



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

PUBLIC FOREST COUNCIL ACT

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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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PUBLIC FOREST COUNCIL ACT

CHAPTER P-29.1

1. Definitions

In this Act

- (a) “**Council**” means the Public Forest Council established under section 3;
- (b) “**Minister**” means the Minister of Environment, Energy and Climate Action;
- (c) “**Provincial Woodlands**” means those forested lands under the control of the province, including provincial forests as defined by the *Forest Management Act* R.S.P.E.I. 1988, Cap. F-14. 2001,c.48,c.1.; 2004,c.36,s.3; 2009,c.73,s.2; 2012,c.17,s.2; 2015,c.28,s.3; 2019,c.1,s.3; 2021,c.8,s.3.

2. Object

The object of this Act is to create a public forest council for the purpose of stimulating and fostering public discussions on the wealth creation potential of Provincial Woodlands primarily in the areas of non-consumptive and non-traditional uses of the forest resource. 2001,c.48,s.2.

3. Establishment

There is established a Public Forest Council. 2001,c.48,s.3.

4. Composition

- (1) The Council shall consist of nine members appointed by the Lieutenant Governor in Council including
 - (a) six members from the private sector comprising two persons from each county; and
 - (b) three members who are employees of the Department of Environment, Energy and Climate Action.

Qualifications of council members

- (2) In appointing Council members, the Lieutenant Governor in Council shall aim to appoint persons with knowledge or expertise in one or more of the following areas:
 - (a) forest management;
 - (b) forest plant biology;
 - (c) business economics;
 - (d) community development;
 - (e) the tourism industry; and
 - (f) the subject matter of proposals that would likely be brought forward to the Council.

Chairperson

- (3) The Lieutenant Governor in Council shall appoint a chairperson and a vice-chairperson from the members of the Council.

Functions of chairperson

- (4) The chairperson shall direct the activities of the Council and co-ordinate the work.

Vice-chairperson

- (5) The vice-chairperson shall act where the chairperson is unable to act by reason of absence or inability. *2001,c.48,c.4; 2009,c.73,s.2; 2012,c.17,s.2; 2015,c.28,s.3; 2019,c.1,s.3; 2021,c.8,s.3.*

5. Remuneration

Members of the Council shall serve without remuneration other than

- (a) such remuneration for attendance at each meeting as may be prescribed by the Lieutenant Governor in Council; and
- (b) reimbursement for expenses necessarily incurred by a member in connection with the work of the Council. *2001,c.48,s.5.*

6. Term of office

- (1) The members of the Council shall hold office at the pleasure of the Lieutenant Governor in Council and those members appointed pursuant to
- (a) clause 4(1)(a), shall be appointed for a term of not less than two and not more than three years; and
- (b) clause 4(1)(b), shall be appointed for an open-ended term.

Idem

- (2) The Lieutenant Governor in Council may remove, suspend, or replace any member.

Re-appointment

- (3) A person appointed pursuant to subsection 4(1)(a) may be *re*-appointed but no person may be appointed for more than two consecutive terms.

Unexpired portion

- (4) Where a person appointed pursuant to subsection 4(1) ceases to be a member of the Council for any reason other than the expiration of that person's term of office, the Lieutenant Governor in Council may appoint a person for the unexpired portion of the term.

Appointment or re-appointment time

- (5) Within three months of the expiry of a term of office of a member, the Lieutenant Governor in Council shall appoint or *re*-appoint a member as the case may be.

Vacancy

- (6) A vacancy in the membership of the Council does not impair the ability of the remaining members to act. *2001,c.48,s.6; 2009,c.73,s.2.*

7. Additional staff

The Department of Environment, Energy and Climate Action may assign an administrative assistant and such other officials as may be necessary for carrying out the duties of the

Council and under such terms, conditions and remuneration as may be determined by the Minister. *2001,c.48,s.7; 2004,c.36,s.3; 2009,c.73,s.2; 2012,c.17,s.2; 2015,c.28,s.3; 2019,c.1,s.3; 2021,c.8,s.3.*

8. Meetings

- (1) The Council shall hold at least one meeting in each year.

Location

- (2) Meetings of the Council may be held anywhere in the province. *2001,c.48,s.8.*

9. Quorum

A majority of the Council members including at least one member from each of the three counties appointed pursuant to clause 4(1)(a) and one employee of the Department of Environment, Energy and Climate Action appointed pursuant to clause 4(1)(b) shall constitute a quorum. *2001,c.48,s.9; 2004,c.36,s.3; 2009,c.73,s.2; 2012,c.17,s.2; 2015,c.28,s.3; 2019,c.1,s.3; 2021,c.8,s.3.*

10. Operating Procedures

The Council may establish operating policies and procedures that are not inconsistent with this Act and that may, in the opinion of the Minister, be necessary for the Council to perform its duties. *2001,c.48,s.10.*

11. Duties of Council

- (1) The Council's duties shall be
 - (a) to stimulate public discussions on the forest wealth creation with respect to Provincial Woodlands, primarily in the areas of non-consumptive and non-traditional uses;
 - (b) to periodically host a Forest Wealth Creation Symposium;
 - (c) to consult with community organizations, community development groups, and private sector entrepreneurs with respect to partnering opportunities involving Provincial Woodlands, primarily in the areas of non-consumptive and non-traditional uses;
 - (d) to solicit proposals from community-based organizations primarily in the areas of non-consumptive and non-traditional uses; (e) to solicit proposals on community-based forest wealth creation projects and community-based health and wellness projects that require softwood forest resources to enable the projects to proceed;
 - (f) to evaluate the proposals on non-consumptive and non-traditional uses and make recommendations to the Minister on project priorities;
 - (g) to evaluate the proposals on community-based forest wealth creation projects and community-based health and wellness projects, and make recommendations to the Minister on which projects should be supported with an allocation of softwood from the Provincial Woodlands within the allocation limit established by the Minister;
 - (h) to review the results of public consultations on Provincial Woodlands land management and provide information to the Minister in this respect;
 - (i) to evaluate the progress and successes of the Council;
 - (j) to prepare an annual report for the Minister; and

- (k) to carry out any other role or duty that the Minister may determine is consistent with this Act.

Expenses

- (2) The Minister shall authorize any expenditures that may, in the opinion of the Minister, be necessary for the Council to perform its duties under this Act and these expenditures shall be administered by the Department of Environment, Energy and Climate Action. *2001,c.48s.11; 2004,c.36,s.3; 2009,c.73,s.2; 2012,c.17,s.2; 2015,c.28,s.3; 2019,c.1,s.3; 2021,c.8,s.3.*

12. Regulations

The Lieutenant Governor in Council may make regulations

- (a) establishing programs for stimulating and fostering public discussions on forest wealth creation projects;
- (b) prescribing evaluation procedures for assessing the effectiveness of public discussions and community programs;
- (c) prescribing the format and content of the annual report;
- (d) prescribing any fees or other charges to be payable pursuant to this Act or regulations;
- (e) as may be necessary for the administration of this Act or for the Council to carry out its duties under this Act. *2001,c.48,c.12.*