Council who, in turn, returns the entire submission to the responsible Minister.

Note: Although ministerial appointments do not require Executive Council approval, departments submit them for information purposes.

Decision Process on Memorandum to Executive Council

After the Executive Council or its committees consider a memorandum, the Secretary to the Executive Council prepares a Minute letter to reflect decisions taken by Executive Council or its committees. The Minute letter indicates one of the following decisions was taken:

- agreed
- agreed with amendments/conditions
- direction given
- stood (for the next meeting)
- referred to Executive Council or a committee
- withdrawn

All Minute letters are addressed to the responsible minister(s) and a copy sent to the deputy head of the submitting department(s).

Enquiries

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