



**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, the Chair of a Subsequent Board or the chair of a committee, as the context requires;
 - (e) “employee” means an individual employed on a full or part-time basis by the Regulator or a professional association, but does not include an independent contractor, consultant, or facilitator who otherwise provides services to the Regulator;
 - (f) "good standing" for purposes of appointment as a registrant Board or committee member, means the status of a registrant who:
 - (i) holds a practising or conditional licence , unless there is a condition on the licence restricting the registrant from eligibility to serve on the Board or a committee;
 - (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 a committee, or would otherwise be contrary to the objects of the Regulator;
 - (g) “Initial Board” means the Board of the Regulator continued from the Legacy Board following the date of repeal of the Psychologists Act;
 - (h) “Legacy Board” means the Nova Scotia Board of Examiners in Psychology;

- (i) “Meeting Rules” means such rules approved by the Board that govern the conduct of Board meetings that are not inconsistent with these bylaws.
- (j) “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;
- (k) “Regulations” means either or both of the Regulated Health Professions General Regulations and the Psychology Practice Regulations as the context requires, approved by Order in Council under the Authority of the Regulated Health Professions Act, SNS 2023, c 13.;
- (l) “Regulator” means the Nova Scotia Regulator of Psychology;
- (m) “Subsequent Board” includes each Board appointed after the expiry of the term of the Initial Board;
- (n) “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 The term served by any registrant Board member on the Initial Board does not count toward any term limit for service on Subsequent Boards.
- 5.4 The officers of the Initial Board are the Chair and Vice-Chair.

- 5.5 The Chair of the Initial Board shall be appointed by the members of the Initial Board.
- 5.6 The Vice-Chair of the Initial Board shall be appointed 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 When a vacancy occurs 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 When a vacancy of the Chair of the Initial Board occurs, the Vice-Chair shall become Chair, or if the Vice-Chair is unwilling or unable, the Initial Board shall appoint a replacement Chair from amongst their number. The time served by the replacement Chair is not considered a term for the purposes of Sub-Article 8.2.
- 5.11 When a vacancy of the Vice-Chair of the Initial Board occurs, 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 Effective upon the expiry of the Initial Board's term the composition of the Board shall transition to that set out in Article 16 through appointments using the Board Composition Matrix, which may include not filling vacancies, staggering terms, or other mechanisms approved by resolution of the Initial Board and set out in bylaws to ensure compliance with Section 7 of the Act.
- 5.14 The quorum for the Initial Board is a majority of its members, which must include at least one public representative.

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

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

- 6.2 Subject to Sub-Article 10.2, a registrant Board member is eligible to be appointed to a Subsequent Board as a registrant Board member for three consecutive terms.
- 6.3 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.
- 6.4 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 11.
- 6.5 Notwithstanding Sub-Article 6.1, for the purpose of staggering the terms of office for the registrant Board members appointed after the expiry of the term of the Initial Board, 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.
- 6.6 The designation by the Initial Board of a term of office for a registrant Board member under Sub-Article 6.5 is effective only if made by a resolution of the Initial Board.

7. TERMS OF OFFICE FOR OFFICERS ON A SUBSEQUENT BOARD

- 7.1 Subject to Sub-Articles 8.3 and 9.3, the term of office for the positions of Chair and Vice-Chair on a Subsequent Board is one year.
- 7.2 A person is eligible to serve a maximum of two consecutive terms as Chair.
- 7.3 A person is eligible to serve a maximum of two consecutive terms as Vice-Chair.
- 7.4 Time served by a Board member in the position of Chair or Vice-Chair counts toward their total terms of office on the Board.

8. VACANCY OF CHAIR ON A SUBSEQUENT BOARD

- 8.1 If the term of the Chair on a Subsequent Board is not completed, the Board shall appoint a replacement Chair from among the serving Board members, who may be the Vice-Chair
- 8.2 The replacement Chair will serve for the balance of the term of the outgoing Chair.
- 8.3 When a person is appointed to fill a vacancy under Sub-Article 8.1, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 7.2.
- 8.4 When 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.

8.5 When a person is appointed to fill a vacancy under Sub-Article 8.4, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 7.3.

9. VACANCY OF VICE-CHAIR ON A SUBSEQUENT BOARD

9.1 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.

9.2 Subject to Sub-Article 8.4, the replacement Vice-Chair shall serve for the balance of the unexpired term of the outgoing Vice-Chair.

9.3 When 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 7.3.

10. VACANCY OF REGISTRANT BOARD MEMBER ON A SUBSEQUENT BOARD

10.1 A registrant Board member on a Subsequent Board shall be considered to have vacated that position in any of the following circumstances:

10.1.1 the member resigns from office;

10.1.2 the Board removes the member in accordance with Article 15;

10.1.3 the member ceases to be in good standing;

10.1.4 the member dies;

10.1.5 the member becomes an employee of the regulator; or

10.1.6 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.

10.2 When a registrant is appointed to fill a vacancy, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Sub-Article 6.2.

11. APPOINTMENT OF REGISTRANT BOARD MEMBERS TO A SUBSEQUENT BOARD

11.1 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 16. A Board may approve revisions to the Board Composition Matrix from time to time on an as-needed basis.

