

EC2019-131

**APPRENTICESHIP AND TRADES QUALIFICATION ACT
PROVINCIAL APPRENTICESHIP BOARD
APPOINTMENTS**

Pursuant to section 4 of the *Apprenticeship and Trades Qualification Act* R.S.P.E.I. 1988, Cap. A-15.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
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as employee representatives, via clause 4(2)(b)

Charles Small	12 March 2019
Pleasant Grove	to
(vice Chad Drummond, term expired)	12 March 2022

as representative of Holland College, via clause 4(2)(c)

Patricia Shields	12 March 2019
Charlottetown	to
(vice Natalie Mitton)	12 March 2022

as chairperson, via clause 4(2)(e)

Richard Deveau	12 March 2019
Charlottetown	to
(vice Franklin J. MacIntyre, term expired)	12 March 2022

EC2019-132

**BUSINESS CORPORATIONS ACT
DECLARATION RE**

Under authority of section 239 of the *Business Corporations Act* Stats. P.E.I. 2018, c. 22 Council ordered that a Proclamation do issue proclaiming the said "Business Corporations Act" to come into force effective May 3, 2019.

EC2019-133

**BUSINESS CORPORATIONS ACT
BUSINESS CORPORATIONS REGULATIONS**

Pursuant to subsection 143(6) and section 220 of the *Business Corporations Act* R.S.P.E.I. 1988, Cap. B-6.01, Council made the following regulations:

PART 1 - INTERPRETATION

- 1.** In these regulations, “Act” means the *Business Corporations Act* R.S.P.E.I. 1988, Cap. B-6.01, except where otherwise indicated. Definition
- 2.** (1) For the purpose of the definition of “distributing corporation” in clause 1(1)(o) of the Act, and subject to subsection (2), “distributing corporation” means Distributing corporation
- (a) a corporation that is a reporting issuer under the *Securities Act* R.S.P.E.I. 1988, Cap. S-3.1; or
 - (b) in the case of a corporation that is not a reporting issuer referred to in clause (a), a corporation
 - (i) that has filed a prospectus or registration statement under provincial legislation or under the laws of a jurisdiction outside Canada,
 - (ii) any of the securities of which are listed and posted for trading on a stock exchange in or outside Canada, or
 - (iii) that is involved in, formed for, resulting from or continued after an amalgamation, a reorganization, an arrangement or a statutory procedure, if one of the participating bodies corporate is a corporation to which subclause (i) or (ii) applies.
- (2) A corporation that is subject to an exemption under provincial securities legislation, or to an order of the relevant provincial securities regulator that provides that the corporation is not a reporting issuer for the purposes of the applicable legislation, is not a distributing corporation. Exception
- 3.** For the purpose of subclause (ii) of the definition of “resident Canadian” in clause 1(1)(bb) of the Act, the following classes of persons are prescribed: “Resident Canadian” classes of persons
- (a) persons who are full-time employees of the Government of Canada or of a province, of an agency of any of those governments or of a federal or provincial Crown corporation, if the principal reason for their residence outside Canada is to act as employees;
 - (b) persons who are full-time employees, if the principal reason for their residence outside Canada is to act as employees, of a body corporate
 - (i) of which more than 50 per cent of the voting shares is beneficially owned, or over which control or direction is exercised, by resident Canadians,
 - (ii) a majority of the directors of which are resident Canadians, or
 - (iii) that is a subsidiary of a body corporate described in subclause (i) or (ii);
 - (c) persons who are full-time students at a university or other educational institution recognized by the educational authorities of a majority of the provinces of Canada and who have been resident outside Canada for fewer than ten consecutive years;
 - (d) persons who are full-time employees of an international association or organization of which Canada is a member;
 - (e) persons who were, at the time of reaching their 60th birthday, ordinarily resident in Canada and who have been resident outside Canada for fewer than ten consecutive years.

PART 2 - CORPORATE NAMES

- 4.** For the purpose of subsection 8(3) of the Act, a combined English and French form of the name of a corporation shall include, from among the words and expressions set out in subsection 8(1) of the Act, only the expression “Inc.”, which shall be placed at the end of the corporate name. Combined English and French form
- 5.** (1) For the purpose of clause 10(1)(a) of the Act, a corporate name is prohibited where the name includes the word or words Misleading words
- (a) “amalgamated”, unless the corporation is an amalgamated corporation resulting from the amalgamation of two or more corporations;
 - (b) “Anne of Green Gables” or any variation of it, unless the Anne Licensing Authority consents in writing to the use of the name;

- (c) “co-operative”, or “co-op”, unless the Registrar referred to in the *Co-operative Associations Act* R.S.P.E.I. 1988, Cap. C-23, consents in writing to the use of the name; or
- (d) “credit union”, unless the Registrar appointed under the *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1, consents in writing to the use of the name.
- (2) For the purpose of clause 10(1)(a) of the Act, a corporate name is prohibited where, in the opinion of the Director, the name suggests that the corporation
- Misleading suggestion
- (a) has royal, vice-regal or governmental patronage, approval or authority, unless the appropriate government department or agency consents in writing to the use of the name;
- (b) is sponsored or controlled by or is affiliated with the Government of Canada, the government of a province or territory of Canada, the government of a country other than Canada, or the governing authority of any city, town or other municipality or has authority from or exercises any function of government, or a political subdivision or agency of a government or governing authority, unless the appropriate government, political subdivision or agency consents in writing to the use of the name;
- (c) is sponsored or controlled by or is affiliated with a university, college, or technical institute that is regulated by the laws of Canada or a province or territory of Canada, unless the university, college or technical institute consents in writing to the use of the name;
- (d) is governed by a professional or occupational association or a licensing agency that is regulated or established by an enactment of Prince Edward Island, unless the professional or occupation association or licensing agency consents in writing to the use of the name; or
- (e) carries on the business of a bank, loan company, insurance company, trust company, financial intermediary, stock exchange or other financial institution that is regulated by the laws of Canada or a province or territory of Canada, unless the appropriate government department or agency consents in writing to the use of the name.
- (3) For the purpose of clause 10(1)(a) of the Act, a corporate name is prohibited where, in the opinion of the Director, the name conflicts or is liable to be confused with the name of a registered corporation or a registered business name in Prince Edward Island, unless the registered corporation or registered business name owner, as the case may be, consents in writing to the use of the name.
- Conflicts or confused with
- (4) For the purpose of clause 10(1)(a) of the Act, a corporate name is prohibited where the name includes a word or expression that, in the opinion of the Director, is obscene or otherwise objectionable in the public interest.
- Obscene or otherwise objectionable
- (5) For the purpose of clause 10(1)(a) of the Act, a corporate name is prohibited where, in the opinion of the Director, the name is not distinctive because it is too general.
- Name not distinctive

