



**Nova Scotia Regulator of
Psychology**

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Nova Scotia Regulator of Psychology

By-Laws

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1. DEFINITIONS

- 1.1 All words used in these by-laws that are not otherwise defined in the by-laws have the same meaning as set out in the Act or regulations.
- 1.2 In these by-laws, unless the context requires:
- (a) “Board”, when used in these by-laws, includes the Initial Board and Subsequent Boards, unless the Initial Board or Subsequent Board is specifically identified;
 - (b) “Board Code of Conduct policy” means the policy approved by the Board governing the conduct of Board members;
 - (c) “Board Composition Matrix” means the list of competencies, qualities, and other criteria approved by the Board to describe the collective desired composition of the Subsequent Boards;
 - (d) “Chair” means the Chair of the Initial Board or the Chair of a Subsequent Board, as the context requires;
 - (e) “Legacy Board” means the Nova Scotia Board of Examiners in Psychology;
 - (f) “employee” means an individual employed on a full- or part-time basis by the Regulator, but does not include an independent contractor, consultant, or facilitator who otherwise provides services to the Regulator;
 - (g) "good standing" for purposes of appointment as a registrant Board member, means the status of a registrant who:
 - (i) holds a practising licence as a Psychologist or a conditional licence as a Psychologist (Candidate Register), unless there is a condition on the licence restricting the registrant from eligibility to serve on the Board;
 - (ii) is current in their continuing competence requirements;
 - (iii) does not owe any outstanding fees or costs to the Regulator; and
 - (iv) is not subject to any licensing sanction or ongoing regulatory process that, in the opinion of the Board, impacts their ability to ethically and competently serve as a member of the Board, or would otherwise be contrary to the objects of the Regulator;
 - (h) “Initial Board” means the Board consisting of the members of the Legacy Board that takes effect upon the repeal of the Legacy Act;
 - (i) “officer” or “officers” means any one or more persons, respectively, who have been appointed as officers of the Regulator, and includes the Chair and Vice-Chair;

- (j) “Regulations” include the Regulated Health Professions General Regulations and the Psychology Practice Regulations;
- (k) “Regulator” means the Nova Scotia Regulator of Psychology;
- (l) “Subsequent Board” includes each Board appointed after the expiry of the term of the Initial Board;
- (m) “Vice-Chair” means the Vice-Chair of the Initial Board or the Vice-Chair of a Subsequent Board, as the context requires.

2. CORPORATE SEAL

- 2.1 The seal of the Regulator shall have the words “Nova Scotia Regulator of Psychology” endorsed thereon.

3. HEAD OFFICE

- 3.1 The head office of the Regulator shall be maintained within the province of Nova Scotia and located as to reasonably carry on the business of the Regulator.

4. FORMS

- 4.1 Any forms not already specified in the Act or Regulations and necessary for the administration of the affairs of the Regulator shall be as approved by the Regulator.

5. INITIAL BOARD

- 5.1 The Initial Board shall consist of the following:
 - 5.1.1 5 registrant members,
 - 5.1.2 3 public representatives.
- 5.2 The Initial Board shall consist of the members of the Legacy Board.
- 5.3 A registrant’s term on the Initial Board does not count towards any term limit for Board members appointed to Subsequent Boards after the expiry of the term of the Initial Board.
- 5.4 The officers of the Initial Board are the Chair and Vice-Chair.
- 5.5 The Chair of the Initial Board shall be elected by the members of the Initial Board.
- 5.6 The Vice-Chair of the Initial Board shall be elected by the members of the Initial Board.
- 5.7 The term of office for the Chair and Vice-Chair on the Initial Board is the same as the term of the Initial Board.
- 5.8 Where a vacancy occurs due to the resignation, removal, or otherwise of a registrant member of the Initial Board who is not an officer, prior to the expiration of the term of

the Initial Board, that vacancy may be filled by a registrant in good standing appointed by the Initial Board.

- 5.9 A registrant appointed by the Initial Board to fill a vacant position of a registrant member on the Initial Board pursuant to Sub-Article 5.8 shall serve for the duration of the Initial Board's term. A registrant's replacement term on the Initial Board does not count towards any term limit for Board members appointed after the expiry of the term of the Initial Board.
- 5.10 Where a vacancy occurs due to the resignation, removal, or otherwise of the Chair of the Initial Board, the Initial Board shall appoint a replacement Chair, who may be the Vice-Chair of the Initial Board. The time served by the replacement Chair is not considered a term for the purposes of Sub-Article 8.2.
- 5.11 Where a vacancy occurs due to the resignation, removal, or otherwise of the Vice-Chair of the Initial Board, that vacancy may be filled by the Initial Board with a member from amongst their number, in such manner as determined by the Initial Board. The time served by the replacement Vice-Chair is not considered a term for the purposes of Sub-Article 8.3.
- 5.12 The Initial Board shall develop and approve a Board Composition Matrix for Subsequent Boards.
- 5.13 The term of the Initial Board shall not exceed 12 months from the date the Regulator is established under the Act, after which the first Subsequent Board shall take effect.
- 5.14 Effective upon the expiry of the Initial Board's term (no later than 12 months after the Regulator is established), the composition of the Board shall transition to that set out in Article 17. The Initial Board shall develop a process to reduce the number of registrant members from 5 to 4, which may include not filling vacancies, staggering terms, or other mechanisms approved by resolution of the Initial Board, to ensure compliance with Section 7 of the Act.

