

**EC2017-508**

**CRIMINAL CODE OF CANADA  
PRINCE EDWARD ISLAND REVIEW BOARD  
APPOINTMENTS**

Pursuant to section 672.38 of the *Criminal Code of Canada*, R.S.C. 1985, Chap. C-46, Council made the following appointments:

| <b>NAME</b>                                        | <b>TERM OF APPOINTMENT</b>                 |
|----------------------------------------------------|--------------------------------------------|
| as members                                         |                                            |
| Dr. Megan McDonald<br>Summerside                   | 5 September 2017<br>to<br>5 September 2020 |
| Donna M. McNeill<br>Charlottetown<br>(reappointed) | 1 May 2017<br>to<br>1 May 2020             |

**EC2017-509**

**HIGHWAY TRAFFIC ACT  
ADMINISTRATIVE DRIVING PROHIBITION AND VEHICLE  
IMPOUNDMENT REGULATIONS  
AMENDMENT**

Pursuant to section 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

- 1. Section 1 of the *Highway Traffic Act* Administrative Driving Prohibition and Vehicle Impoundment Regulations (EC161/00) is amended by the addition of the words “be in the form” after the word “shall”.**
- 2. Schedule 1 of the regulations “Notice of Impoundment” is revoked and Schedule 1 as set out in the Schedule to these regulations is substituted.**
- 3. Schedule 3 of the regulations “Statutory Declaration” is amended by the addition of the words “, 277.11 or 277.91” after the words “section 255.1”.**
- 4. Schedule 4, Form 3, of the regulations “Notice of Driving Prohibition” is amended by the deletion of the words “120 Harbour Drive” and the substitution of the words “120 Heather Moyse Drive”.**
- 5. Schedule 7 of the regulations “Report of Vehicle Impoundment” is amended**

**(a) by the deletion of the words “Notice of Vehicle Impoundment (s. 255.1 of the *Highway Traffic Act*)” and the substitution of the words “Notice of Impoundment pursuant to section 255.3 of the *Highway Traffic Act.*”; and**

**(b) by the deletion of the words “Notice of Vehicle Impoundment on the above-named driver pursuant to section 255.1” and the substitution of the words “Notice of Impoundment on the above-named driver pursuant to section 255.3”.**

**6. These regulations come into force on September 16, 2017.**

**SCHEDULE**

**SCHEDULE 1**

**NOTICE OF IMPOUNDMENT**  
(s. 255.3 of the *Highway Traffic Act*)

NAME .....  
 (Last) (First) (Other)  
 ADDRESS .....  
 (Number & Street) (Municipality) (Province) (Telephone)  
 DRIVER INFO .....  
 (License No.) (Prov.) (D.O.B.) (Sex)  
 VEHICLE INFO .....  
 (Plate No.) (Year) (Make) (V.I.N.) (Province)  
 OWNER INFO .....  
 (Name) (Address)  
 LOCATION ..... DATE ..... TIME .....  
 dd mm yy

This is official notification that the above-noted motor vehicle is being impounded under the authority specified below for the period of time specified below from the following date .....  
 (Date of Impoundment)

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1) of the *Highway Traffic Act* for one of the following periods of time in accordance with subsections 255.2(1) and (2) of the Act:
  - 30 days; or
  - 60 days, where the registered owner of the motor vehicle was the owner of a motor vehicle that was impounded within two years before the date of impoundment.

REASON:  
 The undersigned peace officer is satisfied that, on or about ....., you operated a motor vehicle or had care or control of a motor vehicle while you were prohibited from doing so, by reason of the suspension or cancellation of your driver’s license, and that you have been convicted, in the past two years, of an offence under subsection 271(1) of the *Highway Traffic Act* or under subsection 259(4) of the *Criminal Code* (Canada).

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1.01) of the *Highway Traffic Act* for 30 days in accordance with subsection 255.2(2.01) of the Act.

REASON:  
 The undersigned peace officer is satisfied that, on or about ....., by means of or in relation to your operation of the motor vehicle, you committed an offence under one of the following provisions of the *Criminal Code* (Canada): paragraph 253(1)(a) or (b), or subsection 254(5).

- The above-noted vehicle is being impounded pursuant to subsection 255.1(1.1) of the *Highway Traffic Act* for 6 months in accordance with subsection 255.2(2.1) of the Act.