PART 3 - CORPORATE INTERRELATIONSHIPS

- 6.** In this Part,
- Definitions
- (a) “delivery shares” means shares issued by a corporation to a particular subsidiary for the purpose of an acquisition made under subsection 38(4) of the Act;
- delivery shares
- (b) “particular subsidiary” means a subsidiary body corporate referred to in subsection 38(4) of the Act.
- particular subsidiary
- 7.** For the purpose of subsection 38(4) of the Act, the prescribed conditions are that
- Conditions precedent
- (a) the consideration received by the corporation for the delivery shares is equal to the fair market value of those shares at the time of their issuance;
- (b) the class of shares of which the delivery shares are a part is widely held and shares of that class are actively traded on any of the following stock exchanges in Canada, namely,

- (i) the Canadian Venture Exchange,
(ii) The Montreal Exchange, or
(iii) the Toronto Stock Exchange;
- (c) the sole purpose of effecting the acquisition by the particular subsidiary of delivery shares is to transfer them, as set out in clause 8(b), to the shareholders of another body corporate;
- (d) immediately before the acquisition of the delivery shares by the particular subsidiary, the other body corporate and its shareholders deal at arm's length, to be determined in accordance with the *Income Tax Act* (Canada), with the corporation and the particular subsidiary; and
- (e) immediately before the acquisition of the delivery shares by the particular subsidiary, the particular subsidiary and the other body corporate are not resident in Canada, for the purposes of the *Income Tax Act* (Canada).
- 8.** For the purposes of subsection 38(5) of the Act, the prescribed conditions are that Conditions subsequent
- (a) the particular subsidiary does not acquire a beneficial interest in the delivery shares as a result of its acquisition of those shares and the beneficial interest is acquired by the shareholders of the other body corporate;
- (b) the acquisition by the particular subsidiary of the delivery shares is followed immediately by a transfer of the delivery shares by the particular subsidiary to shareholders of the other body corporate;
- (c) immediately after the transfer of the delivery shares to the shareholders of the other body corporate, the particular subsidiary and the other body corporate are not resident in Canada, for the purposes of the *Income Tax Act* (Canada); and
- (d) after the transfer of the delivery shares to the shareholders of the other body corporate, the other body corporate is a subsidiary body corporate of the particular subsidiary.
- 9.** For the purpose of subsection 38(6) of the Act, the prescribed consequences are that within 30 days after one of the conditions described in section 7 or 8 is not met or ceases to be met, the corporation shall Conditions not met
- (a) cancel the delivery shares on the condition that, if the articles of the corporation limit the number of authorized shares, the delivery shares may be restored to the status of authorized but unissued shares;
- (b) return the consideration received by the corporation for the delivery shares to the particular subsidiary; and
- (c) cancel the entry for the consideration in the corporation's stated capital account.
- PART 4 - MEETINGS OF SHAREHOLDERS**
- 10.** (1) For the purpose of clauses 103(1)(a), (b) and (e) of the Act, the prescribed period for the directors to fix the record date is not more than 60 days before the day on which the particular action is to be taken. Fixing record date, dividend or liquidation
- (2) For the purposes of clauses 103(1)(c) and (d) of the Act, the prescribed period for the directors to fix the record date is not less than 21 days and not more than 60 days before the date of the meeting. Fixing record date, meeting
- (3) For the purpose of subsection 103(3) of the Act, the prescribed period for the directors to provide notice of the record date is at least seven days before the date fixed. Notice of record date
- 11.** For the purpose of subsection 104(1) of the Act, the prescribed period for the directors to provide notice of the time and place of a meeting of shareholders is not less than 21 days and not more than 60 days before the meeting. Notice of meeting
- 12.** (1) For the purpose of subsection 110(3) of the Act, when a vote is to be taken at a meeting of shareholders, the voting may be carried out by means of a telephonic, electronic or other communication facility, if the facility Telephonic or electronic voting at meeting
- (a) enables the votes to be gathered in a manner that permits their subsequent verification; and

(b) permits the tallied votes to be presented to the corporation without it being possible for the corporation to identify how each shareholder or group of shareholders voted.

(2) For the purpose of subsection 110(4) of the Act, a person who is entitled to vote at a meeting of shareholders may vote by means of a telephonic, electronic or other communication facility, if the facility

Voting while participating telephonically or electronically

(a) enables the vote to be gathered in a manner that permits its subsequent verification; and

(b) permits the tallied vote to be presented to the corporation without it being possible for the corporation to identify how the person voted.

PART 5 - SHAREHOLDER PROPOSALS

13. For the purpose of subsection 106(2) of the Act,

Eligibility to submit proposal

(a) the prescribed number of shares is the number of voting shares

(i) that is equal to one per cent of the total number of the outstanding voting shares of the corporation, as of the day on which the shareholder submits a proposal, or

(ii) whose fair market value, as determined at the close of business on the day before the shareholder submits the proposal to the corporation, is at least \$2,000; and

(b) the prescribed period is the six-month period immediately before the day on which the shareholder submits the proposal.

14. For the purpose of subsection 106(5) of the Act,

Proof of eligibility

(a) a corporation may request that a shareholder provide the proof referred to in that subsection within 14 days after the corporation receives the shareholder's proposal; and

(b) the shareholder shall provide the proof within 21 days after the day on which the shareholder receives the corporation's request or, if the request was mailed to the shareholder, within 21 days after the postmark date stamped on the envelope containing the request.

15. For the purpose of subsection 106(7) of the Act, a proposal and a statement in support of it shall together consist of not more than 500 words.

Maximum words

16. For the purpose of clause 106(9)(a) of the Act, the prescribed number of days for submitting a proposal to the corporation is at least 90 days before the anniversary date.

Deadline to submit proposal

17. For the purpose of clause 106(9)(d) of the Act, the prescribed period before the receipt of a proposal is two years.

Deadline to present proposal

18. (1) For the purpose of clause 106(9)(e) of the Act, the minimum amount of support required for a shareholder's proposal is

Minimum support required

(a) three per cent of the total number of shares voted, if the proposal was introduced at an annual meeting of shareholders;

(b) six per cent of the total number of shares voted at its last submission to shareholders, if the proposal was introduced at two annual meetings of shareholders; and

(c) ten per cent of the total number of shares voted at its last submission to shareholders, if the proposal was introduced at three or more annual meetings of shareholders.

