

EC2020-727**DRUG COST ASSISTANCE ACT
DRUG COST ASSISTANCE PROGRAM REGULATIONS
AMENDMENT**

Pursuant to section 21 of the *Drug Cost Assistance Act* R.S.P.E.I. 1988, Cap. D-14.1, Council made the following regulations:

1. Clause 8(2)(d) of the *Drug Cost Assistance Act* Drug Cost Assistance Program Regulations (EC367/14) is amended

(a) in subclause (i), by the deletion of the words “every 30 days” and the substitution of the words “every 25 days”; and

(b) in subclause (ii), by the deletion of the words “30-day period” and the substitution of the words “25-day period”.

2. Section 37 of the regulations is amended

(a) in clause (2)(a), by the deletion of the words “19 years of age” and the substitution of the words “25 years of age”; and

(b) in clause (3)(a), by the deletion of the words “age of 19 years” and the substitution of the words “age of 25 years”.

3. Schedule F to the regulations is revoked and Schedule F as set out in the Schedule to these regulations is substituted.

4. These regulations come into force on January 1, 2021.

SCHEDULE**Schedule F**

Eligible insulin pump program costs for the purposes of the Insulin Pump Program and eligible ostomy supplies program costs for the purposes of the Ostomy Supplies Program:

| Income | Eligible costs (as a percentage of total costs) |
|-----------------------|---|
| \$0 to \$20,000 | 100% |
| \$20,001 to \$40,000 | 95% |
| \$40,001 to \$50,000 | 90% |
| \$50,001 to \$100,000 | 70% |
| \$100,001 or greater | 60% |

EXPLANATORY NOTES

SECTION 1 shortens the dispensing period from 30 days to 25 days for the purpose of determining coverage for blood testing strips for eligible persons who are not covered by a contract of third-party insurance.

SECTION 2 increases the age of eligibility from under 19 years of age to under 25 years of age for the insulin pump program.

SECTION 3 repeals and replaces Schedule F to the regulations.

SECTION 4 provides for the commencement of these regulations.

EC2020-728

**HEALTH AND DENTAL SERVICES COST ASSISTANCE ACT
HEALTH AND DENTAL SERVICES COST
ASSISTANCE REGULATIONS**

Pursuant to section 19 of the *Health and Dental Services Cost Assistance Act* R.S.P.E.I. 1988, Cap. H-1.21, Council made the following regulations:

PART 1 – INTERPRETATION AND ADMINISTRATION

Interpretation

- | | |
|--|-------------------------------|
| 1. (1) In these regulations, | Definitions |
| (a) “Act” means the <i>Health and Dental Services Cost Assistance Act</i> R.S.P.E.I. 1988, Cap. H-1.21; | Act |
| (b) “agreement” means an agreement referred to in subsection 3(4) of the Act between the Minister and a participating health professional or the Minister and a body representing a group of health professionals; | agreement |
| (c) “health card” means a health card as defined in the <i>Provincial Health Number Act</i> R.S.P.E.I. 1988, Cap. P-27.01; | health card |
| (d) “spouse” means a spouse as defined in section 29 of the <i>Family Law Act</i> R.S.P.E.I. 1988, Cap. F-2.1. | spouse |
| (2) A benefit prescribed in these regulations is a benefit provided in the province, except where | Benefits provided in province |
| (a) the benefit is provided to an eligible person pursuant to a referral for medical treatment outside the province; | |
| (b) the benefit is authorized by the Minister; or | |
| (c) otherwise provided in these regulations. | |

The Plan and Programs

- | | |
|--|---------------------------------------|
| 2. An eligible person shall present the person’s health card when requesting a benefit. | Health card |
| 3. (1) An eligible person shall promptly report to the administrator of a program, in the form approved by the administrator, a material change in the person’s circumstances that may affect the person’s eligibility or benefits under the program, including a change in | Duty to report material change |
| (a) the income of the eligible person or the eligible person’s spouse; | |
| (b) the eligible person’s marital status; or | |
| (c) the number of dependants of the eligible person or the eligible person’s spouse. | |
| (2) An eligible person shall provide to the administrator the information, including relevant documents or records, required by the administrator to evaluate the applicant’s change in circumstances. | Duty to provide information |
| (3) The administrator shall review the report and information submitted under subsection (1) and (2) and may decide to vary or discontinue the person’s enrollment or the provision of benefits to the person accordingly. | Administrator may vary or discontinue |
| (4) The administrator shall, within 14 days of making a decision under subsection (3), notify the person of the decision, the reasons for the decision and the person’s right to request a review of the decision under subsection 13(1) of the Act. | Notice of decision and reasons |
| 4. (1) For the purpose of establishing a separation of spouses, a person shall submit a statutory declaration in the form approved by the Minister confirming the separation and providing the respective addresses of the person and, if known, the person’s spouse. | Establishing separation of spouses |
| (2) Where the administrator of a program is satisfied that an applicant or eligible person has established the separation of the applicant or eligible person and the applicant’s or eligible person’s spouse, the | Spouse’s income not included |

spouse's income shall not be included in the calculation of income for the purposes of the applicant's or eligible person's enrollment or participation in the program.

Claims

5. Where an eligible person has or is covered by third-party insurance, the person or a participating health professional shall first submit a claim to the third-party insurer prior to submitting a claim to the administrator of a program. Payor of last resort

Claim By Participating Health Professional

6. (1) For the purpose of section 8 of the Act, a participating health professional shall submit a claim within 90 days of providing a benefit for which the cost or part of the cost is payable on behalf of an eligible person and include the following information: Claim within 90 days

- (a) the identification number of the participating health professional assigned by the Plan;
- (b) the health number of the eligible person;
- (c) the benefit provided;
- (d) the date the benefit was provided;
- (e) the total amount charged for the benefit;
- (f) in the case of a claim in printed form, the name and address of the participating health professional and the signature of the participating health professional or authorized agent;
- (g) the amount or amounts paid by the eligible person or a third party insurer; and
- (h) any further information or other requirements the administrator of the program considers necessary in order to assess the claim and make payment.

(2) Where a claim is in respect of a drug, the claim shall also include the following information: Claim for drug

- (a) the drug identification number of the benefit dispensed;
- (b) the quantity dispensed;
- (c) the intended duration of the therapy, stated in days;
- (d) the date the benefit was dispensed;
- (e) the prescription number;
- (f) the dispensing fee charged;
- (g) the total amount charged for the benefit;
- (h) whether the prescription was new or a repeat of a previous prescription;
- (i) the identification number of the prescriber, as assigned or confirmed by the Plan;
- (j) the identification number of the dispensing pharmacist, as assigned or confirmed by the Plan;
- (k) the amount or amounts paid by the eligible person or a third party insurer; and
- (l) any further information or other requirements the administrator of the program considers necessary in order to assess the claim and make payment.

(3) Where a claim is rejected by the administrator of the program, a participating health professional may submit it again for reconsideration, with amendment or explanation, within 90 days from the date on which the benefit was provided. Resubmission of claim

(4) Where a claim is paid by the administrator of the program, the claim is considered paid in full and no other claim shall be made by or against any other person. Claim paid in full

(5) Where a claim is submitted and paid in error, the participating health professional who submitted the claim shall, within 90 days from the date of payment, submit a reversal of the claim, and the amount of the incorrect payment shall be recovered by the administrator of the program by deduction from the payment of other claims submitted by that health professional. Reversal of claim

7. The payment of any fees to a participating health professional for providing a benefit to an eligible person under a program shall be in accordance with an agreement or an order of the Minister. Fees for providing benefit

Claim by Eligible Person

8. Where a participating health professional is unable to Direct charge for benefit
 (a) confirm the eligibility of a person under a program;
 (b) confirm a benefit under a program; or
 (c) successfully submit a claim to the administrator electronically,
 the participating health professional may directly charge the person for the cost of the benefit, and the person may submit a claim to the Plan.