REASON:  
 The undersigned peace officer is satisfied that, on or about .....,
 

- you committed an offence under one of the following provisions of the *Criminal Code* (Canada) as set out in 255.1(1.1)(a) of the *Highway Traffic Act*: 220, 221, 236, 249(3), 249(4), 249.1(4)(a) or (b), 249.2, 249.3, 249.4(3), 249.4(4), 255(2), 255(2.1), 255(2.2), 255(3), 255(3.1) or 255(3.2); or
- you committed an offence under one of the following provisions of the *Criminal Code* (Canada) as set out in 255.1(1.1)(b) of the *Highway Traffic Act*: 249(2), 249.1(2), 249.4(1), 252, 253(1)(a) or (b), 254(5) or 259(4), and within 10 years before the commission of the offence you were also convicted of one of the offences listed in 255.1(1.1)(a) or two or more of the offences listed in 255.1(1.1)(b).

- The above-noted vehicle is being impounded pursuant to subsection 277.11(1) of the *Highway Traffic Act* for one of the following periods of time in accordance with subsection 277.11(2) of the Act:
  - 3 days, where a driving suspension has been imposed under subsection 277.1(3.2) of the Act for 7 days;
  - 7 days, where a driving suspension has been imposed under subsection 277.1(3.3) of the Act for 30 days; or
  - 30 days, where a driving suspension has been imposed under subsection 277.1(3.5) of the Act for 90 days.

REASON:  
 The undersigned peace officer is satisfied that, on or about \_\_\_\_\_, you were served with a notice of driving suspension under section 277.1 of the *Highway Traffic Act*.

- The above-noted vehicle is being impounded pursuant to subsection 277.91(1) of the *Highway Traffic Act* for 30 days in accordance with subsection 277.91(2) of the Act.

REASON:  
 The undersigned peace officer is satisfied that, on or about \_\_\_\_\_, you, a person who is a graduated driver or under the age of 19 years, were served with a notice of driving suspension under section 277.9 of the *Highway Traffic Act*.

REVIEW INSTRUCTIONS:

The owner of a motor vehicle has the right to have the impoundment reviewed by the Registrar under section 255.5 of the *Highway Traffic Act*. You may, within 30 days of becoming aware of the impoundment, apply to the Registrar for a review of the impoundment by filing an application for review with the Registrar of Motor Vehicles at Highway Safety Division, 33 Riverside Drive, Charlottetown, or Access PEI, 120 Heather Moyse Drive, Summerside, and paying to the Registrar the prescribed fee(s). An application for review must be in the form, contain the information and be completed in the manner required by the Registrar. You may attach to the application for review any sworn statements or other evidence that you wish the Registrar to consider. To ensure all written evidence will be considered by the Registrar, it must be attached at the time of filing the application for review. The Registrar is not required to hold an oral hearing unless you request an oral hearing at the time of filing the application for review and pay the prescribed oral hearing fee. If you request an oral hearing and fail to appear on the date and at the time and place arranged for the hearing, without prior notice to the Registrar, your right to an oral hearing is deemed to have been waived. The filing of an application for a review under section 255.5 of the *Highway Traffic Act* does not stay the impoundment of the motor vehicle. Subject to the result of a review under section 255.5 of the *Highway Traffic Act*, the motor vehicle will be impounded for the period authorized by section 255.2, 277.11 or 277.91 of the *Highway Traffic Act*, as the case may be.

The owner of the motor vehicle shall be responsible to pay all costs and charges in relation to the impoundment and storage of the motor vehicle permitted by subsection 255.4(2) of the *Highway Traffic Act*, which costs and charges shall constitute a lien on the motor vehicle. Failure to pay such costs and charges may result in the disposal of the motor vehicle under the *Garage Keepers' Lien Act* or subsection 255.4(6) of the *Highway Traffic Act*.

\_\_\_\_\_  
 Vehicle stored at: .....

\_\_\_\_\_  
 PEACE OFFICER'S NAME (PRINT) .....

PEACE OFFICER'S SIGNATURE .....

PIN/BADGE NUMBER ..... POLICE AGENCY .....

**EXPLANATORY NOTES**

**SECTION 1** amends section 1 of the regulations to require that the Notice of Impoundment prescribed by section 255.3 of the *Highway Traffic Act* be in the form set out in Schedule 1 of the regulations.

**SECTION 2** revokes and replaces the Notice of Impoundment set out in Schedule 1 to provide for notice of vehicle impoundments under subsection 255.1(1.01) and sections 277.11 and 277.91, which were recently added to the *Highway Traffic Act*.

**SECTION 3** adds references to sections 277.11 and 277.91 in Schedule 3, as a vehicle may now be impounded pursuant to one of these sections recently added to the *Highway Traffic Act*.