(2) For the purpose of clause 106(9)(e) of the Act, the prescribed period is five years.

Duplicate proposal

19. For the purpose of subsection 106(10) of the Act, the prescribed period during which the corporation is not required to set out a proposal in a management proxy circular is two years.

Refusal to include proposal

20. For the purpose of subsection 106(12) of the Act, the prescribed period for giving notice is 21 days after the receipt by the corporation of the proposal.

Notice of refusal

PART 6 - PROXIES AND PROXY SOLICITATION

21. In this Part, "NI 51-102" means National Instrument 51-102 of the Canadian Securities Administrators, entitled Continuous Disclosure

National Instrument 51-102

Obligations, published in both official languages on December 19, 2003, as amended from time to time.

- 22.** For the purpose of subsection 119(1) of the Act, a form of proxy shall be in the form provided for in section 9.4 (Content of Form of Proxy) of NI 51-102. Form of proxy
- 23.** (1) Subject to subsection (3), a management proxy circular shall be in the form provided for in Form 51-102F5 (Information Circular) of NI 51-102, and shall, in the circumstances described in Item 8 of Part 2 of that Form, include the statement referred to in that Item. Management proxy circular
- (2) A management proxy circular shall also set out the following: Required contents
- (a) the percentage of votes required for the approval of any matter that is to be submitted to a vote of shareholders at the meeting, other than the election of directors;
 - (b) a statement of the right of a shareholder to dissent under section 159 of the Act with respect to any matter to be acted on at the meeting and a brief summary of the procedure to be followed to exercise that right;
 - (c) a statement, signed by a director or an officer of the corporation, that the contents and the sending of the circular have been approved by the directors;
 - (d) a statement indicating the final date by which the corporation must receive a proposal for the purpose of paragraph 106(9)(a) of the Act.
- (3) A management proxy circular for a corporation that is not a distributing corporation is not required to set out the information provided for in Part 1(c) or Item 9, 10 or 16 of Part 2 of Form 51-102F5 (Information Circular) of NI 51-102, or the statement referred to in Item 8 of Part 2 of that Form. Exception, not a distributing corporation
- 24.** (1) A dissident's proxy circular shall be in the form provided for in Form 51-102F5 (Information Circular) of NI 51-102, and shall, in the circumstances described in Item 8 of Part 2 of that Form, include the statement referred to in that Item. Dissident's proxy circular
- (2) A dissident's proxy circular for a corporation that is not a distributing corporation is not required to set out the information provided for in Part 1(c) or Item 9, 10 or 16 of Part 2 of Form 51-102F5 (Information Circular) of NI 51-102, or the statement referred to in Item 8 of Part 2 of that Form. Exception, not a distributing corporation
- 25.** Information that is not known to a dissident and that cannot be ascertained by the dissident on reasonable inquiry may be omitted from a dissident's proxy circular, but the circumstances that render the information unavailable shall be disclosed in the proxy circular. Exception, information not known or ascertainable
- 26.** A dissident's proxy circular shall contain a statement signed by the dissident or a person authorized by the dissident that the contents and the sending of the circular have been approved by the dissident. Statement of approval
- 27.** (1) If financial statements accompany or form part of a management proxy circular, the statements shall be prepared in the manner described in Part 7. Preparation of financial statements
- (2) The financial statements referred to in subsection (1), if not reported on by the auditor of the corporation, shall be accompanied by a report of the chief financial officer of the corporation stating that the financial statements have not been audited but have been prepared in the manner described in Part 7. Accompanying report
- 28.** (1) For the purpose of subsection 120(3) of the Act, the prescribed circumstances are those in which the solicitation conveyed by public broadcast, speech or publication sets out the information provided for in Items 3.2, 3.4, 5(b) and 11 of Part 2 of Form 51-102F5 (Information Circular) of NI 51-102. Dissident's proxy circular not required
- (2) A person making a solicitation referred to in subsection (1) shall send the required information and a copy of any related written communication to the Director and to the corporation before soliciting proxies. Information and documents required

PART 7 - FINANCIAL DISCLOSURE

- 29.** (1) Subject to subsection (2), the financial statements referred to in Part XIII of the Act shall be prepared in accordance with the standards recommended in the Handbook of the Chartered Professional Accountants of Canada, as amended from time to time. Preparation of financial statements
- (2) A distributing corporation may prepare the financial statements referred to in Part XIII of the Act in accordance with the standards permitted in the rules made under section 169 of the *Securities Act*. Exception, distributing corporation
- 30.** (1) The financial statements referred to in section 125 of the Act shall include at least Required contents of financial statements
- (a) a balance sheet;
 - (b) an income statement;
 - (c) a statement of retained earnings; and
 - (d) a statement of changes in financial position.
- (2) Financial statements need not be designated by the names set out in clauses (1)(a) to (d). Names of statements may vary

PART 8 - FUNDAMENTAL CHANGES

- 31.** (1) Despite subclause 153(1)(c)(ii) of the Act, the resolutions approving the amalgamation of a holding corporation with one or more of its subsidiary corporations may provide that the corporate name set out in the articles of amalgamation is not the same as that set out in the articles of the amalgamating holding corporation. Corporate name, vertical amalgamation
- (2) Despite subclause 153(2)(b)(ii) of the Act, the resolutions approving the amalgamation of two or more wholly owned subsidiary corporations of the same holding body corporate may provide that the corporate name set out in the articles of amalgamation is not the same as that set out in the articles of the amalgamating subsidiary corporation whose shares are not cancelled. Corporate name, horizontal amalgamation

PART 9 - CONSTRAINED SHARE CORPORATIONS

Interpretation

- 32.** In this Part, Definitions
- (a) “Canadian” means Canadian
 - (i) a resident Canadian;
 - (ii) a partnership of which a majority of the members are resident Canadians and in which interests representing more than 50 per cent of the total value of the partnership property are owned by resident Canadians;
 - (iii) a trust established by a resident Canadian
 - (A) a majority of the trustees of which are resident Canadians, or
 - (B) in which beneficial interests representing more than 50 per cent of the total value of the trust property are owned by resident Canadians;
 - (iv) Her Majesty in right of Canada or of a province or territory of Canada or a municipal corporation or public board or commission in Canada; or
 - (v) a body corporate
 - (A) incorporated under the laws of Canada or a province,
 - (B) of which a majority of the directors are resident Canadians, and
 - (C) over which persons described in any of subclauses (i) to (iv) or in this subclause exercise control or direction or of which the persons beneficially own shares or securities currently convertible into shares carrying more than 50 per cent of the voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, including currently exercisable options or rights to acquire the shares or convertible securities;