9. (1) For the purpose of section 8 of the Act, an eligible person shall submit a claim within 6 months of receiving a benefit for which the cost or part of the cost is payable to the eligible person and include the following information: Claim within 6 months
 (a) the benefit provided;
 (b) the date the benefit was provided;
 (c) the total amount charged for the benefit;
 (d) a detailed receipt;
 (e) the health number of the eligible person.

(2) Where a claim is in respect of a drug, the claim shall also include the following information: Claim for drug
 (a) the prescription number;
 (b) the drug identification number of the benefit dispensed;
 (c) the quantity dispensed;
 (d) the identity of the prescriber;
 (e) the total cost of the prescription.

PART 2 - FERTILITY TREATMENT PROGRAM

10. In this Part, Definitions
 (a) “formulary” means the formulary established under section 3.1 of the *Drug Cost Assistance Act* R.S.P.E.I. 1988, Cap D-14.1; formulary
 (b) “income” means, in respect of an individual, the amount calculated using the following values shown on the individual’s income tax return for the most recent taxation year for which the filing deadline has passed, as filed with and verified by the Canada Revenue Agency: income
 Income = Line 15000 (total income)
 less Line 21000 (split pensions amount)
 less Line 21400 (child care expenses)
 less Line 22000 (support payments made);
 (c) “Program” means the Fertility Treatment Program established in this Part. Program

11. (1) The Fertility Treatment Program is established in this Part as a program under the Plan. Program established

(2) The benefits under the Program are the payment of the cost or part of the cost of the following, less any reimbursement from third-party insurance, not exceeding in total the eligible person’s maximum benefit: Benefits under Program
 (a) in vitro fertilization treatment performed in Canada;
 (b) intrauterine insemination treatment performed in Canada;
 (c) drugs listed in the formulary for the purposes of the Program.

(3) The maximum benefit available to an eligible person in a 12-month period is the amount listed in the second column of the following table opposite the applicable range in the first column of the following table of Maximum benefit
 (a) the income of the eligible person; or
 (b) where the eligible person has a spouse, the total of the income of the eligible person and the income of the eligible person’s spouse.

Maximum Benefit

| <u>Income</u> (Income of eligible person or income of eligible person + spouse) | <u>Maximum Benefit Amount</u> (per 12 months) |
|---|--|
| | |

| | |
|-------------------|----------|
| \$0 - 50,000 | \$10,000 |
| >50,000 - 100,000 | 7,500 |
| >100,000 | 5,000 |

(4) The administrator may refuse to provide any benefit under the Program unless and until the administrator is provided with the information necessary to calculate the income of the eligible person and the eligible person's spouse, if applicable, and the maximum benefit available to the eligible person. Refusal to provide benefit

12. (1) A resident is eligible for enrollment in the Program if the resident is entitled to basic health services under the *Health Services Payment Act* R.S.P.E.I. 1988, Cap. H-2 and insured services under the *Hospital and Diagnostic Services Insurance Act* R.S.P.E.I. 1988, Cap. H-8. Eligibility

(2) Enrollment in the Program is valid for a term of 12 months and an eligible person is limited to a maximum enrollment of three 12-month terms. Term of enrollment

(3) An eligible person ceases to be eligible for benefits under the Program on the earliest of the day the person Eligibility ceases

- (a) leaves the province to establish residence in another province or country;
- (b) ceases to be entitled to basic health services under the *Health Services Payment Act* and insured services under the *Hospital and Diagnostic Services Insurance Act*;
- (c) reaches the person's maximum benefit; or
- (d) ceases to be enrolled in the Program.

13. These regulations come into force on January 1, 2021. Commencement

EXPLANATORY NOTES

SECTION 1 defines certain terms used in these regulations and clarifies that a benefit prescribed in these regulations is a benefit provided in the province except in specified circumstances.

SECTION 2 requires an eligible person to present the person's health card when requesting a benefit.

SECTION 3 requires an eligible person to report a material change in circumstances that might affect the person's eligibility or benefits and provide any relevant information to the administrator of the program. It provides for the administrator to determine whether the person's enrollment or benefits should be varied or discontinued and requires the administrator to notify the person of a decision to do so.

SECTION 4 requires the submission of a statutory declaration to establish that spouses are separated and, in that case, prohibits the inclusion of a spouse's income for the purpose of determining an applicant's eligibility for a program or benefits.

SECTION 5 requires an eligible person or participating health professional to submit a claim to the eligible person's third party insurer before submitting a claim to the administrator of a program.

SECTION 6 sets out the claim process for a participating health professional making a claim on behalf of an eligible person.

SECTION 7 provides that the payment of any fees to a participating health professional for providing a benefit to an eligible person shall be in accordance with an agreement or an order of the Minister.

SECTION 8 sets out circumstances in which a participating health professional may directly charge an eligible person for the cost of a benefit.

SECTION 9 sets out the claim process for an eligible person.

SECTION 10 defines certain terms used in Part 2 of these regulations.

SECTION 11 establishes the Fertility Treatment Program under the Plan, sets out the benefits available under the program and establishes the maximum benefit available in a 12-month period based on income.

SECTION 12 provides that a resident is eligible for enrollment in the Fertility Treatment Program if the resident is eligible for basic health services and insured hospital services. It provides that enrollment is for a term of 12 months and is limited to three 12-month terms. It also sets out circumstances in which an eligible person ceases to be eligible for benefits.

SECTION 13 provides for the commencement of these regulations.

EC2020-729

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102531 P.E.I. 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 102531 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately six decimal three seven (6.37) acres of land at North St. Eleanors, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Christopher Nathan Edwards and Joy Bethany Edwards, both of Summerside, 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 102531 P.E.I. Inc. and on all successors in title.

EC2020-730

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND NATURE TRUST
(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 Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately four hundred and three (403) acres of land at Forest Hill, Lot 41, Kings County, Province of Prince Edward Island, being acquired from 100106 P.E.I. Inc. of Charlottetown, 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.

EC2020-731

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JM HOLDINGS 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 JM Holdings Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately thirty (30) acres of land at Stanley Bridge, Lot 21, Queens County, Province of Prince Edward Island, being acquired from MacEwen Farms Ltd. of New London, 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.

EC2020-732

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LAND AND SEA 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 Land and Sea Enterprises Ltd. of Clinton, Prince Edward Island to acquire a land holding of approximately five (5) acres of land at Summerside, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Finance PEI of Charlottetown, Prince Edward Island.

EC2020-733

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LYMAN HUESTIS & SON 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 Lyman Huestis & Son Inc. of Wilmot Valley, Prince Edward Island to acquire a land holding of approximately zero decimal eight seven (0.87) of an acre of land at Kelvin Grove, Lot 25, Prince County, Province of Prince Edward Island, being acquired from Allan Wade Mullen and Wanda June Mullen, both of Weymouth, Nova Scotia.

EC2020-734

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MCCARTHY'S WOODWORKING 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 McCarthy's Woodworking Inc. of Rosebank, Prince Edward Island to acquire a land holding of approximately zero decimal five one (0.51) of an acre of land at Rosebank, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Spud Limited of Alberton, Prince Edward Island.

EC2020-735

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MCCARTHY'S WOODWORKING 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 McCarthy's Woodworking Inc. of Rosebank, Prince Edward Island to acquire a land holding of approximately one decimal three five (1.35) acres of land at Rosebank, Lot 4, Prince County, Province of Prince Edward Island, being acquired from West Prince Ventures Limited of Alberton, Prince Edward Island.