**SECTION 4** corrects the address of Access PEI in Summerside on Schedule 4, Form 3, of the regulations.

**SECTION 5** corrects wording in Schedule 7 of the regulations to state that a Notice of Impoundment is issued pursuant to section 255.3 of the *Highway Traffic Act*.

**SECTION 6** provides for the commencement of these regulations.

**EC2017-510**

**INTERPRETATION ACT  
ANIMAL HEALTH ACT  
ANIMAL PROTECTION REGULATIONS  
REVOCATION**

Pursuant to subsection 33(3) of the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8, Council made the following regulations:

**1. The *Animal Health Act* Animal Protection Regulations (EC71/90) are revoked.**

**2. These regulations come into force on September 16, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the Animal Protection Regulations made under the *Animal Health Act*.

**SECTION 2** provides for the commencement of the regulations.

**EC2017-511**

**INTERPRETATION ACT  
COMPANION ANIMAL PROTECTION ACT  
REGULATIONS  
REVOCATION**

Pursuant to subsection 33(3) of the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8, Council made the following regulations:

**1. The *Companion Animal Protection Act* Regulations (EC249/02) are revoked.**

**2. These regulations come into force on September 16, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the Regulations made under the *Companion Animal Protection Act*.

**SECTION 2** provides for the commencement of these regulations.

**EC2017-512**

**INTERPRETATION ACT  
 COMPANION ANIMAL PROTECTION ACT  
 HOUSING STANDARDS FOR CATS AND DOGS IN  
 COMPANION ANIMAL ESTABLISHMENTS REGULATIONS  
 REVOCATION**

Pursuant to subsection 33(3) of the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8, Council made the following regulations:

- 1. The *Companion Animal Protection Act* Housing Standards for Cats and Dogs in Companion Animal Establishments Regulations (EC682/03) are revoked.**
- 2. These regulations come into force on September 16, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the Housing Standards for Cats and Dogs in Companion Animal Establishments Regulations made under the *Companion Animal Protection Act*.

**SECTION 2** provides for the commencement of these regulations.

**EC2017-513**

**AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT  
 DECLARATION RE**

Under authority of section 14 of *An Act to Amend the Highway Traffic Act* Stats. P.E.I. 2016, c. 41 Council ordered that a Proclamation do issue proclaiming section 9 of the said "An Act to Amend the Highway Traffic Act" to come into force effective September 16, 2017.

**EC2017-514**

**AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 2)  
 DECLARATION RE**

Under authority of section 7 of *An Act to Amend the Highway Traffic Act (No.2)* Stats. P.E.I. 2016, c. 42 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Highway Traffic Act (No. 2)" to come into force effective September 16, 2017.

**EC2017-515**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 LOMER MACDONALD 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 Lomer MacDonald Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately fifty-two (52) acres of land at Emyvale, Lot 30, Queens County, Province of Prince Edward Island, being acquired from Donna MacKinnon, of Cornwall, 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 Lomer MacDonald Inc. and on all successors in title.

**EC2017-516**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 SUNNY MEADOW 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 Sunny Meadow Farms Inc. of North Milton, Prince Edward Island to acquire a land holding of approximately seventy-three decimal four (73.4) acres of land at North Milton, Lot 32, Queens County, Province of Prince Edward Island, being acquired from Stefan Strebel and Valerie Rodel, both of North Milton, Prince Edward Island.

**EC2017-517**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 SCOTT ANDREW JOHNSON AND DOUGLAS SCOTT JOHNSON  
 (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 Scott Andrew Johnson and Douglas Scott Johnson, both Kanata, Ontario to acquire a land holding of approximately five decimal one four (5.14) acres of land at Tyne Valley, Lot 13, Prince County, Province of Prince Edward Island, being acquired from Keith Milligan of Tyne Valley, 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.

**EC2017-518**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
LISA LAIRD AND GAVIN LAIRD  
(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 Lisa Laird and Gavin Laird, both of Charlottetown, Prince Edward Island to acquire a land holding of approximately sixty-two (62) acres of land at Auburn, Lot 36, Queens County, Province of Prince Edward Island, being acquired from Neil McIntosh and Sarah McIntosh, both of Auburn, 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.

**EC2017-519**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JOHN STOLK AND MARY JO STOLK  
(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 John Stolk and Mary Jo Stolk, both of Fort Erie, Ontario to acquire a land holding of approximately sixty-seven (67) acres of land at Peterville and Palmer Road, both in Lot 1, Prince County, Province of Prince Edward Island, being acquired from Joseph A. DesRoches 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.

