



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **NATIONAL PARK 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](http://www.princeedwardisland.ca)).

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## NATIONAL PARK ACT

### CHAPTER N-1

#### 1. Inspection and survey of sites

For the purpose of selecting a site for a National Park area or areas in the province, the Minister and any other person authorized by him or by the Executive Council may enter upon any land or premises alleged to be suitable for such site and may make an inspection and survey of the same. *R.S.P.E.I. 1974, Cap. N-1, s.1; 1980, c.2, s.3; 1983, c.1, s.6; 1986, c.5, s.2; 1993, c.29, s.4; 1999, c.36, s.2.*

#### 1.1 Definition

In this Act “**Minister**” means the Minister of the Crown designated by the Lieutenant Governor in Council to have the administration of this Act. *1999, c.36, s.1.*

#### 2. Vesting lands suitable for a National Park

If any lands within the province are deemed to be suitable for a National Park, the Lieutenant Governor in Council may make an order vesting the lands, together with all buildings, appurtenances, easements, streams, and water courses thereto belonging or adjacent in Her Majesty the Queen in right of the Province of Prince Edward Island absolutely. *R.S.P.E.I. 1974, Cap. N-1, s.2.*

#### 3. Order to vest, contents

Such order shall contain a description of the land and a reference to a plan to be filed in the Registry of Deeds for the county in which the lands lie, and a certified copy of the order shall also be registered in the Registry of Deeds. *R.S.P.E.I. 1974, Cap. N-1, s.3.*

#### 4. Copy of order to interested persons

The Minister shall forthwith forward by registered post a copy of the Order in Council to each person known to have any interest or estate in the lands, either as owner, or lessee, or encumbrancer or otherwise. *R.S.P.E.I. 1974, Cap. N-1, s.4; 1980, c.2, s.3; 1983, c.1, s.6; 1986, c.5, s.2; 1993, c.29, s.4; 1999, c.36, s.2.*

#### 5. Compensation for lands vested

- (1) If, within a reasonable time from the making of the Order in Council, a satisfactory agreement has not been reached with regard to the amount and apportionment of the compensation to be paid by the Government of the Province by way of compensation for the lands and premises thereby expropriated, the Lieutenant Governor in Council may make a further order fixing the amount of the compensation, and the Minister may thereupon pay the amount so fixed into the Supreme Court of Prince Edward Island, to be apportioned and paid

out upon the application of any of the parties entitled thereto; the payment into court fully discharges the claim of all persons whatsoever for compensation in respect to the expropriation of the lands.

**Payment out of Court where no application**

- (2) In default of an application referred to in subsection (1) for payment out of court by the parties entitled within three months after the payment into the Supreme Court of Prince Edward Island by the Minister, the Minister is entitled, as of right, on application to the court, to an order directing the Prothonotary of the Supreme Court of Prince Edward Island to forward a cheque from the court to the parties so entitled to payment out of court. *R.S.P.E.I. 1974, Cap. N-1, s.5; 1974(2nd), c.65, s.22; 1983, c.1, s.6; 1986, c.5, s.2; 1993, c.29, s.4; 1999,c.36,s.2.*

**6. Completion of vesting lands in Government of Canada**

The Lieutenant Governor in Council may take such further steps as are necessary to vest the lands so expropriated in Her Majesty in right of Canada or in any such department, officer, or trustee on behalf of the Government of Canada as may be proper for the establishment of a National Park on the site. *R.S.P.E.I. 1974, Cap. N-1, s.6.*

**7. Sale of Land where not required for National Park**

In case any lands so expropriated are not necessary for the purpose of a National Park, the Lieutenant Governor in Council shall first offer to resell the lands to the persons from whom they were expropriated at the price of the compensation paid therefor, and in default of the offer may sell or otherwise dispose of them as to the Lieutenant Governor in Council may seem fit. *R.S.P.E.I. 1974, Cap. N-1, s.7.*

**8. Administration of National Park**

Notwithstanding anything contained in any grant or reservation or in any statute, or otherwise in any law of the province, no stage, building, or other erection shall be put up or maintained within the area provided as aforesaid for a National Park, except with the permission in writing of the Controller of National Parks or other officer of the Government of Canada who may be charged with the administration of the National Parks Branch or Department. *R.S.P.E.I. 1974, Cap. N-1, s.8.*