6. SUBSEQUENT BOARDS

- 6.1 The registrant Board members of a Subsequent Board shall be appointed in accordance with a process approved by the Initial Board prior to the expiry of its term, to ensure the composition requirements set out in Article 17 are met, including a total of 4 registrant members.
- 6.2 The officers of a Subsequent Board shall be elected in accordance with a process approved by the Initial Board prior to the expiry of its term, from among the Board members appointed under Sub-Article 6.1.

6.3 A Subsequent Board may approve revisions to the Board Composition Matrix from time to time on an as-needed basis, provided such revisions support the composition requirements set out in Article 17.

7. TERMS OF OFFICE FOR REGISTRANT BOARD MEMBERS ON A SUBSEQUENT BOARD

7.1 The term of office of a registrant Board member on a Subsequent Board is two years.

7.2 Subject to Sub-Article 11.3, a registrant Board member is eligible to be appointed to a Subsequent Board as a registrant Board member for three consecutive terms.

7.3 A registrant Board member who has served three consecutive terms on a Subsequent Board is not eligible for appointment for an additional term as a registrant Board member unless one year has expired since last serving on the Board.

7.4 Incumbent registrant Board members who are eligible and seek appointment for an additional term will be subject to the same requirements and process as new candidates as set out in Article 12.

7.5 Notwithstanding Sub-Article 7.1, for the purpose of establishing a stagger in the terms of office for the registrant Board members appointed after the expiry of the term of the Initial Board and to accommodate the transition to the composition requirements set out in Article 17 (including the reduction from 5 to 4 registrant members), the Initial Board may establish a process to designate that, for one or more specified registrant Board members on the first Subsequent Board, their term of office is one year or two years.

7.6 The designation by the Initial Board of a term of office for a registrant Board member under Sub-Article 7.5 is only effective if made by a resolution of the Initial Board.

8. TERMS OF OFFICE FOR OFFICERS ON A SUBSEQUENT BOARD

8.1 Subject to Sub-Articles 9.3 and 10.3, the term of office for the positions of Chair and Vice-Chair on a Subsequent Board is one year.

8.2 A person is eligible to serve a maximum of two consecutive terms as Chair.

8.3 A person is eligible to serve a maximum of two consecutive terms as Vice-Chair.

8.4 The Vice-Chair is eligible for appointment to the position of Chair, subject to the decision of the Board.

9. VACANCY OF CHAIR ON A SUBSEQUENT BOARD

9.1 If the term of the Chair on a Subsequent Board is not completed, the Board shall appoint a replacement Chair, who may be the Vice-Chair.

9.2 The replacement Chair will serve for the balance of the term of the outgoing Chair.

- 9.3 Where a person is appointed to fill a vacancy under Sub-Article 9.1, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 8.2.
- 9.4 Where the Vice-Chair is appointed to fill the role of Chair, the Board shall appoint a new Vice-Chair from among the serving Board members, whose term shall mirror the term of the replacement Chair.
- 9.5 Where a person is appointed to fill a vacancy under Sub-Article 9.4, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 8.3.

10. VACANCY OF VICE-CHAIR ON A SUBSEQUENT BOARD

- 10.1 If the term of the Vice-Chair on a Subsequent Board is not completed, the Board shall appoint a replacement Vice-Chair from among the serving Board members.
- 10.2 Subject to Sub-Article 9.4, the replacement Vice-Chair shall serve for the balance of the unexpired term of the outgoing Vice-Chair.
- 10.3 Where a person is appointed to fill a vacancy under Sub-Article 10.1, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 8.3.

11. VACANCY OF REGISTRANT BOARD MEMBER ON A SUBSEQUENT BOARD

- 11.1 A registrant Board member on a Subsequent Board shall be considered to have vacated that position in any of the following circumstances:
- 11.1.1 the member resigns from office;
 - 11.1.2 the Board removes the member in accordance with Article 16;
 - 11.1.3 the member ceases to be in good standing;
 - 11.1.4 the member dies;
 - 11.1.5 the member becomes an employee of the Regulator; or
 - 11.1.6 subject to the Regulations, the member becomes an employee, board officer, board member, or committee chair at, or holds any position of responsibility with, a professional association.
- 11.2 If a registrant Board member position on a Subsequent Board has been vacated, the Board shall appoint another registrant who is in good standing and who, in the opinion of the Board, best meets the requirements set out in the Board Composition Matrix, to hold office for the unexpired portion of the term. During the Initial Board's term, vacancies

shall be filled to maintain 5 registrant members; on Subsequent Boards, vacancies shall be filled to maintain 4 registrant members in accordance with Article 17.