**EC2017-520**

**PUBLIC HEALTH ACT  
IMMUNIZATION REGULATIONS  
AMENDMENT**

Pursuant to section 72 of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, Council made the following regulations:

**1. Section 1 of the *Public Health Act* Immunization Regulations (EC529/14) is revoked and the following substituted:**

**1. In these regulations,**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| <p>(a) “authorized user” means</p> <p style="padding-left: 20px;">(i) the Minister,</p> <p style="padding-left: 20px;">(ii) the Chief Public Health Officer,</p> <p style="padding-left: 20px;">(iii) the Deputy Chief Public Health Officer, or</p> <p style="padding-left: 20px;">(iv) a health practitioner, pharmacist or pharmacy technician who has authorized access to the immunization registry pursuant to section 6;</p> <p>(b) “immunization registry” means the registry established pursuant to subsection 5(1);</p> | <p>Definitions</p> <p>authorized user</p> <p>immunization registry</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|

(c) “pharmacist” means a pharmacist as defined in the *Regulated Health Professions Act* Pharmacist and Pharmacy Technician Profession Regulations (EC532/14); pharmacist

(d) “pharmacy technician” means a pharmacy technician as defined in the Pharmacist and Pharmacy Technician Profession Regulations; pharmacy technician

(e) “vaccine” means a biological preparation that is designed to induce a protective immune response to a particular disease. vaccine

**2. (1) Subsection 2(1) of the regulations is amended**

**(a) by the deletion of the words “medical practitioner, nurse practitioner or nurse,” and the substitution of the words “health practitioner”;** and

**(b) by the deletion of the words “registered in Part A of the pharmacists register under the Pharmacist and Pharmacy Technician Profession Regulations under the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1.”.**

**(2) Subsection 2(1.1) of the regulations is amended**

**(a) by the deletion of the words “medical practitioner, nurse practitioner or nurse,” and the substitution of the words “health practitioner”;** and

**(b) by the deletion of the words “registered in Part A of the pharmacists register under the Pharmacist and Pharmacy Technician Profession Regulations under the *Regulated Health Professions Act*”.**

**(3) Subsection 2(2) of the regulations is amended**

**(a) by the addition of the words “in an electronic form acceptable to the Chief Public Health Officer or in paper form” after the words “submitted to the Chief Public Health Officer”;** and

**(b) by the deletion of the word “as” and the substitution of the words “within a time period”.**

**3. Subsection 3(2) of the regulations is amended by the deletion of the words “medical practitioner, nurse practitioner, nurse” and the substitution of the words “health practitioner”.**

**4. Section 4 of the regulations is amended by the deletion of the words “medical practitioner, nurse practitioner, nurse” and the substitution of the words “health practitioner”.**

**5. The regulations are amended by the addition of the following after section 4:**

**5. (1) The Chief Public Health Officer may establish and maintain, in the form of a computerized network and database, an immunization registry of information reported in accordance with these regulations.** Immunization registry may be established

**(2) The purposes of the immunization registry are** Purposes of immunization registry

(a) to provide authorized users with access to immunization records of patients to assist in patient care;

(b) to provide for the monitoring of information respecting immunizations for the purpose of establishing and administering immunization programs;

(c) to act as a repository of information for health planning, research and the evaluation of the beneficial and adverse effects of vaccines; and

(d) to provide for the monitoring of immunization rates in the province.

**6. (1) A health practitioner, pharmacist or pharmacy technician may apply to the Chief Public Health Officer, in the form required by the Chief Public Health Officer, for access to the immunization registry.** Application for access



