

## 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 Secretary to the Executive Council and the date on which it was approved. Having been approved by the Executive Council or withdrawn from its agenda, it will be returned to the Clerk of the Executive Council.
- Matters which are stood on the agenda will remain until they are either approved or withdrawn.
- An R&R which has been withdrawn from the Executive Council agenda will be returned by the Clerk of the Executive Council to the submitting minister.
- With respect to an R&R approved by the Executive Council, the Clerk of the Executive Council will prepare the requested Order for signature of the Lieutenant Governor. The clerk will obtain the signatures of a quorum of ministers of the Executive Council on such Orders before taking them to the Lieutenant Governor for signature. 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 Lieutenant Governor, 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 Form “A” (Appendix 3-N) attached to the R&R is signed and dated by the Secretary to the Executive Council, indicating Executive Council approval of the requested appointment, and the R&R returned to the Clerk of the Executive Council. Upon receipt, the Clerk of the Executive Council will separate the Form “A” and Human Resources Guidelines (Appendix 3-O) form 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. 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, the appointment is complete and a Ministerial Order number is assigned.

If the committee 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 it to the minister.

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

### **Decision Process on Memorandum to Executive Council**

Executive Council or TPB considers the proposal and the Secretary to the Executive Council prepares the Minute letters to reflect decisions taken by Executive Council or TPB. The Minute letter indicates one of the following decisions was taken:

- approved
- approved with conditions, which are detailed
- withdrawn
- stood, in which case further instruction could be provided to the submitting department
- referred to an Executive Council committee

All Minute letters are forwarded to the minister and deputy head of the submitting department(s) and copied to the TPB corporate analyst who prepared the staff assessment.

### **Enquiries**

Executive Council Operations, Treasury and Policy Board  
(902) 424-6614 or (902) 424-5463