12. APPOINTMENT OF OFFICERS

- 12.1 The Chair and Vice-Chair of Subsequent Boards shall be appointed 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.
- 12.2 The Chair and Vice-Chair shall be appointed in accordance with the Board Recruitment and Appointments Policy approved by the Initial Board prior to the expiry of its term.
- 12.3 For clarity, notwithstanding any other provision of these by-laws, the Board may extend the term of a serving Chair or Vice-Chair of a Subsequent Board if no other Board member is willing to serve in these roles, for such time and on such conditions as the Board may determine.
- 12.4 The Board may make appointment rules and set such deadlines as it deems appropriate, as long as such rules are not inconsistent with these by-laws.
- 12.5 A decision of the Board is final.

13. APPOINTMENT OF COMMITTEE MEMBERS

- 13.1 The Board shall appoint such non-statutory committees as the Board considers necessary to carry out the objects of the Regulator in accordance with the Board Recruitment and Appointments Policy approved by the Initial Board prior to the expiry of its term.
- 13.2 Each non-statutory committee shall consist of such members as the Board determines, including at least one public representative, and shall operate in accordance with terms of reference approved by the Board.
- 13.3 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.
- 13.4 When filling a committee vacancy under Article 13.3, the Board may seek the assistance of the Appointments Committee.
- 13.5 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.
- 13.6 A decision of the Board under this Article is final.

14. BOARD MEETINGS

- 14.1 The Chair of the Board shall call general meetings of the Board, with no less than 4 general meetings in a fiscal year.

- 14.2 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.
- 14.3 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.
- 14.4 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.
- 14.5 Meetings may be conducted by such electronic means as determined by the Board.
- 14.6 Notice of and voting at Board meetings may take place by such electronic means as determined by the Board.
- 14.7 Accidental omission to deliver notice of meetings does not invalidate proceedings at the meeting.
- 14.8 Notice requirements for meetings may be waived with a unanimous vote of those participating in the meeting.
- 14.9 Board meetings will be conducted in accordance with these By-laws and any Meeting Rules approved by the Board.
- 14.10 When not inconsistent with the By-laws or Meeting Rules, the Chair may make procedural rulings or determinations on any matter relevant to the meeting.

15. REMOVAL OF OFFICERS AND REGISTRANT BOARD MEMBERS

- 15.1 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 registrant officer or registrant Board member before the expiration of their term of office, when the Board believes it is consistent with the objects of the Regulator to do so.
- 15.2 Notwithstanding any other provisions of the By-laws, the Board may, by a two-thirds majority vote of the Board participating at any Board meeting or a special meeting called for the purpose, remove any public representative as an officer before the expiration of their term of office, when the Board believes it is consistent with the objects of the Regulator to do so.
- 15.3 Examples in which 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:

15.3.1 failing to attend 3 consecutive Board meetings, without sufficient cause accepted by the Board; and

15.3.2 acting contrary to the Board Code of Conduct policy.

15.4 A decision of the Board under this Article is final.

16. COMPOSITION OF SUBSEQUENT BOARDS

16.1 Each Subsequent Board following the expiry of the term of the Initial Board shall consist of 7 persons, including:

16.1.1 4 registrant members,

16.1.2 3 public representatives.

16.2 The officers of each Subsequent Board are the Chair and the Vice-Chair.

17. CHAIR

17.1 The Chair shall:

17.1.1 unless otherwise delegated, preside at all meetings of the Board;

17.1.2 act as the official spokesperson for the Board, unless this function is otherwise delegated;

17.1.3 perform all acts related to the office; and

17.1.4 perform such other functions as directed by the Board or as identified in a policy approved by the Board.

17.2 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.

18. VICE-CHAIR

18.1 The Vice-Chair shall:

18.1.1 perform the duties of the Chair in the absence of the Chair;

18.1.2 perform all acts related to the office; and

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

19. LICENSING EXAMINATIONS

19.1 The examinations required for licensing as a Psychologist are:

19.1.1 the entry-to-practice examination(s) for psychologists established in a policy approved by the Board;

19.1.2 the oral exam established in a policy approved by the Board.

20. CONTINUING COMPETENCE PROGRAM

20.1 The Board shall approve a continuing competence program for each licensing category.

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

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

20.4 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 20.3.

21. CURRENCY OF PRACTICE REQUIREMENTS

21.1 An applicant for a licence or renewal of 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:

21.1.1 holds a current licence in an equivalent category of licence in another Canadian jurisdiction;

21.1.2 has graduated from an approved education program for psychologists no later than three years prior to applying to the Regulator for a licence or renewal of licence;

21.1.3 has engaged in practice for a minimum of 1500 hours within the previous three years prior to applying to the Regulator for a licence or renewal of licence;

21.1.4 has 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 for a licence or renewal of licence.

22. ADDITIONAL LICENSING CATEGORY

22.1 Every person who holds a non-practising licence issued under the Psychologists Act 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 under the Psychologists Act.

22.2 Each non-practising licence under the Act expires at the conclusion of the Regulator's first renewal period.

23. TRANSCRIPTS OF REGULATORY PROCEEDINGS

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

24. FINES AND PENALTIES

24.1 The fine that may be imposed by the Registrar under section 155 of the Act 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.

24.2 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.

24.3 When a registrant fails to maintain required professional liability insurance while holding a licence, the Registrar may impose a fine as set by the Board and outlined in the Fee Schedule.

25. CODE OF ETHICS

25.1 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.

26. STANDARDS OF PRACTICE

26.1 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.

27. CORE COMPETENCIES

27.1 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.