- (2) The Chief Public Health Officer may grant access to an applicant who applies in accordance with subsection (1), if the applicant is
- (a) employed or engaged in the provision of health care in his or her professional capacity; and
  - (b) in good standing with the professional regulatory body governing his or her profession in the province.
- Requirements for access
- (3) The Chief Public Health Officer shall keep a register of authorized users granted access pursuant to this section.
- Register
- (4) An authorized user granted access pursuant to this section shall cease to have access to the immunization registry if
- (a) the authorized user ceases to be employed or engaged in the provision of health care in his or her professional capacity; or
  - (b) the authorized user's registration or license expires or is suspended or revoked.
- Requirements no longer met
- (5) The Chief Public Health Officer may suspend or revoke the access of an authorized user granted access pursuant to this section if the Chief Public Health Officer has reasonable grounds to believe that the authorized user
- (a) contravened subsection 9(3); or
  - (b) facilitated access to the immunization registry by a person who is not an authorized user.
- Suspension or revocation of access
- (6) Before suspending or revoking the access of an authorized user pursuant to subsection (5), the Chief Public Health Officer shall:
- (a) serve notice in writing of the Chief Public Health Officer's intention to suspend or revoke the authorized user's access, including reasons, on the authorized user and the authorized user's employer or the operator of any health facility where the authorized user is engaged in the provision of health care, as the case may be;
  - (b) give the authorized user an opportunity to make submissions orally or in writing within a specified time period respecting the proposed suspension or revocation;
  - (c) consider the submissions of the authorized user, if any; and
  - (d) serve notice in writing of the Chief Public Health Officer's decision, including reasons, and the suspension or revocation, if applicable, on the authorized user and the authorized user's employer or the operator of any health facility where the authorized user is engaged in the provision of health care, as the case may be.
- Due process
- 7.** (1) The Chief Public Health Officer shall assign unique user identification to each authorized user.
- User identification
- (2) The Chief Public Health Officer shall ensure that an electronic record of the following information is automatically created each time information is accessed in the immunization registry:
- (a) the user identification of the authorized user accessing the information;
  - (b) the date and time the information is accessed;
  - (c) a description of the information that the authorized user accesses.
- Record of access
- (3) The Chief Public Health Officer shall ensure that an electronic record created pursuant to subsection (2) is retained for at least 10 years following the date of the access.
- Retention of record
- 8.** (1) A patient may request, and an authorized user shall provide, a copy of information respecting the patient recorded in the immunization registry.
- Copy of information, patient
- (2) A patient may request, and the Chief Public Health Officer shall provide, a copy of an electronic record created pursuant to subsection 7(2) in respect of access to information respecting the patient recorded in the immunization registry.
- Copy of access record, patient
- 9.** (1) No person shall access the immunization registry except
- (a) an authorized user, whose access has not been suspended or revoked; or
  - (b) a person who is providing technical support in respect of the immunization registry.
- Prohibition, access

(2) No person other than an authorized user shall use or disclose information recorded in the immunization registry.

Prohibition, use or disclosure

(3) No authorized user, other than the Chief Public Health Officer, shall use or disclose information respecting a patient recorded in the immunization registry unless the use or disclosure is

Prohibition, authorized user

- (a) authorized by the patient or the patient's substitute decision-maker in accordance with subsection (6); or
- (b) necessary for the provision of health care to the patient.

(4) In addition to the circumstances described in clauses (3)(a) and (b), the Chief Public Health Officer may use information respecting a patient recorded in the immunization registry in the following circumstances:

Use by Chief Public Health Officer

- (a) the information is de-identified;
- (b) the use is for the purpose of
  - (i) delivering, evaluating or monitoring an immunization program,
  - (ii) health planning, research, and the evaluation of the beneficial and adverse effects of vaccines,
  - (iii) monitoring immunization rates in the province,
  - (iv) evaluating and monitoring the health and safety of the general public.

(5) In addition to the circumstances described in clauses (3)(a) and (b), the Chief Public Health Officer may disclose information respecting a patient recorded in the immunization registry in the following circumstances:

Disclosure by Chief Public Health Officer

- (a) the information is de-identified;
- (b) the disclosure is for the purpose of
  - (i) delivering, evaluating or monitoring an immunization program,
  - (ii) health planning, research, and evaluating the beneficial and adverse effects of vaccines,
  - (iii) monitoring immunization rates in the province,
  - (iv) evaluating and monitoring the health and safety of the general public,
  - (v) complying with a summons, subpoena, warrant, order or similar requirement issued by a court, person or entity with jurisdiction to compel the production of personal health information, or
  - (vi) complying with the rules of court concerning the production of evidence in a proceeding;
- (c) the disclosure is to
  - (i) a public health authority established under an Act of the Parliament of Canada, another province or other jurisdiction, if the disclosure is for a public health purpose, or
  - (ii) a professional regulatory body with statutory authority over persons practising a health profession, including for the purpose of an investigation by that body;
- (d) the disclosure is required by an enactment or an Act of the Parliament of Canada.

(6) For the purpose of clause (3)(a), where a patient is incapable of consenting, or of communicating that consent, to the use or disclosure of information respecting the patient recorded in the immunization registry, one of the following persons may, in descending order of priority, on the patient's behalf and in the place of the patient, act as a substitute decision-maker for that patient by giving, not giving, withholding or withdrawing the consent, provided the person is capable of doing so:

Substitute decision-maker

- (a) a person who has been authorized, in writing, by the patient to provide consent;
- (b) the patient's guardian;
- (c) the patient's spouse;
- (d) the patient's adult child;
- (e) the patient's parent;
- (f) the patient's adult sibling;
- (g) any other adult next of kin of the patient;
- (h) a person who is authorized under an enactment to practise a health profession in the province and is providing health care to the patient;
- (i) the Public Guardian;
- (j) where the patient is deceased,
  - (i) the patient's personal representative as defined in the

*Probate Act* R.S.P.E.I. 1988, Cap. P-21, or

- (ii) the patient's
  - (A) spouse,
  - (B) adult child, or
  - (C) parent.

