

An Act Respecting the Nova Scotia Federation of Municipalities

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Nova Scotia Federation of Municipalities Act*.

2 In this Act,

- (a) “Federation” means the Nova Scotia Federation of Municipalities;
- (b) “member unit” means a municipal unit that is a member of the Federation;
- (c) “municipal unit” means a regional municipality, town or municipality of a county or district;
- (d) “Union” means the Union of Nova Scotia Municipalities.

3 (1) The Union of Nova Scotia Municipalities constituted by Chapter 103 of the Acts of 1981, the *Union of Nova Scotia Municipalities Act*, and renamed the Nova Scotia Federation of Municipalities by Order in Council 2019-236, dated September 3, 2019, is continued as a body corporate.

(2) A reference in any enactment or any document, including any deed, lease, will, trust or indenture, to the Union is, as regards any transaction, matter or thing subsequent to the renaming of the Union as the Federation, a reference to the Federation.

(3) No rights, duties, obligations or liabilities of the Union are in any way affected by

- (a) the renaming of the Union as the Federation; or
- (b) the continuation of the Federation under this Act,

and those rights, duties, obligations and liabilities continue to be vested in and are binding on the Federation.

4 The objects of the Federation are to

(a) represent the interests of local governments in the Province, and to act as the advocate for member units on all matters that are properly within the jurisdiction of the Government of the Province;

(b) carry out or cause to be carried out research activities that will assist in the betterment and encourage a higher degree of efficiency of local government in the Province;

(c) act as a clearing house for the collection, exchange and dissemination of statistical data and general information on all matters of municipal practices and procedures;

(d) hold conferences, events and activities for the purpose of collaboration, education and information, and to hold general meetings or special meetings at which delegates have an opportunity to present resolutions and problems of concern;

- (e) promote and strengthen what is best in local government and service;
- (f) protect the rights and privileges of responsible government in municipal affairs;
- (g) further municipal interests by encouraging co-operation between municipal units;
- (h) undertake activities on its own or in concert with others that may be in the best interests of local government in the Province; and
- (i) do all such other acts and things as are incidental or conducive to or consequential upon the attainment of the objects in the exercise of the powers of the Federation.

5 (1) The Federation has the capacity and, subject to this Act, the rights, powers and privileges of a natural person.

(2) The Federation may exercise such powers and engage in such activities as are necessary or conducive to the attainment of its objects and, without restricting the generality of the foregoing, may

- (a) purchase, acquire by gift or otherwise, take, lease, hold and enjoy real and personal property or any other interest therein by ownership, lease or otherwise and use and apply the same to the realization of the objects of the Federation;
- (b) raise money for the purposes of the Federation;
- (c) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, cheques and other negotiable and transferable instruments;
- (d) borrow on the security of its real and personal property, or either of them, or on any other security, or without any security whatever, all such money as it deems necessary, and mortgage, pledge or otherwise charge its real and personal property or any part thereof for the purpose of securing any sum or sums so borrowed;
- (e) improve, enlarge, repair, erect and maintain any building or buildings suitable for the purposes of the Federation;
- (f) mortgage, lease, sell or otherwise dispose of or deal with any of the assets of the Federation as it deems expedient; and
- (g) do all such other things as may be necessary or incidental to the attainment of the objects and purposes of the Federation.

6 (1) There is a Board of Directors of the Federation.

(2) The Board of Directors is elected or appointed by representatives of member units in accordance with the bylaws of the Federation.

(3) The Board of Directors may, subject to the bylaws of the Federation,

- (a) exercise the powers of the Federation; and
- (b) appoint committees and delegate to such committees the powers and duties that the Board of Directors considers necessary or desirable.

7 The Board of Directors may make bylaws not inconsistent with this Act or contrary to law providing for the conduct and management of the affairs, business and property of the Federation and for the exercise of its objects, and, without restricting the generality of the foregoing, may make bylaws

- (a) prescribing classes of membership in the Federation;
- (b) prescribing the terms and conditions of membership in the Federation, and suspension or expulsion therefrom;
- (c) prescribing the fees payable by member units;
- (d) prescribing the rights and obligations of membership;
- (e) regulating and governing the appointment, functions, duties, remuneration, suspension and removal of employees;
- (f) regulating the calling, holding and conduct of meetings and conferences of the Federation, the Board of Directors and other committees;
- (g) respecting the election of officers and members of the Board of Directors and members of committees and prescribing the duties thereof;
- (h) respecting the right to vote and the manner of voting by delegates at any meeting of the Federation;
- (i) respecting any matter incidental or necessary for the carrying out and management of the objects and affairs of the Federation.

8 The Federation, by such signing officers as are authorized by its bylaws, may make and execute under the corporate seal of the Federation deeds, leases in which the Federation is either landlord or tenant, mortgages and other conveyances of the real and personal property or any interest therein held by the Federation.

9 Any profits derived from carrying out the affairs and business of the Federation must be devoted and applied solely in promoting and carrying out its objects and exercising its powers and may not be divided among its member units.

10 No officer or employee of the Federation is personally liable for any debt, liability or obligation of the Federation unless the officer or employee specifically renders himself liable in the officer's or employee's individual capacity.

11 The Federation is not a public body as defined in the *Freedom of Information and Protection of Privacy Act* and, for greater certainty, that Act does not apply to the Federation.

12 In addition to the powers by law vested in a body corporate and without limiting the generality of any powers conferred by this Act, the Federation has, for the purpose of carrying out its objects, the power to

- (a) contract with any person respecting any matter within the powers or objects of the Federation and to do all such acts, deeds and things and to execute all such documents as may be considered expedient in the attainment of the objects of the Federation; and

- (b) enter into agreements with
 - (i) the Government of the Province,
 - (ii) any department, board, commission, corporation or agency of the Crown in the right of the Province, and
 - (iii) any municipal unit or department, board, commission, corporation or agency thereof,

to carry out the purpose of this Act and may by such an agreement establish inter-governmental or other committees to co-ordinate or implement programs relating to the objects of the Federation.

13 The Federation and its property are exempt from taxation under or pursuant to any enactment of the Legislature.

14 For the purpose of any enactment

- (a) conferring upon a municipal unit a tax exemption of property; or
- (b) providing for a grant or assistance to be paid to a municipal unit,

the Federation is deemed to be a municipality.

15 Chapter 103 of the Acts of 1981, the *Union of Nova Scotia Municipalities Act*, is repealed.
