

EC2018-330

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DOUGLAS MACDONALD AND DONNA MACDONALD
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Douglas MacDonald and Donna MacDonald, both of Princeport, Nova Scotia to acquire a land holding of approximately forty-seven decimal zero five (47.05) acres of land at Wheatley River, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Donald Turner and Susan Turner, both of Hunter River, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-331

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NOAH MCCURRY
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Noah McCurry of Vancouver, British Columbia to acquire a land holding of approximately twenty-one decimal three (21.3) acres of land at Wheatley River, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Earl Doucette and Anne Marie Doucette, both of Hunter River, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-332

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JACQUELINE MARSLAND AND CHAD MARSLAND
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jacqueline Marsland and Chad Marsland, both of Ancaster, Ontario to acquire a land holding of approximately one decimal four eight (1.48) acres of land at Waterside, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Sandra Jeffery of Waterside, Prince Edward Island.

EC2018-333

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ALICE MITCHELL
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Alice Mitchell of Orillia, Ontario to acquire an interest in a land holding of approximately three decimal two three (3.23) acres of land at Miscouche, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Fred Shields of Orono, Ontario.

EC2018-334

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102064 P.E.I. INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 102064 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately three decimal two three (3.23) acres of land at Miscouche, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Fred Shields of Orono, Ontario.

EC2018-335

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102153 P.E.I. INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 102153 P.E.I. Inc. of Victoria Cross, Prince Edward Island to acquire a land holding of approximately twenty-three (23) acres of land at Albion, Lot 59, Kings County, Province of Prince Edward Island, being acquired from Ronald Ward of Port Alberni, British Columbia PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-336

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ATLANTIC ROASTED PRODUCTS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Atlantic Roasted Products Inc. of Montague, Prince Edward Island to acquire a land holding of approximately one hundred and twenty-five (125) acres of land at Alma, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Anthony Nabuurs of Montague, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-337

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DALE & RONNIE RENNIE INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Dale & Ronnie Rennie Inc. of Alma, Prince Edward Island to acquire a land holding of approximately one hundred and four (104) acres of land at Woodstock, Lot 6, Prince County, Province of Prince Edward Island, being acquired from Évangéline-Central Credit Union Ltd., mortgagee in possession, of O'Leary, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-338

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ELWIN JAY HOLDINGS INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Elwin Jay Holdings Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately seven decimal six six (7.66) acres of land at Stratford, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Nevin Jay of Mount Herbert, Prince Edward Island.

EC2018-339

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LMJ INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to LMJ Inc. of Stratford, Prince Edward Island to acquire a land holding of approximately six decimal five (6.5) acres of land at Georgetown Royalty, Kings County, Province of Prince Edward Island, being acquired from Deroma Enterprises Inc., of Stratford, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said LMJ Inc. and on all successors in title.

EC2018-340

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MAPLE ISLE HOMES (P.E.I.) INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Maple Isle Homes (P.E.I.) Inc. of West Covehead, Prince Edward Island to acquire a land holding of approximately one decimal two seven (1.27) acres of land at Oyster Bed Bridge, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Reginald Joseph Gallant of Fredericton, New Brunswick.

EC2018-341

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MORLEY C. WOOD AND SONS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Morley C. Wood and Sons Inc. of Albany, Prince Edward Island to acquire a land holding of approximately seventy-three (73) acres of land at Mount Tryon, Lot 28, Prince County, Province of Prince Edward Island, being acquired from Allister S. Wood and Anne Wood, both of Mount Tryon, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-342

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
THE GRAY GROUP INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to The Gray Group Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal eight two (1.82) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from 6669603 Canada Inc. of Charlottetown, Prince Edward Island.

EC2018-343

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
VALLEY VIEW FARMING CO. LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Valley View Farming Co. Ltd. of Stratford, Prince Edward Island to acquire a land holding of approximately sixty-five decimal eight eight (65.88) acres of land at Murray Harbour and White Sands, both in Lot 64, Kings County, Province of Prince Edward Island, being acquired from Allan White and Karen E. White, both of Halifax, Nova Scotia PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2018-344

**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Made by the Prince Edward Island Liquor Control Commission and approved by the Lieutenant Governor in Council under the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14:

1. Subsection 14(1) of the *Liquor Control Act* Regulations (EC704/75) is revoked and the following substituted:

14. (1) In every dining room

- (a) meals shall be served and adequate menus provided;
- (b) seating shall be provided that is sufficient to seat the number of persons set out in the capacity permit issued for the dining room under the *Fire Prevention Act* R.S.P.E.I. 1988, Cap. F-11;
- (c) liquor shall be served only to a person while having, or immediately before or after having, a meal; and
- (d) there shall be a liquor list, approved by the Commission, showing the kinds of liquor and the variety of cocktails available and the price and alcohol content of each.

Conditions for
operation of dining
room

2. Clause 23(f) of the regulations is revoked.

3. (1) Clause 50.1(3)(d) of the regulations is revoked and the following substituted:

- (d) not permit any person under the age of nineteen years to consume liquor on the premises.

(2) Section 50.1 of the regulations is amended by the addition of the following after subsection (11):

(12) The licensee or person in charge of a special premises shall require evidence of the age of a person suspected to be under the age of nineteen years who is entering or present on the premises that are the subject of a special premises license, in the manner prescribed by the Commission.

Evidence of age

4. (1) Subsection 50.2(1) of the regulations is revoked and the following substituted:

50.2 (1) Upon receipt of an application in the form required by the Commission and a license fee of \$250 from the holder of a dining room license, a club license or special premises license, and where the Commission is satisfied that the applicant's premises has an on-site operational full service kitchen, the Commission may issue a caterer's license to the applicant.

Caterer's license

(2) Clause 50.2(3)(e) of the regulations is revoked and the following substituted:

- (e) shall not permit any person under the age of nineteen years to consume liquor on the premises;

5. Subsections 50.9(1) and (4) of the regulations are amended by the deletion of the words "\$50" and the substitution of the words "\$25".