**6. These regulations come into force on September 22, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** revokes and replaces section 1 of the regulations, adding definitions of “authorized user”, “immunization registry”, “pharmacist”, and “pharmacy technician” and inserting the definition of “vaccine” in a new clause.

**SECTION 2** simplifies the wording in subsections 2(1) and (1.1) of the regulations by using the term “health practitioner” as defined in the Act. It also removes wording that is unnecessary for the purposes of the regulations, as which pharmacists are authorized to administer vaccinations is determined elsewhere and these provisions simply apply when a pharmacist administers a vaccination.

**SECTION 3** simplifies the wording in subsection 3(2) of the regulations by using the term “health practitioner” as defined in the Act.

**SECTION 4** simplifies the wording in section 4 of the regulations by using the term “health practitioner” as defined in the Act.

**SECTION 5** adds new sections 5 through 9 to the regulations respecting an immunization registry.

Section 5 provides for the Chief Public Health Officer to establish an immunization registry of information reported to the Chief Public Health Officer under the regulations. It also sets out the purposes of the immunization registry.

Section 6 provides for the granting of access to the immunization registry to health practitioners, pharmacists and pharmacy technicians and the cessation, suspension and revocation of such access.

Section 7 requires the Chief Public Health Officer to assign unique user identification to each authorized user and to ensure an electronic record is created and maintained each time information in the immunization registry is accessed.

Section 8 provides for a patient to request and receive a copy of information respecting the patient recorded in the registry and electronic records of access to that information.

Section 9 sets out prohibitions respecting access to the immunization registry and the use and disclosure of information recorded in the registry. It also sets out circumstances in which the Chief Public Health Officer may use and disclose information respecting a patient recorded in the registry.

**SECTION 6** provides for the commencement of these regulations.

**EC2017-521**

**PUBLIC HEALTH ACT  
NOTIFIABLE DISEASES AND CONDITIONS AND  
COMMUNICABLE DISEASES REGULATIONS  
AMENDMENT**

Pursuant to section 72 of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, Council made the following regulations:

- 1. Clauses 1.1(1)(b) and (4)(b) of the *Public Health Act* Notifiable Diseases and Conditions and Communicable Diseases Regulations (EC560/13) are revoked.**
- 2. Subclause 9.1(5)(b)(i) of the regulations is revoked.**
- 3. These regulations come into force on September 22, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the prescription of adverse events following immunization (AEFI) as notifiable diseases or conditions and the subsequent reference to the events in a list of notifiable diseases or conditions that are not also communicable diseases. The reporting of these events is addressed in the *Public Health Act* Immunization Regulations (EC529/14).

**SECTION 2** revokes a subclause that includes adverse events following immunization (AEFI) in a list of notifiable diseases or conditions that are required to be reported within 24 hours. The reporting of these events is addressed in the *Public Health Act* Immunization Regulations.

**SECTION 3** provides for the commencement of these regulations.

**EC2017-522**

**WILDLIFE CONSERVATION ACT  
FUR HARVESTING REGULATIONS  
AMENDMENT**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

**1. (1) Subsection 5(2) of the *Wildlife Conservation Act* Fur Harvesting Regulations (EC663/04) is amended by the addition of the words “but not greater than 19.6 cm (7.75 inches)” after the words “greater than 16 cm (6.3 inches)”.**

**(2) Section 5 of the regulations is amended by the addition of the following after subsection (2):**

(2.1) No person shall set a body-gripping trap having a jaw spread greater than 19.6 cm (7.75 inches) unless that trap is at least partially submerged in water or in a dog-proof enclosure that meets the requirements of subsections (3) and (4). Large body-gripping trap

- 2. Clauses 9(1)(d) and (e) of the regulations are revoked.**
- 3. Schedule C to the regulations is revoked and Schedule C as set out in the Schedule to these regulations is substituted.**
- 4. These regulations come into force on September 16, 2017.**