- (b) “constrained class” means the class of persons specified in the articles of a constrained share corporation as being ineligible to hold, as a class, more than the maximum aggregate holdings; constrained class
- (c) “constrained share corporation” means a corporation that has provisions in its articles imposing a constraint; constrained share corporation
- (d) “constraint” means a restriction on constraint
- (i) the issue or transfer of shares of any class or series to persons who are not resident Canadians,
- (ii) the issue or transfer of shares of any class or series to enable a corporation or any of its affiliates or associates to qualify under a law referred to in clause 41(1)(a)
- (A) to obtain a licence to carry on any business,
- (B) to become a publisher of a Canadian newspaper or periodical, or
- (C) to acquire shares of a financial intermediary as defined in clause 41(1)(b), or
- (iii) the issue, transfer or ownership of shares of any class or series in order to assist a corporation or any of its affiliates or associates to qualify under a law referred to in subsection 41(2) to receive licences, permits, grants, payments or other benefits by reason of attaining or maintaining a specified level of Canadian ownership or control;
- (e) “control” means control in any manner that results in control in fact, whether directly through the ownership of shares or indirectly through a trust, a contract, the ownership of shares of any other body corporate or otherwise; control
- (f) “maximum aggregate holdings” means the total number of voting shares of a constrained share corporation that may be held by or on behalf of persons in the constrained class and their associates in accordance with the articles of the corporation; maximum aggregate holdings
- (g) “maximum individual holdings” means the total number of voting shares of a constrained share corporation that may be held by or on behalf of any one person in the constrained class and their associates in accordance with the articles of the corporation; maximum individual holdings
- (h) “voting share” means a share that is subject to a constraint referred to in subclause (d)(i) or (ii) and that carries voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes a security currently convertible into such a share and a currently exercisable option or right to acquire such a share or convertible security. voting share

Disclosure Required

- 33.** Each of the following documents issued or published by a constrained share corporation shall indicate conspicuously the general nature of its constrained share provisions: Disclosure required
- (a) a certificate representing a voting share;
- (b) a management proxy circular; and
- (c) a prospectus, statement of material facts, registration statement or similar document.

Powers and Duties of Directors

- 34.** (1) The directors of a constrained share corporation that has provisions in its articles imposing a constraint referred to in subclause 32(d)(i) or (ii) shall refuse to register a transfer of a voting share of the corporation in accordance with the articles if Refusal to register transfer of voting share
- (a) the total number of voting shares held by or on behalf of persons in the constrained class exceeds the maximum aggregate holdings and the transfer is to a person in the constrained class;
- (b) the total number of voting shares held by or on behalf of persons in the constrained class does not exceed the maximum aggregate holdings and the transfer would cause the number of shares held by persons in the constrained class to exceed the maximum aggregate holdings;

- (c) the total number of voting shares held by or on behalf of a person in the constrained class exceeds the maximum individual holdings and the transfer is to that person; or
- (d) the total number of voting shares held by or on behalf of a person in the constrained class does not exceed the maximum individual holdings and the transfer would cause the number of shares held by that person to exceed the maximum individual holdings.
- (2) Despite subsection (1), the directors of a constrained share corporation that is described in that subsection shall register a transfer of a voting share of the corporation to a person in the constrained class if that person establishes that they were the beneficial owner of that share on the day on which the corporation became a constrained share corporation. Exception,
beneficial owner
- (3) The directors of a constrained share corporation that is described in subsection (1) shall not issue a voting share of the corporation to a person in the constrained class if the directors are required by that subsection to refuse to register a transfer of the share. Prohibition, issue of
voting share
- (4) For the purpose of subsection (3), the directors may count as issued shares the voting shares that the corporation is currently offering to its shareholders or prospective shareholders. What constitutes
issued share
- 35.** The directors of a constrained share corporation that has provisions in its articles imposing a constraint referred to in subclause 32(d)(iii) Share ownership
contrary to
constraint
- (a) shall not issue a share of the corporation to a person whose ownership of the share would be contrary to the constraint; and
- (b) shall refuse to register a transfer of a share of the corporation if the transfer is to a person whose ownership of the share is contrary to the constraint.
- Limitation on Voting Rights**
- 36.** Sections 37 and 38 apply to a constrained share corporation that has provisions in its articles imposing a constraint referred to in subclause 32(d)(i) or (ii). Application of
sections 62 and 63
- 37.** (1) If, on the day on which a corporation becomes a constrained share corporation, the total number of voting shares of the corporation held by or on behalf of a person in the constrained class exceeds the maximum individual holdings, the person or the person's nominee may only, in person or by proxy, exercise the voting rights attached to the maximum individual holdings so held on that day or on any later day. Maximum
individual holdings
- (2) After the total number of shares held by or on behalf of the person referred to in subsection (1) is reduced below the maximum individual holdings, the person or the person's nominee may, in person or by proxy, exercise the voting rights attached to shares held. Exercise after
reduction
- 38.** (1) Except as provided in subsection 37(1), if the total number of voting shares of a constrained share corporation held by or on behalf of a person in the constrained class exceeds the maximum individual holdings, no person shall, in person or by proxy, exercise the voting rights attached to those shares. Prohibition, shares
exceeding
maximum
individual holdings
- (2) If it appears from the securities register of a constrained share corporation that the total number of voting shares held by a shareholder is less than the maximum individual holdings, a proxyholder for the shareholder may vote those shares unless the proxyholder has knowledge that the shares beneficially owned by the shareholder exceed the maximum individual holdings. Proxy holder, shares
less than maximum
- (3) If, after the day on which a corporation becomes a constrained share corporation, a corporation or trust that was not a person in the constrained class becomes a person in the constrained class, the corporation or trust shall not exercise the voting rights attached to any shares it holds in the constrained share corporation while it is a person in the constrained class. Prohibition,
corporation or trust
in constrained class