6. Clause 70(b) of the regulations is revoked and the following substituted:

- (b) permit any disorderly conduct by any person in the licensed premises;

7. Section 74.1 of the regulations is revoked and the following substituted:

74.1 (1) Notwithstanding any provisions of these regulations pertaining to persons under the age of nineteen years or requiring evidence of age, a licensee may permit a person under the age of nineteen years to enter, be in or remain in the licensed premises where

Persons under age

- (a) the person enters, is present in or remains in the licensed premises
 - (i) to attend a family event including a wedding, wedding shower, birthday, anniversary, reunion or funeral reception,
 - (ii) to attend a community event, including a fundraiser or charity benefit,
 - (iii) to attend a family-oriented entertainment or event, or
 - (iv) to provide entertainment, alone or as a member of a group;
- and
- (b) the licensee is otherwise in compliance with the Act and these regulations.

(2) The Commission may, when issuing a license to a licensee, attach any terms and conditions pertaining to persons under the age of nineteen years entering, being in or remaining in the licensed premises as the Commission considers appropriate. Terms, conditions

8. Section 74.2 of the regulations is revoked.

9. These regulations come into force on June 16, 2018.

EXPLANATORY NOTES

SECTION 1 revokes subsection 14(1) of the regulations and substitutes a new subsection (1) that eliminates several clauses that no longer apply to the operation of a dining room for the purposes of the regulations.

SECTION 2 revokes clause 23(f) of the regulations. This removes a requirement that liquor may be served in a lounge only to persons who are seated, except with the permission of the Commission.

SECTION 3 revokes clause 50.1(3)(d) and substitutes a new clause (d) that prohibits persons under the age of nineteen years from consuming liquor on the premises. The section also adds a new subsection 50.1(12) that authorizes a licensee or person in charge of a premises that is the subject of a special premises license to require proof of age of a person entering or on the premises who appears to be under the age of nineteen years.

SECTION 4 revokes subsection 50.2(1) of the regulations and substitutes a new subsection (1) that adds a holder of a club license or a special premises license as persons who may apply for a caterer's license, and adds the condition that the Commission must be satisfied that the applicant's premises has an on-site operational full-service kitchen. The section also revokes clause 50.2(3)(e) of the regulations and substitutes a new clause (e) that changes a prohibition against persons under the age of nineteen years being present at a catered function except as authorized by the Commission to a prohibition against those underage persons consuming liquor at a catered function.

SECTION 5 amends subsections 50.9(1) and (4) of the regulations to reduce the application fee and renewal fee for a package sales license from \$50 to \$25.

SECTION 6 revokes clause 70(b) of the regulations and substitutes a new clause (b) that deletes a prohibition against the use of "vulgar or profane language" in a licensed premises.

SECTION 7 revokes section 74.1 of the regulations and substitutes new subsections 74.1(1) and (2). Section 74.1(1) simplifies the rules applicable to persons under the age of nineteen years entering, being in or remaining in licensed premises, and adds to the list of functions that an under-age person may attend on licensed premises. The section also removes the requirement for the licensee to obtain the written approval of the Commission in order to allow an under-age person to attend the specified types of functions. Subsection 74.1(2) authorizes the Commission to impose terms and conditions on a licensee's license with respect to the attendance of persons under the age of nineteen years at functions on the licensed premises. This authority was previously set out in subsection 74.2(2), which is being revoked.

SECTION 8 revokes section 74.2. This section is no longer needed in view of the matters provided for in the new section 74.1.

SECTION 9 provides for the commencement of the regulations.

EC2018-345

**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Made by the Prince Edward Island Liquor Control Commission and approved by the Lieutenant Governor in Council under the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14:

1. (1) Subsection 50.3(1) of the *Liquor Control Act* Regulations (EC704/75) is revoked and the following substituted:

50.3 (1) In this section, “winery” means premises used for the production, bottling and storage of wine, and includes any retail outlet located on the premises as permitted under this section. Winery defined

(2) Subsections 50.3(6), (7) and (8) of the regulations are revoked the following substituted:

(6) The Commission may issue a Cottage Winery License to an applicant if the Commission is satisfied that the applicant Cottage Winery License

- (a) produces wine at the winery only from products other than grapes, of which at least 90 per cent are cultivated in the province;
- (b) maintains in the province
 - (i) at least three acres of land in exclusive cultivation of products, other than grapes, indigenous to the province that are used to produce wine at the winery, of which at least two acres are located on, or immediately adjacent to, the parcel of land on which the winery is located, or
 - (ii) at least 50 beehives from which honey is harvested and used to produce wine at the winery; and
- (c) has a cultivation and production plan that is sufficient to meet the cultivation and production requirements in these regulations or imposed as a term and condition on the license.

(7) The Commission may issue a Small Farm Winery License to an applicant if the Commission is satisfied that the applicant Small Farm Winery License

- (a) produces wine at the winery only from grapes, of which at least 90 per cent are cultivated in the province;
- (b) maintains in the province at least three, but less than ten, acres of land in exclusive cultivation of grapes that are used to produce wine at the winery, of which at least two acres are located on, or immediately adjacent to, the parcel of land on which the winery is located; and
- (c) has a cultivation and production plan that is sufficient to meet the cultivation and production requirements in these regulations or imposed as a term and condition on the license.

(8) The Commission may issue a Large Farm Winery License to an applicant if the Commission is satisfied that the applicant Large Farm Winery License

- (a) produces wine at the winery from products including grapes;
- (b) maintains in the province at least ten acres of land in exclusive cultivation of grapes that are used to produce wine at the winery, of which at least two acres are located on, or immediately adjacent to, the parcel of land on which the winery is located; and
- (c) has a cultivation and production plan that is sufficient to meet the cultivation and production requirements in these regulations or imposed as a term and condition on the license.