- 11.3 Where a registrant is appointed to fill a vacancy under Sub-Article 11.2, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 7.2.

12. APPOINTMENT OF REGISTRANT BOARD MEMBERS TO A SUBSEQUENT BOARD

- 12.1 Registrant Board members of a Subsequent Board shall be appointed by the Board in accordance with a process approved by the Initial Board prior to the expiry of its term, ensuring alignment with the Board Composition Matrix and the composition requirements set out in Article 17 (including a total of 4 registrant members on Subsequent Boards).
- 12.2 Registrant Board members of Subsequent Boards shall be appointed in accordance with a process to be set out in By-laws to be approved by the Initial Board prior to the expiry of its term.

13. ELECTION OF OFFICERS

- 13.1 The Chair and Vice-Chair shall be elected by the Board members serving on the Board prior to the end of the term of the incumbent Chair and Vice-Chair, from among those Board members who are serving on the Board at that time.
- 13.2 The Chair and Vice-Chair shall be elected in accordance with a process approved by the Initial Board prior to the expiry of its term.
- 13.3 For clarity, notwithstanding any other provision of these by-laws, the Board may extend the term of a serving Chair or Vice-Chair if no other Board member is willing to serve in these roles, for such time and on such conditions as the Board may determine.
- 13.4 The Board may make election rules and set such deadlines as it deems appropriate, as long as such rules are not inconsistent with these by-laws.
- 13.5 A decision of the Board is final.

14. APPOINTMENT OF COMMITTEE MEMBERS

- 14.1 The Board shall appoint such committees as the Board considers necessary to carry out the objects of the Regulator, including statutory committees under the Act.
- 14.2 Each committee shall consist of such members as the Board determines, including at least one public representative where required by the Act or Regulations, and shall operate in accordance with terms of reference approved by the Board.

- 14.3 With respect to the appointment of registrants and public representatives to committees, the Board shall appoint members who, in the opinion of the Board, meet eligibility criteria, including good standing for registrants, and align with any applicable competencies or diversity requirements.
- 14.4 Public representatives shall be appointed after public advertising for expressions of interest for at least 30 days, except when appointed from a pool established under Section 25 of the Act.
- 14.5 A decision of the Board is final.

15. BOARD MEETINGS

- 15.1 The Chair of the Board shall call general meetings of the Board, with no less than 4 general meetings in a fiscal year.
- 15.2 The Registrar shall ensure notice of general Board meetings is given to Board members at least 14 days in advance of the general meeting, stating the time and whether the meeting is in-person, virtual, or hybrid.
- 15.3 The Chair of the Board may call a special Board meeting at any time as required by the Chair or upon the written request of one-third of Board members indicating the subject(s) to be considered.
- 15.4 Where possible, at least 3 days prior to a special Board meeting, notice shall be issued to each Board member. The notice shall state the purpose of the meeting. No matter shall be discussed at any special Board meeting apart from that specified in the Notice.
- 15.5 Meetings may be conducted by such electronic means as determined by the Board.
- 15.6 Notice of and voting at Board meetings may take place by such electronic means as determined by the Board.
- 15.7 Accidental omission to deliver notice of meetings does not invalidate proceedings at the meeting.
- 15.8 Notice requirements for meetings may be waived by majority vote of those participating in the meeting.
- 15.9 Board meetings will be conducted in accordance with these By-laws and any Meeting Rules approved by the Board.
- 15.10 Where not inconsistent with the By-laws or Meeting Rules, the Chair may make procedural rulings or determinations on any matter relevant to the meeting.

16. REMOVAL OF OFFICERS AND REGISTRANT BOARD MEMBERS

- 16.1 Notwithstanding any other provisions of the By-laws, the Board may, by a two-thirds majority vote of the quorum participating at any Board meeting or a special meeting called for the purpose, remove any officer or registrant Board member before the expiration of their term of office, where the Board believes it is consistent with the objects of the Regulator to do so.
- 16.2 Examples where the Board may believe it consistent with the objects of the Regulator to remove an officer or registrant Board member include, but are not limited to: 16.2.1 failing to attend 3 consecutive Board meetings, without sufficient cause accepted by the Board; and 16.2.2 acting contrary to the Board Code of Conduct policy.
- 16.3 A decision of the Board under this Article is final.

