

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** Nova Scotia (Public Service Commission) v. Nova Scotia Government and General Employees Union, 2012 NSSC 373

**Date:** 20120820

**Docket:** SH No. 370199

**Registry:** Halifax, NS

Between:

Her Majesty the Queen in the Right of the Province of Nova Scotia, representing the  
Public Service Commission

Applicant

and

Nova Scotia Government and General Employees Union and Civil Service Classification  
Appeal Tribunal

Defendant

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**Judge:** The Honourable Justice Patrick J. Murray

**Heard:** February 21, 2012 in Halifax, N.S.

**Written  
Decision:** August 20, 2012

**Subject:** Judicial Review; Administrative Law

**Summary:** The Applicant Province requested Judicial Review of a Decision of the Nova Scotia Classification Appeals Tribunal, which determined the number and dates of Appeals to be heard before the Tribunal.

**Issues:** Whether Tribunal's Decision involved a true question of jurisdiction or "vires"? What is appropriate standard of review? Should Decision stand?

**Result:** Whether there was a true question of jurisdiction, was unclear. Standard of Review found to be one of correctness following analysis. Decision of Tribunal found to be correct and therefore, upheld. Application dismissed.