EC2020-736

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MCCARTHY'S WOODWORKING 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 McCarthy's Woodworking Inc. of Rosebank, Prince Edward Island to acquire a land holding of approximately one decimal seven seven (1.77) acres of land at Rosebank, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Spud Limited of Alberton, Prince Edward Island.

EC2020-737

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 RE/MAX HARBOURSIDE REALTY 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 Re/Max Harbourside Realty Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately three decimal eight seven (3.87) acres of land at Fernwood, Lot 26, Prince County, Province of Prince Edward Island, being acquired from VJ Hughes Holdings Inc. of Fernwood, Prince Edward Island.

EC2020-738

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 RUSSET HOLDINGS LIMITED
 (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 Russet Holdings Limited of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and sixty-one decimal five five (161.55) acres of land at Rose Valley, Lot 67, Queens County, Province of Prince Edward Island, being acquired from Marion Cutcliffe and Karen MacDonald, both of Charlottetown, 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.

EC2020-739

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WOODLET FARMS LTD.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2020-24 of January 16, 2020, rescinded the said Order forthwith, thus rescinding permission for Woodlet Farms Ltd. of Gloucester, Ontario to acquire a land holding of approximately ninety-four (94) acres of land at Belle River, Lot 62, Queens County, Province of Prince Edward Island, being acquired from the Estate of Anthonia Ijsselstein of Berkeley, California.

EC2020-740

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 KENTDALE ORGANIC PRODUCE INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2012-33 of January 24, 2012, rescinded the said Order forthwith, thus rescinding permission for Kentdale Organic Produce Inc. of Winsloe, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to four hundred (400) acres of land as part of the said corporation's aggregate land holdings.

EC2020-741

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 LYMAN HUESTIS & SON INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2007-235 of April 10, 2007, rescinded the said Order forthwith, thus rescinding permission for Lyman Huestis & Son Inc. of Wilmot Valley, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to five hundred (500) acres of land as part of the said corporation's aggregate land holdings.

EC2020-742

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 LYMAN HUESTIS & SON INC.
 (APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lyman Huestis & Son Inc. of Wilmot Valley, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to eight hundred and fifty (850) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Lyman Huestis & Son Inc. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2020-743

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PATRICIA BUTLER AND WAYNE BUTLER
(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 Patricia Butler and Wayne Butler, both of O'Leary, Prince Edward Island to acquire a land holding of approximately seventy-one decimal zero one (71.01) acres of land at Hebron, Lot 8, Prince County, Province of Prince Edward Island, being acquired from Teresa Goddard of Hebron, 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.

EC2020-744

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
THANE CAMPBELL AND STEPHEN CAMPBELL
(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 Thane Campbell of Mississauga, Ontario and Stephen Campbell of Toronto, Ontario to acquire an interest in a land holding of approximately thirty (30) acres of land at Stanley Bridge, Lot 21, Queens County, Province of Prince Edward Island, being acquired from MacEwen Farms Ltd. of New London, Prince Edward Island.

EC2020-745

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KYLE ENDRES, TONIA ENDRES AND LOUISE ENDRES
(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 Kyle Endres of Wolfville, Nova Scotia and Tonia Endres and Louise Endres, both of Berwick, Nova Scotia to acquire a land holding of approximately zero decimal five (0.5) of an acre of land at Ellerslie-Bideford, Lot 12, Prince County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island of Charlottetown, Prince Edward Island.

EC2020-746

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KYLE ENDRES, TONIA ENDRES AND LOUISE ENDRES
(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 Kyle Endres of Wolfville, Nova Scotia and Tonia Endres and Louise Endres both of Berwick, Nova Scotia to acquire a land holding of approximately two hundred and forty-three decimal eight four (243.84) acres of land at Tyne Valley, Lot 13 and Ellerslie-Bideford, Lot 12, Prince County, Province of Prince Edward Island, being acquired from Evangeline-Central Credit Union of O'Leary, 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 Kyle Endres, Tonia Endres and Louise Endres and on all successors in title.

EC2020-747

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HATEM KHALIL AND EDITH LORENA VERGER
(DENIAL)

Council, having under consideration an application (#N6065) 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 Hatem Khalil and Edith Lorena Verger, both of Calgary, Alberta to acquire a land holding of approximately ninety-five decimal five (95.5) acres of land at Blooming Point, in Lot 36, Queens County, currently owned by J R J Holdings Ltd. of Charlottetown, Prince Edward Island.

EC2020-748

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SUSAN ALEXANDRA MARTIN AND GARY NOEL CARROLL
(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 Susan Alexandra Martin and Gary Noel Carroll, both of Canavoy, Prince Edward Island to acquire a land holding of approximately nine decimal two three (9.23) acres of land at Canavoy, Lot 38, Kings County, Province of Prince Edward Island, being acquired from Hope Family Living Trust of Santa Rosa, California 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.

EC2020-749

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PEGGY PERRY AND BRIEN PERRY
(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 Peggy Perry and Brien Perry, both of Calgary, Alberta to acquire a land holding of approximately twenty-four decimal four (24.4) acres of land at Malpeque, Lot 18, Prince County, Province of Prince Edward Island, being acquired from G-Eight Incorporated of Souris, 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.

EC2020-750

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GURINDER PAL SINGH AND ASAD SIDDIQUI
(TO RESCIND)

Council, having under consideration Order-in-Council EC2020-34 of January 16, 2020, rescinded the said Order forthwith, thus rescinding permission for Gurinder Pal Singh of Gloucester, Ontario and Asad Siddiqui of Lisle, Illinois to acquire an interest in a land holding of approximately ninety-four (94) acres of land at Belle River, Lot 62, Queens County, Province of Prince Edward Island, being acquired from the Estate of Anthonia Ijsselstein of Berkeley, California.

EC2020-751

**MUNICIPAL GOVERNMENT ACT
CAMPAIGN CONTRIBUTIONS AND ELECTION EXPENSES
BYLAW REGULATIONS
AMENDMENT**

Pursuant to section 36 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

1. Subsection 2(1) of the *Municipal Government Act* Campaign Contributions and Election Expenses Bylaw Regulations (EC399/18) is revoked and the following substituted:

- 2. (1) The election expenses period is**
- Election expenses
period
- (a) in the case of an election, the period in an election year beginning when a person publicly declares the person's intention to run as a candidate for municipal office, whether in person or by electronic means, and ending on the earliest of
- (i) election day,
 - (ii) the declaration by the municipal electoral officer that the candidate is elected, or
 - (iii) the declaration by the municipal electoral officer that the candidate is acclaimed; and
- (b) in the case of a by-election, the period beginning when council sets the date of election day and ending on the earliest of
- (i) election day,

- (ii) the declaration by the municipal electoral officer that the candidate is elected, or
- (iii) the declaration by the municipal electoral officer that the candidate is acclaimed.

2. These regulations come into force on January 30, 2021.

EXPLANATORY NOTES

SECTION 1 revokes subsection 2(1) of the Campaign Contributions and Election Expenses Bylaw Regulations and substitutes a new subsection 2(1) that clarifies when the election expenses period ends.

SECTION 2 provides for the commencement of these regulations.