**SCHEDULE****SCHEDULE C**

## List of Approved Body-Gripping Traps

(Certified under the Canadian Trap Certification Program and approved for use as killing traps for beaver, muskrat, raccoon and weasel in Prince Edward Island)

| <b>Beaver</b>                                         |                                             |
|-------------------------------------------------------|---------------------------------------------|
| <b>Traps approved for use underwater and on land:</b> |                                             |
| B.M.I. BT 300                                         | LDL C330 Magnum                             |
| Bélisle Classic 330                                   | Rudy 280                                    |
| Bélisle Super X 280                                   | Rudy 330                                    |
| Bélisle Super X 330                                   | Sauvageau 1000-11F                          |
| B.M.I. 280 Body Gripper                               | Sauvageau 2001-8                            |
| B.M.I. 330 Body Gripper                               | Sauvageau 2001-11                           |
| Bridger 330                                           | Sauvageau 2001-12                           |
| Duke 330                                              | Species-Specific 330 Dislocator Half Magnum |
| LDL C280                                              | Species-Specific 440 Dislocator Half Magnum |
| LDL C280 Magnum                                       | Woodstream Oneida Victor Conibear 280       |
| LDL C330                                              | Woodstream Oneida Victor Conibear 330       |
| <b>Raccoon</b>                                        |                                             |
| <b>Traps approved for use on land:</b>                |                                             |
| Bélisle Classic 220                                   | LDL C 220                                   |
| Bélisle Super X 160                                   | LDL C 220 Magnum                            |
| Bélisle Super X 220                                   | LDL C 280 Magnum                            |
| Bélisle Super X 280                                   | Northwoods 155                              |
| B.M.I. 160 Body Gripper                               | Rudy 160                                    |
| B.M.I. 220 Body Gripper                               | Rudy 160 Plus                               |
| B.M.I. 280 Body Gripper                               | Rudy 220                                    |
| B.M.I. 280 Magnum Body Gripper                        | Rudy 220 Plus                               |
| Bridger 160                                           | Sauvageau 2001-6                            |
| Bridger 220                                           | Sauvageau 2001-7                            |
| Duke 160                                              | Sauvageau 2001-8                            |
| Duke 220                                              | Species-Specific 220 Dislocator Half Magnum |
| Koro #2                                               | Woodstream Oneida Victor Conibear 160       |
| LDL C 160 Magnum                                      | Woodstream Oneida Victor Conibear 220       |
| LDL C 160                                             |                                             |
| <b>Muskrat</b>                                        |                                             |
| <b>Traps approved for use on land:</b>                |                                             |
| Bélisle Super X 110                                   | Ouell 4-11-180                              |
| Bélisle Super X 120                                   | Ouell RM                                    |
| B.M.I. Body Gripper 120                               | Rudy 120                                    |
| B.M.I. Body Gripper 120 Magnum                        | Rudy 110                                    |
| B.M.I. 126 Magnum                                     | Rudy 120 Magnum                             |
| Bridger 120                                           | Sauvageau 2001-5                            |
| Bridger 120 Magnum Bodygripper                        | Sauvageau C120 Magnum                       |
| Bridger 155 Magnum Bodygripper                        | Sauvageau C120 "Reverse Bend"               |
| Duke 120                                              | Triple M                                    |
| Koro Muskrat                                          | Woodstream Oneida Victor Conibear 110       |
| Koro Large Rodent Double Spring                       | Woodstream Oneida Victor Conibear 120       |
| LDL B120 Magnum                                       |                                             |
| Oneida Victor 120 Stainless Steel                     |                                             |
| <b>Weasel</b>                                         |                                             |
| Bélisle Super X 110                                   | Quell 3-10                                  |
| Bélisle Super X 120                                   | Ouell RM                                    |
| B.M.I. #60                                            | Rudy 120 Magnum                             |
| B.M.I. 120 Body Gripper Magnum                        | Sauvageau C120 Magnum                       |
| B.M.I. 126 Body Gripper Magnum                        | Sauvageau C120 "Reverse Bend"               |
| Bridger 120                                           | Sauvageau 2001-5                            |
| Bridger 120 Magnum Bodygripper                        | Triple M                                    |
| Bridger 155 Magnum Bodygripper                        | Victor Rat Trap                             |
| Koro Muskrat Trap                                     | WCS Tube Trap Int'l                         |
| Koro Rodent Trap                                      | Woodstream Oneida Victor Conibear 110       |
| Koro Large Rodent Double Spring                       | Woodstream Oneida Victor Conibear 120       |
| LDL B120 Magnum                                       |                                             |
| Ouell 411-180                                         |                                             |

### EXPLANATORY NOTES

**SECTION 1** amends section 5 of the *Wildlife Conservation Act* Fur Harvesting Regulations (EC663/04) to add a new subsection (2.1) that regulates the use of body-gripping traps with a jaw spread larger than 19.6 cm (7.75 inches) and also amends subsection 5(2) to clarify the application of that subsection.

**SECTION 2** revokes clauses 9(1)(d) and (e). These clauses prohibited trapping for specified species in certain months. They are no longer needed because of changes to the Hunting and Trapping Seasons Regulations.

