

3.4 Receipt, Review, & Decision of Proposals

Upon signature by the minister, proposals are forwarded to the Executive Council Office (ECO). ECO reviews the submission for proper legal authority, logs the submission, and forwards it to the Cabinet Advisor and Department of Finance and Treasury Board (FTB) Corporate Financial Advisor for staff analysis.

Working with your Analysts (Cabinet Advisor and Corporate Financial Analyst)

The analysts assess the proposal against a series of criteria including the following:

- consistency with government's framework of strategic priorities
- consistency with the corporate agenda
- the effectiveness of the recommended option in addressing the problem/opportunity
- cost/benefits
- financial/budgetary implications
- human resources/information technology implications
- legal/legislative/jurisdictional/environmental ramifications
- impact on stakeholders
- public perceptions
- implementation issues, timing
- alignment with the Premier's Charter for Governing Principles for Regulation
- consideration of other options

Assignments of analysts will change periodically. Updates will be forwarded to departments as necessary. The analysts may also consult with staff from the Department of Finance and Treasury Board if additional clarification is required on financial issues. Analysts may also consult other departments and central agencies as necessary.

Finally, the Cabinet Advisory and Corporate Financial Analyst will complete their Staff Assessment.

The staff assessment concludes with a recommendation. If the analysts are recommending changes, or not recommending the department's proposal, departmental staff and the deputy head will be advised. Before this takes place, the analysts will make every effort to work with the department to provide advice and guidance on preparation of the proposal and will attempt to come to a mutual understanding and possible resolution of any outstanding issues.

The assigned analysts are responsible for updating the department on the status of a submission, including advice regarding whether and when a proposal is ready to be forwarded to Executive Council and/or its committees.

Scheduling Timeline

Submissions to Executive Council, complete with all supporting documentation, should be submitted to ECO **at least three weeks in advance** of when the minister requires a decision of the Executive Council or its committees. This ensures sufficient time for analysis, briefings, and preparation time.

There may be extenuating circumstances that require the review to be expedited, and all participants involved will attempt to accommodate this requirement.

Presentations

Presentations are not required to accompany submissions to Executive Council. However, in some instances a presentation may be helpful for very detailed, complicated, or pressing issues. If it is determined that a presentation will be made, the Cabinet Advisor or member of ECO staff will confirm this with the department.

The presentation will generally be made by the department's minister with one or two other senior officials present to assist. A copy of the presentation must be submitted to ECO electronically, ideally **at least two weeks** before the scheduled agenda item. It then becomes part of the submission's official documentation.

Presentations should be succinct and clearly articulate what is being requested through the associated submission (also note that the presentation should be consistent with the submission and not introduce any new or additional requests). The following elements should be addressed through the presentation where applicable or relevant to the request:

The presentation should be succinct and contain the following:

- a statement of the issue/problem to be addressed (what is being requested)

- a summary of the background
- key issues/challenges
- financial implications
- human resources and information technology implications
- stakeholder concerns
- alternatives/options
- a recommended option
- implementation plan and timelines

Decision Process on a Report and Recommendation

- A Report and Recommendation approved by the Executive Council is recorded by the Clerk of the Executive Council and the date on which it was approved.
- Matters which are stood will remain on the agenda until they are either approved or withdrawn.
- An R&R which has been withdrawn from the Executive Council or committee agenda will remain at the Executive Council Office as part of the official record. A letter will be sent to the Minister indicating the submission has been withdrawn.
- With respect to an R&R approved by the Executive Council, the Clerk of the Executive Council will prepare the requested Order in Council for signature of the Lieutenant Governor. In the absence of the Lieutenant Governor, the Administrator of the Government of Nova Scotia (currently the Chief Justice of Nova Scotia), as provided by Section 67 of the Constitution Act, 1867, will sign such Order.

Decision Process on Proposed Regulations

Once the regulations have been made or approved by the Governor in Council, the Order in Council, the regulations, and, if applicable, the Order of the minister or regulation-making body are returned to the Registrar of Regulations for filing and publication in the next issue of the Royal Gazette Part II.

Decision Process on Memorandum to Executive Council

After the Executive Council or its committees consider a memorandum, the Secretary to the Executive Council prepares a Minute letter to reflect decisions taken by Executive Council or its committees. The Minute letter indicates one of the following decisions was taken:

- agreed
- agreed with amendments/conditions

- stood (for the next meeting)
- referred to Executive Council or a committee
- withdrawn

All Minute letters are addressed to the responsible minister(s) and a copy sent to the deputy head of the submitting department(s). Minute Letters are confidential, and distribution should be very limited.

Decision Process on Proposed Appointments to an Agency, Board, or Commission (ABC)

Upon approval by the Executive Council, the R&R or Ministerial Appointment form and Form “A” is signed and dated by the Clerk of the Executive Council, indicating Executive Council approval of the requested appointment. The Clerk of the Executive Council will separate the Form “A” and Human Resources Guidelines form from the R&R and forward them, along with the applicant’s cover letter and resume, to the House of Assembly Standing Committee on Human Resources for its consideration of the names of the candidates for an appointment pursuant to Rule 60 of the Rules and Forms of Procedure of the House of Assembly. The committee has authority to approve or not approve the names of the candidates for appointment.

When the committee approves a candidate for appointment, the chair of the committee signs the Form “A,” indicating the committee’s approval and returns the Form “A” to the Clerk of the Executive Council. Upon receipt, the Clerk prepares the Order requested in the R&R and processes it for signature by the Lieutenant Governor or Administrator, as described above. If the appointment is made by a Ministerial Appointment, a Ministerial Appointment is prepared by the Clerk of the Executive Council and forwarded to the responsible department for signature by the Minister.

If the Standing Committee on Human Resources does not approve a candidate for appointment, the chair of the Committee stamps the Form “A” “NOT APPROVED” and returns it to the Clerk of the Executive Council who, in turn, returns the entire submission to the responsible Minister.

Note: Although ministerial appointments do not require Executive Council approval, departments submit them for information purposes.

Enquiries

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