EC2020-752

**MUNICIPAL GOVERNMENT ACT
PROCEDURAL BYLAW REGULATIONS
AMENDMENT**

Pursuant to clause 261(1)(d) and subsection 261(2) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

1. Subsection 1(1) of the *Municipal Government Act* Procedural Bylaw Regulations (EC751/17) is amended by the addition of the following after clause (a):

- (a.1) “place” includes, in respect of information or a notice or other document to be posted, or a meeting to be held, by electronic means, the electronic location where the information, notice or document may be found or the electronic meeting may be accessed;

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

6. Where a council has in its procedural bylaw provided for the appointment of a person as an independent officer, the council shall specify in the bylaw that the appointment or the suspension or revocation of the appointment shall be by a vote of at least two-thirds of the members of council then holding office voting in favour of the resolution to appoint, suspend or revoke the appointment of the independent officer, as the case may be.

3. These regulations come into force on January 30, 2021.

EXPLANATORY NOTES

SECTION 1 amends the Procedural Bylaw Regulations by adding a new definition of “place” to clarify that when used in respect of information or a notice or other document to be posted electronically, or a meeting to be held by electronic means, the term “place” includes the electronic location where the information, notice or document may be found or the meeting may be accessed.

SECTION 2 amends the regulations to add a new section 6 that provides rules for the appointment of an independent officer by a council, including rules for the suspension or revocation of the appointment.

SECTION 3 provides for the commencement of these regulations.

EC2020-753**MUNICIPAL GOVERNMENT ACT
RECORDS RETENTION REGULATIONS
AMENDMENT**

Pursuant to section 117 and clause 261(1)(f) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

1. The Schedule to the *Municipal Government Act* Records Retention Regulations (EC697/19) is revoked and the Schedule as set out in the Schedule to these regulations is substituted.

2. These regulations come into force on January 30, 2021.

SCHEDULE**SCHEDULE****RECORDS RETENTION SCHEDULE**

Note: The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as "PERMANENT" or expressed as a number of years. Retention periods are labelled as:

- (a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year).
- (b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the *Municipal Government Act*.
- (c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O)

| SUBJECT | DESCRIPTION | RETENTION PERIOD (YEARS) | ENDS |
|-----------------------|---|---------------------------------|-------------|
| Accountants | Working Papers | 7 | FY |
| Accounts | Paid (summary sheet) | 7 | FY |
| | Payable vouchers | 7 | FY |
| | Receivable duplicate invoices | 7 | FY |
| Administration | Reports (not part of Minutes) | 7 | CY |
| Advertising | Electoral | 4 | CY |
| | Other notices- MGA, other legislation | 2 | CY |
| Agendas | Part of Minutes | PERMANENT | |
| Agreement | General | 12 | S/O |
| | Development | 12 | S/O |
| | Major legal | 12 | S/O |
| | Minor legal | 12 | S/O |
| Annexations | Correspondence | 7 | CY |
| | Final Order | PERMANENT | |
| Annual Reports | Council, Boards, Commissions | 5 | CY |
| Applications | Development permit | 2 | CY |
| | Site plan approval | 2 | CY |
| | Subdivision (after final approval) | 3 | CY |
| | Part-time employees (after end of employment) | 1 | CY |
| Appointments | Other than those in Minutes | 3 | FY |
| Assessment | Rolls | PERMANENT | |
| | Duplicate roll | 7 | FY |
| Assets | Asset Management Inventory | 20 | S/O |
| | Records of surplus | 7 | FY |
| | Temporary files | 2 | FY |
| Bank | Deposit books | 7 | FY |
| | Deposit slips | 7 | FY |

EXECUTIVE COUNCIL _____ 15 DECEMBER 2020

| | | | |
|--------------------------|---|------------------------------|-----|
| | Memos (credit/debit) | 7 | FY |
| | Reconciliations | 2 | FY |
| | Statements | 7 | FY |
| Boards | Minutes | PERMANENT | S/O |
| | Authority & Structure | 5 | CY |
| | Correspondence | 5 | CY |
| Briefings/Reports | To Council | 7 | CY |
| Budgets | Operating (in minutes) | PERMANENT | |
| | Capital (in minutes) | PERMANENT | |
| | Working papers | 3 | FY |
| Bylaws | All | PERMANENT | |
| Cash | Receipts journal | 7 | FY |
| | Disbursements journal | 7 | FY |
| | Duplicate receipts | 7 | FY |
| Certificates | of Title | PERMANENT | |
| Census | Reports | 12 | CY |
| Cheques | Cancelled (paid) | 7 | FY |
| | Register | 7 | FY |
| | Stubs | 7 | FY |
| Claims | Notice of | 12 | S/O |
| | Statements of | 12 | S/O |
| Committee | Minutes | PERMANENT | |
| Compensation | Records | 10 | FY |
| Contracts | Files (completion of) | 12 | S/O |
| | Forms | 12 | FY |
| | Major legal | 12 | S/O |
| | Minor legal | 12 | S/O |
| Council | Minutes | PERMANENT | |
| Court Cases | | 12 | S/O |
| Destroyed Records | Index | PERMANENT | |
| | Signed destroyed records statements | PERMANENT | |
| Documents | Not part of bylaws | 12 | S/O |
| | Agreements, major legal | 12 | S/O |
| | Agreements, minor legal | 12 | S/O |
| | Contracts legal | 12 | S/O |
| | Easements | 12 | S/O |
| | Funding agreements | 12 | S/O |
| | Leases (after expiration) | 12 | S/O |
| | Notices of change of land titles | 12 | S/O |
| Elections | All election documents other than ballot box contents | 4 | CY |
| | Ballot box contents | In accordance with the MGA | CY |
| | Campaign disclosure statement | 7 | CY |
| Engineering | Drawings | PERMANENT | |
| Employee Benefits | Health, Dental, WCB Claims, etc. | 5 | CY |
| Employees | Job applications (hired) | 3 | CY |
| | Job application (not hired) | 1 | CY |
| | Job descriptions | 3 (after position abolished) | CY |
| | Oaths of Office | 1 (after position vacated) | CY |
| | Personnel file | 3 (after cessation of | CY |

EXECUTIVE COUNCIL _____ 15 DECEMBER 2020

| | | | |
|-----------------------------|--------------------------------|---------------------------------------|-----|
| | | employment) or 6 (after dismissal) | |
| Financial Statements | Interim | 10 | FY |
| | Working papers | 7 | FY |
| | Final | 12 | FY |
| Franchises | | PERMANENT | |
| Income Tax | Deductions | 7 | FY |
| | TD1 | 7 | FY |
| | T4 | 7 | FY |
| | T4 Summaries | 7 | FY |
| Inquiries | From the public | 3 | CY |
| Insurance | Claims | 12 (after settled) | FY |
| | Records (after expiration) | 12 | FY |
| Land | Appraisals | 1 (after sold) | |
| Leases | After expiration | 7 | S/O |
| Legal | Opinions | 12 | S/O |
| | Proceedings | 12 | S/O |
| Legislation | Acts (after superseded) | 1 | CY |
| Licenses | Applications | 3 | CY |
| | Business (after expired) | 5 | CY |
| | Literature | 2 | CY |
| Local Improvements | Records | PERMANENT | |
| Maps | Base (original) | PERMANENT | |
| | Contour | PERMANENT | |
| Maintenance Reports | | 12 | CY |
| Monthly Reports | Road | 5 | FY |
| Municipal Affairs | Annual reports | 5 | FY |
| Organization | Structure and records | 2 | S/O |
| Payroll | Garnishees | 7 (after garnish is removed) | FY |
| | Individual earning records | 7 | FY |
| | Journal | 7 | FY |
| | Time cards | 7 | FY |
| | Time sheets - daily | 7 | FY |
| | Time sheets - | 7 | FY |
| | Overtime | | |
| | Time sheets - weekly | 7 | FY |
| | Employment Insurance | 5 (after cessation of employment) | FY |
| Permits | Development | 12 | S/O |
| | | 10 | CY |
| Petitions | | 10 | CY |
| Plans | Amendment applications | 5 | CY |
| | Official | PERMANENT | |
| | Amendments | PERMANENT | |
| | Subdivision | PERMANENT | |
| Policy | After superseded | 5 | CY |
| Progress Reports | Project | 5 | CY |
| | Under contract (final payment) | 7 | S/O |
| Property Files | | Until sold +10 | FY |
| Prosecution | All | 12 | S/O |
| | | | |
| Publications | Local reports | 3 | CY |
| Purchase | Land | Until Sold +12 | FY |