**SECTION 3** revokes Schedule C to the regulations and substitutes a new Schedule C with an updated list of approved body-gripping traps.

**SECTION 4** provides for the commencement of the regulations.

### EC2017-523

#### WILDLIFE CONSERVATION ACT HUNTING AND TRAPPING SEASONS REGULATIONS AMENDMENT

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

**1. Schedules I and II of the *Wildlife Conservation Act* Hunting and Trapping Seasons Regulations (EC592/16) are revoked and the following substituted:**

#### SCHEDULE I HUNTING SEASONS AND LIMITS

| Game Animal                | Open Season                | Daily | Possession |
|----------------------------|----------------------------|-------|------------|
| Pheasant                   | No open season             | -     | -          |
| Ruffed Grouse              | September 25 - December 30 | 3     | 6          |
| Hungarian (Grey) Partridge | October 9 - November 11    | 3     | 6          |
| Snowshoe Hare (Rabbit)     | October 2 - March 31       | 5     | -          |
| Fox                        | November 1 - January 31    | -     | -          |
| Raccoon                    | October 2 - March 31       | -     | -          |
| Coyote                     | October 2 - March 31       | -     | -          |
| Red Squirrel               | No closed season           | -     | -          |

#### SCHEDULE II TRAPPING SEASONS

| Fur-bearing Animals | Open Season                   |
|---------------------|-------------------------------|
| Beaver              | 8:00 AM November 1 - March 31 |
| Mink                | 8:00 AM November 1 - March 31 |
| Muskrat             | 8:00 AM November 1 - March 31 |
| Weasel              | 8:00 AM November 1 - March 31 |
| Raccoon             | October 15 - March 31         |
| Fox                 | November 1 - January 31       |
| Coyote              | November 1 - February 28      |
| Red Squirrel        | No closed season              |
| Skunk               | No closed season              |

**2. These regulations come into force on September 16, 2017.**

### EXPLANATORY NOTES

**SECTION 1** amends the regulations to update the Schedules to the regulations that specify the dates of the hunting seasons and trapping seasons for game and fur-bearing animals in the province.

**SECTION 2** provides for the commencement of the regulations.

**EC2017-524**

PUBLIC DEPARTMENTS ACT  
 ACTING MINISTER  
 APPOINTMENT

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointment was made:

Honourable Robert Henderson to be Acting Minister of Agriculture and Fisheries commencing on the 9th day of September 2017, and continuing for the duration of the absence from the Province of Honourable Alan McIsaac.

**EC2017-525**

CIVIL SERVICE ACT  
 EXECUTIVE DIVISION  
 SENIOR ADVISOR  
 DESIGNATION AND APPOINTMENT  
 DAVID G. ARSENAULT  
 (APPROVED)

Pursuant to section 8 of the *Civil Service Act* R.S.P.E.I. 1988, Cap. C-8, Council designated the position "Senior Advisor" as an Executive Division position in the Executive Council Office and appointed David G. Arsenault to serve at pleasure as Senior Advisor, effective September 15, 2017, and with seniority as a deputy head dating from September 18, 2012.

**EC2017-526**

LIQUOR CONTROL ACT  
 PRINCE EDWARD ISLAND LIQUOR CONTROL COMMISSION  
 CHIEF EXECUTIVE OFFICER - APPOINTMENT  
 ANDREW MACMILLAN  
 (APPROVED)

Pursuant to section 5.1 of the *Liquor Control Act*, R.S.P.E.I. 1988, Cap. L-14, Council appointed Andrew MacMillan to serve at pleasure as Chief Executive Officer of the Prince Edward Island Liquor Control Commission effective September 5, 2017.

Order-in-Council EC2015-179 of March 31, 2015 is rescinded, effective September 5, 2017.

**EC2017-527**

PUBLIC DEPARTMENTS ACT  
 DEPARTMENT OF FINANCE  
 DEPUTY MINISTER - APPOINTMENT  
 DAVID G. ARSENAULT  
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2015-313 of May 20, 2015, rescinded the said Order, thus rescinding the appointment of David G. Arsenault as Deputy Minister of Finance, effective September 15, 2017.

**EC2017-528**

PUBLIC DEPARTMENTS ACT  
DEPARTMENT OF FINANCE  
DEPUTY MINISTER - APPOINTMENT  
NEIL M. STEWART  
(APPROVED)

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed Neil M. Stewart to serve at pleasure as Deputy Minister of Finance, effective September 15, 2017, and with seniority as a deputy head dating from November 15, 2011.