

EC2015-606

CRIMINAL CODE OF CANADA
VICTIM IMPACT STATEMENT
AND
COMMUNITY IMPACT STATEMENT
ORDER

Pursuant to the *Criminal Code of Canada*, Council made the following Order:

1. Victim Services, established by section 7 of the *Victims of Crime Act*, R.S.P.E.I. 1988, Cap. V-3.1 (as amended by Stats. P.E.I. 1999, c.47) is designated as the program for the preparation of victim impact statements for the purposes of subsections 722(4) and 672.5(14), and community impact statements for the purposes of subsection 722.2(2) of the *Criminal Code of Canada*.
2. Order-in-Council EC1999-661 of November 16, 1999 is hereby rescinded.
3. This Order-in-Council comes into force on October 24, 2015.

EC2015-607

EXECUTIVE COUNCIL ACT
MINISTER OF FINANCE
AUTHORITY TO ENTER INTO AN AGREEMENT
(PARTICIPATION AGREEMENT
CORPORATE CREDIT CARD PROGRAM)
WITH
THE PROVINCE OF NEWFOUNDLAND & LABRADOR
AND
BANK OF MONTREAL

Pursuant to clauses 10(b) and (c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Finance to enter into a participation agreement with the Province of Newfoundland and Labrador and Bank of Montreal to set out terms and conditions whereby Bank of Montreal will provide corporate procurement card services to the Province of Prince Edward Island under terms of the agreement with the Province of Newfoundland and Labrador, such as more particularly described in the draft agreement.

EC2015-608

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (TOLLFREE QUITLINE NUMBERS
 ON TOBACCO PACKAGING INITIATIVE
 AMENDMENT NO. 1)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Health and Wellness to enter into an agreement with the Government of Canada, as represented by the Minister of Health, to continue support of provincial quitline services through addition of toll-free numbers and a cessation web portal address on tobacco packaging for the period November 1, 2015 to March 31, 2017, such as more particularly described in the draft agreement.

EC2015-609

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 GABRIEL HANSELPACKER
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Gabriel Hanselbacher of Eagle River, Alaska to acquire a land holding of approximately forty-nine (49) acres of land at Murray Harbour North, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Don MacEwan of Murray Harbour, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-610

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 COLIN A. JONAH AND DEBORAH D. TAYLOR
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Colin A. Jonah and Deborah D. Taylor, both of Hampton, Ontario to acquire a land holding of approximately thirteen decimal one two (13.12) acres of land at Kildare Capes, Lot 3, Prince County, Province of Prince Edward Island, being acquired from Neil Hardy of Alberton, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-611

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 KOLIN LINDSTEDT
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Kolin Lindstedt of Bentley, Alberta to acquire a land holding of approximately eleven decimal nine five (11.95) acres of land at Albany, Lot 28, Prince County, Province of Prince Edward Island, being acquired from John MacKay and Harleigh MacKay, both of Albany, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Kolin Lindstedt and on all successors in title.

EC2015-612

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 KOLIN LINDSTEDT
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Kolin Lindstedt of Bentley, Alberta to acquire a land holding of approximately two decimal two eight (2.28) acres of land at Albany, Lot 28, Prince County, Province of Prince Edward Island, being acquired from Harleigh MacKay and Susan MacKay, both of Albany, Prince Edward Island.

EC2015-613

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JANE C. MADIGAN, TRUSTEE
 OF THE JANE C. MADIGAN LIVING TRUST
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jane C. Madigan, Trustee of the Jane C. Madigan Living Trust of Costa Mesa, California to acquire a land holding of approximately fifty decimal two (50.2) acres of land at Annandale, Lot 56, Kings County, Province of Prince Edward Island, being acquired from Irving Morrow and Priscilla Morrow, both of Harvard, Massachusetts PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-614

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LINDA MCGIVERN
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Linda McGivern of Rollinsford, New Hampshire to acquire a land holding of approximately fifty decimal five one (50.51) acres of land at Goose River, Lot 42, Kings County, Province of Prince Edward Island, being acquired from David Richard of Stratford, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-615

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 TERRY MCGUIRE
 (DENIAL)

Council, having under consideration an application (#5404) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Terry McGuire of Clinton, Ontario to acquire an interest in a land holding of approximately one hundred and thirty-eight (138) acres of land at Hartsville, Lot 30, Queens County, currently owned by Gordon A. Dixon of Kingston, Prince Edward Island.

EC2015-616

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BRENDA LOUISE MICHAEL
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Brenda Louise Michael of Glencoe, Ontario to acquire a land holding of approximately eleven decimal five (11.5) acres of land at Wheatley River, Lot 24, Queens County, Province of Prince Edward Island, being acquired from All's Well on the Wheatley Inc. of Wheatley River, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Brenda Louise Michael and on all successors in title.

