

EC2023-941**AN ACT TO AMEND THE CHANGE OF NAME ACT
DECLARATION RE**

Under authority of section 16 of the *An Act to Amend the Change of Name Act* Stats. P.E.I. 2021, c. 5 Council ordered that a Proclamation do issue proclaiming all sections except section 7 of the said "*An Act to Amend the Change of Name Act*" to come into force effective November 18, 2023.

EC2023-942**CHANGE OF NAME ACT
REGULATIONS**

Pursuant to section 16 of the *Change of Name Act* R.S.P.E.I. 1988, Cap. C-3.1, Council made the following regulations:

1. Definitions

In these regulations,

- (a) “**Act**” means the *Change of Name Act* R.S.P.E.I. 1988, Cap. C-3.1;
- (b) “**confidential change of name**” means a change of name carried out in a manner that avoids disclosing information concerning the change of name;
- (c) “**extra-provincial authority**” means the person that has authority under the laws of a province or territory outside of Prince Edward Island for registering changes of name in that jurisdiction.

2. Notice of change of name

For the purpose of clause 10(1)(e) of the Act, the Director shall provide notice of a change of name to the following authorities:

- (a) an extra-provincial authority in the jurisdiction where the person whose name is changed was born;
- (b) the Prothonotary;
- (c) the Chief Sheriff or the sheriff for the county in which the person whose name is changed resides;
- (d) the Registrar of Motor Vehicles.

3. Confidential change of name

(1) This section applies where the Director receives

- (a) a request from an extra-provincial authority to file a confidential change of name for a person who was born, but no longer lives, in the province; or
- (b) an order of the Minister under subsection 12(3) of the Act respecting sealed records.

Sealed file

- (2) The Director shall, on receipt of the request or order, as the case may be,
- (a) withdraw the original registration of birth and place it in a separate sealed file; and
 - (b) issue a new registration showing the new name and amendments to the birth registration.

Record maintained by Director

- (3) No record maintained by the Director shall identify the new name of a person subject to a confidential change of name except those records maintained in separate files.

Disclosure of information

- (4) The Director shall not disclose any information from the sealed file referred to in subsection (2), except
- (a) with the consent of the person to whom the file relates; or
 - (b) in accordance with a court order.

Non-publication of confidential change of name

- (5) For greater certainty, where the Director receives a request under clause (1)(a), the Director shall not publish notice of a confidential change of name in the Gazette, in accordance with subsection 10(3) of the Act.

4. Fees

- (1) The following fees are prescribed:
- (a) application for a change of name (includes processing, registration, issuance of certificate, notifications, Gazette publication, registration at registry of deeds) \$100;
 - (b) searching records for each period of up to three years \$10;
 - (c) providing a copy of a certificate, notice or information \$35.

Discretion to adjust fee

- (2) The Director may waive all or part of a fee or may modify a fee payable by a person where, in the opinion of the Director, the person is unable to afford payment of the fee or for any other reason the Director considers appropriate.

Additional charges

- (3) The Director may charge an additional fee to comply with a person's request for rush service or to provide a special service involving extra costs.

5. Revocation

The *Change of Name Act* Regulations (EC247/02) are revoked.

6. Commencement

These regulations come into force on November 18, 2023.

EXPLANATORY NOTES

SECTION 1 establishes definitions to be used for the purposes of the regulations.

SECTION 2 specifies the prescribed authorities to whom the Director is required to provide notice in respect of a change of name made under the Act.

SECTION 3 outlines the requirements of the Director on receiving a request from an extra-provincial authority to file a confidential change of name for a person who was born, but no longer lives, in the province or on receiving an order of the Minister under subsection 12(3) of the Act in respect of sealed records. The section specifies the Director is not to publish notice of a confidential change of name in the Gazette, in accordance with subsection 10(3) of the Act.

SECTION 4 specifies the prescribed fees in respect of an application for a change of name under the Act, for a records search and for the provision of information. The section authorizes the Director to (1) waive all or part of a fee or to modify a fee where appropriate; and (2) charge an additional fee for providing a rush or special service involving extra costs.

SECTION 5 revokes the *Change of Name Act* Regulations (EC247/02).

SECTION 6 provides for the commencement of the regulations.

EC2023-943

EXECUTIVE COUNCIL ACT
 MINISTER OF AGRICULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (THE HURRICANE FIONA RECOVERY FUND, DELIVERED UNDER
 THE BUSINESS DEVELOPMENT PROGRAM
 CONTRIBUTION AGREEMENT)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Agriculture to enter into a contribution agreement with the Government of Canada, as represented by the Atlantic Canada Opportunities Agency, to set the terms and conditions for the Province to receive funding for the Prince Edward Island Agriculture Fiona Relief Fund, which will support the extraordinary costs of restoring and rebuilding agricultural infrastructure, conditions and land-use to their pre-Hurricane Fiona use, effective upon the date of the last signature by the parties to March 31, 2024, such as more particularly described in the draft agreement.

EC2023-944

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AND ATTORNEY GENERAL
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (*CONTRAVENTIONS ACT*
 ADMINISTRATION AND ENFORCEMENT AGREEMENT)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Justice and Public Safety and Attorney General to enter into an agreement with the Government of Canada, as represented by the Minister of Justice and Attorney General, to set out terms and conditions for administration and enforcement in both English and French of the federal statutes and regulations applicable to Prince Edward Island and included in the *Contraventions Act* and Regulations including prosecution, discharge and enforcement of fines and fees related to summary conviction offences for the period April 1, 2023 to March 31, 2028, such as more particularly described in the draft agreement.

