

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** Creager v. Nova Scotia (Provincial Dental Board),  
2005 NSCA 9

**Date:** 20050201

**Docket:** CA 216913

**Registry:** Halifax

**Between:**

Dr. Clive Creager

Appellant

v.

Provincial Dental Board

Respondent

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**Judge:** The Honourable Justice Fichaud

**Appeal Heard:** December 6, 2004, in Halifax, Nova Scotia

**Subject:** Professional discipline - judicial review

**Summary:** The Discipline Committee of the Dental Board of Nova Scotia decided that the appellant committed professional misconduct. The appellant appealed under s. 38(1) of the *Dental Act*.

**Issue:** Did the Discipline Committee commit reviewable errors respecting the application of the standards of professional misconduct, the ruling that the appellant breached the *Code of Ethics* and the costs award?

**Result:** The Committee did not commit reviewable error in the application of the standards of professional misconduct. Because of the wording on the Notice of Charge, the Committee had no power to rule that the appellant had breached the *Code of Ethics*. The Committee erred in law by failing to give written reasons for its substantial costs award. Matter was remitted to Committee to provide written reasons for costs.

**This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 34 pages.**

