

## **Nova Scotia Registered Barbers Association By-laws**

**made under Section 6 of the  
Registered Barbers Act**

**R.S.N.S. 1989, c. 390**

**N.S. Reg. 32/57 (September 19, 1957)**

**as amended up to and including O.I.C. 1999-328 (June 16, 1999), N.S.  
Reg. 70/99**

### **Registration**

1 Every person who on March 28th, 1942, was carrying on the trade of a barber in the Province of Nova Scotia, may apply to the Association to be registered as a member of the Association or for a certificate exempting such person from such registration.

2 Every other person who desires to become registered as a member of the Association or as a registered apprentice may make application therefor to the Secretary of the Association and upon complying with the Registered Barbers Act and [of] the[ir] regulations and upon satisfactorily passing the required examinations and payment of the proper fees prescribed therefor shall be registered as a member of the Association or as an apprentice as the case may be.

3 Any applicant whose application to be registered as a member of the Association or as a registered apprentice has been refused, may, after an interval of three months, again apply to be so registered.

4 If any fee or assessment, payable by any member of the Association, is not paid within sixty days after the date upon which the same is due and payable, the Secretary shall forthwith send by registered mail to his address, as shown on the register of members, a notice to the effect that unless the said fee of assessment is paid within fifteen days from the date of such notice such member shall be suspended from membership in the Association until such time as said fee or assessment is paid. If such fee or assessment is not paid before the expiration of the said fifteen days such member shall stand suspended from membership in the Association until such time as said fee or assessment is paid.

5 If any member of the Association is convicted by any court of competent jurisdiction of any offence which, in the opinion of the Council, renders him unfit to be a member of the Association, the Council may by unanimous vote of the members of the Council, present at any regularly called meeting thereof, suspend such member from membership in the Association. During the period of any such suspension such member shall not be entitled to take or use the designation "Registered Barber". Any such suspension from membership in the Association, under the provisions of this [these] by-laws, shall be reported by the Council to the Association, at the next annual meeting at which such member, on a three-fourths vote of the members present voting for expulsion, shall be expelled. Any person expelled from membership in the Association under the provisions of this [these] by-laws shall be entitled to be readmitted as a member of the Association on the recommendation of the Council, provided that the members of the Association, present at any regularly called meeting, vote in favour of such readmission on a three[-]fourths vote.

*Section 5 amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

6 If any member of the Association violates any provision respecting sanitation in barber shops and premises, or sanitary precautions to be observed by barbers under the provisions of the Health [Protection] Act, or of the regulations made thereunder, or of the by-laws of any municipal corporation, the Council may by unanimous vote of the members of the Council, present at any regularly called meeting thereof, suspend such member from membership in the Association. During the period of any such suspension such member shall not be entitled to take or use the designation "Registered Barber". Any such suspension from membership in the Association, under the provisions of this by-law, shall be reported by the Council to the Association at the next annual meeting, at which such member, on a three-fourths vote of the members present voting for expulsion, shall be expelled. Any person expelled from membership in the Association under the provisions of this [these] by-laws shall be entitled to be readmitted as a member of the Association on the recommendation of the Council, provided that the members of the Association, present at any regularly called meeting, vote in favour of such readmission on a three[-]fourths vote.

*Section 6 amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

7 If any member of the Association violates any provision of the Act of incorporation of the Association or any of these by-laws, the Council may, by unanimous vote of the members of the Council, present at any regularly called meeting thereof, suspend such member from membership in the Association. During the period of any such suspension such member shall not be entitled to take or use the designation "Registered Barber". Any such suspension from membership in the Association, under the provisions of this by-law, shall be reported by the Council to the Association at the next annual meeting, or at a meeting to be specially called for such purpose, at which such member, on a three-fourths vote of the members present voting for expulsion shall be expelled. Any member so expelled may be readmitted as a member of the Association on the recommendation of the Council, provided that the members of the Association, present at any regularly called meeting, vote in favour of such readmission unanimously.