| | | | |
|---|------------------------|-----------|-----|
| Receipts | Books | 7 | FY |
| | Duplicate cash | 7 | FY |
| | Registration | 7 | FY |
| Receptions & Special Events (non-historic) | | 3 | CY |
| Reports | Accident | 12 | S/O |
| | Accident statistics | 12 | S/O |
| | Field | 12 | S/O |
| | Inspection | 12 | CY |
| Requisitions | Copies | 2 | FY |
| | Duplicate | 7 | FY |
| | Paid | 7 | FY |
| Resolutions | Minutes | PERMANENT | |
| Subdivision | After Final Approval | 12 | CY |
| Taxes | Municipal Credits | 7 | FY |
| | Rolls | PERMANENT | |
| Termination | Employees | 7 | CY |
| Tenders | Files | 12 | FY |
| | Successful | 12 | FY |
| | Purchase Quotations | 12 | FY |
| | Unsuccessful | 10 | FY |
| Traffic | Streets | 7 | CY |
| Training and Development Files | | 5 | CY |
| Trial Balances | Monthly | 5 | FY |
| | Year End | 7 | FY |
| Vendors | Correspondence | 2 | FY |
| | Contracts | 12 | FY |
| | Suppliers Files | 12 | FY |
| Vouchers | Duplicate | 7 | FY |
| Weed Control Reports | Until updated | 1 | CY |
| Zoning | Amendment applications | 5 | CY |
| | Bylaws | PERMANENT | |
| | Bylaw Enforcement | 5 | CY |

EXPLANATORY NOTES

SECTION 1 revokes the Schedule to the Records Retention Regulations and substitutes the new Schedule as set out in the Schedule to these regulations to update the records retention requirements for municipalities.

SECTION 2 provides for the commencement of these regulations.

EC2020-754

POLICE ACT DEPUTY POLICE COMMISSIONER APPOINTMENT

Pursuant to subsections 16(2) and 16(3) of the *Police Act*, R.S.P.E.I. 1988, Cap. P-11.1, Council appointed Cyndria L. Wedge, Q.C. of Stratford (vice Roy J. Ridlington, term expired) as Deputy Police Commissioner for the term of December 8, 2020 to December 8, 2025.

EC2020-755**REGISTERED PROFESSIONAL PLANNERS ACT
DECLARATION RE**

Under authority of section 52 of the *Registered Professional Planners Act* Stats. P.E.I. 2018, c. 31 Council ordered that a Proclamation do issue proclaiming the said "Registered Professional Planners Act" to come into force effective December 26, 2020.

EC2020-756**REGISTERED PROFESSIONAL PLANNERS ACT
GENERAL REGULATIONS**

Pursuant to section 48 of the *Registered Professional Planners Act* R.S.P.E.I. 1988, Cap. R-9.1, the council, with the approval of the Lieutenant Governor in Council, made the following regulations:

Interpretation**1. In these regulations,**

Definitions

(a) "Act" means the *Registered Professional Planners Act* R.S.P.E.I. 1988, Cap. R-9.1;

Act

(b) "responsible professional planning experience" means experience in planning gained through employment in a planning environment that meets the standards established by the Professional Standards Board.

responsible
professional
planning experience**Registration**

2. (1) For the purpose of subclause 11(2)(b)(ii) of the Act, an applicant for registration as a candidate shall have his or her qualifications evaluated by the Professional Standards Board through its prior learning assessment recognition process.

Evaluation by PSB

(2) For the purpose of subclause 11(2)(b)(ii) of the Act, an applicant for registration as a candidate is required to have successfully completed

(a) a post-secondary degree, other than a post-secondary degree in planning accredited or recognized by the Professional Standards Board; and

Candidate,
education and
experience

(b) at least five years of responsible professional planning experience,

which, together with any other relevant education and work experience, enable the applicant to meet the standards of competency and knowledge for a candidate established by the Professional Standards Board.

3. (1) For the purpose of subclause 12(2)(a)(i) of the Act, a candidate applying for registration as a registered professional planner shall have his or her qualifications evaluated by the Professional Standards Board.

Evaluation by PSB

(2) For the purpose of paragraph 12(2)(a)(i)(A) of the Act, a candidate shall have completed at least one year of mentorship, conducted in accordance with the standards established by the Professional Standards Board, with a mentor who has been registered, licensed or certified as a professional planner in a Canadian jurisdiction for at least three years.

Mentorship

(3) For the purpose of paragraph 12(2)(a)(i)(B) of the Act

(a) a candidate who meets the requirement in subclause 11(2)(b)(i) of the Act shall have completed at least two years of responsible professional planning experience; and

Responsible
professional
planning experience

(b) a candidate who meets the requirement in subclause 11(2)(b)(ii) or (iii) of the Act shall have completed at least one year of responsible professional planning experience, verified by a sponsor who has been registered, licensed or certified as a professional planner in a Canadian jurisdiction for at least three years.

(4) For the purpose of subsections (2) and (3), a person may not be both a mentor and a sponsor for a candidate. Mentor and sponsor different person

(5) For the purpose of subsection (3), a sponsorship shall be conducted in accordance with the standards established by the Professional Standards Board. Sponsorship standards

(6) For the purpose of paragraph 12(2)(a)(i)(C) of the Act, the prescribed ethics and professionalism course is the course provided by the Professional Standards Board. Ethics and professionalism course

(7) For the purpose of paragraph 12(2)(a)(i)(D) of the Act, the prescribed professional examination is the examination administered by the Professional Standards Board. Professional examination

Reinstatement

4. (1) Pursuant to section 17 of the Act, a registrant whose registration was suspended, or a former registrant whose registration was cancelled, pursuant to section 15 of the Act may apply to the council, within one year of the date of the suspension or cancellation, as the case may be, in the form approved by the council to have the registration reinstated in accordance with this section. Reinstatement, contravention of Act

(2) Where the applicant's registration was suspended or cancelled pursuant to subsection 15(1) for contravening subclause 11(3)(a)(i) or 12(3)(a)(i) of the Act, the council may reinstate the registration if the applicant provides proof satisfactory to the council that the applicant has or is covered by professional liability insurance in the amount required by the bylaws. Reinstatement, professional liability insurance

(3) Where the applicant's registration was suspended or cancelled pursuant to subsection 15(1) of the Act for contravening subclause 11(3)(a)(ii) or 12(3)(a)(ii) of the Act, the council may reinstate the registration if the applicant submits a report and declaration in the form required by the council that satisfies the council that the applicant has met the requirements for continuing professional development set out in the bylaws. Reinstatement, continuing professional development requirements

(4) Where the applicant's registration was suspended or cancelled pursuant to subsection 15(1) of the Act for contravening subclause 11(3)(a)(iii) or 12(3)(a)(iii) of the Act, the council may reinstate the registration if the applicant pays the outstanding annual registration fee and any other applicable fees in accordance with section 17 of the Act and the bylaws. Reinstatement, payment of fees

(5) Where the applicant's registration was suspended or cancelled pursuant to subsection 15(2) of the Act, the council may reinstate the registration if the applicant satisfies the council that he or she is suitable to practise as a registered professional planner. Reinstatement, suitability

5. (1) Pursuant to section 17 of the Act, a registrant whose registration was suspended, or a former registrant whose registration was cancelled, on request pursuant to section 16 of the Act may apply to the council, within two years of the date of the suspension or cancellation, as the case may be, in the form approved by the council to have the registration reinstated in accordance with this section. Reinstatement, suspension or cancellation on request

(2) Where the applicant's registration was suspended on request pursuant to subsection 16(1), the council may reinstate the registration if the applicant has complied with the terms and conditions of registration in clause 11(3)(a) or 12(3)(a) of the Act, as the case may be, during the suspension. Reinstatement, suspension on request

(3) Where the applicant's registration was cancelled on request pursuant to subsection 16(2) of the Act, in addition to the terms and conditions in subsection 11(3) or 12(3) of the Act, as the case may be, it Reinstatement, cancellation on request

is a term and condition of a registration on reinstatement that the registrant shall complete continuing professional development as directed by the Registrar, within the time period directed by the Registrar.