Disclosure of Beneficial Ownership

- 39.** Section 40 applies to a constrained share corporation that has provisions in its articles imposing a constraint referred to in subclause 32(d)(i) or (ii). Application of section 40
- 40.** (1) Subject to section 78 of the Act, the directors of a constrained share corporation may make, amend or repeal any bylaws required to administer the constrained share provisions set out in the articles of the corporation, including bylaws Bylaws
- (a) to require any person in whose name shares of the corporation are registered to provide a statutory declaration under the *Evidence Act* R.S.P.E.I. 1988, Cap. E-11, or the *Evidence Act (Canada)* concerning
 - (i) whether the shareholder is the beneficial owner of the shares of the corporation or holds them for a beneficial owner,
 - (ii) whether the shareholder is an associate of any other shareholder,
 - (iii) whether the shareholder or beneficial owner is a Canadian, and
 - (iv) any further relevant facts;
 - (b) to require any person seeking to have a transfer of a voting share registered in the person's name or to have a voting share issued to the person to provide a statutory declaration as described in clause (a); and
 - (c) to determine the circumstances in which any declarations are required, their form and the times when they are to be provided.
- (2) If a person is required to provide a declaration under a bylaw made under subsection (1), the directors may refuse to register a transfer of a voting share in the person's name or to issue a voting share to the person until that person has provided the declaration. Refusal to register transfer without declaration
- (3) In administering the constrained share provisions set out in the articles of a constrained share corporation, the directors of the corporation may rely on Reliance on declaration and knowledge
- (a) a statement made in a declaration referred to in subsection (1) or (2); and
 - (b) the knowledge of a director, officer, employee, agent or mandatary of the corporation.
- (4) If the directors are required to determine the total number of voting shares of a constrained share corporation held by or on behalf of persons other than Canadians, the directors may rely on the sum of the voting shares held by every shareholder whose latest address as shown in the securities register is Reliance on securities register
- (a) outside Canada; and
 - (b) in Canada but who, to the knowledge of a director, officer, employee, agent or mandatary of the corporation, is not a Canadian.
- (5) For the purpose of subsection (4), the directors may rely on the securities register of the constrained share corporation as of any date after the day on which the corporation became a constrained share corporation, but that date shall not be more than four months before the day on which the determination is made. Date of reliance

References and Definitions for the Purpose
of Certain Provisions of the Act

- 41.** (1) For the purpose of clause 143(1)(b) of the Act, Prescribed laws
- (a) the following laws are prescribed:
 - (i) the Canadian Aviation Regulations made under the *Aeronautics Act (Canada)*,
 - (ii) the *Canada Transportation Act* and any regulations made under it,
 - (iii) the Canada Oil and Gas Land Regulations C.R.C., c. 1518, and the Canada Oil and Gas Drilling and Production Regulations (SOR/2009-315),
 - (iv) the *Broadcasting Act (Canada)*,
 - (v) the Northern Mineral Exploration Assistance Regulations made under *Appropriation Act No. 9, 1966*,
 - (vi) section 19 of the *Income Tax Act (Canada)*,

(vii) any other law of Canada that has requirements in relation to Canadian ownership, or any other law of a province, as amended from time to time, that has requirements in relation to Canadian ownership; and

(b) “financial intermediary” means a bank, trust company, loan company, insurance company, investment company and body corporate that carries on business as a securities broker, a dealer or an underwriter.

(2) For the purposes of subsection 39(1) and clause 143(1)(c) of the Act, the following laws are prescribed: Prescribed laws

(a) the *Canada Petroleum Resources Act* and any regulations made under it;

(b) the *Canada Transportation Act* and any regulations made under it.

(3) For the purpose of clause 143(1)(d) of the Act, the following laws are prescribed: Prescribed laws

(a) the *Insurance Companies Act* (Canada) and any regulations made under it;

(b) the *Trust and Loan Companies Act* (Canada) and any regulations made under it.

PART 10 - APPLICATIONS FOR EXEMPTIONS

42. This Part applies to an application for an exemption under subsection 8(2), 57(3) or 140(2) or section 121 of the Act. Application of Part

43. (1) An application for an exemption under Time of filing application for exemption
 (a) subsection 8(2) of the Act shall be made before the date of issue of the certificate of continuance referred to in subsection 156(4) of the Act;
 (b) subsection 57(3) of the Act shall be made at least 30 days before the corporation is required to comply with Part VIII of the Act;
 (c) section 121 of the Act shall be made before the date of the notice referred to in subsection 119(1) of the Act; and
 (d) subsection 140(2) of the Act may be made at any time.

(2) Despite subsection (1), the Director shall extend the time for making an application for an exemption if the applicant establishes that no prejudice will result from the extension. Extension of time

44. The Director shall, within 30 days after receipt of an application for an exemption, grant the exemption requested or send to the applicant written notice of the Director’s refusal, together with reasons for the refusal. Written notice of refusal

45. The Director may request that an applicant for an exemption provide the Director with further information or that any other person provide the Director with information in writing that is relevant to the application. Request for further information

46. The Director shall give the applicant for an exemption a copy of any information received from any other person under section 45 and shall allow the applicant a reasonable opportunity to respond in writing. Copy to applicant

47. If an applicant for an exemption or a person from whom the Director has requested information under section 45 does not provide the information within the time specified by the Director, the Director may deal with the application without regard to the information. Information not provided

48. If the Director does not grant an exemption or send written notice of the Director’s refusal within the time specified in section 44, the applicant may exercise the applicant’s rights under section 199 of the Act as if the Director had refused to grant the exemption. Demand refusal

PART 11 - GENERAL

Documents

49. The annual return referred to in section 224 of the Act shall be sent to the Director within 60 days after the anniversary date of incorporation of Annual return

the corporation, and shall set out the required information as of the anniversary date.

50. For the purpose of section 207 of the Act, the prescribed notices, documents or other information are the notices, documents or other information referred to in sections 52 to 56 of the Act. Prescribed notices, documents

51. (1) For the purpose of clause 208(2)(a) of the Act, the consent shall be in writing. Consent in writing

(2) For the purpose of clause 208(2)(b) of the Act, a notice, document or other information that is not required under the Act to be sent to a specific place may be sent as an electronic document to a place other than to an information system designated by the addressee under clause 208(2)(a) of the Act by posting it on or making it available through a generally accessible electronic source, such as a website, and by providing the addressee with notice in writing of the availability and location of that electronic document. Electronic posting

52. For the purposes of subsection 208(3) of the Act, an addressee shall revoke his or her consent in writing. Revocation of consent in writing

53. For the purpose of clauses 209(1)(b) and 209(3)(b) of the Act, when a notice, document or other information is provided to several addressees, the notice, document or other information shall be provided to the addressees concurrently, regardless of the manner of provision. Several addressees

54. An electronic document is considered to have been provided when it leaves an information system within the control of the originator or another person who provided the document on the originator's behalf. Electronic document provided

55. An electronic document is considered to have been received Electronic document received

(a) if the document is provided to the information system designated by the addressee, when it enters that information system; or

(b) if the document is posted on or made available through a generally accessible electronic source, when the notice of the availability and location of the electronic document referred to in section 5 is received by the addressee or, if the notice is sent electronically, when the notice enters the information system designated by the addressee.