8 Upon it being proved to the satisfaction of the Council that any member of the Association is suffering from tuberculosis, or any other contagious or infectious disease which may be transmitted to or infect any other person in the normal practice of the trade of barbering, the Council may

- (1) direct the Registrar to remove such member from the Register;
- (2) direct the Secretary to revoke such member's certificate of membership, and such member shall surrender his certificate of membership to the Secretary.

*Section 8 amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

9 Any member of the Association may tender his resignation as such member, which resignation shall be in writing and shall be lodged with the Secretary. Where a member resigns from the association, he has no further rights in the Association, but any dues or assessments owing by him at the time of his resignation will continue to be payable and may be collected in the same manner as if he had continued to be a member.

10 (1) No person entitled to carry on the trade of a barber in any place in the Province in which such person is required to be a member of the Association or to hold a certificate of exemption in order to carry on such trade shall employ for a period exceeding ten days any other person to carry on such trade unless such person so employed is a member of the Association or holds a certificate of exemption.

(2) No person shall in any place in the Province in which such person is required to be a member of the Association or to hold a certificate of exemption in order to carry on the trade of a barber [shall] as an employee of any other person carry on such trade for a period exceeding ten days, unless such person is a member of the Association.

(3) Any member of the Nova Scotia Registered Association, moving from one zone within the Association to another, must apply to his zone Secretary for a transfer card to be presented to the Secretary of the zone to which he has moved.

### **Duties of officers**

11 The President shall preside and preserve order at all meetings of the Association and of the Council. In his absence the Vice-President shall exercise the office of President. In the absence of the President and Vice-President a chairman, who for the time being shall be vested with the powers of the President, shall be elected by a majority of those present.

12 The Secretary shall conduct the correspondence, notify members of the Association and of the Council of all meetings to be held and record proceedings thereat. If for any cause the Secretary is unable to perform his duties, the President shall appoint some member of the Council, or of the Association, to act as Secretary "pro tempore".

13 The Treasurer shall receive the fees and other monies on behalf of the Association and shall deposit the same in a chartered bank of Canada to the credit of the Association, and shall disburse the same as the Council may direct, and shall keep correct accounts, prepare a statement of income and expenditure for the year, and shall submit at the annual meeting of the Association in the year such financial statement.

14 The Registrar shall keep a register of the members of the Association with their addresses and shall issue certificates of membership to the members of the Association, certificates of exemption and certificates of registration to apprentices entitled thereto, and shall keep a record of the sections of the trade that every member of the Association is qualified to practice or in which they may give instruction to an apprentice or in which they may supervise another registered barber who has not passed the

examination for a section of the trade. Such certificates shall be in such form as the Council shall from time to time determine.

*Section 14 amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

15 In addition to the above mentioned duties the various officers of the Association shall perform such other duties as the Council of the Association may from time to time direct.

16 All cheques, drafts, bills of exchange and promissory notes, issued, drawn, made, accepted or endorsed, on behalf of the Association, shall be signed by any two of the following officers, namely, the President, Vice-President and the Treasurer. All other documents required to be executed on behalf of the Association shall be executed in the name of the Association, and shall be signed by the President, or, in his absence, the Vice-President, or in the absence of both President and Vice-President any member of the Council having been duly elected for that purpose, pursuant to a resolution of the Council, and by the Secretary, and the seal of the Association shall be impressed thereon.

17 The President, Vice President, Secretary, Treasurer, Registrar, Sergeant at Arms and each other member of Council shall be reimbursed by the Association for expenses incurred in the normal performance of their duties  
*Section 17 replaced: O.I.C. 1999-328, N.S. Reg. 70/99.*

18 The order of business at the annual general meeting shall be as follows:

- (a) reading of minutes;
- (b) appointment by the Chairman of three scrutineers;
- (c) report of the Treasurer;
- (d) unfinished business;
- (e) new business;
- (f) election of Examining Board; (g) election of Council;
- (h) election of new officers.

