

**EC2012-611**

**CIVIL SERVICE SUPERANNUATION ACT  
AND  
TEACHERS SUPERANNUATION ACT  
INVESTMENT POLICY**

Pursuant to subsection 5(4) of the *Civil Service Superannuation Act* R.S.P.E.I. 1988, Cap. C-9 and subsection 9(4) of the *Teachers Superannuation Act* R.S.P.E.I. 1988, Cap. T-1 Council approved the Statement of Investment Policies and Procedures dated September 2012 for pension plans sponsored by the Province of Prince Edward Island (the Civil Service Superannuation Plan, the Teachers Superannuation Plan and the Pension Plan for Members of the Legislative Assembly), a copy of which is attached to the file copy of this Order in the Office of the Clerk of the Executive Council.

Further, Council rescinded Order-in-Council EC2011-50 of February 8, 2011.

**EC2012-612**

**EMERGENCY 911 ACT  
911 COST RECOVERY FEES REGULATIONS  
AMENDMENT**

Pursuant to section 10 of the *Emergency 911 Act* R.S.P.E.I. 1988, Cap. E-5.1, Council made the following regulations:

**1. Subsection 2(1) of the *Emergency 911 Act* 911 Cost Recovery Fees Regulations (EC342/06) is revoked and the following substituted:**

**2. (1)** Where a telecommunications carrier wishes to pay under subsection 2.2(5) of the Act an amount that is calculated on the basis of the amount of the cost recovery fees that the telecommunications carrier collected in the immediately preceding calendar month, the amount that the telecommunications carrier is required to pay in respect of that month shall be determined by the formula

$$A - (B \times C)$$

where

A is the total amount of the cost recovery fees collected in the immediately preceding calendar month by the telecommunications carrier;

B is the amount of the collection or billing allowance set out in section 5 that may be deducted by the telecommunications carrier in respect of each cost recovery fee that it collected; and

C is an amount equal to the number of the cost recovery fees that the telecommunications carrier collected in the immediately preceding calendar month.

**(2) Subsection 2(2) of the regulations is revoked and the following substituted:**

(2) Where a telecommunications carrier wishes to pay under subsection 2.2(5) of the Act an amount that is calculated on the basis of the amount of the cost recovery fees that the telecommunications carrier billed to its local subscribers for telephone services provided in the immediately preceding calendar month, the amount the telecommunications carrier is required to pay in respect of that month shall be determined by the formula

Calculation of amount payable on billed basis

$$[(A \times B) - (B \times C)] - [((A \times B) - (B \times C)) \times D]$$

where

A is the amount of the cost recovery fee set out in the Schedule to the Act;

B is the number of telephone services that the telecommunications carrier billed to its local subscribers during the immediately preceding calendar month;

C is the amount of the collection or billing allowance set out in section 5 that may be deducted by the telecommunications carrier in respect of each telephone service that it bills its local subscribers for; and

D is the telecommunication carrier's average percentage rate of bad debts for the telephone services that it billed to its local subscribers during its previous fiscal year.

## 2. (1) Subsection 3(2) of the regulations is amended

**(a) in clause (a), by the deletion of the word “and” after the semicolon;**

**(b) in clause (b), by the deletion of the period and the addition of the words “; and”; and**

**(c) by the addition of the following after clause (b):**

(c) the total amount of the collection or billing allowance claimed by the telecommunications carrier in respect of the cost recovery fees it collected in the immediately preceding calendar month.

## (2) Subsection 3(3) of the regulations is amended

**(a) in clause (a), by the deletion of the word “and” after the semicolon;**

**(b) by the revocation of clause (b) and the substitution of the following:**

(b) the total amount of the collection or billing allowance claimed by the telecommunications carrier in respect of the cost recovery fees it collected in the immediately preceding calendar month; and

(c) the average percentage rate of bad debts for the telephone services that the telecommunications carrier billed to its local subscribers during its previous fiscal year.

## 3. The regulations are amended by the addition of the following after section 4:

5. (1) Subject to subsection (2), a telecommunications carrier may deduct, as provided for in section 2, a collection or billing allowance in the amount of seven cents (\$.07) for each cost recovery fee it bills to or collects from its local subscribers, as the case may be, on behalf of the Minister of Finance, Energy and Municipal Affairs.

Collection or billing allowance

(2) A telecommunications carrier is not entitled to deduct a collection or billing allowance when determining under section 2 the amount that is payable by the telecommunications carrier to the Minister of Finance, Energy and Municipal Affairs in a calendar month if the telecommunications carrier fails

No deduction of collection or billing allowance

(a) in respect of that calendar month, to pay

(i) an amount that is equal to the amount payable under section 2, or

(ii) the amount referred to in subclause (i) when required by the Act and these regulations; or

(b) to file a return for that calendar month as required under section 3.

**4. Clause 6(1)(d) of the regulations is amended by the addition of the words “, including any allowance taken” after the words “telecommunications carrier”.**

**5. These regulations come into force on November 3, 2012.**

#### **EXPLANATORY NOTES**

**SECTION 1** adds a collection or billing allowance back into the calculation of the amount of cost recovery fees payable monthly by telecommunications carriers.

**SECTION 2** adds a collection or billing allowance back to the information that a telecommunications carrier must file on a return.

**SECTION 3** adds a section back to the regulations that provides for the deduction by telecommunications carriers of a collection or billing allowance from cost recovery fees to be remitted to the Minister of Finance, Energy and Municipal Affairs.

**SECTION 4** restores a requirement to keep records respecting collection or billing allowances.

**SECTION 5** provides for the commencement of these regulations.