2. These regulations come into force on June 16, 2018.

EXPLANATORY NOTES

SECTION 1 amends the definition of “winery” in subsection 50.3(1) of the regulations to correspond with how the term is used in the section. It also amends and clarifies provisions respecting acreage requirements for the issuance of a Cottage Winery License, a Small Farm Winery License and a Large Farm Winery License. It also provides for maintaining a certain number of beehives and harvesting honey for use in winemaking in cottage wineries.

SECTION 2 provides for the commencement of these regulations.

EC2018-346

PUBLIC HEALTH ACT IMMUNIZATION REGULATIONS AMENDMENT

Pursuant to section 72 of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, Council made the following regulations:

1. (1) Subsection 2(1) of the *Public Health Act* Immunization Regulations (EC529/14) is amended in the words immediately preceding clause (a) by the deletion of the words “other than an influenza vaccine”.

(2) Subsection 2(1.1) of the regulations is revoked.

(3) Subsection 2(2) of the regulations is amended by the deletion of the words “subsections (1) and (1.1)” and the substitution of the words “subsection (1)”.

2. Subsection 3(1) of the regulations is amended by the deletion of the words “subsections 2(1) and (1.1)” and the substitution of the words “subsection 2(1)”.

3. Subsections 6(1) and (2) of the regulations are revoked and the following substituted:

6. (1) The following persons may apply to the Chief Public Health Officer, in the form required by the Chief Public Health Officer, for access to the immunization registry:

- (a) a health practitioner;
- (b) a pharmacist;
- (c) a pharmacy technician;
- (d) a public health nurse;
- (e) a person employed to provide administrative support services to a medical practitioner, nurse practitioner or public health nurse.

(2) The Chief Public Health Officer may grant access to an applicant who applies in accordance with subsection (1) and who is

- (a) a person referred to in clauses (a) to (d) who is
 - (i) employed or engaged in the provision of health care in his or her professional capacity, and
 - (ii) in good standing with the professional regulatory body governing his or her profession in the province; or
- (b) a person referred to in clause (e) during the period, and for the purposes, of the person’s employment.

4. Subclause 9(6)(j)(ii) is amended

(a) in paragraph (B), by the deletion of the word “or” after the comma;

(b) in paragraph (C), by the deletion of the period and the substitution of a comma; and

(c) by the addition of the following after paragraph (C):

- (D) sibling, or
- (E) any other adult next of kin.

5. These regulations come into force on June 16, 2018.

EXPLANATORY NOTES

SECTION 1 amends subsection 2(1) of the *Public Health Act* Immunization Regulations (EC529/14) to remove an exception to the reporting requirements of that subsection for an administration of an influenza vaccine. The section also revokes subsection 2(1.1), which set out different reporting requirements for administrations of influenza vaccine, and amends subsection 2(2) to remove a reference to the revoked subsection (1.1). The reporting requirements will now be the same for all vaccinations.

SECTION 2 amends subsection 3(1) of the regulations to remove a reference to the revoked subsection (1.1).

SECTION 3 revokes subsections 6(1) and (2) of the regulations to add more classes of persons to the list of those who may apply for access to the immunization registry.

SECTION 4 amends subclause 9(6)(j)(ii) of the regulations to add siblings and other next of kin as persons who can act as substitute decision-maker for a patient for the purpose of the regulations.

SECTION 5 provides for the commencement of the regulations.

EC2018-347

PUBLIC HEALTH ACT NOTIFIABLE DISEASES AND CONDITIONS AND COMMUNICABLE DISEASES REGULATIONS AMENDMENT

Pursuant to section 72 of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, Council made the following regulations:

1. Subsection 2(2) of the *Public Health Act* Notifiable Diseases and Conditions and Communicable Diseases Regulations (EC560/13) is revoked and the following substituted:

(2) Where the Chief Public Health Officer has designated a person, including a public health official, a medical practitioner or a person in charge of a government department or health system organization such as a laboratory or an office for the compiling of information, as the person responsible for exercising a power or carrying out a duty of the Chief Public Health Officer under these regulations, a reference in an applicable provision of these regulations to the Chief Public Health Officer shall be read as a reference to that person.

Authority of
designated person

2. Section 4 of the regulations is revoked and the following substituted:

4. A person who is, or is suspected of being, infected with a communicable disease, including a suspected carrier or contact, shall

Duties of person
infected or
suspected

- (a) if the person suspects an infection or is informed by a medical practitioner, nurse practitioner or the Chief Public Health Officer that he or she is or is suspected of being infected, place himself or herself under the care of a medical practitioner, nurse practitioner or direction of the Chief Public Health Officer;
- (b) submit to diagnostic examination, treatment and control measures as directed by the medical practitioner, nurse practitioner or Chief Public Health Officer, as the case may be; and

- (c) identify any contact, and provide any other relevant information that may be required, to the medical practitioner, nurse practitioner, registered nurse or Chief Public Health Officer, as the case may be.
- 3. Clause 9.1(3)(c) of the regulations is amended by the deletion of the words “or family physician” and the substitution of the words “, family physician, nurse practitioner or”.**
- 4. Section 10 of the regulations is amended by the addition of the words “, nurse practitioner” after the words “medical practitioner”.**
- 5. These regulations come into force on June 16, 2018.**

EXPLANATORY NOTES

SECTION 1 revokes subsection 2(2) of the Notifiable Diseases and Communicable Diseases Regulations and substitutes a new subsection 2(2) to clarify the operation of the subsection.

SECTION 2 revokes section 4 of the regulations and substitutes a new section 4 that adds nurse practitioners and, in clause 4(c), registered nurses to the list of persons qualified to act under that section, and to change the previous references to a public health official to the Chief Public Health Officer.

SECTION 3 amends clause 9.1(3)(c) of the regulations to add a reference to a nurse practitioner and to correct an error in the clause.