General

6. Pursuant to clause 34(2)(h) of the Act, a discipline committee may impose a fine of not more than \$10,000 on a respondent whose conduct has been determined to constitute professional misconduct or professional incompetence. Maximum fine

7. These regulations come into force on December 26, 2020. Commencement

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 sets out the prescribed qualifications where an applicant is relying on a combination of education and experience for registration as a candidate and requires that the qualifications be assessed by the Professional Standards Board.

SECTION 3 sets out the prescribed qualifications for a candidate applying for registration as a registered professional planner and requires that the qualifications be assessed by the Professional Standards Board.

SECTION 4 provides for a registrant whose registration has been suspended, or a former registrant whose registration has been cancelled, pursuant to section 15 of the Act to apply to have the registration reinstated. It sets out what the applicant is required to do to have the registration reinstated, depending on the reason for the suspension or cancellation.

SECTION 5 provides for a registrant whose registration has been suspended, or a former registrant whose registration has been cancelled, on request pursuant to section 16 of the Act to apply to have the registration reinstated. It sets out the requirement to be met to have a suspended registration reinstated and imposes a term and condition on a reinstated registration that had been cancelled.

SECTION 6 sets out the maximum fine a discipline committee may impose on a respondent whose conduct has been determined to constitute professional misconduct or professional incompetence.

SECTION 7 provides for the commencement of these regulations.

EC2020-757

SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Section 1 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is revoked and the following substituted:

1. The form of ticket shall be Form of ticket
- (a) for the purposes of section 10 of the Act, as set out in Schedule 1 to these regulations;
 - (b) for the purposes of section 10.1 of the Act, as set out in Schedule 1.01 to these regulations.

2. Section 2 of the regulations is amended

(a) by the deletion of the words “For the purposes of section 10 of the Act, the” and the substitution of the word “The”; and

(b) by the addition of the words “under section 10 or 10.1 of the Act” after the words “may be issued”.

3. Subsection 3(1) of the regulations is amended by the deletion of the word “thereof” and the substitution of the words “of Schedule 2”.

4. Section 5 of the regulations is revoked and the following substituted:

5. (1) A ticket may be completed electronically if the data recorded for the ticket meets the following criteria: Ticket completed electronically

(a) it is substantially the same as the ticket referred to in section 10 of the Act and is capable of being printed in accordance with section 6;

(b) it is intelligible and cannot be altered after the ticket has been printed in accordance with section 6, other than to elaborate on, compress or encrypt coded data as necessary for transmission to a database used for the purpose of storing electronic data.

(2) A requirement in the Act for a person to enter or print information on a ticket is satisfied by the provision of the information as part of the automated function of an electronic data system used to complete the ticket electronically. Completion of ticket electronically

6. (1) For the purposes of subsection 10.1(2) of the Act, a printed copy of a ticket completed in accordance with section 5 and signed by the person who issued the ticket may be filed as the original document if it is printed in accordance with these regulations. Printing ticket

(2) A ticket that is completed by electronic means in an electronic format in accordance with these regulations shall be printed in the form as set out in Schedule 1.01 to these regulations. Form of ticket set out in Schedule

(3) A printed copy of a ticket referred to in this section
 (a) is admissible in evidence as if it were the original; and
 (b) is admissible as proof, in the absence of evidence to the contrary, of the date and time the ticket was issued. Ticket admissible in evidence

5. The “Summons to Accused” set out in Schedule 1 to the regulations is revoked and the “Summons to Accused” as set out in Schedule A to these regulations is substituted.

6. The regulations are amended by the addition of Schedule 1.01 as set out in Schedule B to these regulations after Schedule 1.

7. These regulations come into force on December 26, 2020.

SCHEDULE A

CANADA
PROVINCE OF
PRINCE EDWARD ISLAND

CANADA
PROVINCE DE
L'ÎLE-DU-PRINCE-ÉDOUARD

CASE NO. / N° DOSSIER

TICKET NO. /
PROCÈS-VERBAL N° **R**

SUMMONS TO ACCUSED / SOMMATION À L'ACCUSÉ

THE INFORMANT BELIEVES ON REASONABLE GROUNDS THAT ON THE _____ DAY OF _____ 20____ TIME _____
LE DÉNONCIATEUR A DES MOTIFS RAISONNABLES DE CROIRE QUE LE _____ JOUR DE _____ À HEURE _____

NAME _____ OF _____
NOM (LAST / NOM DE FAMILLE) (FIRST / PRÉNOM) (OTHER / AUTRE) DU (NUMBER & STREET / NUMÉRO ET RUE)

(MUNICIPALITY OR P.O. BOX / MUNICIPALITÉ OU C.P.) (PROVINCE / PROVINCES) (POSTAL CODE / CODE POSTAL) (TELEPHONE / TÉLÉPHONE)

AT OR NEAR / À OU PRÈS DE _____ PRINCE EDWARD ISLAND, DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER /
L'ÎLE-DU-PRINCE-ÉDOUARD, A COMMIS L'INFRACTION SUIVANTE, PRÈS DE _____

SECTION / _____ OF X INDICATES ENACTMENT UNDER WHICH OFFENCE CHARGED /
À L'ARTICLE _____ DU X INDIQUE LE TEXTE ENFREINT PAR L'ACCUSÉ

HIGHWAY TRAFFIC ACT / OFF-HIGHWAY VEHICLE ACT REGULATIONS UNDER INDICATED ACT
 WILDLIFE CONSERVATION ACT ROADS ACT RÈGLEMENT PRÉ ENVIÉRIE/OU LA LOI/CODEE
 LIQUOR CONTROL ACT MOTOR VEHICLE INSP. REG.
 _____ ACT VEHICLE WEIGHTS REG.