EC2015-617

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ANTHONY WALLBANK AND LINDA WALLBANK
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Anthony Wallbank and Linda Wallbank, both of Princeton, Ontario to acquire a land holding of approximately forty-two (42) acres of land at Primrose, Lot 54, Kings County, Province of Prince Edward Island, being acquired from Robert Parnell and Karena Parnell, both of Primrose, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-618

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 7035233 CANADA INC.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 7035233 Canada Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately thirteen (13) acres of land to be subdivided from Provincial Property No. 665604 at Pisquid East, Lot 37, Queens County, Province of Prince Edward Island, being acquired from Apple Valley Farms Inc. of Mount Stewart, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

Council noted that the proposed subdivision requires approval pursuant to the *Planning Act* R.S.P.E.I. 1988, Cap. P-9 and Regulations.

EC2015-619

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BELL CANADA
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Bell Canada of Montreal, Quebec to acquire, by lease, an interest in a land holding of approximately zero decimal zero two (0.02) acres of land at Savage Harbour, Lot 37, Queens County, Province of Prince Edward Island, being acquired from Earl Doyle of Saint John, New Brunswick.

EC2015-620

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BLUE HERON CONSTRUCTION INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Blue Heron Construction Inc. of South Winsloe, Prince Edward Island to acquire a land holding of approximately two decimal six eight (2.68) acres of land at Stanley Bridge, Lot 22, Queens County, Province of Prince Edward Island, being acquired from Anderson's Creek Estates Inc. of Summerside, Prince Edward Island.

EC2015-621

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BRAD OLIVER REALTY INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Brad Oliver Realty Inc. of Montague, Prince Edward Island to acquire a land holding of approximately thirty-seven decimal three (37.3) acres of land at DeGros Marsh, Lot 55, Kings County, Province of Prince Edward Island, being acquired from Tyrrell Pearson doing business as "Osprey Properties" of Charlottetown, Prince Edward Island.

EC2015-622

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CAVENDISH DAIRY FARMS INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Cavendish Dairy Farms Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately sixty (60) acres of land at Cavendish, Lot 23, Queens County, Province of Prince Edward Island, being acquired from Carmen Wyand and Sylvia Wyand, both of Hunter River, Prince Edward Island.

EC2015-623

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CAVENDISH DAIRY FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Cavendish Dairy Farms Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately eighty-nine decimal nine nine (89.99) acres of land at Mayfield, Lot 23, Queens County, Province of Prince Edward Island, being acquired from Carmen Wyand and Sylvia Wyand, both of Hunter River, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-624

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
FORGAN HILL FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Forgan Hill Farms Ltd. of Watervale, Prince Edward Island to acquire a land holding of approximately twenty-six (26) acres of land at Watervale, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Vanco Farms Ltd. of Mount Albion, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-625

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GRIFFIN FAMILY FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Griffin Family Farms Inc. of Elmsdale, Prince Edward Island to acquire a land holding of approximately two hundred and five (205) acres of land at Kildare Capes, Lot 2, Prince County, Province of Prince Edward Island, being acquired from David Buote of Tignish, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-626

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 HURON PLASTICS LTD.
 (DENIAL)

Council, having under consideration an application (#C6524) for acquisition of a land holding under authority of section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Huron Plastics Ltd. of Clinton, Ontario to acquire a land holding of approximately one hundred and thirty eight (138) acres of land at Hartsville, Lot 30, Queens County, currently owned by Gordon A. Dixon of Kingston, Prince Edward Island.

EC2015-627

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 SELKIRK ENTERPRISES LTD.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Selkirk Enterprises Ltd. of Eldon, Prince Edward Island to acquire a land holding of approximately three decimal eight nine (3.89) acres of land at Eldon, Lot 57, Queens County, Province of Prince Edward Island, being acquired from Ellen Hering of Eldon, Prince Edward Island.

EC2015-628

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DOUGLAS WAYNE MILLER AND WILLIAM DOUGLAS MILLER,
 DOING BUSINESS AS WAYNECROFT FARMS
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Douglas Wayne Miller and William Douglas Miller, doing business as Waynecroft Farms of Miscouche, Prince Edward Island to acquire a land holding of approximately thirty-two (32) acres of land at Southwest Lot 16, Lot 16, Prince County, Province of Prince Edward Island, being acquired from Allison MacLean of Miscouche, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2015-629

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 242115, LOT 23, QUEENS COUNTY
SUBDIVISION RESTRICTION
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition prohibiting subdivision in respect of approximately twelve decimal seven three (12.73) acres of land, being Provincial Property No. 242115 located at Hunter River, Lot 23, Queens County, Prince Edward Island and currently owned by Karla's Country Garden Villa Inc. of Hunter River, Prince Edward Island.

Council noted that this amendment will permit subdivision of a lot of approximately one decimal zero four (1.04) acres comprised of a building lot of approximately zero decimal five nine (0.59) acres and a right-of-way of approximately zero decimal four five (0.45) acres. Further, Council determined that the subdivision restriction shall continue to apply to the remaining land.

This Order-in-Council comes into force on October 13, 2015.