SECTION 4 amends section 10 of the regulations to add a reference to a nurse practitioner as a person qualified to provide information to family members under that section.

SECTION 5 provides for the commencement of the regulations.

EC2018-348

AN ACT TO REPEAL THE REGISTERED NURSES ACT DECLARATION RE

Under authority of section 3 of the *An Act to Repeal the Registered Nurses Act* Stats. P.E.I. 2017, c. 13 Council ordered that a Proclamation do issue proclaiming the said "An Act to Repeal the Registered Nurses Act" to come into force effective July 4, 2018.

EC2018-349

REGULATED HEALTH PROFESSIONS ACT GENERAL REGULATIONS AMENDMENT

Pursuant to section 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

1. The *Regulated Health Professions Act* General Regulations (EC829/13) are amended by the addition of the following after section 5:

6. For the purposes of section 18 of the Act, a registrar shall provide, on request, to an employer or prospective employer of a member information respecting the nature of any ongoing complaint, investigation or hearing in respect of that member.

Information
provided by
registrar

2. These regulations come into force on July 4, 2018.

EXPLANATORY NOTES

SECTION 1 authorizes a registrar of a regulated health profession to provide, on request, to an employer or prospective employer of a member information respecting the nature of any ongoing complaint, investigation or hearing in respect of that member.

SECTION 2 provides for the commencement of the regulations.

EC2018-350

REGULATED HEALTH PROFESSIONS ACT REGISTERED NURSES REGULATIONS

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

PART 1 – INTERPRETATION

- | | |
|---|-----------------------------|
| 1. In these regulations, | Definitions |
| (a) “Act” means the <i>Regulated Health Professions Act</i> R.S.P.E.I. 1988, Cap. R-10.1; | Act |
| (b) “College” means the College of Registered Nurses of Prince Edward Island continued under section 3; | College |
| (c) “Council” means the Council of the College; | Council |
| (d) “former Act” means the <i>Registered Nurses Act</i> R.S.P.E.I. 1988, Cap. R-8.1; | former Act |
| (e) “graduate nurse” means a member who is registered in the general graduate class as a graduate nurse; | graduate nurse |
| (f) “graduate nurse practitioner” means a member who is registered in the extended graduate class as a graduate nurse practitioner; | graduate nurse practitioner |
| (g) “nurse practitioner” means a member who is registered in the extended class as a nurse practitioner; | nurse practitioner |
| (h) “nursing” means the health profession in which a person applies specialized and evidence-based knowledge of nursing theory and health and human sciences, skills and judgment in providing professional services to another person, including | nursing |
| (i) the promotion, maintenance and restoration of health, and | |
| (ii) the prevention, treatment and palliation of illness and injury, primarily by | |
| (A) assessing health status, | |
| (B) planning, implementing and evaluating interventions, and | |
| (C) coordinating health services, and | |
| (iii) the research, education, management or administrative activities incidental to performing the services referred to in subclauses (i) and (ii); | |
| (i) “refresher program” means a refresher program in nursing, designed for registered nurses or nurse practitioners, as the case may be, consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing education credits and a practicum or a combination of these elements; | refresher program |
| (j) “registered nurse” means a member who is registered in the general class as a registered nurse. | registered nurse |

PART 2 - PROFESSIONAL GOVERNANCE

Designation

- | | |
|---|------------------------|
| 2. Nursing is designated as a regulated health profession. | Designation of nursing |
|---|------------------------|

College

3. The Association of Registered Nurses of Prince Edward Island, continued as a body corporate under the former Act, is continued as the college for nursing under the name of the College of Registered Nurses of Prince Edward Island.

Continuation of
Association as
College

Register

4. The register for nursing is divided into the following parts and classes:
- (a) the registered nurses part, consisting of
- (i) the general class, containing registrations of all registered nurses,
 - (ii) the extended class, containing registrations of all nurse practitioners, and
 - (iii) the special class for both registered nurses and nurse practitioners; and
- (b) the graduate part, consisting of
- (i) the general graduate class, containing registrations of all graduate nurses, and
 - (ii) the extended graduate class, containing registrations of all graduate nurse practitioners.

Register

PART 3 – REGISTERED NURSES REGISTER

Registration

Registered Nurses

5. An applicant for registration in the general class as a registered nurse shall
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 12;
 - (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in subsection 13(1) within three years of completing the education required under section 12;
 - (c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 14(1); and
 - (d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 19(1).

Requirements -
registered nurse

6. (1) Where the Council directs the registrar to register an applicant in the special class as a registered nurse pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special class and shall specify the purpose or duration of the special registration, as the case may be.

Special registration

(2) A registration in the special class shall not be renewed.

No renewal

Nurse Practitioners

7. An applicant for registration in the extended class as a nurse practitioner shall, in addition to being registered under section 5 as a registered nurse,
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirements set out in section 15;
 - (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in subsection 16(1);
 - (c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 17(1); and
 - (d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 19(1).

Requirements -
nurse practitioner

8. (1) Where the Council directs the registrar to register an applicant in the special class as a nurse practitioner pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special class and

Special registration

shall specify the purpose or duration of the special registration, as the case may be.

(2) A registration in the special class shall not be renewed.

No renewal

Renewal of Registration

9. (1) An applicant for renewal of registration as a registered nurse shall

(a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 18(1);

(b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 14(1); and

(c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).

Renewal -
registered nurse

(2) An applicant for renewal of registration as a nurse practitioner shall

(a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 18(1);

(b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 17(1); and

(c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).

Renewal - nurse
practitioner

Reinstatement of Registration

10. For the purpose of subsection 24(1) of the Act, where the registration of a former member expired or was cancelled under section 23 of the Act, the maximum prescribed period of time for reinstatement is three years.

Reinstatement
period

11. (1) An applicant for reinstatement of registration as a registered nurse shall

Reinstatement -
registered nurse

(a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 14(1); and

(b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).

