

November 3, 2025

CONSULTATION DRAFT

COMBATIVE SPORT COMMISSIONER ACT

BILL NO.

2025

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

PART 1 - INTERPRETATION AND ADMINISTRATION

1. Definitions

(1) In this Act,

- (a) “**adjudicator**” means an adjudicator appointed under section 4;
- (b) “**Advisory Council**” means the PEI Combative Sport Advisory Council established under section 7;
- (c) “**amateur bout**” means a bout in which contestants are not paid to participate, with the exception of the reimbursement of expenses incurred in participating;
- (d) “**bout**” means
 - (i) a contest between two contestants in a combative sport, or
 - (ii) an exhibition between two contestants in a combative sport in which there is no score or decision;
- (e) “**combative sport**” has the meaning set out in subsection (2);
- (f) “**Commissioner**” means the Commissioner appointed under section 5;
- (g) “**corner person**” means a person responsible for providing coaching and equipment to a contestant, tending to the contestant’s minor injuries during a bout and performing other prescribed duties;
- (h) “**event**” means an amateur or professional combative sport contest or exhibition;
- (i) “**inspector**” means a person appointed by the Commissioner as an inspector under section 45 of this Act;
- (j) “**judge**” means a person who is responsible for scoring each round of a bout and performing other prescribed duties;
- (k) “**licence**” means a licence issued to a person under section 13;
- (l) “**medical attendant**” means
 - (i) a medical practitioner as defined in the Medical Practitioner Regulations (EC843/21) under the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, or
 - (ii) a member of a profession specified in the regulations;
- (m) “**Minister**” means the Minister of Fisheries, Tourism, Sport and Culture;

- (n) “**official**” means a promoter, a corner person, a judge, a referee, a room supervisor, a timekeeper, a ringside medical attendant or a person in another prescribed position;
- (o) “**professional bout**” means a bout in which contestants participate for financial gain or stand to gain financially from their participation;
- (p) “**promoter**” means a person who is responsible for financing, organizing or promoting an event and performing other prescribed duties;
- (q) “**referee**” means a person who is responsible for enforcing the rules of a combative sport, making determinations about respecting the continuation of bouts and performing other prescribed duties;
- (r) “**ringside medical attendant**” means a medical attendant who is responsible for conducting medical examinations of contestants and performing other prescribed duties;
- (s) “**room supervisor**” means a person who holds a room supervisor’s licence [is an inspector?] and is responsible for [required to be?] present while contestants are in dressing rooms, ensures equipment required under the applicable rules has not been tampered with and is being used in accordance with the rules, and performs other prescribed duties;
- (t) “**timekeeper**” means a person who is responsible for indicating the beginning and end of rounds in a bout, tracking the period of elapsed time in a round and performing other prescribed duties.

“Combative sport”, clarification

- (2) A reference to “combative sport” in this Act and the regulations means a sport, other than one described in subsection (3), in which contestants meet by previous arrangement for the purpose of an encounter or fight and
 - (a) strike their opponents using their hands, fists, feet or any other body part or any combination of them;
 - (b) use throwing, grappling or submission techniques; or
 - (c) engage in any other prescribed technique.

Entertainment wrestling

- (3) A scripted and choreographed wrestling event held for the purposes of entertainment is not a combative sport for the purposes of this Act.

Authorized combative sports

- (4) Events in the following combative sports may be authorized under this Act:
 - (a) professional bouts in
 - (i) mixed martial arts,
 - (ii) kickboxing,
 - (iii) boxing, and
 - (iv) a combative sport specified in the regulations;
 - (b) amateur bouts in
 - (i) mixed martial arts,
 - (ii) kickboxing,
 - (iii) boxing,
 - (iv) judo,
 - (v) karate,

- (vi) tae kwondo,
- (vii) wrestling,
- (viii) Brazilian jiu-jitsu, and
- (ix) a combative sport specified in the regulations.

Other combative sports prohibited

(5) For greater certainty, an event in any combative sport not included in subsection (4) is prohibited.

2. Administration

The Minister is responsible for the administration of this Act.

3. Minister's request to Commissioner for information

(1) The Minister may request the Commissioner to provide information respecting any matter related to combative sports permitted in the province and the Commissioner shall provide the information to the Minister.

Requirement to provide information

(2) The Minister may request a licensee or an event permit holder to provide information respecting any matter related to the event to which the licence or permit relate, and the person shall provide the information to the Minister.

4. Appointment of adjudicator

(1) The Minister may appoint one or more qualified persons as an adjudicator for the purposes of Part 3 of this Act.

Eligibility

(2) No person shall be appointed as an adjudicator under subsection (1) unless the person has been a member in good standing of a law society in Canada for at least five years and is eligible to become or is a member of the Law Society of Prince Edward Island.

PART 2 – ATHLETICS COMMISSIONER, ADVISORY COUNCIL

5. Appointment of Commissioner

(1) The Minister shall appoint, in writing, as the Athletics Commissioner responsible for combative sports,

- (a) a person employed in the Department of Fisheries, Tourism, Sport and Culture; or
- (b) a person, subject to subsection (3).

Powers and duties of Commissioner

(2) The Commissioner shall have the powers and duties set out in this Act and any other powers and duties that are specified in the regulations, including

- (a) regulating and supervising events in accordance with this Act and the regulations;
- (b) licensing contestants and permitting events pursuant to this Act;
- (c) finalizing and reporting official results of combative sport events in accordance with the regulations; and

(d) enforcing this Act and the regulations.

Appointment subject to agreement

(3) Where a person is appointed as Commissioner under clause (1)(b), the appointment is subject to the approval of the Lieutenant Governor in Council and shall be made in accordance with an administrative agreement with the person that meets the prescribed requirements and includes the prescribed provisions.

Compliance required

(4) The person appointed as Commissioner under clause (1)(b) shall comply with the terms of the administrative agreement, and may not exercise the powers or perform the duties of the Commissioner under this Act except in accordance with that agreement.

Minister may amend, revoke agreement, subject to approval

(5) Subject to the approval of the Lieutenant Governor in Council, the Minister may amend or revoke the administrative agreement without the consent of the person if the Minister gives the person prior written notice in accordance with the administrative agreement.

Person is not agent

(6) Where a person is appointed as the Commissioner under clause (1)(b), the person is not an agent of the Government by virtue of that appointment.

6. Delegation

(1) Any power, duty or function of the Commissioner under this Act or the regulations may be delegated in accordance with this section.

Requirements

(2) Subject to subsection (3),

- (a) a Commissioner appointed in accordance with clause 5(1)(a) may delegate any power or function of the Commissioner to any person the Commissioner considers appropriate; and
- (b) a Commissioner appointed in accordance with clause 5(1)(b) may delegate any power or function of the Commissioner to any person the Commissioner considers appropriate, subject to any limitations, conditions and requirements set out in the administrative agreement, and any prescribed requirements.

Formal requirements of delegation

(3) A delegation under this section shall be in writing, in the form approved by the Minister, and is subject to any limitations, conditions and requirements set out in the delegation and, in the case of a delegation referred to in clause (2)(b), the administrative agreement and any prescribed requirements.

7. Advisory Council

(1) The PEI Combative Sport Advisory Council is hereby established.

Composition

(2) The Advisory Council shall be composed of five members appointed by the Lieutenant Governor in Council, as follows:

- (a) one member who is a medical practitioner as defined in the Medical Practitioner Regulations (EC843/21) under the *Regulated Health Professions Act*;

- (b) one member who is a member of the Law Society of Prince Edward Island or eligible to become a member in accordance with the *Legal Profession Act* R.S.P.E.I. 1988, Cap. L-6.1;
- (c) three members who do not hold licences under this Act or under an equivalent enactment in another jurisdiction,
 - (i) one of whom has experience on the board of a provincial sport organization or a provincial sport federation,
 - (ii) one of whom has experience as an athlete in a combative sport, and
 - (iii) one of whom has experience as an official in a combative sport.