EC2015-630

PUBLIC DEPARTMENTS ACT
DEPARTMENT OF FINANCE
TRANSFER OF POWERS, DUTIES AND FUNCTIONS
AND CONTROL AND SUPERVISION
TO SECRETARY TO TREASURY BOARD
(APPROVED)

Pursuant to subsection 7(3) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 (as amended by Stats. P.E.I. 2012, c. 15) Council assigned and transferred from the Deputy Minister of Finance to the Secretary to Treasury Board, control and supervision and all powers, duties and functions relating to the following parts of the Department of Finance:

Treasury Board Operations,
Fiscal Management,
Corporate Finance,
Risk Management and Insurance, and
Information Technology Shared Services.

Order-in-Council EC2012-313 of June 5, 2012 is hereby rescinded.

This Order-in-Council is effective October 13, 2015.

EC2015-631

**SCHOOL ACT
PRIVATE SCHOOLS AND
HOME EDUCATION REGULATIONS
AMENDMENT**

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

1. Clause 19(1)(e) of the *School Act* Private Schools and Home Education Regulations (EC534/95) is revoked.

2. These regulations come into force on October 24, 2015.

EXPLANATORY NOTES

SECTION 1 removes from the regulations the requirement that proposed home education plans include the name and address of a teacher advisor. This amendment is intended to remove a requirement that has been determined to be unnecessary and burdensome to applicants.

SECTION 2 provides for the commencement of these regulations.

EC2015-632

**SCHOOL ACT
TEACHER CERTIFICATION AND
STANDARDS REGULATIONS
AMENDMENT**

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2.1, Council made the following regulations:

1. The *School Act* Teacher Certification and Standards Regulations (EC236/04) are amended by the addition of the following after section 18:

18.1 (1) No teacher shall be employed by a school board as a principal of a school after August 31, 2019, unless the teacher has the qualifications specified in subsection (2). Prohibition

(2) A teacher is qualified to be employed as a principal of a school if the teacher Qualifications required

- (a) holds an instructional license that is
 - (i) assigned to an Academic category of instructional license, and
 - (ii) assigned a qualification level of at least C6;
- (b) has at least seven school years' teaching experience; and
- (c) has successfully completed an Administrator's Leadership program approved by the Minister.

(3) Notwithstanding subsection (1), where a teacher who is employed as a principal of a school immediately prior to September 1, 2019, does not have one or more of the qualifications specified in subsection (2), that teacher may, at the discretion of the school board, continue to be employed as the principal of that school. Exception

(4) Notwithstanding subsection (1), on and after September 1, 2019, a school board may, in the event of extenuating circumstances and subject to the approval of the Minister, employ a teacher who does not have one or more of the qualifications specified in subclause (2)(a)(ii) or clause (2)(b) or (c) as the principal of a school for a period of time not to exceed five years. Idem

(5) The Minister may, on application in the manner and form required by the Minister by a teacher who meets the qualification requirements specified in subsection (2), issue to the teacher a Statement of Qualification respecting the teacher's qualification for employment by a school board as a principal of a school. Statement of Qualification

18.2 (1) No teacher shall be employed by a school board as a vice-principal of a school after August 31, 2019, unless the teacher has the qualifications specified in subsection (2). Prohibition

(2) A teacher is qualified to be employed as a vice-principal of a school if the teacher Qualifications required

- (a) holds an instructional license that is
 - (i) assigned to an Academic category of instructional license, and
 - (ii) assigned a qualification level of at least C5;
- (b) has at least five school years' teaching experience; and
- (c) has successfully completed an Administrator's Leadership program approved by the Minister.

(3) Notwithstanding subsection (1), where a teacher who is employed as a vice-principal of a school immediately prior to September 1, 2019, does not have one or more of the qualifications specified in subsection (2), that teacher may, at the discretion of the school board, continue to be employed as the vice-principal of that school. Exception

(4) Notwithstanding subsection (1), on and after September 1, 2019, a school board may, in the event of extenuating circumstances and subject to the approval of the Minister, employ a teacher who does not have one or more of the qualifications specified in subclause (2)(a)(ii) or clause (2)(b) or (c) as a vice-principal of a school for a period of time not to exceed five years. Idem

(5) The Minister may, on application in the manner and form required by the Minister by a teacher who meets the qualification requirements specified in subsection (2), issue to the teacher a Statement of Qualification respecting the teacher's qualification for employment by a school board as a vice-principal of a school. Statement of qualification

2. These regulations come into force on October 24, 2015.

EXPLANATORY NOTES

SECTION 1 amends the Teacher Certification and Standards Regulations (EC236/04) by adding new sections 18.1 and 18.2. Section 18.1 establishes the required qualifications for a teacher to be employed as a principal of a school, and prohibits the employment of persons who lack those qualifications, effective September 1, 2019, with two exceptions. The first exception allows a school board to continue to employ as principal of a school a teacher who, immediately prior to September 1, 2019, is employed as the principal of that school. The second exception allows a school board on and after September 1, 2019, with the Minister's approval, to employ a teacher who lacks the specified qualifications as a principal for a term of five years. Finally, the section authorizes the Minister to issue a Statement of Qualification to a teacher who meets the requirements of subsection (2). The new section 18.2 establishes a parallel prohibition, employment qualifications and exceptions with respect to the employment by a school board of a teacher as a vice-principal of a school.

SECTION 2 provides for the commencement of these regulations.