DESCRIPTION OF OFFENCE /
DESCRIPTION DE L'INFRACTION

THIS IS THEREFORE TO COMMAND YOU, IN HER MAJESTY'S NAME TO APPEAR BEFORE A JUSTICE OF THE PEACE FOR THE PROVINCIAL / YOUTH COURT AT
CECI EST POUR VOUS ORDONNER PAR CONSÉQUENT, AU NOM DE SA MAJESTÉ DE COMPARAÎTRE DEVANT UN JUGE DE PAIX DE LA COUR PROVINCIAL/TRIBUNAL POUR ADOLESCENTS À

PRINCE EDWARD ISLAND NOT LATER THAN THE _____ DAY OF _____ 20____ BY _____ FOR PLEA
L'ÎLE-DU-PRINCE-ÉDOUARD AU PLUS TARD _____ À _____ POUR RÉPONDRE À L'ACCUSATION

AND TO ATTEND THEREAFTER AS REQUIRED BY THE COURT, IN ORDER TO BE DEALT WITH ACCORDING TO LAW.
ET SE PRÉSENTER TEL QUE REQUIS PAR LA COUR POUR ÊTRE TRAITÉ SELON LA LOI.

| | | |
|--|---|--|
| THE TOTAL AMOUNT PAYABLE FOR OUT OF COURT SETTLEMENT IS / LE MONTANT TOTAL QUE VOUS DEVEZ PAYER POUR UN RÉGLEMENT HORS COUR EST: | PENALTY / \$ AMENDE - ADMINISTRATIVE CHARGE / FRAIS D'ADMINISTRATION \$ 50.00 | IMPORTANT IMPORTANT: PLEASE READ OTHER SIDE FOR DETAILS REGARDING OUT OF COURT SETTLEMENT, WHEN YOU CAN ENTER A PLEA AND DEFAULT CONVICTIONS. IMPORTANT: LIRE LE VERSO POUR DES RENSEIGNEMENTS CONCERNANT LE RÉGLEMENT HORS COURS, LE MOMENT OÙ VOUS POUVEZ RÉPONDRE À L'ACCUSATION ET LES CONDAMNATIONS PAR DÉFAUT. POLICE OFFICERS ARE NOT ALLOWED TO ACCEPT PAYMENT. LES POLICIERS NE SONT PAS AUTORISÉS À ACCEPTER LE PAIEMENT. |
|--|---|--|

| | | | | | | | | | |
|--|--|------------------|------------------|-----------------------------|------------------------------------|--|---------------|---------------|-------------------|
| DRIVER / CONDUCTEUR | BIRTH DAY / DATE DE NAISSANCE | DU | MONTH / MOIS | YEAR | SEX / SEXE | DRIVERS LICENSE NO. / N° DE PERMIS DE CONDUIRE | YEAR / ANNÉE | PROV. / PROV. | CLASS / CATÉGORIE |
| VEHICLE / VÉHICULE | MAKE AND YEAR / MARQUE ET ANNÉE | COLOUR / COULEUR | | PLATE / PLAQUE D'IMM. | | YEAR / ANNÉE | PROV. / PROV. | | |
| IF DRIVER NOT OWNER COMPLETE / REMPLIR SI LE CONDUCTEUR N'EST PAS PROPRIÉTAIRE | OWNER / PROPRIÉTAIRE | (LAST / NOM) | (FIRST / PRÉNOM) | (OTHER / AUTRE) | CARRIER NSC # / TRANSPORTEUR CCS # | | | | |
| | ADDRESS (STREET & NO.) / ADRESSE (N° ET RUE) | (P.O. / C.P.) | (PROV. / PROV.) | (POSTAL CODE / CODE POSTAL) | | | | | |

| | | |
|--|-----------------------------------|-----------------------------------|
| EXHIBITS SEIZED / PIÈCES SAISIES | | |
| NAME OF OFFICER ISSUING SUMMONS / AGENT QUI A DÉCERNÉ LA SOMMATION | POLICE AGENCY / SERVICE DE POLICE | UNIT AND NO. / UNITÉ ET MATRICULE |

FINE \$ _____ ADMINISTRATIVE CHARGE / FRAIS D'ADMINISTRATION \$ 50.00

TOTAL \$ _____

REVERSE SIDE OF / VERSO DE
- SUMMONS TO ACCUSED / SOMMATION À L'ACCUSÉ -

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE / AVIS CONCERNANT LE PAIEMENT VOLONTAIRE SANS COMPARUTION DEVANT LE TRIBUNAL
 - READ CAREFULLY / LIRE ATTENTIVEMENT -

IF AN AMOUNT IS SHOWN IN THE BOX MARKED IN RED ON THE FACE OF THIS SUMMONS THIS CASE MAY BE SETTLED OUT OF COURT BY /
 SI UN MONTANT APPARAÎT DANS LA BOÎTE ENTOURÉE D'UNE LIGNE ROUGE AU RECTO DE CETTE SOMMATION, VOUS POUVEZ RÉGLER CETTE AFFAIRE HORS COUR:

- SIGNING THE FORM OF PLEA OF GUILTY BELOW / EN SIGNANT LA FORMULE DE PLAIDOYER DE CULPABILITÉ CI-DESSOUS
- MAKING PAYMENT BEFORE THE DATE FOR APPEARANCE SHOWN ON THE FACE OF THIS SUMMONS / EN PAYANT AVANT LA DATE DE LA COMPARUTION INDICUÉE AU RECTO DE LA SOMMATION
- PAYMENT BY MONEY ORDER OR CHEQUE PAYABLE TO "PROVINCIAL COURT" / PAIEMENT PAR CHÈQUE OU MANDAT POSTÉ À L'ORDRE DE LA « COUR PROVINCIALE »

BY MAIL OR IN PERSON / AT THE PROVINCIAL / YOUTH COURT AT WHICH YOU ARE REQUIRED TO APPEAR TO ANSWER THE CHARGE /
 PAR LA POSTE OU EN PERSONNE À LA COUR PROVINCIALE OU AU TRIBUNAL POUR ADOSCESCENTS OÙ VOUS ÊTES SOMMÉ DE COMPARAÎTRE

| | | | | |
|--|--|---|---|--|
| PROVINCIAL / YOUTH COURT COUR PROVINCIALE / TRIBUNAL POUR ADOSCESCENTS 1 HASBROURD ACCESS ROAD P.O. BOX 2230 CHARLETTOWN P.E.I. C1A 5C1 TEL: 902-262-6020 | PROVINCIAL / YOUTH COURT COUR PROVINCIALE / TRIBUNAL POUR ADOSCESCENTS 100 CENTRAL STREET SUMMERSIDE, PE C1N 3L4 TEL: (902) 888-8125 | PROVINCIAL / YOUTH COURT COUR PROVINCIALE / TRIBUNAL POUR ADOSCESCENTS 80 KENT STREET P.O. BOX 70 GEORGETOWN, PE C2A 1G2 TEL: (902) 693-8990 | ACCESS PE SOURIS 16 GREEN STREET P.O. BOX 595 SOURIS, PE C2A 2B0 TEL: (902) 687-7900 | ACCESS PE ALBERTON 116 DUFFERIN STREET P.O. BOX 39 ALBERTON, PE C0B 1B0 TEL: (902) 853-8622 |
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(DO NOT SEND CASH BY MAIL / N'ENVOYEZ PAS D'ARGENT PAR LA POSTE)

IF NO AMOUNT IS SHOWN ON THE FACE OF THIS SUMMONS YOU MUST APPEAR IN COURT
 AT THE DATE, TIME, AND PLACE SPECIFIED FOR PLEA AND BE FURTHER DEALT WITH ACCORDING TO LAW.

SI AUCUN MONTANT N'APPARAÎT AU RECTO DE LA SOMMATION, VOUS DEVEZ COMPARAÎTRE EN COUR,
 AUX DATE, HEURE ET LIEU INDICUÉS DANS LA SOMMATION POUR RÉPONDRE À L'ACCUSATION PORTÉE CONTRE VOUS.

YOU MUST SIGN BELOW IF SETTLING OUT OF COURT. / VOUS DEVEZ SIGNER LA FORMULE CI-DESSOUS SI VOUS RÉGLEZ HORS COUR.