(2) An applicant for reinstatement of registration as a nurse practitioner shall

Reinstatement -
nurse practitioner

(a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 17(1); and

(b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).

Prescribed Requirements - Registered Nurses

12. For the purpose of clause 12(2)(c) of the Act, an applicant for registration as a registered nurse is required to have successfully completed

Education

(a) a nursing education program approved by the Council; or

(b) a nursing education program that the Council considers substantially equivalent to a program described in clause (a).

13. (1) For the purpose of clause 12(2)(d) of the Act, an applicant for registration as a registered nurse is required to have successfully completed

Examinations

(a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of nursing in the province; and

(b) one of the following, depending on the applicable time period:

(i) where the examination was written on or after January 1, 1982, but before January 1, 2015, the CRNE or the NCLEX-RN,

(ii) where the examination was written on or after January 1, 2015, the NCLEX-RN or, if the NCLEX-RN is not offered, a substitute competency examination approved or adopted by the Council.

(2) The successful completion of an examination referred to in subsection (1) means

Successful completion of examination

(a) in respect of the provincial examination, meeting the minimum standard established by the Council;

(b) in respect of the CRNE or the NCLEX-RN, obtaining the established pass mark; and

(c) in respect of a substitute competency examination, meeting the minimum standard approved or adopted by the Council.

14. (1) For the purpose of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant for registration as a registered nurse shall have, within the five years preceding the application, done one of the following to demonstrate currency of professional knowledge and skills:

Currency requirements

(a) successfully completed the educational requirement set out in section 12;

(b) actively practised nursing as a registered nurse, without the impositions of any restrictions under the applicable law of the jurisdiction of practice, for at least 1,125 hours;

(c) successfully completed a refresher program satisfactory to the registrar.

(2) Where, in the opinion of the Council, an applicant fails to demonstrate currency of professional knowledge and skills in accordance with subsection (1), the Council may require the applicant to complete a refresher program approved by the Council within the time period specified by the Council.

Refresher program

Prescribed Requirements - Nurse Practitioners

15. For the purpose of clause 12(2)(c) of the Act, an applicant for registration as a nurse practitioner is required to have successfully completed either

Education

(a) a nurse practitioner education program approved by the Council;

or

(b) a nurse practitioner education program that the Council considers substantially equivalent to a program described in clause (a).

16. (1) For the purpose of clause 12(2)(d) of the Act, an applicant for registration as a nurse practitioner is required to have successfully completed

Examinations

(a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of nursing in the province; and

(b) a written competency examination approved by the Council.

(2) The successful completion of an examination referred to in subsection (1) means

Successful completion of examination

(a) in respect of the provincial examination, meeting the minimum standard established by the Council; and

(b) in respect of the written competency examination, obtaining the established pass mark after not more than three attempts.

17. (1) For the purpose of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant for registration as a nurse practitioner shall have, within the three years immediately preceding the application, done one of the following to demonstrate currency of professional knowledge and skills:

Currency requirements

(a) successfully completed a nurse practitioner education program approved by the Council;

- (b) actively practised nursing as a nurse practitioner, without the imposition of any restrictions under the applicable law in the jurisdiction of practice, for at least 1,800 hours;
- (c) successfully completed a refresher program satisfactory to the registrar.

(2) Where, in the opinion of the Council, an applicant fails to demonstrate currency of professional knowledge and skills in accordance with subsection (1), the Council may require the applicant to complete a refresher program approved by the Council within the time period specified by the Council.

Refresher program

Continuing Education and Competency

18. (1) For the purpose of subclause 22(2)(a)(i) of the Act, an applicant for renewal of registration as a registered nurse or nurse practitioner shall have participated in and successfully completed the continuing competency program established by the Council pursuant to section 60.1 of the Act.

Continuing education and competency

(2) Each registered nurse and nurse practitioner shall

Record

- (a) keep a record in a form satisfactory to the registrar of the activities that the registered nurse or nurse practitioner undertakes for the purpose of this section; and
- (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar.

19. (1) For the purpose of clause 12(2)(j), subclause 22(2)(a)(v) and clauses 24(4)(f) and 25(3)(c) of the Act, a member or an applicant, as the case may be, is required to hold or be eligible for professional liability insurance or protection satisfactory to the College that, at a minimum,

Insurance requirements

- (a) is issued in the name of the member or applicant or clearly extends to the member or applicant;
- (b) extends to any practice setting in Prince Edward Island;
- (c) provides protection of not less than \$10,000,000 per claim or occurrence and an aggregate limit of not less than \$10,000,000;
- (d) extends to professional liability for any professional service the member provides or the applicant will be providing in practising nursing; and
- (e) includes an extended reporting period of at least six years in the case of claims-based protection or a minimum retroactive date of six years in the case of occurrence-based or claims-based protection.

Proof of insurance

(2) The registrar shall obtain confirmation that each member or applicant holds or is eligible for professional liability insurance or protection that meets the requirements of subsection (1).

Designations and Reserved Activities

Registered Nurses

20. For the purpose of subsection 89(1) of the Act, the designations of a registered nurse include the following titles, abbreviations and initials:

Designations - RN

- (a) registered nurse;
- (b) R.N. or RN;
- (c) Reg. N. or Reg N.

21. (1) Subject to subsection (2) and any terms or conditions imposed on the member's registration, a registered nurse is authorized to perform the following reserved activities:

Reserved activities, RN

- (a) performing a procedure on tissue below the dermis, below the surface of a mucous membrane or on the surface of the cornea;
- (b) setting or casting a fracture of a bone or a dislocation of a joint;
- (c) administering a substance by injection, transfusion, inhalation, mechanical ventilation, irrigation, topical means, enteral instillation or parenteral instillation;
- (d) putting an instrument, hand or finger
 - (i) beyond the external ear canal,
 - (ii) beyond the point in the nasal passages where they normally narrow,
 - (iii) beyond the larynx,

- (iv) beyond the opening of the urethra,
- (v) beyond the labia majora,
- (vi) beyond the anal verge, or
- (vii) into an artificial opening into the body;
- (e) performing allergy challenge testing by any method;
- (f) managing labour in an institutional setting where the primary health care provider is not present.