Exemption Circumstances Prescribed

56. For the purpose of section 217 of the Act, the prescribed circumstances are that the exemption does not prejudice any of the shareholders or the public interest. Exemption - circumstances

57. (1) For the purpose of subsection 228(1) of the Act, the prescribed circumstances are that Cancellation of articles and certificate

(a) there is an obvious error in the articles or in the related certificate;

(b) there is an error in the articles or in the related certificate that was made by the Director;

(c) the cancellation of the articles and related certificate is ordered by a court; or

(d) the Director lacked the authority to issue the articles and related certificate.

(2) For the purpose of subsection 228(3) of the Act, the prescribed circumstances are that there is no dispute among the directors or shareholders as to the circumstances of the request for cancellation and Cancellation on request

(a) the corporation has not used the articles and related certificate; or

(b) if it has used them, anyone dealing with the corporation on the basis of the articles and related certificate has consented to the cancellation.

Retention of Records

58. For the purpose of subsection 230(3) of the Act, the prescribed period is six years after the day on which the Director receives the document. Retention of records

Fees

59. (1) The fee in respect of the filing, examination or copying of any document or in respect of any action that the Director is required or authorized to take under the Act, set out in column 1 of an item of the Schedule to these regulations is the applicable fee set out in column 2 of that item. Fees

(2) No fee is payable for the issuance by the Director of
 (a) a certificate of amendment issued under section 147 of the Act, if the only purpose of the amendment is to add an English or a French version to a corporation's name, or to replace a corporate name that the Director has directed be changed under subsection 10(2) or (4) of the Act; or
 (b) a corrected certificate issued under subsection 228(6) of the Act when the correction is required solely as the result of an error made by the Director. Fee not payable

(3) For the purpose of subsection 53(2) of the Act, the prescribed maximum fee for the issuance of a security certificate is \$3. Maximum fee for security certificate

Commencement

60. These regulations come into force on May 3, 2019. Commencement

SCHEDULE

FEES

	Type of document or activity under Act	Fee
1.	Documents issued by the Director	
	(a) certificate of incorporation, section 6,	\$200
	(b) certificate of amendment, subsection 34(5), section 147 or subsection 160(5)	200
	(c) restated certificate of incorporation, subsection 149(3) (unless issued with certificate of amendment)	50
	(d) certificate of amalgamation, subsection 154(4)	200
	(e) certificate of continuance, subsection 156(4) (unless subsection 232(7) or 233(4) applies)	200
	(f) discontinuance document evidencing satisfaction of the Director, subsection 157(1)	200
	(g) certificate of arrangement, subsection 161(6)	200
	(h) certificate of revival, subsection 163(3) or 164(3)	200
	(i) certificate of dissolution, subsection 165(5)	125
	(j) certificate of revocation of intent to dissolve, subsection 166(11)	50
	(k) corrected certificate, subsection 227(1)	200
	(l) certificate of continuance, within three years after the date of the coming into force of the Act, subsection 233(4)	0
2.	Filing annual return, subsection 224(1)	30
3.	Examination by the Director of the corporation's file in connection with a request for a certificate, section 225	10
4.	Application for an exemption, subsection 8(2), 57(3), 121 or 140(2)	250
5.	Uncertified copies of documents, subsection 229(2), per uncertified copy	5
6.	Certified copies of documents, subsection 229(2), per certified copy	30
7.	Name Searches	
	(a) level 1 search of corporate and business names in the Atlantic provinces, plus federal corporations and trademarks	40
	(b) level 2 search of corporate and business names throughout Canada plus trademarks	50

EXPLANATORY NOTES

SECTION 1 defines the term “Act”.

SECTION 2 defines the term “distributing corporation”.

SECTION 3 specifies classes of persons for the purpose of the term “resident Canadian” as defined in the Act.

SECTION 4 sets out required criteria for a combined English and French corporation name.

SECTION 5 prohibits a corporate name that includes specified words, suggests specified things about the corporation, conflicts or is liable to be confused with another corporation or business name, contains a word or expression that is obscene or otherwise objectionable or is too general.

SECTION 6 defines the terms “delivery shares” and “particular subsidiary” for the purposes of Part 3 of these regulations.

SECTION 7 sets out required conditions precedent to the application of an exception respecting the acquisition of shares of a corporation by a subsidiary body corporate.

SECTION 8 sets out required conditions subsequent to the acquisition of shares pursuant to the exception referred to in section 7.

SECTION 9 sets out consequences for the contravention of sections 7 and 8.

SECTION 10 specifies periods of time within which a record date shall be fixed for purposes described in section 103 of the Act and the period of time within which notice of the record date shall be given.

SECTION 11 specifies the period of time within which directors shall provide notice of a shareholders meeting.

SECTION 12 sets out the means by which voting may be carried out at a shareholders meeting.

SECTION 13 sets out requirements related to eligibility to submit a proposal to an annual meeting of shareholders.

SECTION 14 specifies the period of time within which a corporation may require and a person shall provide proof of compliance with section 13.

SECTION 15 specifies 500 as the maximum number of words of a proposal and supporting statement.

SECTION 16 specifies a time period of 90 days before the anniversary date of the previous annual meeting of shareholders for the purposes of an exemption under clause 109(a) of the Act.

SECTION 17 specifies a period of two years before the receipt of a proposal for the purposes of an exemption under clause 109(d) of the Act.

SECTION 18 sets out the minimum amount of support required for a shareholders proposal not to be defeated in specified circumstances. It also specifies a period of five years before the receipt of a proposal for the purposes of clause 106(9)(e) of the Act.

SECTION 19 specifies a period of two years following the date of a shareholders meeting during which a corporation may refuse to circulate a proposal in specified circumstances.