Designations

- (3) The Lieutenant Governor in Council may designate one of the members of the Advisory Council to be the chair and one or more members of the Advisory Council to be vice-chairs.

Remuneration and expenses

- (4) The Lieutenant Governor in Council may determine the remuneration and expenses of persons appointed under subsection (2).

8. Advice to Minister

- (1) The Advisory Council shall provide the Minister advice and guidance in accordance with Part 4.

Designation of positions

- (2) The Minister may designate any persons employed in the Department to provide support to the Advisory Council in the performance of its functions under this Act and the regulations.

Meetings upon request

- (3) The Advisory Council shall meet on the request of the Minister.

Participation in meetings

- (4) A member of the Advisory Council may participate in a meeting by telephone or other means of communication that permits all of the persons participating to communicate, and a member so participating is considered to be present at the meeting.

Quorum

- (5) A majority of the members of the Advisory Commissioner constitutes a quorum.

PART 3 – COMBATIVE SPORT EVENTS**9. General prohibition**

- (1) Other than as authorized in accordance with this Act and the regulations, no person shall
 - (a) promote, conduct or hold an event;
 - (b) participate as a contestant in an event;
 - (c) provide services as an official with respect to or participate as a contestant in an event; or
 - (d) engage in a prescribed activity in relation to a combative sport.

Event not authorized for purposes of *Criminal Code* (Canada)

(2) For greater certainty, an event that has not been authorized in accordance with this Act is not an event that is held with the permission of the Lieutenant Governor in Council or the Commissioner for the purposes of subsection 83(2) of the *Criminal Code* (Canada).

Licences

10. Prohibition - professional combative sport contest or exhibition

(1) No person shall do any of the following in relation to a professional event unless the person holds a valid licence authorizing the activity:

- (a) promote, conduct or hold a professional event;
- (b) participate as a contestant in a professional event;
- (c) provide services as an official with respect to a professional event;
- (d) engage in any other prescribed activity in relation to a combative sport.

Prohibition – amateur combative sport event

(2) Subject to subsection (4), no person shall do any of the following in relation to an amateur event unless the person holds a valid licence authorizing the activity:

- (a) promote, conduct or hold an amateur event;
- (b) participate as a contestant in an amateur event;
- (c) provide services as an official with respect to an amateur event;
- (d) engage in any other prescribed activity in relation to a combative sport.

Licensing for specific amateur combative sports

(3) For greater certainty, a person shall hold a valid licence referred to in subsection (2) for the following amateur combative sports:

- (a) mixed martial arts;
- (b) kickboxing;
- (c) jiu-jitsu events where the contestants are holders of brown belts or black belts or qualify as advanced in the combative sport's rankings;
- (d) an amateur combative sport specified in the regulations.

Promoter's licence not required

(4) Clause (2)(a) does not apply to an amateur event if the event is held by a designated provincial sport organization in accordance with section 32 or a designated educational institution in accordance with section 33.

11. Types of licence

The following types of licence may be applied for:

- (a) a promoter's licence;
- (b) a contestant's licence;
- (c) a high-risk contestant's licence;
- (d) a corner-person's licence;
- (e) a judge's licence;
- (f) a referee's licence;

- (g) a room-supervisor's licence;
- (h) a timekeeper's licence;
- (i) another prescribed category of licence.

12. Application for licence

(1) A person may apply to the Commissioner for a licence by submitting to the Commissioner an application, in the form and manner approved by the Commissioner,

- (a) indicating the type of licence being applied for and whether it is for an amateur or professional event or both;
- (b) providing the full legal name of the applicant and any aliases the applicant uses or has used;
- (c) providing the residential address, mailing address, daytime telephone number and e-mail address of the applicant;
- (d) providing information about the status of the applicant's completion of any training or certification required by the regulations for the type of licence being applied for;
- (e) providing any medical information or test results required by the regulations for the type of licence being applied for;
- (f) providing any corporate or credit information required by the regulations for the type of licence being applied for;
- (g) providing information about licences relating to combative sports held or previously held by the applicant in other jurisdictions;
- (h) providing information about ongoing complaints involving the applicant or findings of non-compliance by the applicant with this Act or a substantially similar Act from another jurisdiction;
- (i) providing a criminal record check that meets the requirements of subsections (2) and (3);
- (j) providing any additional information or materials the Commissioner may reasonably require to assess the application;
- (k) providing the prescribed fee for the type of licence being applied for; and
- (l) complying with any additional prescribed requirements.

Age requirement

(2) No person under the age of 19 years is eligible for a licence.

Criminal record check

(3) The criminal record check to be provided under subsection (1)

- (a) shall be satisfactory to the Commissioner;
- (b) shall be in respect of,
 - (i) if the applicant is an individual, the individual;
 - (ii) if the applicant is a partnership, each partner, and
 - (iii) if the applicant is a corporation, each officer and director of the corporation;
- (c) shall be completed by a police service not more than 30 days before the date on which it is provided to the Commissioner; and
- (d) shall state whether the applicant has been charged with, discharged from or convicted of an offence pursuant to

- (i) the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada), or
- (ii) if the person resides or has previously resided in a jurisdiction other than Canada, the laws of that other jurisdiction equivalent to the enactments specified in subclause (i).

Multiple jurisdictions

(4) Where an applicant specified in clause (3)(b) has charges, discharges or convictions in more than one jurisdiction, the applicant shall provide criminal record checks that satisfy the requirements of subsection (3) from each jurisdiction.

Affidavit or statutory declaration

(5) Where an applicant specified in clause (3)(b) receives a criminal record check that does not disclose all of the applicant's charges, discharges or convictions in a jurisdiction, the applicant shall provide an affidavit or statutory declaration that discloses the charges, discharges or convictions not disclosed on the criminal record check, and attach a court record search, court docket or other record from the court in which the charges were laid or resolved, confirming the charges or the outcome.

Authorizations to be provided

(6) An applicant shall provide any authorizations the Commissioner considers necessary for the Commissioner to

- (a) verify the information provided in the application; and
- (b) conduct background checks.

13. Issuance of licence

(1) On receipt of a completed application under section 12, the Commissioner may issue a licence to the applicant if the Commissioner is satisfied

- (a) where the applicant is an individual, that
 - (i) the applicant is 19 years of age or older, and
 - (ii) the applicant has provided any required medical testing results satisfactory to the Commissioner for the type of licence being applied for;
- (b) where the applicant is a corporation, that
 - (i) the corporation is lawfully authorized or permitted to carry on business in Prince Edward Island, and
 - (ii) the corporation has provided credit information satisfactory to the Commissioner
- (c) that the applicant has successfully completed any training or certification required by the regulations for the type of licence requested;
- (d) that the applicant has provided information satisfactory to the Commissioner on the status of the applicant's current or previous extra-jurisdictional licensing, if any;
- (e) that the applicant has provided a criminal record check satisfactory to the Commissioner; and
- (f) that the applicant has complied with any additional prescribed requirements.

Restrictions on licence

(2) A licence may be restricted to

- (a) a particular combative sport;

- (b) a particular skill level within a combative sport;
- (c) an event in which one or more professional bouts take place;
- (d) an event in which one or more amateur bouts take place; or
- (e) a combination of any of the restrictions set out in clauses (a) to (d).

