

Court Officials Act

CHAPTER 373 OF THE REVISED STATUTES, 1989

as amended by

1994-95, c. 7, ss. 97, 150; 1996, c. 23, ss. 26-28



© 2026 His Majesty the King in right of the Province of Nova Scotia
Published by Authority of the Speaker of the House of Assembly
Halifax

CHAPTER 373 OF THE REVISED STATUTES, 1989
amended 1994-95, c. 7, ss. 97, 150; 1996, c. 23, ss. 26-28

**An Act to Provide
for the Appointment and Duties
of Court Officials**

title amended 1996, c. 23, s. 26.

Table of Contents

(The table of contents is not part of the statute)

	Section
Short title.....	1
Personnel.....	2
Powers and duties.....	3
Assignment of power or duty.....	4
Office hours.....	5
Oath.....	6
Officers of court.....	7
Prohibition.....	8
Official record.....	9
Fees and expenses.....	10
Regulations.....	11

Short title

1 This Act may be cited as the *Court Officials Act*. R.S., c. 373, s. 1; 1996, c. 23, s. 27.

Personnel

2 There shall be appointed, in accordance with the *Civil Service Act*, court administrators and such other officers and employees as are considered necessary for the administration of the courts in the Province. 1996, c. 23, s. 28.

Powers and duties

3 (1) A court administrator appointed pursuant to Section 2 shall perform the powers and duties set out in the appointment or prescribed by the Minister of Justice and, without limiting the generality of the foregoing, the powers and duties of a court administrator may include the powers and duties formerly performed by a court reporter, prothonotary and clerk of the Crown, sheriff or court clerk.

(2) An officer or employee appointed pursuant to Section 2 shall perform the powers and duties set out in the appointment. 1996, c. 23, s. 28.

Assignment of power or duty

4 (1) A power or duty given to a court administrator, officer or employee pursuant to this Act, another enactment or a rule of court may be exercised or performed by a person or class of persons to whom the power or duty has been assigned by the Deputy Minister of Justice or a person designated by the Deputy Minister.

(2) Subsection (1) applies in respect of an enactment or rule of court made pursuant to the authority of the Legislature or of the Parliament of Canada. 1996, c. 23, s. 28.

Office hours

5 The Minister of Justice may prescribe the days and hours during which any office related to the administration of the courts in the Province shall be open. 1996, c. 23, s. 28.

Oath

6 Every court administrator, officer or employee appointed pursuant to this Act shall take the oath that is prescribed in the regulations with respect to any office that the person may be performing. 1996, c. 23, s. 28.

Officers of court

7 Every court administrator, officer or employee appointed pursuant to this Act is an officer of the court in respect of which that person serves and that person shall obey the orders of the court and of a judge of the court. 1996, c. 23, s. 28.

Prohibition

8 No person, other than a person appointed pursuant to this Act, shall transcribe proceedings of a court unless the person is certified by the Minister of Justice or a person designated by the Minister of Justice. 1996, c. 23, s. 28.

Official record

9 A record of the proceedings of a court certified in the manner prescribed in the regulations is the official record of the proceedings. 1996, c. 23, s. 28.

Fees and expenses

10 (1) A person appointed pursuant to this Act to perform the duties previously performed by a sheriff is, for services performed, entitled to the fees and allowances specified in that behalf in the *Costs and Fees Act*.

(2) The plaintiff or other party at whose suit or instance any process is issued, and the barrister who issued the process, are severally liable to pay to a sheriff the fees and expenses of service or execution. 1996, c. 23, s. 28.

Regulations

- 11 (1)** The Governor in Council may make regulations
- (a) prescribing oaths;
 - (b) prescribing fees;

- (c) respecting the certification of court proceedings;
- (d) defining any word or expression used but not defined in this Act;
- (e) respecting any matter or thing deemed necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*, 1996, c. 23, s. 28.

12 to 18 *repealed 1996, c. 23, s. 28.*