(2) Despite being authorized under subsection (1), a registered nurse may perform a reserved activity referred to in subsection (1) with respect to a person only if a nurse practitioner or a medical practitioner or dentist who is authorized by an enactment to practise in the province orders that a registered nurse shall perform the reserved activity with respect to the person.

Conditions

Nurse Practitioners

22. For the purpose of subsection 89(1) of the Act, the designations of a nurse practitioner include the following titles, abbreviations and initials:

Designation - nurse practitioner

- (a) nurse practitioner;
- (b) NP, RNNP, RN(NP), N.P., R.N.N.P. or R.N.(N.P.).

23. (1) Subject to subsection (2) and any terms or conditions imposed on the member's registration, a nurse practitioner is authorized to perform, in addition to all of the reserved activities listed in subsection 21(1), the following reserved activities:

Reserved activities - nurse practitioner

- (a) communicating to the person or the person's personal representative a diagnosis identifying a disease or disorder as the cause of symptoms of the person in circumstances in which it is reasonably foreseeable that the person or the person's personal representative will rely on the diagnosis;
- (b) applying or ordering the application of electrical energy for diagnostic or treatment purposes;
- (c) applying or ordering the application of prescribed forms of energy for the purpose of conducting screening and diagnostic tests, including
 - (i) ultrasound,
 - (ii) echo cardiogram, and
 - (iii) electrocardiogram;
- (d) ordering
 - (i) X-rays, and
 - (ii) computerized axial tomography scans;
- (e) ordering and interpreting screening and diagnostic tests that do not use prescribed forms of energy;
- (f) ordering a therapeutic diet that is to be administered by enteral instillation or parenteral instillation;
- (g) prescribing or selling a drug as defined in the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6.1.

(2) A nurse practitioner shall not engage in the practice of nursing as a nurse practitioner unless the nurse practitioner has reasonable access to a medical practitioner in respect of any patient for the purposes of consultation, referral and transfer.

Condition on practice

PART 4 - GRADUATE REGISTER

Graduate Nurses

Registration

24. (1) An applicant for registration in the general graduate class as a graduate nurse shall

Requirements - graduate nurse

- (a) for the purpose of clause 12(2)(c) of the Act, have successfully completed the educational requirement set out in section 12 not more than three years prior to the date of the application;
- (b) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).

(2) A graduate nurse shall be supervised in practising nursing by a registered nurse approved by the Council.

Supervision required

Renewal of Registration

- 25.** An applicant for renewal of registration as a graduate nurse shall
- (a) have successfully completed the educational requirement set out in section 12 not more than three years prior to the date of the application; and
 - (b) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).
- Renewal of registration

Graduate Nurse Practitioner

Registration

- 26.** (1) An applicant for registration in the extended graduate class as a graduate nurse practitioner shall, in addition to being registered under section 5 as a registered nurse,
- (a) for the purpose of clause 12(2)(c) of the Act, have successfully completed the educational requirements set out in section 15 not more than three years prior to the date of the application; and
 - (b) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).
- (2) A graduate nurse practitioner shall be supervised in practising nursing by a nurse practitioner approved by the Council.
- (3) An applicant for registration who has written, but not successfully completed, the competency exam referred to in clause 28(1)(b) three times is not eligible for registration in the extended graduate class as a graduate nurse practitioner.
- Requirements - graduate nurse practitioner
Supervision required
Not eligible for registration

Renewal of Registration

- 27.** An applicant for renewal of registration as a graduate nurse practitioner shall
- (a) for the purpose of subclause 22(2)(a)(ii) of the Act, have successfully completed the educational requirements set out in section 15 not more than three years prior to the date of the application; and
 - (b) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection that meets the requirements of subsection 19(1).
- Renewal of registration

Designations and Reserved Activities

- 28.** (1) For the purpose of subsection 89(1) of the Act, the designations of a graduate nurse include the following titles, abbreviations and initials:
- (a) graduate nurse; and
 - (b) G.N. or GN.
- (2) For the purpose of subsection 89(1) of the Act, the designations of a graduate nurse practitioner include the following titles, abbreviations and initials:
- (a) graduate nurse practitioner; and
 - (b) G.N.P. or GNP.
- 29.** Subject to any terms or conditions imposed on the member's registration, a graduate nurse is authorized to perform the reserved activities listed in subsection 21(1), subject to the requirements of subsections 21(2) and 24(2).
- 30.** Subject to any terms or conditions imposed on the member's registration, a graduate nurse practitioner is authorized to perform the reserved activities listed in subsections 21(1) and 23(1), subject to the requirements of subsections 23(2) and 26(2).
- Designations - graduate nurse
Designations - graduate nurse practitioner
Reserved activities - graduate nurse
Reserved activities - graduate nurse practitioner

PART 5 - GENERAL

- 31.** The registrar shall post in the directory maintained by the College on the College's website
- Notice of terms or conditions, etc.

- (a) the registration of a graduate nurse practitioner or nurse practitioner;
- (b) any terms or conditions imposed on the registration of a graduate nurse practitioner or nurse practitioner affecting his or her authority to perform a restricted activity listed in clause 23(1)(g); and
- (c) the suspension, expiration or cancellation of the registration of a graduate nurse practitioner or nurse practitioner.

32. (1) For the purpose of clause 15(1)(d) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of a member registered under these regulations shall be, in the opinion of the registrar, in good taste, dignified and professional.

Name of
corporation

(2) Before changing its name, a health profession corporation shall obtain written confirmation from the registrar that the proposed name meets the requirements of subsection (1).

Change of name

33. These regulations come into force on July 4, 2018.

Commencement

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations.

SECTION 2 designates nursing as a regulated health profession.

