

EC2023-1073

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (LETTER OF 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 to enter into a Letter of Agreement with the Government of Canada, as represented by the Minister of Innovation, Science and Economic Development, to enhance the Offender Management System, Management and Access of Client Information in Prince Edward Island and interface to the Canadian Correctional Services Survey, effective October 1, 2023 to March 1, 2025, such as more particularly described in the draft agreement.

EC2023-1074

HOUSING CORPORATION ACT
 PRINCE EDWARD ISLAND HOUSING CORPORATION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AGREEMENT)
 WITH
 THE CONSTRUCTION ASSOCIATION OF P.E.I.
 AND
 THE PUBLIC SCHOOLS BRANCH OF P.E.I.

Pursuant to clause 7(1)(d) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council authorized the Prince Edward Island Housing Corporation, to enter into an agreement with the Construction Association of P.E.I. and the Public Schools Branch of P.E.I., for the construction of eight tiny homes, effective upon the last party signing, such as more particularly described in the draft agreement.

EC2023-1075

AN ACT TO AMEND THE EARLY LEARNING AND CHILD CARE ACT
 DECLARATION RE

Under authority of section 19 of *An Act to Amend the Early Learning and Child Care Act* Stats. P.E.I. 2022, c. 73 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Early Learning and Child Care Act*" to come into force effective December 30, 2023.

EC2023-1076

EARLY LEARNING AND CHILD CARE ACT**REGULATIONS
AMENDMENT**

Pursuant to section 76 of the *Early Learning and Child Care Act* R.S.P.E.I. 1988, Cap. E-.01, Council made the following regulations:

1. Subsection 1(1) of the *Early Learning and Child Care Act* Regulations (EC819/16) is revoked and the following substituted:

1. Definitions

- (1) In these regulations,
- (a) “**assignee**” means a person to whom the operator of a licensed centre proposes to assign the licence to operate the centre;
 - (b) “**early childhood centre**” means a licensed centre where the operator is authorized to provide services to infants, preschool children and school-age children;
 - (c) “**family home centre**” means a licensed centre located in a private residence, where the operator is authorized to provide services to not more than a total of eight children, including the children of the operator;
 - (d) “**parent**” includes a guardian of a child;
 - (e) “**preschool centre**” means a licensed centre where the operator is authorized to provide services for less than four consecutive hours per day to children who are three years of age or over but are not school-age children;
 - (f) “**school-age child centre**” means a licensed centre where the operator is authorized to provide services to school-age children on weekdays during one or more of the following time periods:
 - (i) before or after regular school hours,
 - (ii) the school lunch period,
 - (iii) regular school hours, where schools are closed for the day;
 - (g) “**transferee**” means a person to whom the operator of a licensed centre proposes to transfer the licence to operate the centre.

2. The heading immediately preceding section 8 is revoked and the following substituted:

Application for Certification

3. (1) Subsection 8(1) of the regulations is revoked and the following substituted:

8. Certification levels

- (1) The following levels of certification are prescribed:
- (a) family home child care provider;
 - (b) school-age child care provider;
 - (c) early childhood intern;
 - (d) early childhood associate;
 - (e) early childhood educator.
- (2) **Subsection 8(2) of the regulations is revoked.**
- (3) **Subsection 8(3) of the regulations is amended**

- (a) **in the words preceding clause (a), by the deletion of the words “a certificate” and the substitution of the word “certification”; and**
 - (b) **by the revocation of clause (c).**
- 4. (1) Subsection 9(1) of the regulations is amended by the deletion of the words “a family home child care provider certificate” and the substitution of the words “certification at the family home child care provider level”.**
- (2) Subsection 9(2) of the regulations is amended by the deletion of the words “a school-age child care provider certificate” and the substitution of the words “certification at the school-age child care provider level”.**
- (3) Subsection 9(3) of the regulations is revoked and the following substituted:**
- Early childhood intern**
- (3) An applicant for certification at the early childhood intern level shall have successfully completed a 30-hour course, approved by the Board, in each of the following subject areas:
- (a) child growth and development;
 - (b) child guidance;
 - (c) early childhood pedagogy.
- (4) Subsection 9(4) of the regulations is revoked and the following substituted:**
- Early childhood associate**
- (4) An applicant for certification at the early childhood associate level shall have successfully completed
- (a) a one-year certificate program in early childhood care and education, approved by the Board; or
 - (b) a diploma or degree program related to human studies, approved by the Board.
- (5) Subsections 9(5), (6), (7) and (8) of the regulations are revoked and the following substituted:**
- Early childhood educator**
- (5) An applicant for certification at the early childhood educator level shall have successfully completed
- (a) a two-year diploma or degree program in early childhood care and education, approved by the Board;
 - (b) a degree program related to human studies that incorporates a two-year diploma program in early childhood care and education, approved by the Board; or
 - (c) a degree program related to human studies and a one-year certificate program in early childhood care and education, approved by the Board.
- 5. The heading immediately preceding section 10 is revoked and the following substituted:**