EC2023-945

EXECUTIVE COUNCIL ACT
 MINISTER OF WORKFORCE, ADVANCED LEARNING
 AND POPULATION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (HOLLAND COLLEGE OPERATIONS AMENDED FUNDING
 AGREEMENT)
 WITH
 HOLLAND COLLEGE

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce, Advanced Learning and Population to enter into an amended agreement with Holland College, to assist the College with costs associated with core operational activities, for the period April 1, 2023 to March 31, 2024, such as more particularly described in the draft agreement.

EC2023-946

EXECUTIVE COUNCIL ACT
 MINISTER OF WORKFORCE, ADVANCED LEARNING
 AND POPULATION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (UPEI OPERATIONS AMENDED FUNDING AGREEMENT)
 WITH
 THE UNIVERSITY OF PRINCE EDWARD ISLAND

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce, Advanced Learning and Population to enter into an amended agreement with the University of Prince Edward Island, to assist the University with costs associated with core operational activities, for the period April 1, 2023 to March 31, 2024, such as more particularly described in the draft agreement.

EC2023-947

FIRE PREVENTION ACT
 FIRE DISTRICT REGULATIONS
 KINKORA RURAL FIRE DISTRICT
 BOUNDARY AMENDMENT
 APPROVED

Having under consideration the recommendation of the Minister of Justice and Public Safety and Attorney General, presented pursuant to section 4 of the *Fire Prevention Act* Fire District Regulations (EC487/89), Council under authority of section 13 of the said regulations, authorized the Kinkora Rural Fire District to amend its boundaries, deemed to be effective August 15, 2023, in accordance with the approved annexation of the following properties, which were part of an unincorporated area and were not services by another fire department or district, into the Rural Municipality of Kinkora: 779934, 778662 and a portion of 876698, and 273458.

EC2023-948

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CHRIS FRASER
(DENIAL)

Council, having under consideration an application (#N6562) 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 Chris Fraser of Red Deer, Alberta to acquire an interest in a land holding of approximately twenty-three decimal seven two (23.72) acres of land at Huntley, Lot 3, Prince County, currently owned by David Bruce Ramsay of Huntley, Prince Edward Island.

EC2023-949

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GO WEST WELDING LTD.
(DENIAL)

Council, having under consideration an application (#C9301) for acquisition of a land holding under authority of section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Go West Welding Ltd. of Red Deer, Alberta to acquire a land holding of approximately twenty-three decimal seven two (23.72) acres of land at Huntley, Lot 3, Prince County, currently owned by David Bruce Ramsay of Huntley, Prince Edward Island.

EC2023-950

MUNICIPAL GOVERNMENT ACT
RURAL MUNICIPALITY OF CRAPAUD
EXTENSION OF MUNICIPAL BOUNDARY
(APPLICATION TO ANNEX
PROVINCIAL PROPERTY NO. 405480)
APPROVED

Having under consideration an application from the Rural Municipality of Crapaud presented pursuant to subsection 15(2) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1 to extend its boundaries to include approximately twenty-seven decimal six (27.6) acres, being Provincial Property No. 405480 for which no municipal government is provided under the said Act, and having under consideration the recommendation of the Island Regulatory and Appeals Commission, Council under authority of subsection 21(1)(b) of the aforesaid Act, approved the application to restructure as proposed and ordered that the boundary of the Rural Municipality of Crapaud be extended to annex approximately twenty-seven decimal six (27.6) acres as aforesaid, effective January 1, 2024 in accordance with the said application and as indicated on a plan filed in the Registry Office for Queens County by the Minister of Housing, Land and Communities pursuant to subsection 21(3) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

This Order-in-Council comes into force on January 1, 2024.

EC2023-951

REGULATED HEALTH PROFESSIONS ACT
COUNSELLING THERAPISTS REGULATIONS
AMENDMENT

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

1. **Clause 5(b) of the *Regulated Health Professions Act* Counselling Therapists Regulations (EC578/21) is amended by the deletion of the words “examinations set out in section 11” and the substitution of the words “Canadian Professional Standard for Counselling and Psychotherapy (CPSCP): Entry to Practice Competency Assessment”.**
2. **Subsection 6(1) of the regulations is amended**
 - (a) **by the addition of the words “has not successfully completed the examination required in clause 5(b) or” after the words “section 5”; and**
 - (b) **by the deletion of the words “obtains the practical experience” and the substitution of the words “meets the requirement”.**
3. **Clause 8(a) of the regulations is revoked.**
4. **Section 11 of the regulations is revoked.**
5. **Section 14 of the regulations is revoked.**
6. **These regulations come into force on November 18, 2023.**

EXPLANATORY NOTES

SECTION 1 amends clause 5(b) of the regulations to refer to a specific examination.

SECTION 2 amends subsection 6(1) of the regulations to provide for an applicant who does not meet the examination requirement in clause 5(b) to be registered in the provisional registration part of the register.

SECTION 3 repeals clause 8(a) of the regulations, which refers to a continuing education and competency requirement set out in a repealed section of the regulations.

SECTION 4 repeals section 11 of the regulations respecting examinations.

SECTION 5 repeals section 14 of the regulations, which is redundant. Sections 60 and 60.1 of the Act provide for the College to establish continuing education and competency requirements.

SECTION 6 provides for the commencement of these regulations.