



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **EMPLOYMENT DEVELOPMENT AGENCY 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 King'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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## EMPLOYMENT DEVELOPMENT AGENCY ACT

### CHAPTER E-6.02

#### 1. Definitions

In this Act

- (a) “**board**” means the board of directors of the Agency;
- (b) “**Agency**” means the Prince Edward Island Employment Development Agency established under section 2;
- (c) “**Minister**” means the Minister of the Crown designated by the Lieutenant Governor in Council to have supervision of the administration of this Act;
- (d) “**participant**” means a person, a member of a target group employed in a project initiated or sponsored by the Agency. *1993, c.5, s.1.*

#### 2. Establishment of Agency

There is established a Crown corporation to be known as the Prince Edward Island Employment Development Agency. *1993, c.5, s.2.*

#### 3. Board, composition

- (1) The affairs of the Agency shall be conducted by a board of directors consisting of not fewer than three and not more than five members appointed by the Lieutenant Governor in Council.

##### Chairperson

- (2) The Lieutenant Governor in Council shall designate one of the directors to be chairperson.

##### Election of officers

- (3) The board shall elect a vice-chairperson and secretary-treasurer from among its directors.

##### Term of office

- (4) The term of office of directors shall be three years.

##### Duties of directors and officers

- (5) Every director and officer of the Agency in exercising his or her powers and discharging his or her duties shall
  - (a) act honestly and in good faith with a view to the best interests of the Agency;
  - (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances; and
  - (c) comply with this Act and any bylaws of the Agency.

**Remuneration**

- (6) Directors are entitled to receive such remuneration and compensation for expenses as the Lieutenant Governor in Council may determine.

**Quorum**

- (7) A majority of the directors constitutes a quorum. *1993, c.5, s.3.*

**4. Bylaws and policies**

- (1) The board may make bylaws and policies, not inconsistent with this Act, for its internal organization and the regulation of its operations.

**Transitional**

- (2) The powers set out in subsection (1) may be exercised prior to the date on which the Act comes into force by a provisional board of directors appointed by the Lieutenant Governor in Council. *1993, c.5, s.4.*

**5. Objects**

The objects of the Agency are

- (a) to address the problems of individuals who are hindered from gaining permanent employment by
  - (i) providing access to training,
  - (ii) identifying and developing meaningful work projects within the public sector and the community;
- (b) to supply individuals seeking employment assistance to such special projects as may be submitted to government for consideration;
- (c) to apply principles of fairness in the provision of employment opportunities. *1993, c.5, s.5.*

**6. Powers**

The Agency may

- (a) borrow money for the purposes of carrying out its objects;
- (b) exercise any powers conferred upon companies incorporated under the *Companies Act* R.S.P.E.I. 1988, Cap. C-14 except where such powers are inconsistent with this Act. *1993, c.5, s.6.*

**7. Agreements**

For the purpose of carrying into effect the objects of the Agency or any project, the Agency may enter into and carry out agreements with any person including any body corporate and any agency of the Crown in right of Canada or of any province. *1993, c.5, s.7.*

**8. Executive Director**

The Lieutenant Governor in Council shall appoint an Executive Director of the Agency who shall coordinate its activities and be responsible for the day to day administration of the affairs of the Agency. *1993, c.5, s.8.*

**9. Staff**

- (1) The Agency may appoint such employees and engage such advisors and consultants as it considers necessary and may determine their remuneration and other terms and conditions of employment or engagement.

**Application of *Civil Service Act***

- (2) Employees of the Agency are subject to the *Civil Service Act* R.S.P.E.I. 1988, Cap. C-8, but that Act does not apply to participants.

**Application of *Public Sector Pension Plan Act***

- (3) The *Public Sector Pension Plan Act* R.S.P.E.I. 1988, Cap. P-32.11, applies to officers and employees of the Agency. *1993, c.5, s.9; 2020, c.60, s.22.*

**10. Liability**

The members of the board, the Executive Director and any person acting under their instructions or under the authority of this Act or the regulations are not personally liable for any loss or damage suffered by any person by reason of any act done by any of them in good faith in the exercise or purported exercise of their functions. *1993, c.5, s.10.*

**11. Confidentiality of information**

The members of the board, the Executive Director and the employees of the Agency shall preserve the confidentiality of information received in respect of the business of any client of the Agency in the course of their duties in carrying out the objects of the Agency and shall not disclose that information to any person. *1993, c.5, s.11.*

**12. Audit of accounts**

The financial accounts of the Agency shall be audited by the Auditor General and the audited statements of such accounts shall be included in the annual report of the Agency. *1993, c.5, s.12.*

**13. Fiscal year**

The fiscal year of the Agency is that of the province. *1993, c.5, s.13.*

**14. Annual report**

The Agency shall, at the end of its fiscal year, prepare and forward to the Minister a report of its activities together with a statement of its receipts and expenditures for the preceding year. *1993, c.5, s.14.*

**15. Regulations**

The Lieutenant Governor in Council may make regulations. *1993, c.5, s.15.*