

SUPREME COURT OF NOVA SCOTIA

Citation: *Book v. Tourism Nova Scotia*, 2016 NSSC 253

Date: 2016-09-26

Docket: Hfx No. 453012

Registry: Halifax

Between:

Robert Book

Applicant

v.

Tourism Nova Scotia

Respondent

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Judge: The Honourable Justice James L. Chipman

Heard: September 7, 2016, in Halifax, Nova Scotia

Subject: Determination of a preliminary question of law under *Civil Procedure Rule 12*

Summary: The parties agreed to proceed with an application under *Civil Procedure Rule 12* to determine the legal basis of the Respondent's obligations to the Applicant on terminating his employment.

Mr. Book submits that pursuant to the applicable legislation, the terms of the termination of his employment are governed by the common law. Tourism Nova Scotia disagrees, arguing that their legal obligations on terminating Mr. Book are as set out in the applicable legislation and accompanying regulations.

Issues: What were the Respondent's obligations on terminating the Applicant?

Result:

The Court answered the question by determining that the Respondent's legal obligations on terminating the Applicant's employment are as set out in the *Regulations*, by virtue of s. 24(1) of the *Tourism Nova Scotia Act*. Accordingly, the Applicant is entitled to 12 months' notice.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
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