### **Council and other officers how elected**

19 The members of the Council shall be elected by sealed ballot at the annual meeting of the Association. Each member of the Association present at such meeting may vote for seven members of the Association to

constitute the Council. The seven members who secure the greatest number of votes shall constitute the Council.

20 If, by reason of two or more persons receiving the same number of votes, the seven members of the Council are not clearly elected, the two or more members for whom an equal number of votes have been cast shall be voted on again.

21 (1) Immediately after the election of the Council of the Association, the members of the Association present at the annual meeting shall elect from among the members of the Council a member to be President and a member to be Vice-President, each to hold office for the ensuing year. Such officers shall be elected by sealed ballot.

(2) After the election of the President and Vice-President the members present at such annual meeting shall elect from among the whole membership of the Association, including the members elected to the Council, persons to hold the offices of Registrar, Secretary and Treasurer of the Association for the ensuing year. The election of such officers by sealed ballot may be dispensed with if the majority of the members present shall decide.

(3) The Secretary and Treasurer shall before taking office furnish a bond with such sureties as may be approved by the Council conditioned upon the faithful performance of their duties and the premium for such bond shall be paid out of the funds of the Association.

22 The Council may from time to time appoint such person as it may determine to inspect barber shops and may determine the compensation to be paid to such inspector for performing such work.

23 The Council may from time to time divide the Province into zones and may appoint an Advisory Council in each zone.

### **Board of Examiners**

24 (1) There shall be a Board of Examiners, consisting of five persons, of whom three shall be appointed by the Minister of Labour and Advanced Education of the Province and two by the Council of the Association. The persons appointed by the Minister of Labour and Advanced Education shall hold office for three years and those appointed by the Council shall hold

office until the next annual meeting of the Association until their successors are appointed. The members of the Board appointed by the Council shall be members of the Association. The members appointed by the Minister of Labour and Advanced Education must have practised the trade of barbering for at least ten years prior to this appointment.

*Subsection 24(1) amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

*[Note: the references to the Minister have been updated in accordance with Order in Council 2011-15 under the Public Service Act, R.S.N.S. 1989, c. 376, effective January 11, 2011.]*

(2) The Board of Examiners shall meet at least twice in every year for the purpose of examining candidates for registration under this Act. Due notice of all such examinations shall be given by advertisement in one or more public newspapers circulated throughout the Province. Any two members of the Board shall constitute a quorum.

*Subsection 24(2) amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

(3) Where it is desirable, in the opinion of the Board of Examiners, to conduct an examination in any place in the Province of Nova Scotia other than the Halifax Regional Municipality, the Board may designate two members of the Association to conduct such examination. Such members shall supervise any written examination prescribed by the Board and shall report to the Board upon the result of any practical examination so prescribed. Upon receipt of the examination papers from such members and upon receiving such report the Board may determine the result of such examination.

*Subsection 24(3) amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

25 It shall be the duty of the Examining Board to consider the qualifications of any applicant to be registered as a member of the Association and to render a decision thereon, and to notify the Secretary of such decision, and the Secretary shall forthwith transmit such decision to the applicant.

26 Before rendering a decision that any applicant is entitled to be registered as a member of the Association, the examining Board shall satisfy itself that the applicant fulfils the following requirements:

(1) that he is free from all contagious and infectious diseases which may be transmitted to or infect any other person in the normal practice of the trade of barbering, as evidenced by a certificate of a qualified medical practitioner dated not more than two weeks previous to the date of application;

*Subsection 26(1) amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

(2) any other requirement which the Council may from time to time direct the Examining Board to consider.

27 A majority decision of the Examining Board shall be final.

28 That the Examiners be reimbursed by the Association for expenses incurred in the normal performance of their duties.

*Section 28 replaced: O.I.C. 1999-328, N.S. Reg. 70/99.*

**Fees dues and assessments**

29 The annual fees payable by each member of the Association shall be \$42.00 payable in advance on or before the 15th day of December in each year. Such dues shall be payable to the Secretary who may arrange with any member the payment of such dues by instalments. When such dues are received by the Secretary, he shall promptly remit the same to the Treasurer with a statement setting out the names of the persons paying the same.

