

EC2022-163

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JOHN C. HOOPER
 (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 John C. Hooper of San Francisco, California to acquire a land holding of approximately sixty decimal one one (60.11) acres of land at Foxley River, Lot 11, Prince County, Province of Prince Edward Island, being acquired from Michael Hellman and Michael Archer, both of Santa Barbara, California.

EC2022-164

PROVINCIAL COURT ACT
 JUSTICE OF THE PEACE
 APPOINTMENT

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed Joan Marks of Georgetown Royalty, in Kings County, Prince Edward Island, as Justice of the Peace in and for the Province of Prince Edward Island for a term of five (5) years, effective March 1, 2022. This appointment is limited to matters related to the enforcement of bylaws within the Town of Three Rivers.

Further, Council ordered that should Joan Marks cease to be employed by the Town of Three Rivers as the Executive Assistant, her appointment as Justice of the Peace shall terminate coincident with the date the employment terminates.

EC2022-165

PROVINCIAL COURT ACT
 DECLARATION RE

Under authority of section 64 of the *Provincial Court Act* Stats. P.E.I. 2021, c. 15 Council ordered that a Proclamation do issue proclaiming the said "Provincial Court Act" to come into force effective March 31, 2022.

EC2022-166**PROVINCIAL COURT ACT
REGULATIONS**

Pursuant to section 52 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25.1, Council made the following regulations:

- 1.** In these regulations, Definitions
- (a) “Act” means the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25.1; Act
- (b) “enactment” means an Act, regulation or municipal bylaw. enactment
- Powers of the Chief Judge
- 2.** For the purposes of clause 5(1)(f) of the Act, Powers of Chief Judge
- (a) the Chief Judge may impose remedial or corrective measures on a judge for the purposes of enforcing compliance with the Code of Conduct under subsection 5(4) of the Act;
- (b) the Chief Judge may refer a complaint made under subsection 28(1) of the Act to a mediator for mediation prior to dismissing the complaint under subsection 28(6) or requesting an investigation under subsection 28(7), if
- (i) the Chief Judge is satisfied that the referral is appropriate in the circumstances and not contrary to the public interest, and
- (ii) the complainant and the respondent agree to participate in mediation;
- (c) where a matter has been referred to the Chief Judge under subclause 33(1)(a)(ii) of the Act, the Chief Judge may refer the matter to a mediator for mediation prior to taking corrective action, if
- (i) the Chief Judge is satisfied that the referral is appropriate in the circumstances and not contrary to the public interest, and
- (ii) the complainant and the respondent agree to participate in mediation.
- Procedural Matters
- 3.** The procedure described in Part XXVII of the *Criminal Code* (Canada) applies with respect to the following matters: Application of procedure
- (a) all summary prosecutions for the enforcement of enactments;
- (b) the recovery or imposition of a fine, imprisonment, or other penalty described in an enactment.
- 4.** A judge may appoint one or more justices of the peace as a clerk. Appointment of clerk
- Remuneration – Investigators
- 5.** (1) A person who is an investigator appointed under subsection 30(2) of the Act is entitled to remuneration approved by the Lieutenant Governor in Council, on the recommendation of the chairperson of the Judicial Council. Remuneration - investigator
- (2) A person who is an investigator referred to in subsection (1) shall, subject to Treasury Board Policy, be reimbursed for reasonable transportation, travel and other expenses incurred by the person while acting as an investigator. Expenses
- Revocation, Commencement
- 6.** The *Provincial Court Act* Regulations (EC946/76) are revoked. Revocation
- 7.** These regulations come into force on March 31, 2022. Commencement

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations.

SECTION 2 establishes the powers of the Chief Judge in relation to the specified matters under the Act.

SECTION 3 specifies the application of the procedure described in Part XXVII of the *Criminal Code* (Canada).

SECTION 4 authorizes a judge to appoint one or more justices of the peace as a clerk.

SECTION 5 establishes the entitlement to remuneration and reimbursement for expenses of an investigator appointed under subsection 30(2) of the Act.

SECTION 6 revokes the *Provincial Court Act* Regulations (EC946/76).

SECTION 7 provides for the commencement of these regulations.

EC2022-167

**PUBLIC HEALTH ACT
CONTINUATION OF
DECLARATION
STATE OF PUBLIC HEALTH EMERGENCY**

WHEREAS a state of public health emergency was declared in Prince Edward Island on March 16, 2020, pursuant to Order-in-Council EC2020-174; and continued on April 15, 2020 by Order-in-Council EC2020-254; on May 15, 2020 by Order-in-Council EC2020-305; and on June 15, 2020 by Order-in-Council EC2020-350; on July 15, 2020 by Order-in-Council EC2020-435; on August 14, 2020 by Order-in-Council EC2020-488; on September 13, 2020 by Order-in-Council EC2020-542; on October 13, 2020 by Order-in-Council EC2020-603; on November 12, 2020 by Order-in-Council EC2020-649; on December 12, 2020 by Order-in-Council EC2020-724; on January 11, 2021 by Order-in-Council EC2021-1; on February 10, 2021 by Order-in-Council EC2021-71; on March 12, 2021 by Order-in-Council EC2021-138; on April 11, 2021 by Order-in-Council EC2021-271; on May 11, 2021 by Order-in-Council EC2021-407; on June 10, 2021 by Order-in-Council EC2021-494; on July 10, 2021 by Order-in-Council EC2021-577; on August 9, 2021 by Order-in-Council EC2021-658; on September 8, 2021 by Order-in-Council EC2021-733; on October 8, 2021 by Order-in-Council EC2021-813; on November 7, 2021 by Order-in-Council EC2021-909; on December 7, 2021 by Order-in-Council EC2021-993; on January 6, 2022 by Order-in-Council EC2021-1061; and on February 5, 2022 by Order-in-Council EC2022-72;

WHEREAS Council has determined, on the advice of the Chief Public Health Officer, that a public health emergency continues to exist as a result of COVID-19 (coronavirus);

AND WHEREAS continued coordination of action or special measures are required in order to protect the public health of the population;

EXECUTIVE COUNCIL _____ 1 MARCH 2022

THEREFORE, Council continues Order-in-Council EC2020-174 pursuant to subsection 49(5) of the *Public Health Act*, R.S.P.E.I. Cap. P-30.1 effective March 7, 2022 for a period of thirty (30) days, unless it is sooner terminated or continued by Council.