



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

EXECUTIVE COUNCIL ACT

PLEASE NOTE

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This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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EXECUTIVE COUNCIL ACT

CHAPTER E-12

1. Composition of Executive Council

There shall be an Executive Council of the province consisting of the Premier, who may be President of the Executive Council, and not less than seven or more than eleven other persons appointed by the Lieutenant Governor on the advice of the Premier. *1980, c.1, s.1; 1986, c.1, s.1; 2009, c.70, s.1.*

2. Appointment of Executive Council

Members of the Executive Council shall be appointed by the Lieutenant Governor under the Great Seal of the province and shall hold office during pleasure. *1980, c.1, s.2.*

3. Functions of Executive Council

The Executive Council is responsible for the executive government of the province and the several departments thereof as set out in the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29. *1980, c.1, s.3.*

4. Remuneration

Each member of the Executive Council shall be paid such remuneration and benefits as are determined under section 46 of the *Legislative Assembly Act* R.S.P.E.I. 1988, Cap. L-7. *1994, c.34, s.6{eff.} June 2/94.*

5. Clerk of Executive Council

- (1) The Lieutenant Governor in Council shall appoint a Clerk of the Executive Council who shall be of deputy minister rank and shall hold office during pleasure.

Duties

- (2) The duties of the Clerk of the Executive Council are to provide administrative services to, and preserve all documents and records of, the Executive Council.

Clerk Assistant

- (3) The Lieutenant Governor in Council may appoint a Clerk Assistant of the Executive Council to perform the duties of the Clerk in his absence. *1980, c.1, s.5; 1983, c.1, s.1.*

6. Staff

There may be appointed pursuant to the *Civil Service Act* R.S.P.E.I. 1988, Cap. C-8 such staff as may be required for the proper discharge of the functions of the Executive Council. *1980, c.1, s.6.*

7. Great Seal

- (1) There shall continue to be a Great Seal of the province.

Variation

- (2) The Lieutenant Governor in Council may vary or change the Great Seal of the province.

Custody

- (3) The Clerk of the Executive Council shall be the custodian of the Great Seal of the province and shall cause it to be affixed to documents as required by law or as instructed by the President of the Executive Council. *1980,c.1,s.7.*

8. Treasury Board

- (1) There shall be a committee of the Executive Council called the Treasury Board which shall advise on budget preparation, financial analysis, government organization, operating policy and procedures, financial administration, collective bargaining, staff relations, human resource development, and classification.

Composition

- (2) The Board shall consist of the Minister of Finance and not more than four other members of the Executive Council appointed by the Lieutenant Governor in Council.

Idem

- (2.1) Notwithstanding subsection (2), the Lieutenant Governor in Council may appoint not more than two members of the Legislative Assembly who are not members of the Executive Council as members of the Board.

Chairperson

- (3) The Minister of Finance shall be the chairperson of the Board.

Secretary

- (4) Repealed by *2012,c.15,s.17.*

Procedure

- (5) The Board may determine its own procedure. *1993,c.29,s.2; 2000,c.8,s.1; 2010,c.31,s.3; 2012,c.15,s.17; 2012,c.17,s.2; 2015,c.28,s.3.*

9. Other committees

- (1) Without prejudice to section 8, the Executive Council may establish such other committees as it considers necessary for the discharge of its functions.

Members

- (2) The Lieutenant Governor in Council may appoint not more than four members of the Legislative Assembly who are not members of the Executive Council as members of a committee established under subsection (1) and may designate one of those members as chairman.

9.1 Remuneration

A person appointed as a member of a committee pursuant to subsection 8(2.1) or 9(2) may be paid such remuneration as may be determined by the Indemnities and Allowances



Commission appointed under section 46 of the *Legislative Assembly Act*. 1983,c.1,s.1; 1986,c.1,s.2; 1993,c.29,s.2; 2000,c.8,s.2,s.3.

10. Agreements with other authorities

The Lieutenant Governor in Council may authorize a Minister of the Crown, for and on behalf of the government, or an agency of the government, to enter into an agreement with

- (a) the Government of Canada, or a minister or agency of the Government of Canada;
- (b) the government of another province of Canada, or a minister or agency of the government of another province of Canada;
- (c) a municipality, education authority or other local authority; or
- (d) any person or group of persons,

for the benefit or purposes of the residents of the province or any part thereof. 1980,c.1,s.11; 2016,c.6,s.117.