14. Grounds for refusal to issue licence

- (1) Subject to section 41, on receipt of a completed application under section 12, the Commissioner may refuse to issue a licence if
 - (a) the applicant, or any of the officers, directors or representatives of the applicant,
 - (i) has contravened this Act, the regulations or the terms and conditions of a licence, or
 - (ii) fails to meet the requirements in section 13 for the type of licence being applied for;
 - (b) the Commissioner has reasonable grounds to believe that,
 - (i) based on the past conduct of the applicant, or any officers, directors or representatives of the applicant, the applicant will not carry on business with honesty and integrity and in accordance with this Act, the regulations or any term or condition of the licence,
 - (ii) the applicant has made a false or misleading statement, with respect to any matter that the Commissioner considers material, in an application under section 12 or 23 or in any of the information or material submitted to the Commissioner in support of an application,
 - (iii) the applicant has been found to have failed to comply with the requirements under this Act or in another jurisdiction within the past year,
 - (iv) the applicant is a respondent in an ongoing complaint under this Act or in another jurisdiction,
 - (v) the issuance of the licence is not in the interest of the health and safety of the applicant, or
 - (vi) it is not in the public interest to issue the licence; or
 - (c) any other prescribed circumstances exist.

15. Grounds for suspension, cancellation of licence

- (1) Subject to section 41, the Commissioner may suspend or cancel a licence on any ground on which the Commissioner might have refused to issue the licence under section 14.

Reinstatement of suspended licence

- (2) If the Commissioner considers it appropriate to do so, and on receipt of any prescribed reinstatement fee, the Commissioner may reinstate a licence that has been suspended.

16. Terms and conditions affecting licence

- (1) On issuing or reinstating a licence, the Commissioner may impose any terms and conditions that the Commissioner considers appropriate on the licence and, in addition, the following terms and conditions apply to the licence:
 - (a) the licensee shall comply with any duties prescribed by the regulations for the type of licence held by the licensee;

- (b) the licensee shall comply with the terms and conditions of any event permit that apply to the licensee;
- (c) the licensee shall carry the licence or have it available at all times when engaged in the activity the licence authorizes;
- (d) the licensee shall produce the licence for inspection on the request of the Commissioner, an inspector, any other official participating in an event or a law enforcement officer;
- (e) the licensee shall comply with any requirement for a pre-event medical test or check;
- (f) the licensee shall comply with any order issued by an inspector in accordance with section 47;
- (g) the licensee shall comply with any other prescribed requirements.

Amendment of terms and conditions

- (2) Subject to section 41, at any time after a licence is issued or reinstated, the Commissioner may amend the terms and conditions imposed by the Commissioner under subsection (1) or impose new terms and conditions.

17. Licence not transferable

A licence is not transferable.

18. Expiry of licence

Unless cancelled under section 14 or 19, a licence expires on December 31 in the year in which it was issued.

19. Notification of change in circumstance

- (1) An applicant for a licence or a licensee shall notify the Commissioner in writing within 30 days
 - (a) of any change to the information provided by the applicant or licensee in the application submitted under section 12; and
 - (b) of any other prescribed change in circumstances.

Authority of Commissioner

- (2) Subject to section 41, after receiving information that there has been a change in circumstances in accordance with subsection (1), the Commissioner may
 - (a) in the case of an applicant for a licence, refuse to issue a licence; and
 - (b) in the case of a licensee,
 - (i) suspend or cancel the licence, or
 - (ii) amend the terms and conditions imposed by the Commissioner under subsection 16(1) or impose new terms and conditions.

Consequences of failure to comply

- (3) Subject to section 41, if an applicant for a licence or a licensee fails to comply with subsection (1), the Commissioner may,
 - (a) in the case of an applicant for a licence, refuse to issue a licence; and
 - (b) in the case of a licensee,
 - (i) suspend or cancel the licence,

- (ii) amend the terms and conditions imposed by the Commissioner under subsection 16(1), or
- (iii) impose new terms and conditions on the licence.

Event Permit

20. Prohibition - person promoting, etc., professional event

- (1) No person shall promote, conduct or hold a professional event unless the person holds a valid event permit authorizing the event.

Prohibition - person promoting, etc., amateur event

- (2) No person shall promote, conduct or hold an amateur event unless
 - (a) the person holds a valid event permit authorizing the event; or
 - (b) the amateur event is held in accordance with section 32 or 33.

21. Prohibition - owner, occupier or operator of building, etc.

No owner, occupier or operator of a building, structure or other premises shall allow the conducting or holding of an amateur or a professional event in or at the building, structure or premises unless

- (a) the Commissioner has issued a valid event permit for the event to be held in or at that building, structure or premises; or
- (b) the event is held in accordance with section 32 or 33 and section 34.

22. Application for event permit

- (1) At least 60 days before the date of the proposed event, a person who holds a promoter's licence may apply to the Commissioner for an event permit by submitting an application in the form and manner approved by the Commissioner that
 - (a) states the type of event permit being requested;
 - (b) states the proposed date and time of the event;
 - (c) states the location and maximum seating capacity of the proposed venue;
 - (d) includes confirmation from the owner, occupier or operator of the proposed venue that the venue will be available on the proposed date;
 - (e) includes, if the event is to be recorded by or on behalf of the promoter, the applicant's agreement to provide the Commissioner with an electronic recording of the event;
 - (f) states the number of bouts that will take place at the event and whether the bouts are professional, amateur or professional and amateur bouts;
 - (g) states the price per ticket for the event and an estimate of the number of tickets to be sold;
 - (h) states whether the event will be broadcast and, if so, an estimate of the revenue from the broadcast;
 - (i) includes documents and information specified in subsection (2);
 - (j) includes any information and other records reasonably required by the Commissioner to assess the application;
 - (k) includes the prescribed fees; and
 - (l) includes any additional prescribed requirements.

Additional requirements for application

(2) Where the event for which the permit is requested meets the criteria specified in the regulations, the promoter shall provide with the application for the permit, in accordance with the regulations,

- (a) a medical plan that meets the prescribed requirements and confirms the availability of medical assistance during the event;
- (b) a security plan that meets the prescribed requirements respecting the safety of participants, officials and spectators at the event; and
- (c) proof of liability insurance that meets the prescribed requirements.

23. Issuance of event permit

(1) On receipt of a completed application under section 22, the Commissioner may issue an event permit to an applicant if the Commissioner is satisfied that

- (a) where the application is for an event for which a promoter's licence is required under section 10, the applicant holds a promoter's licence;
- (b) the applicant has provided proof that the owner, occupier or operator of the location where the event is to be held
 - (i) consents to the holding of the event, and
 - (ii) holds any municipal or provincial business licences or permits required to hold the event at that location; and
- (c) the applicant has otherwise complied with this Act and the regulations.

Event permit – single event, not transferable

(2) An event permit issued by the Commissioner is valid only for the event specified in the permit and is not transferable.

24. Requirements after event permit issued

After the issuing of an event permit, and at the times and in the manner specified in the regulations, a promoter shall provide to the Commissioner

- (a) a fight card in the form approved by the Commissioner that includes the prescribed information about the contestants matched up to contest each bout at the event;
- (b) proof satisfactory to the Commissioner that each proposed contestant is covered by
 - (i) a provincial or territorial health insurance plan, or
 - (ii) private medical insurance that meets the prescribed requirements;
- (c) the results of any medical tests required by the regulations for the contestants in the combative sport specified in the event permit;
- (d) copies of any contracts or agreements
 - (i) between the contestants and the promoter of the event, and
 - (ii) between the promoter and a charitable organization, if applicable; and
- (e) any other prescribed information or documents.