- PLEA OF GUILTY / PLAIDOYER DE CULPABILITÉ -

I AM AWARE THAT I HAVE A RIGHT TO A HEARING IN RESPECT OF THE OFFENCE WITH WHICH I AM CHARGED, THAT BY SIGNING THIS PLEA OF GUILTY I AM
 WAIVING MY RIGHT TO A HEARING AND THAT MY SIGNATURE MAY RESULT IN A CONVICTION AGAINST ME WITHOUT A HEARING AND MAY RESULT IN THE
 RECORDING OF DEMERIT POINTS WHERE APPLICABLE UNDER THE HIGHWAY TRAFFIC ACT OR, WHERE APPLICABLE, THE CANCELLATION, FORFEITURE,
 REVOCATION OR SUSPENSION OF A LICENSE HELD BY ME UNDER THE ENACTMENT VIOLATED.
 JE COMPRENDS QUE J'AI LE DROIT À UNE AUDIENCE DEVANT UN TRIBUNAL CONCERNANT À L'INFRACTION DONT JE SUIS ACCUSÉ, QU'EN SIGNANT LE PLAIDOYER DE
 CULPABILITÉ, JE RENONCE À MON DROIT À UNE AUDIENCE, QUE MA SIGNATURE PEUT ENTRAÎNER UNE DÉCLARATION DE CULPABILITÉ CONTRE MOI ET QUE DES
 POINTS DE DÉMÉRITE PEUVENT ÊTRE INSCRITS DANS MON DOSSIER EN APPLICATION DE LA HIGHWAY TRAFFIC ACT, OU QUE MON PERMIS PEUT ÊTRE ANNULÉ,
 CONFISQUÉ, RÉVOQUÉ OU SUSPENDU EN APPLICATION DE LA LOI QUE J'AI ENFREINTÉ SANS QU'UN TRIBUNAL M'ENTENDE.

I HEREBY PLEAD GUILTY TO THE OFFENCE AS CHARGED / JE PLAIDE COUPABLE À L'INFRACTION DÉCRITE AU RECTO DE LA SOMMATION

SIGNATURE OF ACCUSED / SIGNATURE DU DÉFENDEUR _____

ADDRESS / ADRESSE _____
 (STREET AND NO. / N° ET RUE) (MUNICIPALITY / MUNICIPALITÉ) (PROV. / PROV.) (POSTAL CODE / CODE POSTAL)

I ENCLOSE THE AMOUNT OF /
 JE JOINS LE MONTANT DE \$ _____ FOR OUT OF COURT SETTLEMENT. / À TITRE DE RÈGLEMENT HORS COUR

NOTICE RESPECTING COURT APPEARANCE / AVIS CONCERNANT LA COMPARUTION DEVANT LA COUR

YOU MAY APPEAR BEFORE A JUSTICE OF THE PEACE (JP) TO ENTER A PLEA TO THIS TICKET AT ANYTIME DURING NORMAL WORKING HOURS
 (FROM JUNE TO SEPTEMBER, BETWEEN 8:00 A.M. AND 3:45 P.M.; FROM OCTOBER TO MAY, BETWEEN 8:30 A.M. AND 4:45 P.M.). IF YOU WISH TO
 CONTEST THIS TICKET, YOU MAY ENTER A NOT GUILTY PLEA BEFORE A JP, WHO WILL THEN SET ANOTHER DATE FOR YOUR TRIAL. YOUR TRIAL
 WILL NOT BE ON THE DATE THAT YOU ENTERED YOUR PLEA, BUT ON A LATER DATE. IF YOU DO NOT WISH TO CONTEST THIS TICKET, THEN YOU MAY
 PLEAD GUILTY BEFORE THE JP, WHO WILL IMPOSE THE FINE, ADMINISTRATIVE CHARGE AND SURCHARGE AND DETERMINE THE TIME YOU HAVE TO
 PAY THAT AMOUNT.

VOUS POUVEZ COMPARAÎTRE DEVANT UN JUGE DE PAIX (JP) POUR RÉPONDRE À L'ACCUSATION INDICUÉE SUR CE PROCÈS-VERBAL À N'IMPORTE
 QUEL MOMENT DURANT LES HEURES NORMALES D'OUVERTURE (DE JUIN À SEPTEMBRE, ENTRE 8H00 ET 15H45, D'OCTOBRE À MAI ENTRE 8H30 ET
 16H45). SI VOUS VOLEZ CONTESTER CE PROCÈS-VERBAL, VOUS POUVEZ PLAIDER NON-COUPABLE DEVANT UN JUGE DE PAIX QUI PRÉVOIRA
 ALORS VOTRE PROCÈS À UNE DATE ULTÉRIEURE. SI VOUS NE VOLEZ PAS CONTESTER CE PROCÈS-VERBAL, VOUS POUVEZ PLAIDER COUPABLE
 DEVANT UN JUGE DE PAIX QUI IMPOSERA ALORS L'AMENDE, LES FRAIS D'ADMINISTRATION AINSI QUE LA SURAMENDE ET DÉCIDERA DU MOMENT OÙ
 VOUS DEVEZ PAYER LE MONTANT.

NOTICE RESPECTING DEFAULT CONVICTION / AVIS CONCERNANT LA CONDAMNATION PAR DÉFAUT

WHERE THERE IS NO PLEA OF GUILTY MADE ON THIS TICKET SUMMONS AND YOU FAIL TO APPEAR IN COURT AS COMMANDED BY THIS TICKET
 SUMMONS, A PROVINCIAL COURT JUDGE OR JUSTICE OF THE PEACE SHALL, PURSUANT TO S. 12 OF THE SUMMARY PROCEEDINGS ACT,
 ENTER A CONVICTION AND IMPOSE THE PENALTY PRESCRIBED BY LAW.

SI VOUS NE SIGNEZ PAS LA FORMULE DE PLAIDOYER DE CULPABILITÉ CI-DESSUS ET QUE VOUS NE COMPARAISSEZ PAS DEVANT LE TRIBUNAL TEL QUE LA
 SOMMATION VOUS Y ENJOINT, UN JUGE DE LA COUR PROVINCIALE OU UN JUGE DE PAIX INSCRIRA UNE DÉCLARATION DE CULPABILITÉ EN VERTU DE L'ART.
 12 DE LA SUMMARY PROCEEDINGS ACT, ET VOUS IMPOSERA LA PEINE PRÉVUE PAR LA LOI.

THIS TICKET SUMMONS MUST ACCOMPANY THE VOLUNTARY PAYMENT / VOUS DEVEZ JOINDRE CETTE SOMMATION À VOTRE PAIEMENT.

SCHEDULE B
SCHEDULE 1.01

Form containing summary offence information, defendant details, and court information. Includes fields for name, address, and court location.

Form containing reverse side information, including summons details, court appearance instructions, and payment information.

EXPLANATORY NOTES

SECTION 1 revokes section 1 of the *Summary Proceedings Act* Ticket Regulations and substitutes a new section 1 to specify the form of ticket for the purposes of section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9 is set out in Schedule 1 to the regulations. The form of an electronic ticket for the purposes of section 10.1 of the Act is set out in Schedule 1.01 to the regulations.

SECTION 2 amends section 2 of the regulations to clarify that provincial offences under the provisions of enactments set out in Schedule 2 to the regulations are designated as offences in respect of which a ticket may be issued for the purposes of section 10 or 10.1 of the Act.

SECTION 3 amends subsection 3(1) of the regulations to replace outdated language.

SECTION 4 revokes section 5 of the regulations and substitutes a new section 5 to prescribe the criteria required to complete an electronic ticket. A new section 6 is added to the regulations to specify the printing requirements for an electronic ticket.

SECTION 5 revokes the “Summons to Accused” as set out in Schedule 1 to the regulations and substitutes a new “Summons to Accused” in Schedule 1 due to a change in address of the Provincial/Youth Court in Charlottetown.

SECTION 6 adds a new Schedule 1.01 to the regulations.

SECTION 7 provides for the commencement of the regulations.