SECTION 3 continues the Association of Registered Nurses of Prince Edward Island as the college for nursing under the name of the College of Registered Nurses of Prince Edward Island.

SECTION 4 establishes the composition of the register for nursing.

SECTION 5 establishes the requirements for registration as a registered nurse.

SECTION 6 provides for an applicant for registration as a registered nurse to be registered in the special class for a special purpose or limited time.

SECTION 7 establishes the requirements for registration as a nurse practitioner.

SECTION 8 provides for an applicant for registration as a nurse practitioner to be registered in the special class for a special purpose or limited time.

SECTION 9 establishes the requirements for renewal of registration for nurses and nurse practitioners.

SECTION 10 establishes that the maximum period of time for reinstatement of a registration that has expired or been cancelled is three years.

SECTION 11 establishes the requirements for reinstatement of registration for registered nurses and nurse practitioners.

SECTIONS 12 to 14 establish, respectively, the educational requirements, examination requirements and requirements respecting currency of knowledge for registration as a registered nurse.

SECTION 15 to 17 establish, respectively, the educational requirements, examination requirements and requirements respecting currency of knowledge for registration as a nurse practitioner.

SECTION 18 establishes the requirements respecting continuing education and competency for renewal of registration as a registered nurse or nurse practitioner.

SECTION 19 establishes the requirements respecting insurance or protection for registration as a registered nurse or nurse practitioner.

SECTION 20 establishes the designations of a registered nurse.

SECTION 21 establishes the reserved activities that a registered nurse is authorized to perform.

SECTION 22 establishes the designations of a nurse practitioner.

SECTION 23 establishes the reserved activities that a nurse practitioner is authorized to perform.

SECTION 24 establishes the requirements for registration as a graduate nurse.

SECTION 25 establishes the requirements for renewal of registration for graduate nurses.

SECTION 26 establishes the requirements for registration as a graduate nurse practitioner.

SECTION 27 establishes the requirements for renewal of registration for graduate nurse practitioners.

SECTION 28 establishes the designations of a graduate nurse or graduate nurse practitioner.

SECTION 29 establishes the reserved activities that a graduate nurse is authorized to perform.

SECTION 30 establishes the reserved activities that a graduate nurse practitioner is authorized to perform.

SECTION 31 requires the registrar to post on the College's website the registrations of graduate nurse practitioners and nurse practitioners, any terms or conditions imposed on the registration that would affect the person's authority to perform a restricted activity specified in clause 23(1)(g), and the suspension, expiration or cancellation of the person's registration.

SECTION 32 requires that the name of a corporation that is applying for a permit to carry on the business of providing the professional services of a registered member shall be, in the opinion of the registrar, in good taste, dignified and professional. Before changing its name, a health profession corporation is required to obtain written confirmation from the registrar that the proposed name meets the requirements of the section.

SECTION 33 provides for the commencement of the regulations.

EC2018-351

REGULATED HEALTH PROFESSIONS ACT RESERVED ACTIVITIES REGULATIONS AMENDMENT

Pursuant to subsection 96(1) of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

1. (1) Subsection 2(1) of the *Regulated Health Professions Act* Reserved Activities Regulations (EC536/15) is revoked and the following substituted:

2. (1) For the purposes of section 86 of the Act, the administration of a substance prescribed by a prescriber by any of the following means is designated as a reserved activity:

- (a) enteral instillation or parenteral instillation;
- (b) topical administration;
- (c) transfusion.

Designation of reserved activity

(2) Section 2 of the regulations is amended by the addition of the following after subsection (2):

(3) For the purposes of section 86 of the Act, the following activities are designated as reserved activities: Designation of reserved activities

- (a) ordering or compounding a therapeutic diet that is to be administered by enteral instillation or parenteral instillation;
- (b) ordering and interpreting screening and diagnostic tests that do not use prescribed forms of energy.

2. These regulations come into force on July 4, 2018.

EXPLANATORY NOTES

SECTION 1 revokes subsection 2(1) of the regulations and substitutes a new subsection 2(1) to provide that administering a substance prescribed by a prescriber topically, by enteral instillation or parenteral instillation or by transfusion is a reserved activity. The section also adds a new subsection 2(3) that lists two additional reserved activities: ordering or compounding a therapeutic diet that is to be administered by enteral instillation or parenteral instillation, and ordering and interpreting screening and diagnostic tests that do not use prescribed forms of energy.

SECTION 2 provides for the commencement of these regulations.

EC2018-352

REGISTERED NURSES ACT NURSE PRACTITIONER REGULATIONS REVOCATION

Pursuant to section 35 of the *Registered Nurses Act* R.S.P.E.I. 1988, Cap. R-8.1, Council made the following regulations:

1. The *Registered Nurses Act* Nurse Practitioner Regulations (EC91/06) are revoked.

2. These regulations come into force on July 4, 2018.

EXPLANATORY NOTES

SECTION 1 revokes the Nurse Practitioner Regulations made under the *Registered Nurses Act*.

SECTION 2 provides for the commencement of the regulations.

EC2018-353

REGISTERED NURSES ACT PROFESSIONAL CONDUCT REVIEW REGULATIONS REVOCATION

Pursuant to section 35 of the *Registered Nurses Act* R.S.P.E.I. 1988, Cap. R-8.1, Council made the following regulations:

1. The *Registered Nurses Act* Professional Conduct Review Regulations (EC92/06) are revoked.

2. These regulations come into force on July 4, 2018.

EXPLANATORY NOTES

SECTION 1 revokes the Professional Conduct Review Regulations made under the *Registered Nurses Act*.

SECTION 2 provides for the commencement of the regulations.