25. Grounds for refusal to issue event permit

Subject to section 41, on receipt of an application under section 22, the Commissioner may refuse to issue an event permit if

- (a) the applicant has failed to provide all the information, documents and other items required by section 22 and 24;
- (b) the applicant, or any of the officers, directors or representatives of the applicant, has contravened this Act, the regulations or the terms and conditions of an event permit;
- (c) the Commissioner has reasonable grounds to believe that,
 - (i) based on the past conduct of the applicant, or any officers, directors or representatives of the applicant, the applicant will not carry on business with honesty and integrity and in accordance with this Act, the regulations or any term or condition of the event permit,
 - (ii) the applicant has made a false or misleading statement, with respect to any matter that the Commissioner considers material, in an application under section 12 or 22 or in any of the information or material submitted to the Commissioner in support of an application, or
 - (iii) it is not in the public interest to issue the event permit; or
- (d) any other prescribed circumstances exist.

26. Grounds for suspension, cancellation of event permit

- (1) The Commissioner may suspend or cancel an event permit
 - (a) on any ground on which the Commissioner might have refused to issue the event permit under section 25; or
 - (b) where
 - (i) the promoter fails to provide the information or material required under section 24, or
 - (ii) the information or material provided by the promoter under section 24 does not meet the requirements of this Act or the regulations.

Reinstatement of suspended event permit

- (2) If the Commissioner considers it appropriate to do so, and on receipt of any prescribed reinstatement fee, the Commissioner may reinstate an event permit that has been suspended.

27. Grounds for suspension, cancellation of specified bouts

- (1) The Commissioner may suspend or cancel specified bouts proposed on a fight card submitted by a promoter under clause 24(a) where
 - (a) the Commissioner determines that the proposed contestants are not suitable for reasons of fairness or concerns related to the safety of a contestant;
 - (b) the proposed match-up of contestants does not comply with the rules approved for the combative sport or the requirements of this Act or the regulations; or
 - (c) [TBD?].

Reinstatement of suspended bout

- (2) Where the Commissioner considers it appropriate to do so, the Commissioner may reinstate a suspended bout on receipt of information satisfactory to the Commissioner, which may include an amended fight card proposing an alternative match-up of contestants for the bout.

28. Terms and conditions

(1) On issuing an event permit, the Commissioner may impose any terms and conditions on the permit that the Commissioner considers appropriate and, in addition, the following terms and conditions apply to the permit:

- (a) the promoter shall make the event permit available for inspection on the request of any person at the event;
- (b) the promoter shall ensure that each person who is required to be licensed in respect of any activity or service that the person provides at the event authorized by the event permit holds a valid licence for that activity or service;
- (c) the promoter shall comply with any order issued by an inspector in accordance with section 47;
- (d) the promoter shall comply with any other prescribed terms and conditions.

Amendment of terms and conditions

(2) At any time after an event permit is issued, the Commissioner may amend the terms and conditions imposed by the Commissioner under subsection (1) or impose new conditions on the event permit.

29. Notification of change in circumstances

(1) A promoter applying for or holding an event permit shall notify the Commissioner in writing

- (a) of any change to the information provided by the applicant or permit holder in the application submitted under section 22; and
- (b) of any other prescribed change in circumstances.

Timing of notification

(2) A promoter shall provide the new information relating to proposed changes to the Commissioner as soon as practicable, but before the event is scheduled to begin.

Authority of Commissioner

(3) Subject to section 41, after receiving information that there has been a change in circumstances, the Commissioner may

- (a) in the case of an applicant for an event permit, refuse to issue an event permit; or
- (b) in the case of a holder of an event permit,
 - (i) suspend or cancel the event permit, or
 - (ii) amend the terms and conditions imposed by the Commissioner under subsection 28(1) or impose new terms and conditions.

Consequences of failure to comply

(4) Subject to section 41, if an applicant for an event permit or holder of an event permit fails to comply with subsection (1), the Commissioner may,

- (a) in the case of an applicant for an event permit, refuse to issue an event permit; or
- (b) in the case of a holder of an event permit,
 - (i) suspend or cancel the event permit, or
 - (ii) amend the terms and conditions imposed by the Commissioner under subsection 28(1) or impose new terms and conditions.

30. Appointment of officials

(1) The Commissioner shall appoint the officials and ringside medical attendants required by the regulations for any combative sport event that requires an event permit under this Act.

Notification to promoter

(2) The Commissioner shall notify the promoter not less than 30 days before the event respecting

- (a) the names of
 - (i) the referees,
 - (ii) the judges,
 - (iii) the timekeepers, and
 - (iv) any other officials required by the regulations to be in attendance at the event;
- (b) the names of the ringside medical attendants for the event;
- (c) the names of the inspectors assigned by the Commissioner to attend the event, specifying the inspectors who will act as room supervisors; and
- (d) the amount of the fee fixed by regulation for each official and ringside medical attendant that shall be paid by the promoter.

Fee for Event**31. Gross event revenue**

(1) In this section, “**gross event revenue**” means, not including amounts payable as taxes,

- (a) the revenue derived from admissions to an event;
- (b) the revenue derived from the sale of the broadcast rights for the event; and
- (c) the revenue derived from other prescribed sources related to the event.

Fee payable to Commissioner

(2) The promoter of an event shall pay to the Commissioner an event fee in the amount determined by multiplying the amount of the gross event revenue for the event by the percentage specified in the regulations.

Maximum percentage

(3) The percentage referred to in subsection (2) shall not exceed 5%.

Time to pay

(4) The fee referred to in subsection (2) shall be paid to the Commissioner within 14 days after the event is held.

Event for charitable purposes

(5) Where a promoter provides evidence satisfactory to the Commissioner that the entire proceeds of the event will be donated to a registered charity as defined in the *Income Tax Act* (Canada) that has a charity registration number issued by the Canada Revenue Agency, the Commissioner may use the percentage prescribed by the regulations for a charity event for the purpose of calculating the amount of the event fee under subsection (2).

Amateur Events Not Requiring Event Permit

32. Where event permit not required

(1) The Lieutenant Governor in Council may authorize a designated provincial sport organization to approve the holding of and regulate events in which one or more amateur bouts in a specified combative sport take place, in accordance with this section.

Prohibition

(2) No person shall hold an event referred to in subsection (1) without

- (a) the approval of the provincial sport organization authorized to approve and regulate that event; or
- (b) where no provincial sport organization is authorized pursuant to this section, an event permit issued by the Commissioner in accordance with section 23.

Specified combative sports

(3) The following combative sports are specified for the purposes of this section:

- (a) boxing;
- (b) judo;
- (c) karate;
- (d) tae kwondo;
- (e) wrestling;
- (f) Brazilian jiu-jitsu;
- (g) additional combative sports specified in the regulations.

Requirements

(4) An amateur event held in a specified combative sport may be authorized in accordance with this section only

- (a) where the event is held in accordance with
 - (i) the rules and policies of the International Olympic Committee, the International Paralympic Committee or the Canada Games Sport Committee for the specified combative sport,
 - (ii) the rules established by a prescribed national sports organization for the specified combative sport, or
 - (iii) where there is no prescribed national sports organization for a specified combative sport, or there are no rules that meet the requirements of clause (b), the rules set out in the regulations for amateur events in that combative sport; and
- (b) where participants participating in the event
 - (i) have completed
 - (A) training or certification required by a prescribed national sport organization for the combative sport in which the event is being held, or
 - (B) have completed training or certification required by the regulations for the combative sport in which the event is being held,
 - (ii) hold any licence required in accordance with subsection 10(2), and
 - (iii) have met any additional requirements prescribed for the combative sport in which the participant intends to participate.