Renewal of Certification

- 6. (1) Subsection 10(1) of the regulations is amended**
- (a) **in the words preceding clause (a), by the deletion of the words “a certificate” and the substitution of the words “a certificate holder’s certification”; and**
 - (b) **in clause (b), by the addition of the words “, where applicable” after the words “set out in subsection (2)”.**
- (2) Subsection 10(2) of the regulations is revoked and the following substituted:**

Continuing education

- (2) Subject to subsection (3), a certificate holder shall have successfully completed 45 hours of continuing education, approved by the Board, in the three years preceding the application to renew the certificate holder's certification.

Exception

- (3) Subsection (2) does not apply to a certificate holder who is certified at the family home child care provider or school-age child care provider level.

7. **Subsection 18(1) of the regulations is amended by the deletion of the word "80" and the substitution of the word "125".**

8. (1) **Subsection 19(2) of the regulations is amended by the deletion of the word "six" and the substitution of the word "12".**

- (2) **Subsection 19(3) of the regulations is revoked and the following substituted:**

Exception

- (3) The maximum group size for infants in a licensed centre may exceed 12 infants
- (a) where the infants are under 18 months old, for up to 25% of the time that the infants receive services at the licensed centre daily; and
 - (b) where the infants are 18 to 22 months old, for up to 75% of the time that the infants receive services at the licensed centre daily,
- provided that the group includes preschool or school-age children.

9. (1) **Clause 20(1)(c) of the regulations is revoked and the following substituted:**

- (c) either
 - (i) has emergency first aid and infant and child cardiopulmonary resuscitation (CPR) certification, approved by the Board, or
 - (ii) enrolls in a course to obtain the certification referred to in subclause (i) within two weeks of commencing to provide services at the licensed centre and obtains the certification referred to in subclause (i) within eight weeks of commencing to provide services at the licensed centre.

- (2) **Clause 20(2)(a) of the regulations is amended by the deletion of the words "clause (1)(b)" and the substitution of the words "clauses (1)(b) and (c)".**

- (3) **Section 20 of the regulations is amended by the addition of the following after subsection (2):**

First aid and CPR

- (3) The operator of a licensed centre shall ensure that at least one staff member who has emergency first aid and infant and child cardiopulmonary resuscitation (CPR) certification is present at all times during the operation of the licensed centre.

10. (1) **Subsection 21(1) of the regulations is revoked and the following substituted:**

21. Staffing requirements – family home centre

- (1) The operator of a family home centre shall ensure that the centre is staffed with at least one certificate holder who is certified at a level other than school-age child care provider.

- (2) **Subsection 21(2) of the regulations is amended by the revocation of clauses (a) and (b) and the substitution of the following:**

- (a) at least one certificate holder who is certified at a level other than family home child care provider; and
- (b) where additional staff members are required to comply with the staff member to child ratios set out in subsection 19(1), at least one additional

certificate holder who is certified at a level other than family home child care provider.

11. Section 22 of the regulations is revoked and the following substituted:

22. Staffing requirements – preschool centre or early childhood centre

The operator of a preschool centre or an early childhood centre shall ensure that the licensed centre is staffed with

- (a) at least one certificate holder who is certified at the early childhood educator level; and
- (b) where additional staff members are required to comply with the staff member to child ratios set out in subsection 19(1), at least one additional certificate holder who is certified at the early childhood associate or early childhood educator level.

12. (1) Subsection 26(1) of the regulations is amended

- (a) in clause (a), by the deletion of the word “3.5” and the substitution of the words “three and a half”; and
- (b) in clause (b), by the deletion of the word “7” and the substitution of the word “seven”.

(2) Section 26 of the regulations is amended

- (a) by the addition of the following after subsection (1):

Exception, group size exceeds six infants

- (1.1) Notwithstanding subsection (1), where the group size for infants receiving services at a licensed centre exceeds six infants, the operator shall provide a minimum of four square metres of indoor activity space per child in the group.

- (b) by the addition of the following after subsection (2):

Dedicated sleep space for infants

- (2.1) Where the group size for infants receiving services at a licensed centre exceeds six infants, the operator shall provide dedicated sleep space for infants in the group.