17. COMPOSITION OF SUBSEQUENT BOARDS

- 17.1 Each Subsequent Board following the expiry of the term of the Initial Board shall consist of 7 persons, including:
- 17.1.1 4 registrant members,
 - 17.1.2 3 public representatives.
- 17.2 The officers of each Subsequent Board are the Chair and the Vice-Chair.

18. CHAIR

- 18.1 The Chair shall:
- 18.1.1 unless otherwise delegated, preside at all meetings of the Board;
 - 18.1.2 act as the official spokesperson for the Board, unless this function is otherwise delegated;
 - 18.1.3 perform all acts related to the office; and
 - 18.1.4 perform such other functions as directed by the Board or as identified in a policy approved by the Board.
- 18.2 The Chair may not vote at any meeting of the Board except when their vote would affect the outcome, such as to break or create a tie.

19. VICE-CHAIR

- 19.1 The Vice-Chair shall:
- 19.1.1 perform the duties of the Chair in the absence of the Chair;
 - 19.1.2 perform all acts related to the office; and

19.1.3 perform other duties as delegated by the Chair or as identified in a policy approved by the Board.

20. LICENSING EXAMINATIONS

20.1 The examinations required for licensing as a Psychologist are:

20.1.1 the entry-to-practice examination(s) for psychologists approved by the Board;

20.1.2 the oral exam approved by the Board.

21. CONTINUING COMPETENCE PROGRAM

21.1 The Board shall approve a continuing competence program for each licensing category, with the exception of the non-practising licensing categories (Retired, Inactive, Out-of-Province) for Psychologists or Psychologists (Candidate Register).

21.2 The Board shall approve reporting requirements for registrants respecting the continuing competence program.

21.3 Where applicable, a registrant must retain documentation and records related to continuing competence program activities for at least the immediately previous 5 years.

21.4 For the purpose of verifying a registrant's compliance with the continuing competence program, the Regulator may at any time conduct an audit of the documentation and records kept under Sub-Article 21.3.

22. CURRENCY OF PRACTICE REQUIREMENTS

22.1 An applicant for a licence must provide satisfactory proof to the registration and licensing decision maker that the applicant meets one or more of the following currency of practice requirements, unless exempted from these requirements in accordance with a policy approved by the Board:

22.1.1 current licensure in an equivalent category of licence in another Canadian jurisdiction;

22.1.2 graduated from an approved education program for psychologists no later than three years prior to applying to the Regulator;

22.1.3 engaged in practice for a minimum of 1500 hours within the previous three years prior to applying to the Regulator, verified by an attestation from the applicant or a third party (such as an employer or supervisor), subject to random audits by the Regulator to confirm accuracy with supporting documentation;

22.1.4 successfully completed a re-entry program or competence assessment and/or bridging education as approved by the Board within the previous one year prior to

applying to the Regulator.

3. ADDITIONAL LICENSING CATEGORY

- 23.1 Every person who holds a non-practising licence (Retired, Out-of-Province, Inactive) issued by the Nova Scotia Board of Examiners in Psychology on the date the Regulator is established is deemed to hold a non-practising licence under the Act with the same privileges, and subject to the same conditions or restrictions, under the licence issued by the Legacy Board.
- 23.2 Each non-practising licence under the Act expires at the conclusion of the Regulator's first renewal period.
- 23.3 The Psychologist (Candidate Register) is a conditional licence category intended as a transitional step toward full licensure as a Psychologist. Conditions of the licence, such as supervised practice, shall be determined by the Registrar in accordance with policies approved by the Board.

24. TRANSCRIPTS OF REGULATORY PROCEEDINGS

- 24.1 A registrant who requests that a transcript be made of a regulatory proceeding is responsible for paying the full cost of the transcript.

25. FINES AND PENALTIES

- 25.1 The fine that may be imposed by the Registrar for a registrant who has practised without a licence shall be the equivalent of double the annual licensing fee for each month, or a portion thereof, the registrant practised without a licence.
- 25.2 The fine that may be imposed for the reinstatement of a suspended licence in accordance with section 154 of the Act shall be the equivalent of double the annual licensing fee.

26. CODE OF ETHICS

- 26.1 The Code of Ethics for Psychologists are those approved by the Nova Scotia Board of Examiners in Psychology prior to the establishment of the Regulator under the Act, and may be revised, as approved by the Board, from time to time, as necessary.

27. STANDARDS OF PRACTICE

- 27.1 The Standards of Practice for Psychologists are those approved by the Nova Scotia Board of Examiners in Psychology prior to the establishment of the Regulator under the Act, and may be revised, as approved by the Board, from time to time, as necessary.

28. CORE COMPETENCIES

28.1 The Competencies for Psychologists are those approved by the Nova Scotia Board of Examiners in Psychology prior to the establishment of the Regulator under the Act, and may be revised, as approved by the Board, from time to time, as necessary.

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