Requirements for designation of provincial sport organization

(5) The Lieutenant Governor in Council may make a regulation designating a provincial sport organization for the purposes of subsection (1) if the provincial sport organization

- (a) is a member in good standing of a prescribed national governing body for the sport in which the organization proposes to approve events;
- (b) is a member in good standing of a prescribed provincial sport federation;
- (c) is a non-profit company incorporated under Part II of the *Companies Act* R.S.P.E.I. 1988, Cap. C-14;
- (d) holds commercial liability insurance with the prescribed coverage for the proposed events;
- (e) has adopted a safe-sport policy that meets prescribed requirements; and
- (f) meets other prescribed requirements.

Clarification

(6) For greater certainty, a prescribed provincial sport organization shall not approve an event in a specified combative sport unless the event complies with the requirements of subsection (5).

Notification - change in circumstances

(7) A designated provincial sport organization shall notify the Commissioner in writing within 30 days if the organization

- (a) ceases to meet the membership requirements in clause (5)(a);
- (b) ceases to meet the non-profit corporation requirements referred to in clause (5)(b);
- (c) ceases to hold the required insurance coverage under clause (5)(d); or
- (d) experiences another prescribed change in its circumstances.

Revocation of designation

(8) Where the Commissioner has received notification of a change in circumstances under subsection (7), the Lieutenant Governor in Council shall, on the recommendation of the Commissioner, amend the regulations to revoke the designation of the provincial sport organization under subsection (4).

Definition, “participants”

(9) In this Part and Part 5, “**participants**” means persons who participate in an amateur event, and includes contestants and persons in positions of trust and authority, including coaches, referees, judges and other persons specified in the regulations.

33. Event held by educational institution

(1) Unless prohibited by regulation pursuant to clause 34(3)(b), an educational institution may hold an event in which one or more amateur bouts in a combative sport specified under subsection 32(3) take place without the approval of the Commissioner or a designated provincial sport organization under section 32, if the event

- (a) is being held as a part of the educational institution’s curriculum or extra-curricular programming; and
- (b) complies with
 - (i) the rules and requirements under subsection 32(5), or
 - (ii) the rules and requirements of a prescribed school, university or collegiate sport organization.

Deemed approval

(2) An event held in accordance with subsection (1) shall be deemed to be an approved event.

Application of section

(3) This section does not apply to events in an amateur combative sport listed or referred to in subsection 10(3).

Definition, “educational institution”

(4) For the purposes of this section, “educational institution” means

- (a) a school operated by an education authority under the *Education Act* R.S.P.E.I. 1988, Cap. E-02;
- (b) a private school registered under the *Private Schools Act* R.S.P.E.I. 1988, Cap. P-20.01;
- (c) the University of Prince Edward Island;
- (d) Holland College; or
- (e) another prescribed entity or organization [with a curriculum that includes sports?].

34. Notification to Commissioner

(1) A provincial sport organization that intends to hold an event in accordance with section 32, or an educational institution that intends to hold an event in accordance with section 33, shall notify the Commissioner at least 60 days before the date of the proposed event.

Part 5 applies

(2) Part 5 of this Act applies to an event held in accordance with section 32 or 33.

Failure to comply - consequences

(3) Where the Commissioner has reasonable grounds to believe that a provincial sport organization has failed to comply with the requirements of section 31, or an educational institution has failed to comply with the requirements of section 32, as the case may be, the Lieutenant Governor in Council may, on the recommendation of the Commissioner,

- (a) amend a regulation to revoke the designation of the provincial sport organization under section 32; or
- (b) make a regulation prohibiting the specified educational institution from holding events under section 33.

35. Amateur events held by IOC, etc.

(1) An amateur event in a combative sport specified under subsection 32(3) does not require an event permit if the event is held by

- (a) the International Olympic Committee;
- (b) the International Paralympic Committee;
- (c) the Canadian Olympic Committee;
- (d) the Canada Games Committee; or
- (e) an organization specified in the regulations.

Deemed approval

(2) An event held in accordance with subsection (1) shall be deemed to be an approved event.

Compensation for Licence Holders, Medical Attendants

36. Compensation of licence holder at professional event

(1) A licence holder who participates in a professional event shall receive

- (a) compensation in the prescribed amount for the activity specified in the holder's licence; and
- (b) subject to prescribed requirements, reimbursement or allowance for reasonable expenses actually incurred while performing the licence holder's duties for the event.

Compensation of licence holder at amateur event

(2) A licence holder who participates in an event in an amateur combative sport specified in the regulations and for which the Commissioner has issued an event permit shall receive

- (a) for a licence holder other than a contestant, compensation in the prescribed amount for the activity specified in the holder's licence; and
- (b) for all licence holders, subject to prescribed requirements, reimbursement or allowance for reasonable expenses actually incurred while performing the official's duties for the combative sport event.

Compensation of medical attendant at event

(3) A medical attendant who participates in an event shall receive

- (a) compensation in the prescribed amount for the attending at the event; and
- (b) subject to prescribed requirements, reimbursement or allowance for reasonable expenses actually incurred while performing the medical attendant's duties for the event.

Prohibition – offering compensation

(4) No person, and no person acting on behalf of a person, shall offer compensation to a person for participating as a licence holder or a medical attendant in an event that requires participants to be licensed except in accordance with this Act and the regulations.

Prohibition – accepting compensation

(5) No person, and no person acting on behalf of a person, shall accept compensation for participating as a licence holder or a medical attendant in an event that requires participants to be licensed except in accordance with this Act and the regulations.

Compensation includes money, etc.

(6) For greater certainty, compensation includes money or value in lieu of compensation.

37. Duty to report

A licence holder who has knowledge or reasonable grounds to believe that a person has offered compensation to or has accepted compensation as a licence holder or medical attendant, except in accordance with section 36, shall report the circumstance and provide any additional information known or available to the licence holder to the Commissioner or an inspector.

38. Compensation payable within 14 days

(1) Compensation payable to a licence holder or medical attendant in accordance with section 36 shall be paid within 14 days after the event.

Where event cancelled

(2) Subsection (1) applies where an event is cancelled, unless the cancellation is in accordance with the regulations.

Post-Event Reports, Results

39. Post-event report by promoter

(1) On or before paying the event fee in accordance with section 36, the promoter shall file with the Commissioner a post-event report in the form approved by the Commissioner that includes the following information:

- (a) information respecting any security incidents that occurred at the event;
- (b) proof satisfactory to the Commissioner that all the officials appointed for the event have been paid in full;
- (c) if the event was professional, proof satisfactory to the Commissioner that all the contestants have been paid in full;
- (d) confirmation of all ticket sales and sales of broadcasting rights for the event;
- (e) a copy of the recording of the event, if any;
- (f) any other information about the event specified in the regulations.

Post-event report by inspector

(2) Within seven days after a combative sport event, the inspector shall [collect from the proper officials and?] file with the Commissioner a post-event report in the form approved by the Commissioner that includes

- (a) the results of each bout at the event, including individual round outcomes;
- (b) information about any injuries or medical incidents noted by the ringside medical attendant;
- (c) information about medical suspensions of contestants, if any;
- (d) information about any incidents of non-compliance with this Act noted by the inspector in relation to the event;
- (e) information about any actions taken by the inspector in relation to incidents of non-compliance reported under clause (d); and
- (f) any other information specified in the regulations.

40. Confirmation of bout results

(1) Following bouts [an event?] for which the Commissioner has issued an event permit, the Commissioner or a delegate of the Commissioner [?] shall meet with the promoter of the event to confirm the results of the bouts.

Official event result record

(2) The Commissioner shall issue the official event result record in the form approved by the Commissioner. [When? Is there a time limit?]

Publication of result record

(3) The Commissioner may forward the official event results record to an industry reporting service satisfactory to the Commissioner.

Publication by promoter

(4) A promoter may publish the information in the event results record.