*Section 29 replaced: N.S. Reg. 55/66 and amended: O.I.C. 72-238, N.S. Reg. 137/72.*

30 Each candidate for an examination either for registration as a member of the Association or as an apprentice shall, with the application of such person, pay an admission fee of \$25.00 and in addition the following examination fee shall accompany the application:

- (a) for examination for registration as an apprentice.....
- (b) for examination for registration as a barber.....
- (c) for examination in any one section of the trade.....

\$10.00 \$50.00 \$10.00

*Clause 30(c) added: O.I.C. 1999-328, N.S. Reg. 70/99.*

*Section 30 replaced: N.S. Reg. 55/66; amended: O.I.C. 1999-328, N.S. Reg. 70/99.*

31 The Association may assess its members for any ordinary, special or extraordinary expenditures for such amount as the Association, by resolution, may determine. Any such resolution, passed at any regularly called meeting of the Association, fixing the amount of such assessment and the terms of payment thereof, shall be binding on all members of the

Association. Notice, specifying that such assessment will be considered, and if deemed advisable, levied, shall be included in the notice calling any meeting at which such assessment is to be considered.

### **Eligibility for membership**

32 Every person who was on December 31, 1998, carrying on the trade of barber in the Province of Nova Scotia may apply to the Association for membership in the Association, and upon it appearing from such application or it being otherwise ascertained that such person possesses the qualifications, training and experience as prescribed by these by-laws, shall upon payment of the fees prescribed be entitled to be registered as a member of the Association and to practice any section of the trade for which they are qualified as prescribed by these by-laws, the Registered Barbers Act or regulations under the Act.

*Section 32 replaced: O.I.C. 1999-328, N.S. Reg. 70/99.*

### **Prohibition to instruct an apprentice**

33 (1) A registered barber or barber holding a certificate of exemption may be prohibited from instructing an apprentice, only after a motion to this effect has been approved, by a two-thirds vote in favour of such prohibition, at any meeting of the Board of Examiners.

(2) A registered barber or barber holding a certificate of exemption may be prohibited from instructing an apprentice by reason of his failure to comply with the Registered Barbers Act, regulations under the authority of the Act or the by-laws of the Association.

(3) A registered barber or barber holding a certificate of exemption, prohibited from instructing an apprentice, may after a period of three months apply to the Board of Examiners for the withdrawal of said prohibition. At the next meeting of the Examining Board following the receipt of such application, a motion to withdraw the prohibition shall be presented. If said motion is approved by a two-thirds vote in favour, the registered barber or barber holding a certificate of exemption may again instruct an apprentice. If the motion is not approved by a two-thirds vote in favour, the registered barber or barber hold a certificate of exemption will continue to be prohibited from instructing an apprentice, but after a period of three months may again apply to the Board of Examiners for the withdrawal of said prohibition.

*Section 33 added: O.I.C. Feb. 10, 1959; replaced: O.I.C. 1999-328, N.S. Reg. 70/99.*

### **Permitted to practice**

34 (1) A registered barber will be permitted to practice only those sections of the trade on the examinations for which they have achieved a mark of 70% or more, and will not be permitted to practice those sections of the trade on the examinations for which they have failed to achieve a mark of 70%, until such time as they are able to successfully complete the examination for that section of the trade.

(2) A registered barber will be permitted to practice a section of the trade on the examination for which they have failed to achieve a mark of 70%, only under the immediate supervision of a registered barber who is qualified to practice that section of the trade.

(3) A certificate of membership in the Nova Scotia Registered Barbers Association will indicate in a manner prescribed by the Council of the Association the sections of the trade that a registered barber is qualified to practice or in which they may give instruction to an apprentice or in which they may supervise another registered barber who has not qualified in any section of the trade.

*Section 34 added: O.I.C. 1999-328, N.S. Reg. 70/99.*