

**Approved: October 1993**

**Amended October 17, 2013**

**Amended October 5, 2018**

**NOVA SCOTIA BOARD OF REGISTRATION OF EMBALMERS  
AND FUNERAL DIRECTORS FOR THE  
PROVINCE OF NOVA SCOTIA  
BY- LAWS**

1. Unless parties consent in writing, a Notice of Inquiry under Section 23 or any other provision of the Act shall be served personally or shall be sent by registered mail at least ten (10) days before the date fixed upon for the hearing addressed to the person affected by any complaint to the Board or by any violation of the Act or Regulations otherwise brought to the attention of the Board, at the address stated in his or her application for license, or service may be affected by service on the solicitor of such person within the Province, and shall set forth the time and place fixed for the hearing and particulars of complaints or alleged violations of the Act or Regulations in sufficient.
2. A Notice of Inquiry may also be sent by ordinary mail or otherwise if the Board so determines to persons who originally complained to the Board counsel to the Board for the Inquiry, and such others, if any, as the Board deems appropriate.
3. The Inquiry shall not be open to the public.
4. The Board and the person who is the subject of the Inquiry may be represented by legal counsel at the Inquiry.
5. Despite the Inquiry not being open to the public, a person who made a complaint to the Board about the conduct of the person who is the subject of the Inquiry may attend the Inquiry.
6. A person who made a complaint to the Board and is a witness at the Inquiry may be represented by legal counsel at the Inquiry.
7. A person who made a complaint to the Board and is a witness at the Inquiry may be present to hear all evidence presented, unless the Board determines that witnesses should be excluded from the Inquiry until they have testified.

8. The Board may receive and accept any evidence and information on oath, affidavit or otherwise as in its discretion it may deem fit and proper, whether admissible as evidence in a court of law or not.
9. The Board shall determine its own procedure but shall in every case give an opportunity to all interested parties to present evidence and make representation.
10. No Inquiry or other proceedings pursuant to the Act are invalid by reason of any defect in form or any technical irregularity.
11. Where the person affected does not attend the Inquiry or any continuation thereof, the Board, upon proof of service of the notice by statutory declaration or otherwise, may proceed with the Inquiry in his or her absence. The Board may from time to time adjourn an Inquiry and give notice thereof to the person affected.
12. The Board may, at any time before or during an Inquiry, amend or alter any complaint or alleged violation of the Act or Regulations wither to correct an alleged defect in substance or form, to make the complaint or alleged violation conform to the evidence where there appears to be a variance between the evidence and the complaint or alleged violation, or where the evidence discloses professional misconduct.
13. Upon conclusion of an Inquiry, the Board shall render its decision as soon as is practical. Should the Board at the termination of an Inquiry or thereafter decide to suspend or revoke a license, a registered letter shall be mailed to the holder, giving notice that at a stated date the said license shall be suspended (naming the period of suspension) or is revoked.
14. A Notice of Inquiry under Section 23 or any other provision of the Act may be signed under the common seal of the Chairman of the Board.