Review of Licensing and Permitting Decisions**41. Notification by Commissioner**

(1) Subject to subsection (2), the Commissioner shall notify the applicant, licensee or promoter in writing if the Commissioner intends to

- (a) refuse to issue a licence;
- (b) cancel or suspend a licence; or
- (c) refuse to issue an event permit.

Notification not required

(2) Subsection (1) does not apply where

- (a) the Commissioner has not received the information or other materials required to complete an application;
- (b) the licence or event permit is being cancelled at the request of the holder;
- (c) the application is withdrawn by the applicant; or
- (d) in relation to the cancellation or suspension of a licence, the applicant or licensee does not meet the requirements respecting

 - (i) the results of the medical testing required under subsection 12(1) for the type of license, or
 - (ii) the outcome of the criminal record check required under subsection 12(3); or

- (e) in relation to the refusal to issue an event permit, the promoter does not meet the requirements of sections 22 and 24.

Contents of notice

(3) The notice under subsection (1) shall set out the reasons for the proposed action, the evidence relied on by the Commissioner and the action the Commissioner intends to take in relation to the application, licence or event permit, as the case may be.

Right to review by adjudicator

(4) The notice referred to in subsection (3) shall state that the applicant, licensee or promoter is entitled to request a review by an adjudicator in respect of the proposed action by the Commissioner stated in the notice.

Where review not requested

(5) If the applicant, licensee or promoter does not request a review in accordance with subsection (4), the Commissioner may take the action set out in the notice.

Suspension or cancellation without notice

(6) Despite subsection (1), if the Commissioner considers that it is necessary and in the public interest or in the interest of health and safety to take immediate action, the Commissioner may immediately suspend or cancel a licence without providing written notice to the licensee under subsection (1).

42. Review by adjudicator

(1) An applicant, licensee or promoter to whom a notice is sent under subsection 41(1) may request a review by an adjudicator respecting the intended action and reasons of the Commissioner by delivering to the Commissioner, within seven days after the receipt of the notice, a request for review in the form approved by the Minister.

Appointment of adjudicator

(2) Where an applicant, licensee or promoter delivers a request for review to the Commissioner in accordance with subsection (1), the Minister shall, in writing, appoint an adjudicator to conduct the review.

Review within 30 days

(3) The adjudicator shall conduct the review within 30 days of being appointed under subsection (2).

Provision of documents

(4) The adjudicator shall be provided with

- (a) a copy of the Commissioner's notification under subsection 41(1);
- (b) a copy of the application provided by the applicant for the licence or event permit that is the subject of the notice;
- (c) a copy of any documents or records held by the Commissioner pertaining to the matter under review;
- (d) evidence obtained by an inspector in the execution of the inspector's duties under this Act or the regulations; and
- (e) any other evidence the adjudicator considers relevant to the review.

Written submissions

(5) A review may, on consent of the adjudicator, proceed by way of written submissions only.

Right to make submissions

(6) The person requesting the review, the Commissioner or their respective counsel may make submissions to the adjudicator in accordance with the regulations.

Authority of adjudicator

(7) After completing the review, the adjudicator may

- (a) by order, direct the Commissioner to carry out the action set out in the notice, with or without amendments, or substitute the adjudicator's opinion for that of the Commissioner;
- (b) by order, direct the Commissioner to take the action the adjudicator considers appropriate in accordance with this Act and the regulations; or
- (c) take any other prescribed actions.

Decision in writing

(8) The adjudicator shall render a decision in writing within seven days after completing the review and shall provide a copy of the decision and, on request, a copy of the adjudicator's findings of fact and reasons for the decision, to

- (a) the person who requested the review; and
- (b) the Commissioner.

Appeal on question of law

(9) A person affected by a decision of the adjudicator under this section, the Commissioner, or their respective counsel may, within 15 days after being notified of the decision of the adjudicator, appeal it to the Court of Appeal on a question of law only.

Court of Appeal may stay order

(10) If an applicant or a licensee appeals an order of the adjudicator, the order takes effect immediately but the Court of Appeal may grant a stay until the disposition of the appeal.

PART 4 - COMBATIVE SPORT ADVISORY COUNCIL**43. Advice from the Advisory Council**

(1) On the request of the Minister, the Council may advise the Minister respecting

- (a) considerations relating to the health and safety of participants in authorized combative sports, including providing recommendations and reporting on health and safety considerations for events throughout the province;
- (b) considerations to ensure the fairness of combative sport contests or exhibitions;
- (c) the exclusion or inclusion of a combative sport from authorization by this Act;
- (d) considerations and standards relating to amateur sports organizations designated to approve amateur combative sport contests or exhibitions, including providing recommendations on requirements or standards for persons or entities seeking designation;
- (e) any other matter relating to combative sports;
- (f) considerations relating to amendments to this Act or the regulations; and
- (g) other prescribed circumstances.

44. Regulations

(1) The Lieutenant Governor may make regulations

- (a) specifying sports as combative sports for the purposes of subsection 1(4);
- (b) governing the conduct of an amateur event, including prescribing rules relating to such events;
- (c) governing the conduct of a professional event, including prescribing rules relating to such events;
- (d) adopting a specified regulation or rule made by a governing body of a combative sport that applies to the conduct of events held in respect of that combative sport, whether amateur or professional [?];
- (e) governing fees and eligible expenses under section 24, including
 - (i) prescribing the amount of fees and expenses or the manner of determining fees and expenses, and
 - (ii) prescribing the manner in which and the period within which fees and expenses shall be paid;
- (f) directing [specifying?] requirements relating to events including requirements relating to
 - (i) the health and safety of participants in events,
 - (ii) the qualifications for officials licensed to participate in events, and

(iii) matters the Commissioner believes are reasonably related to combative sports in the province;

[Do we need to add other prescribed circumstances ?].

Application of regulation

(2) For greater certainty, a regulation made under clause (1)(b) applies to an amateur event even if an event permit under this Act is not required in respect of the event.

PART 5 - INSPECTIONS AND OFFENCES

Inspections

45. Appointment of inspectors

(1) The Commissioner may appoint one or more inspectors who shall conduct inspections for the purposes of enforcing this Act, including

- (a) inspecting locations for which an application has been made for an event permit or for which an event permit has been issued;
- (b) investigating complaints made under section 48;
- (c) making periodic inspections of amateur events held in accordance with section 32 or 33;
- (d) attending professional events for which an event permit has been issued;
- (e) attending amateur events for which contestants and officials are required to be licensed in accordance with subsection 10(3);
- (f) making reports to the Commissioner, as required;
- (g) carrying out the functions of an inspector as provided for by this Act and the regulations; and
- (h) performing other duties as directed by the Commissioner.

Certificate

(2) The Commissioner shall issue an inspector a certificate of appointment bearing the Commissioner's signature or a facsimile of it.

Commissioner an inspector

(3) The Commissioner is an inspector by virtue of that office.

46. Authority of inspector

(1) For the purpose of determining whether this Act and the regulations are being complied with, an inspector may, at any reasonable time and without a warrant, enter and inspect a premises, other than a private dwelling, where

- (a) an event is being held or is scheduled to be held, or where the inspector suspects on reasonable grounds that an event is being held or is scheduled to be held; or
- (b) the inspector suspects on reasonable grounds that a person who is required to do so has not complied with or is not complying with this Act or the regulations.

Duty of licensee

(2) Every licensee shall

- (a) ensure that the location of an event is open for inspection by an inspector at all reasonable times; and
- (b) make available to an inspector all records pertaining to
 - (i) the event, and
 - (ii) the qualifications of the officials and contestants involved in the event.

Warrant for private dwelling

- (3) An inspector may apply to a judicial justice of the peace under subsection (4) for the issuance of a warrant to enter and inspect a private dwelling where the inspector believes on reasonable grounds that
 - (a) a contravention of this Act or the regulations has occurred on the premises of the private dwelling; and
 - (b) the person in charge of the premises or place has refused or will refuse the inspector entry to the premises or place.