13. Section 47 of the regulations is revoked.

14. The regulations are amended by the addition of the following after section 47:

47.1 Certification, transition

- (1) On the coming into force of this section,
 - (a) a certificate holder who holds an early childhood educator I certificate is deemed to be certified at the early childhood intern level;
 - (b) a certificate holder who holds an early childhood educator II certificate is deemed to be certified at the early childhood associate level;
 - (c) a certificate holder who holds an inclusion support assistant certificate is deemed to be certified at the early childhood associate level; and
 - (d) a certificate holder who holds an early childhood educator III, early childhood supervisor or early childhood director certificate is deemed to be certified at the early childhood educator level.

Expiration

- (2) The new certification of a certificate holder referred to in subsection (1) expires on the date stated on the existing certificate.

15. These regulations come into force on December 30, 2023.

EXPLANATORY NOTES

SECTION 1 revokes and replaces subsection 1(1) of the regulations to remove definitions that are spent or unnecessary.

SECTION 2 revokes and replaces a heading in the regulations.

SECTION 3 amends section 8 of the regulations to update the staff certification levels and requirements.

SECTION 4 amends section 9 of the regulations to update the staff certification levels and requirements.

SECTION 5 revokes and replaces a heading in the regulations.

SECTION 6 amends section 10 of the regulations to improve the wording.

SECTION 7 amends subsection 18(1) of the regulations to increase the number of children to whom an operator may provide services at a licensed centre, other than a family home centre, from 80 to 125 children.

SECTION 8 amends section 19 of the regulations to increase the maximum group size for infants from six to 12 and to provide for exceptions for infants of different age ranges.

SECTION 9 revokes and replaces clause 20(1)(c) of the regulations to require staff members to be certified in first aid and CPR for infants and children within eight weeks of commencing employment, and updates clause 20(2)(a) accordingly. It also adds a new subsection 20(3) to the regulations requiring at least one staff person with the first aid and CPR certification to be present at all times during the operation of the centre.

SECTION 10 updates section 21 of the regulations to reflect the new staff certification levels.

SECTION 11 revokes and replaces section 22 to reflect the new staff certification levels.

SECTION 12 amends section 26 of the regulations to require more indoor activity space per child in a group and dedicated sleep space for infants in a group, where the group size for infants exceeds six infants.

SECTION 13 revokes transitional provisions that are spent.

SECTION 14 provides transitional provisions for certificate holders moving from the existing certificate levels to the new certification levels.

SECTION 15 provides for the commencement of these regulations.

EC2023-1077

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

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Carruthers' Farms Ltd. of Hamilton, Prince Edward Island to acquire a land holding of approximately one hundred and twenty-seven decimal four three (127.43) acres of land at Hamilton, Lot 18, Prince County, Province of Prince Edward Island, being acquired from Michael James Carruthers of Hamilton, 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.

EC2023-1078

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
P.E.I. DREAM COTTAGES 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 P.E.I. Dream Cottages Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately nineteen decimal one one (19.11) acres of land at Cavendish, Lot 23, Queens County, Province of Prince Edward Island, being acquired from Darcy MacCoubrey of Orangeville, Ontario.

EC2023-1079

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAN AMERICAN PROPERTIES 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 Pan American Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately seventeen decimal five five (17.55) acres of land at Savage Harbour, Lot 37, Queens County, Province of Prince Edward Island, being acquired from 251 Kelpie Lane Inc. (Trustee) of Toronto, Ontario.

EC2023-1080

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PAN AMERICAN PROPERTIES 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 Pan American Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately forty-seven (47) acres of land at Savage Harbour, Lot 37, Queens County, Province of Prince Edward Island, being acquired from Nicholas Jay of Stratford, Prince Edward Island.

EC2023-1081

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

Council, having under consideration Order-in-Council EC2022-489 of June 7, 2022, rescinded the said Order forthwith, thus rescinding permission for Smallman Farms Ltd. of O'Leary, Prince Edward Island to acquire a land holding of approximately zero decimal eight (0.8) of an acre of land at Knutsford, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Wallace Family Farm Ltd. of O'Leary, Prince Edward Island.

EC2023-1082

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 SMALLMAN FARMS 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 Smallman Farms Ltd. of O'Leary, Prince Edward Island to acquire a land holding of approximately two decimal six eight (2.68) acres of land at Knutsford, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Wallace Family Farm Ltd. of O'Leary, Prince Edward Island.

EXECUTIVE COUNCIL _____ 19 DECEMBER 2023

EC2023-1083**NATURAL PRODUCTS MARKETING ACT
PRINCE EDWARD ISLAND MARKETING COUNCIL
APPOINTMENT**

Pursuant to subsection 2(2) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Brian Watts	19 December 2023
York	to
(vice Charles Murphy, term expired)	19 December 2026