



# BILL NO. 31

*Government Bill*

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*2nd Session, 60th General Assembly  
Nova Scotia  
56 Elizabeth II, 2007*

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## **An Act to Amend Chapter 10 of the Acts of 1995-96, the Medical Act**

CHAPTER 44  
ACTS OF 2007

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
DECEMBER 13, 2007**

The Honourable Chris A. d'Entremont  
*Minister of Health*

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*Halifax, Nova Scotia  
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 10  
of the Acts of 1995-96,  
the Medical Act**

Be it enacted by the Governor and Assembly as follows:

**1 Chapter 10 of the Acts of 1995-96, the *Medical Act*, is amended by adding immediately after Section 66 the following Section:**

66A (1) In this Section, “legal proceeding” means any civil proceeding, discovery, inquiry, proceeding before a tribunal, board of commission or arbitration, in which evidence may be given, and includes an action or proceeding for the imposition of punishment by fine, penalty or imprisonment for the violation of a Provincial enactment, but does not include any proceeding or hearing conducted pursuant to this Act or the regulations.

(2) A witness in any legal proceeding, whether a party to the proceeding or not, is excused from answering any question as to any proceedings of an investigation committee or a hearing committee, and is excused from producing any report, statement, memorandum, recommendation, document or information prepared for the purpose of the investigative, disciplinary and hearing processes of the College, including any information gathered in the course of an investigation or produced for an investigation committee, a hearing committee or staff members of the College.

(3) Subsection (2) does not apply to documents or records that have been made available to the public by the College.

(4) Unless otherwise determined by a court of competent jurisdiction, a decision of an investigation committee or a hearing committee is not admissible in a civil proceeding other than in an appeal or a review pursuant to this Act.

**2 This Act has effect on and after such day as the Governor in Council orders and declares by proclamation.**

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