Issuance of warrant

- (4) A judicial justice of the peace or a judge may issue a warrant authorizing an inspector, together with any peace officer who may be required to assist, to enter and inspect the premises or place named in the warrant where satisfied, by information on oath, that there are reasonable grounds to believe that
 - (a) a contravention of this Act or the regulations has occurred; and
 - (b) there is evidence of the contravention of this Act or the regulations to be found at the premises or place to be entered.

Effect of warrant

- (5) A warrant issued under subsection (4) authorizes the person or persons named in it to enter the premises or place named in the warrant
 - (a) to enter and inspect the premises or place; and
 - (b) to search for and seize and take possession of anything there are reasonable grounds to believe will afford evidence of a contravention of this Act or the regulations.

Entry without warrant

- (6) An inspector may exercise all of the powers specified in subsection (7) without a warrant issued under this section if
 - (a) the conditions for obtaining a warrant exist; and
 - (b) the inspector believes, on reasonable grounds, that the delay necessary to obtain the warrant would result in danger to human life or safety or the loss, removal or destruction of evidence.

Powers of inspector during inspection

- (7) During an inspection, an inspector may
 - (a) require to be produced for inspection, or for the purposes of obtaining copies or extracts, any record or document that the inspector considers relevant to the inspection;
 - (b) take photographs or make videos, notes or other recordings of anything at or in the premises that the inspector considers to be of assistance in the inspection; and
 - (c) make those examinations and inquiries of any person that the inspector considers necessary for the purpose of ensuring compliance with this Act, the regulations, or a licence or event permit issued to any person.

Compliance required

(8) Immediately on demand by an inspector, a licensee or promoter shall produce any record or document required by the inspector under subsection (7).

Evidentiary value of copy

(9) A copy made under subsection (7) that purports to be certified by the inspector as being a true copy of the original is admissible in evidence in any proceeding to the same extent as, and has the same evidentiary value as, the original.

Assistance to inspector

(10) Every person shall give an inspector all reasonable assistance to enable the inspector to carry out an inspection under this section, including providing the inspector with the information that the inspector reasonably requires.

Assistance of peace officer

(11) An inspector acting under this section may request the assistance of a peace officer.

47. Authority of inspector at event

(1) An inspector may issue an order in accordance with this section where the inspector has reasonable and probable grounds to believe that

- (a) the event no longer meets the requirements of this Act or the regulations respecting liability insurance, the medical plan or the security plan;
- (b) the event no longer meets the requirements respecting applicable rules set out in subsection 32(5);
- (c) the provincial sport organization no longer meets the requirements of subsection 32(4);
- (d) continuation of a bout or the event presents an unreasonable risk to the health and safety of a contestant, an official or a participant;
- (e) the permit holder or an official or participant in an event has contravened this Act or the regulations; or
- (f) [others TBD?].

Types of order

(2) In the circumstances set out in subsection (1), an inspector may issue an order

- (a) to cancel an event;
- (b) to stop an event in progress;
- (c) to cancel a scheduled bout;
- (d) to stop a bout in progress at an event;
- (e) to stop a specified contestant, official or participant from participating in a bout or an event;
- (f) where the cancellation is prior to the event, requiring the permit holder to publish the fact of the cancellation [as specified in the order?];
- (g) suspending an event or one or more bouts in an event until the permit holder meets specified requirements respecting the event's medical or security plan;
- (h) suspending a contestant, official or participant from participating in an event or bout until the person complies with the terms and conditions of the person's licence or event permit or any other specified requirement of this Act or the regulations;

- (i) where an event is cancelled or stopped on the day of the event, requiring the permit holder, provincial sport organization or educational institution, as the case may be, to put up a sign or signs at the location to notify attendees that the event is cancelled or stopped; and
- (j) [others TBD?].

Contents of order

(3) An order issued by an inspector under this section shall include

- (a) information that identifies the event at which the order was issued;
- (b) the reasons for issuing the order;
- (c) any person or persons required to take action under the order and the remedial action required;
- (d) where the order suspends a bout or an event, the remedial action required to lift the suspension; and
- (e) [others TBD?]???

Order issued orally

(4) An inspector may issue an order orally under this section, but in that case the order shall be put into writing and served on the permit holder, licence holder or participant affected by the order within 72 hours after the oral order was issued, but a failure by the inspector to comply with this subsection does not invalidate the order.

48. Complaint to Commissioner

(1) A person may complain to the Commissioner that any person has contravened one or more provisions of this Act.

Form and manner of complaint

(2) A complaint shall be in writing and be delivered to the Commissioner in the form and manner approved by the Commissioner within one year of the date of the alleged contravention.

49. Confidentiality of complainant

Where requested in writing by a complainant, the Commissioner shall not disclose any identifying information about the complainant unless

- (a) the disclosure is necessary for the purposes of a proceeding under this Act;
- (b) the Commissioner considers the disclosure is in the public interest; or
- (c) the complainant consents to the disclosure.

50. Investigation of complaint

(1) Subject to subsection (2), an inspector shall investigate a complaint made to the Commissioner.

Exceptions

(2) The Commissioner may refuse to direct the investigation of a complaint or may stop or postpone the investigation of a complaint where the Commissioner has reasonable grounds to believe that

- (a) the complaint was not made within the time limit specified in subsection 48(2);
- (b) this Act does not apply to the complaint;
- (c) the complaint is frivolous, vexatious or trivial or is not made in good faith;

- (d) there is not enough evidence to prove the complaint;
- (e) a proceeding relating to the subject matter of the complaint has been commenced before a court, a tribunal, an arbitrator or a mediator;
- (f) a court, a tribunal or an arbitrator has made a decision or an award relating to the subject matter of the complaint; or
- (g) the Commissioner has already dealt with the subject matter of the complaint.

OFFENCES AND PENALTIES

51. Offence and penalty

(1) A person who contravenes a provision of this Act, the regulations or an order under this Act is guilty of an offence and liable on summary conviction

- (a) in the case of an individual,
 - (i) for a first offence, to a fine of \$1,000,
 - (ii) for a second offence, to a fine of \$2,000, and
 - (iii) for a third and each subsequent offence, to a fine of \$10,000; and
- (b) in the case of a corporation,
 - (i) for a first offence, to a fine of \$15,000,
 - (ii) for a second offence, to a fine of \$50,000, and
 - (iii) for a third and each subsequent offence, to a fine of \$100,000.

Officers, directors of corporation

(2) An officer, director or representative of a corporation who directs, authorizes, assents to, acquiesces in or participates in the commission of an offence by that corporation is also guilty of the offence and liable on summary conviction

- (a) for a first offence, to a fine of \$5,000;
- (b) for a second offence, to a fine of \$10,000; and
- (c) for a third and each subsequent offence, to a fine of \$25,000.

Application of subsection

(3) Subsection (2) applies whether or not the corporation has been prosecuted for or convicted of the offence.

Harassment

(4) A person commits an offence and is liable on summary conviction to a fine of not more than \$10,000 where the person coerces, threatens, intimidates or harasses a person in order to deter that person from making a complaint under this Act or in retaliation for that person making a complaint under this Act.

New and separate offence

(5) Each contravention of this Act, the regulations, or an order under this Act constitutes a new and separate offence.

Continuing offence

(6) Where an offence under this Act or the regulations is committed or continued, it is a separate offence for each day or part of a day on which the offence is committed or continued.