SECTION 20 specifies a period of 21 days within which a corporation shall give notice of its refusal under section 19.

SECTION 21 defines a term for the purposes of Part 6 of these regulations.

SECTION 22 specifies the form of proxy for the purposes of section 119(1) of the Act.

SECTION 23 specifies the form and required contents of a management proxy circular. It provides an exception for a corporation that is not a distributing corporation.

SECTION 24 specifies the form of a dissident's proxy circular. It provides an exception for a corporation that is not a distributing corporation.

SECTION 25 provides that information not known or ascertainable by a dissident may be omitted from a dissident's proxy circular.

SECTION 26 requires that a dissident's proxy circular contain a signed statement that it has been approved by the dissident.

SECTION 27 provides that financial statements accompanying a management proxy circular shall be prepared in the manner required in Part 7 of these regulations and accompanied by a report of the chief financial officer of the corporation if not reported on by the auditor of the corporation.

SECTION 28 sets out circumstances in which an exception to the requirements for a dissident's proxy circular applies where the solicitation of proxies is conveyed by public broadcast, speech or publication.

SECTION 29 specifies the standards for the preparation of financial statements. It provides an exception for distributing corporations.

SECTION 30 sets out minimum required contents of financial statements.

SECTION 31 provides for a change of corporate name in articles of amalgamation.

SECTION 32 defines terms for the purposes of Part 9 of these regulations.

SECTION 33 specifies documents in which a constrained share corporation shall indicate the general nature of the constrained share provisions in its articles of incorporation.

SECTION 34 sets out circumstances in which a constrained share corporation imposing specified constraints shall refuse to register a transfer of a voting share of the corporation. It also sets out an exception. It prohibits the issuance of a voting share to a person in the constrained class where registration of a transfer of that share is prohibited. It provides that voting shares currently on offer may be counted as issued shares.

SECTION 35 prohibits a constrained share corporation imposing a specified constraint from issuing a share contrary to the constraint and requires the corporation to refuse to register a transfer of a share to a person whose ownership is constrained.

SECTION 36 specifies that sections 37 and 38 apply to a constrained share corporation imposing a specified constraint.

SECTION 37 provides for an existing shareholder who becomes a member of a constrained class to exercise the voting rights attached to the maximum individual holdings held on and after the day the corporation becomes a constrained share corporation. It also provides that after the total number of shares held by that person is reduced below

the maximum individual holdings, the person may exercise the voting rights attached to those shares held.

SECTION 38 prohibits the exercise of voting rights in the circumstances described in section 37 except in accordance with section 37. It also allows for a proxyholder to vote shares where the total number of shares held by a shareholder is less than the maximum individual holdings. It prohibits a corporation or trust that becomes a member of a constrained class from exercising voting rights while in the constrained class.

SECTION 39 specifies that section 40 applies to a constrained share corporation imposing a specified constraint.

SECTION 40 provides for the directors of a constrained share corporation to make, amend or repeal bylaws requiring shareholders to provide a statutory declaration respecting certain matters and refuse to register a transfer of a voting share in the person's name or issue a voting share to the person until the declaration is provided. It provides that the directors may rely on declarations and knowledge in administering the constrained share provisions of the articles. It also provides for the determination of the total number of voting shares of a constrained share corporation.

SECTION 41 prescribes certain laws for the purposes of clauses 143(1)(b), (c) and (d) of the Act and defines "financial intermediary" for the purpose of clause 143(1)(b) of the Act.

SECTION 42 specifies that Part 10 of these regulations applies to an application for an exemption under specified provisions of the Act.

SECTION 43 sets out the time for filing certain applications for exemption and provides for the extension of the time where no prejudice will result.

SECTION 44 requires the Director to either grant the exemption or send a written notice of refusal to grant the exemption within 30 days of receiving an application for an exemption.

SECTION 45 provides that the Director may request further information in support of an application.

SECTION 46 requires the Director to give the applicant a copy of any information received from a source other than the applicant and allow the applicant to respond.

SECTION 47 provides that the Director may deal with an application without requested information if it is not provided.

SECTION 48 provides that where the Director does not comply with section 44, the applicant may exercise his or her rights under section 199 of the Act as if the Director had refused to grant the exemption.

SECTION 49 requires an annual return to be sent to the Director within 60 days after the anniversary date of incorporation and set out the required information as of that date.

SECTION 50 provides that the notices, documents and other information referred to section 207 of the Act are those referred to in sections 52 – 56 of the Act.

SECTION 51 provides that the consent referred to in clause 208(2)(a) of the Act shall be in writing. It also provides for electronic posting of information as an alternative to sending it directly to an addressee in specified circumstances.

SECTION 52 provides that for the purposes of subsection 208(3) of the Act, an addressee shall revoke his or her consent in writing.

SECTION 53 requires the provision of a notice, document or other information to multiple addresses concurrently.

SECTION 54 sets out when an electronic document is considered to have been provided.

SECTION 55 sets out when an electronic document is considered to have been received.

SECTION 56 sets out circumstances in which an exemption under section 217 of the Act applies.

SECTION 57 sets out circumstances in which articles of incorporation and a related certificate may be cancelled.

SECTION 58 requires a document to be kept for six years after receipt by the Director.

SECTION 59 provides that fees respecting certain activities under the Act are set out in the Schedule to these regulations. It states that no fee is payable for the issuance by the Director of certain documents. It also provides that the maximum fee for the issuance of a security certificate is \$3.

SECTION 60 provides for the commencement of these regulations.

EC2019-134

COMMON BUSINESS IDENTIFIER ACT DESIGNATION REGULATIONS

Pursuant to section 16 of the *Common Business Identifier Act* R.S.P.E.I. 1988, Cap. C-11.1, the Lieutenant Governor in Council made the following regulations:

1. In these regulations, “Act” means the *Common Business Identifier Act* R.S.P.E.I. 1988, Cap. C-11.1. Designation
2. The following enactments are designated, pursuant to clause 16(a) of the Act, as designated enactments: Designated Acts
 - (a) *Business Corporations Act* R.S.P.E.I. 1988, Cap. B-6.01;
 - (b) *Companies Act* R.S.P.E.I. 1988, Cap. C-14;
 - (c) *Co-operative Associations Act* R.S.P.E.I. 1988, Cap. C-23;
 - (d) *Credit Unions Act* R.S.P.E.I. 1988, Cap. C-29.1;
 - (e) *Extra-provincial Corporations Registration Act* R.S.P.E.I. 1988, Cap. E-14;
 - (f) *Limited Partnerships Act* R.S.P.E.I. 1988, Cap. L-13;
 - (g) *Partnership Act* R.S.P.E.I. 1988, Cap. P-1.
3. These regulations come into force on May 3, 2019. Commencement

EXPLANATORY NOTES

SECTION 1 defines a term used in the regulations.