EC2018-354

**REGISTERED NURSES ACT
REGISTRATION AND LICENSING OF NURSES
REGULATIONS
REVOCATION**

Pursuant to section 35 of the *Registered Nurses Act* R.S.P.E.I. 1988, Cap. R-8.1, Council made the following regulations:

- 1. The *Registered Nurses Act* Registration and Licensing of Nurses Regulations (EC93/06) are revoked.**
- 2. These regulations come into force on July 4, 2018.**

EXPLANATORY NOTES

SECTION 1 revokes the Registration and Licensing of Nurses Regulations made under the *Registered Nurses Act*.

SECTION 2 provides for the commencement of the regulations.

EC2018-355

**REGISTERED NURSES ACT
SCHOOLS OF NURSING REGULATIONS
REVOCATION**

Pursuant to section 35 of the *Registered Nurses Act* R.S.P.E.I. 1988, Cap. R-8.1, Council made the following regulations:

- 1. The *Registered Nurses Act* Schools of Nursing Regulations (EC94/06) are revoked.**
- 2. These regulations come into force on July 4, 2018.**

EXPLANATORY NOTES

SECTION 1 revokes the Schools of Nursing Regulations made under the *Registered Nurses Act*.

SECTION 2 provides for the commencement of the regulations.

EC2018-356

**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

- 1. Clause 1(1)(a) of the *Roads Act* Highway Access Regulations (EC580/95) is revoked and the following substituted:**

(a) “change of use” means, in respect of a parcel of land, the change of use of the parcel of land from one use to another, but does not include

- (i) the expansion of a permanent year-round single-family residence or the placement of a garden suite as defined in the *Planning Act* Subdivision and Development Regulations (EC693/00),

- (ii) the change of use of a parcel of land from an existing commercial operation or an existing industrial operation to residential usage where the number of average weekday vehicle trips is expected not to increase as a result of the change of use,
- (iii) non-residential expansion of a farm where, after the subject expansion, the parcel of land would continue to be a farm, or
- (iv) a home occupation;

2. The regulations are amended by the addition of the following after section 10:

10.1 When determining whether the number of average weekday vehicle trips is likely to change or whether a change of use is likely to result in an increase in the number of average weekday vehicle trips for a parcel of land, the Minister shall refer to the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers.

Trip Generation
Manual

3. Clause 20(1)(b) of the regulations is revoked and the following substituted:

- (b) to enable the change of use of an existing commercial operation from one type of commercial operation to another, unless there will be no increase in the number of average weekday vehicle trips resulting from the change of use;
- (b.1) to enable the change of use of an existing commercial operation to an industrial operation or from an existing industrial operation to a commercial operation, unless
 - (i) the number of average weekday trips is expected not to increase as a result of the change of use, and
 - (ii) the change of use meets the requirements of the Subdivision and Development Regulations (EC693/00) or the applicable municipal bylaws, as the case may be;
- (b.2) to enable an existing commercial operation to expand, unless the expansion of the commercial operation is limited to
 - (i) a maximum of 100 square metres, or
 - (ii) 100% of the total of the existing floor and ground area occupied by the operation,
 subject to any conditions relating to traffic safety that the Minister may determine and the recovery by the Minister of the costs associated with the construction, improvement or intensification of use of the access;

4. These regulations come into force on June 16, 2018.

EXPLANATORY NOTES

SECTION 1 revokes clause 1(1)(a) of the regulations and substitutes a new clause 1(1)(a) that updates the reference to the *Planning Act* Subdivision and Development Regulations in subclause (i) and clarifies the wording in subclause (ii).

SECTION 2 adds a new section 10.1 to the regulations that indicates that the Institute of Transportation Engineers Trip Generation Manual is the reference document that shall be used to determine whether the number of average weekday vehicle trips is expected to change as a result of a change of use.

SECTION 3 revokes clause 20(1)(b) of the regulations and substitutes new clauses (b), (b.1) and (b.2). The new clause (b) allows a change of use from one type of commercial operation to another type of commercial operation for a parcel of land accessing an arterial highway if the number of average weekday vehicle trips is not expected to increase. The new clause (b.1) clarifies the application of subsection 20(1) to a change of use from an existing commercial operation to an industrial operation, or the reverse, and authorizes a permit to be issued if the number of average weekday vehicle trips as a result of the change of use is not expected to increase and the change of use meets the requirements of the Subdivision and Development Regulations or the applicable municipal bylaws. The new clause (b.2) clarifies the application of

subsection 20(1) to the expansion of an existing commercial operation and authorizes a permit to be issued if the expansion is within the specified limits and subject to the specified conditions.

SECTION 4 provides for the commencement of the regulations.

EC2018-357

EXECUTIVE COUNCIL ACT
MINISTER OF COMMUNITIES, LAND AND ENVIRONMENT
AUTHORITY TO ENTER INTO AN AGREEMENT
(LOW CARBON ECONOMY
LEADERSHIP FUND FUNDING AGREEMENT)
WITH
GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Communities, Land and Environment to enter into an agreement with the Government of Canada, as represented by the Minister of Environment and Climate Change Canada, to receive funding through the Low Carbon Economy Fund, for the period from the date of signing to December 31, 2022, such as more particularly described in the draft agreement.

EC2018-358

EXECUTIVE COUNCIL ACT
MINISTER OF JUSTICE AND PUBLIC SAFETY
AUTHORITY TO ENTER INTO AN AGREEMENT
(ATLANTIC PROVINCES VITAL STATISTICS
DATA SHARING AGREEMENT)
WITH
THE PROVINCE OF NEW BRUNSWICK
THE PROVINCE OF NOVA SCOTIA
AND
THE PROVINCE OF NEWFOUNDLAND AND LABRADOR

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Justice and Public Safety to enter into a five-year agreement with the Province of New Brunswick, as represented by the Registrar of Vital Statistics; the Province of Nova Scotia, as represented by the Registrar General of Vital Statistics; and the Province of Newfoundland and Labrador, as represented by the Minister of Service Newfoundland and Labrador and the Minister of Intergovernmental and Indigenous Affairs Secretariat; to share vital event information, effective upon the date of the second party signing, such as more particularly described in the draft agreement.