Penalty re monetary benefit

(7) Notwithstanding clauses (1)(a) and (b), a judge that convicts a person of an offence under this section, in addition to any other penalty imposed by the court, may increase a fine imposed on the person by an amount equal to three times the judge's estimation of the amount of the monetary benefit acquired by or that accrued to the person as a result of the commission of the offence.

Additional penalty for certain offences

(8) In addition to any fine imposed under this section, a judge that convicts an individual of contravening section 9, 10 or 20[?] may, in addition to any fine imposed in accordance with this section, sentence the individual to imprisonment for a term not exceeding one year.

Restriction on penalties

(9) A judge shall not impose a penalty under subsection (7) or (8) unless the proceedings were commenced by the laying of an information.

Limitation

(10) No proceeding under this section shall be commenced more than two years after the facts upon which the proceeding is based first came to the knowledge of the Commissioner.

Criminal Code (Canada)**52. Authority under *Criminal Code (Canada)***

For the purposes of paragraph 83(2)(c) of the *Criminal Code (Canada)*,

- (a) an event permit for an amateur event issued under section 23 is deemed to be permission to hold the event by the Lieutenant Governor in Council; and
- (b) an amateur event that is held in accordance with section 32, 33 or 34 is deemed to be held with the permission of the Lieutenant Governor in Council.

53. No municipal authority

(1) Notwithstanding section 180 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, on and after the commencement of this section, a commission or other body established under a municipal bylaw shall have no authority to regulate or approve events in combative sports, including but not limited to the following:

- (a) requiring the commission's or other body's approval for an event to be held within a municipality;
- (b) prohibiting an event to be held within a municipality if it has not been approved by the commission or other body;
- (c) supervising an event held within a municipality;
- (d) issuing permits or licences with respect to an event held within a municipality;
- (e) charging fees for permits or licences with respect to an event held within a municipality;
- (f) assessing event fees for an event held within a municipality;
- (g) establishing rules of conduct for participants of an event held within a municipality;
- (h) preventing the attendance of a person at an event held within a municipality;
- (i) requiring the attendance of a person at an event held within a municipality.

Act is paramount

(2) For greater certainty, the provisions of this Act and the regulations under this Act shall be deemed to supersede all other provisions that may exist in any other Act, public or private, any regulation made under an Act, and any municipal bylaw or municipal charter with respect to the regulation of events in any combative sport, even if there is no conflict between the provisions of this Act and the regulations under this Act and the other provisions.

ADMINISTRATIVE MATTERS

54. Form of service

(1) Any notice, order, decision or other document required by this Act or the regulations to be provided to a person shall be provided to the person by any of the following methods:

- (a) personal service;
- (b) mailed by ordinary mail or recorded mail to the person's last address known to the Commissioner;
- (c) faxed to the last fax number for the person known to the Commissioner;
- (d) emailed to the person's last email address known to the Commissioner;
- (e) by any other prescribed means.

Deemed date of service by mail

(2) A document served by ordinary mail or recorded mail is deemed to have been received on the tenth business day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, the person did not receive the document or that the person received it at a later date.

Irregularity in service

(3) Irregularity in the service of a notice, order or decision does not affect the validity of an otherwise valid notice, order or decision.

55. Protection from liability

(1) No action or other proceeding may be instituted against the Minister, the Deputy Minister of the Department, a member of the Advisory Council, any officer or employee who works in the Department including the Commissioner or an adjudicator, any delegate of the Commissioner, or an inspector for any act done in good faith in the exercise or intended exercise of a power conferred under this Act or the regulations or in the execution or intended execution of a duty imposed under this Act or the regulations or for an alleged neglect or default in the execution in good faith of the power or duty.

Crown liability

(2) Despite subsection 4(4) of the *Crown Proceedings Act* R.S.P.E.I. 1988, Cap. C-32, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which the Crown would otherwise be subject.

56. No Crown liability

(1) No cause of action arises against the Crown, a minister of the Crown, a Crown employee or a Crown agent as a result of any act or omission of a person who is not a minister of the Crown, a Crown employee or a Crown agent, if the act or omission is related, directly or indirectly, to

an amateur combative sport contest or exhibition or a professional combative sport contest or exhibition, including but not limited to the activities mentioned in section 9.

No proceeding

(2) No proceeding for damages, including but not limited to a proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation, shall be instituted against the Crown, a minister of the Crown, a Crown employee or a Crown agent by a person who has suffered any damages, injury or other loss based on or related to any cause of action described in subsection (1).

57. Confidentiality of information

(1) For the purposes of administering and enforcing this Act and the regulations, the Commissioner may provide information collected and obtained under this Act and the regulations, including personal information as defined in the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, Cap. F-15.01, [and personal health information as defined in the *Health Information Act* R.S.P.E.I. 1988, Cap. H-1.41,] to

- (a) a department or agency of the Government of Canada;
- (b) a department or agency of the government of another province or territory of Canada;
- (c) a person or body that governs or regulates the conduct of combative sports in another country or of a state within that country;
- (d) a police service; or
- (e) a person or class of persons specified in the regulations.

Disclosure respecting complaints, etc.

(2) The Commissioner may disclose to a body that governs or regulates the conduct of combative sports in another province or territory of Canada or in another country or state within that country

- (a) the nature of any ongoing complaint, investigation or hearing respecting a licensee or permit holder or former licensee or permit holder; and
- (b) subject to subsection (3), where necessary for the purposes of dealing with a complaint, investigation or hearing in respect of the licensee or permit holder or former licensee or permit holder, health information collected and obtained under this Act and the regulations, including personal health information as defined in the *Health Information Act*.

Requirement to de-identify personal health information

(3) Where the disclosure of personal health information under clause (2)(b) is in relation to a licensee or permit holder or former licensee or permit holder who is not the person to whom the personal health information relates, the Commissioner shall de-identify the information.

Testimony may not be compelled

(4) Except in a proceeding under this Act, no person shall be required to give testimony in a civil proceeding with regard to information obtained in the course of exercising a power or carrying out a duty related to the administration of this Act or the regulations.

58. Payment into Consolidated Revenue Fund

All money received under the authority of this Act and the regulations shall be paid into the Consolidated Revenue Fund.

59. Regulations

(1) The Lieutenant Governor in Council may make regulations

- (a) prescribing anything required to be prescribed by this Act;
- (b) respecting any other matter that may be necessary for the proper administration of this Act;
- (c) respecting any other matter that the Lieutenant Governor in Council considers appropriate for the purpose of more effectively bringing this Act into operation;
- (d) governing licences and event permits required under this Act;
- (e) governing fees under this Act;
- (f) requiring the payment of fees in relation to any matter under this Act, including any services provided by or through the Department or the Commissioner;
- (g) prescribing the amount of fees or the manner of determining fees;
- (h) prescribing the manner in which and the period within which fees must be paid;
- (i) prescribing the terms and conditions that must be included in written contracts for licensees;
- (j) governing inspections conducted under this Act;
- (k) defining any term that is used in this Act and that is not defined in this Act;
- (l) governing transitional matters that may arise due to the enactment of this Act or the recission of Order in Council (EC2014-553).

Classes, etc., may be established

(2) A regulation made in respect of licences and event permits may create different classes of persons and may establish different entitlements for, or relating to, each class or impose different requirements, conditions or restrictions on, or relating to, each class.

Establishment of requirements

(3) A regulation made under subsection (1) may establish

- (a) different requirements that apply to an amateur combative sport contest or exhibition and that apply to a professional combative sport contest or exhibition; and
- (b) different requirements for different combative sports.

Exemption of persons or classes

(4) A regulation made under subsection (1) may exempt a person or class of persons from a specified requirement imposed by this Act or a regulation in such circumstances as may be prescribed or provide that a specified provision of this Act or a regulation does not apply to the person or class in such circumstances as may be prescribed.

60. Commencement

This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.