SECTION 2 designates enactments under which business-related information is provided to public bodies, so that the information may be used for assigning common business identifiers and maintaining records for purposes of the *Common Business Identifier Act*.

SECTION 3 provides for the commencement of the regulations.

EC2019-135

**CRIMINAL CODE OF CANADA
PRINCE EDWARD ISLAND REVIEW BOARD
APPOINTMENT**

Pursuant to section 672.38 of the *Criminal Code of Canada*, R.S.C. 1985, Chap. C-46, Council made the following appointment:

NAME	TERM OF APPOINTMENT
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as chairperson

Patsy G. MacLean, Q.C.	1 May 2019
Cornwall	to
(reappointed)	1 May 2022

Further, the appointment of Dr. Terence E. Cronin (EC2016-95 dated February 25, 2016) is hereby rescinded.

EC2019-136

**ENVIRONMENTAL PROTECTION ACT
MATERIALS STEWARDSHIP AND RECYCLING
REGULATIONS
AMENDMENT**

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

1. Clause 20(e) of the *Environmental Protection Act* Materials Stewardship and Recycling Regulations (EC349/14) is amended

(a) in subclause (vii), by the deletion of the word “and” after the coma; and

(b) by the addition of the following after subclause (viii):

- (ix) external storage drives and modems,
- (x) electronic readers,
- (xi) video gaming devices and peripherals,
- (xii) global positioning systems or navigation systems,
- (xiii) counter-top microwave ovens, and
- (xiv) floor-standing printers, copiers and units that combine printing, copying, scanning and other functions,

2. These regulations come into force on March 23, 2019.

EXPLANATORY NOTES

SECTION 1 adds the specified types of electronic devices to the definition of “electronic product” in clause 20(e) of the regulations.

SECTION 2 provides for the commencement of the regulations.

EC2019-137

EXECUTIVE COUNCIL ACT
 MINISTER OF AGRICULTURE AND FISHERIES
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (APPLE INDUSTRY RESEARCH)
 WITH
 THE PROVINCE OF NEW BRUNSWICK
 AND
 THE PROVINCE OF NOVA SCOTIA
 AND
 THE NOVA SCOTIA FRUIT GROWERS' ASSOCIATION

Pursuant to clauses 10(b) and 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Agriculture and Fisheries to enter into a joint funding agreement with the Province of New Brunswick, as represented by the Minister of Agriculture, Aquaculture and Fisheries, and the Province of Nova Scotia, as represented by the Minister of Agriculture and The Nova Scotia Fruit Growers' Association to support research for the apple industry in the Maritime Provinces, for the period April 1, 2018 to March 31, 2023, such as more particularly described in the draft agreement.

EC2019-138

EXECUTIVE COUNCIL ACT
 MINISTER OF AGRICULTURE AND FISHERIES
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (GRAINS AND OILSEEDS INDUSTRY RESEARCH)
 WITH
 THE PROVINCE OF NEW BRUNSWICK
 AND
 THE PROVINCE OF NOVA SCOTIA
 AND
 ATLANTIC GRAINS COUNCIL

Pursuant to clauses 10(b) and 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Agriculture and Fisheries to enter into a joint funding agreement with the Province of New Brunswick, as represented by the Minister of Agriculture, Aquaculture and Fisheries, and the Province of Nova Scotia, as represented by the Minister of Agriculture and the Atlantic Grains Council to support research for the grains and oilseeds industry in the Maritime Provinces, for the period April 1, 2018 to March 31, 2023, such as more particularly described in the draft agreement.

EC2019-139

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION, EARLY LEARNING AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (PROVISIONAL ARRANGEMENTS AGREEMENT
 RE: CANADA-PRINCE EDWARD ISLAND
 AGREEMENT ON MINORITY-LANGUAGE EDUCATION AND
 SECOND OFFICIAL-LANGUAGE INSTRUCTION
 2018-2019)
 WITH
 THE 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 Education, Early Learning and Culture to enter into a provisional arrangements agreement with the Government of Canada, as represented by the Minister of La Francophonie, to continue a cooperation framework on official languages in education for fiscal year 2018-2019 to fund initiatives described in Prince Edward Island's Action Plan, such as more particularly described in the draft agreement.

EC2019-140

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION, EARLY LEARNING AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CAPITAL PROJECT: PRINCE EDWARD ISLAND - EXPANSION AND
 RENOVATION OF THE CENTRE BELLE-ALLIANCE
 AT ÉCOLE-SUR-MER IN SUMMERSIDE)
 WITH THE
 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 Education, Early Learning and Culture to enter into a complementary funding agreement with the Government of Canada, as represented by the Minister of Tourism, Official Languages and La Francophonie, to expand the community space for Centre Belle-Alliance at École-sur-Mer in Summerside, for the period April 1, 2018 to March 31, 2021, such as more particularly described in the draft agreement.

EC2019-141

EXECUTIVE COUNCIL ACT
 MINISTER OF FINANCE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (PARCEL SERVICES AGREEMENT)
 WITH
 THE PROVINCE OF NEW BRUNSWICK
 AND
 THE PROVINCE OF NOVA SCOTIA
 AND
 CANADA POST CORPORATION

Pursuant to clauses 10(a) and 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Finance to enter into an agreement with the Government of New Brunswick, as represented by Minister responsible for Service New Brunswick, the Government of Nova Scotia as represented by the Minister of Internal Services and with the Canada Post Corporation, to provide high priority business mail services, effective April 1, 2018 to March 31, 2021, such as more particularly described in the draft agreement.

EC2019-142

EXECUTIVE COUNCIL ACT
 MINISTER OF FINANCE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (UNANIMOUS SHAREHOLDERS AGREEMENT)
 WITH THE
 GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
 AND
 NEW BRUNSWICK LOTTERIES AND GAMING CORPORATION
 AND
 NOVA SCOTIA GAMING CORPORATION
 AND
 ATLANTIC LOTTERY CORPORATION INC.

Pursuant to clauses 10(b) and 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Finance, on behalf of the Prince Edward Island Lotteries Commission, to enter into an updated Unanimous Shareholders Agreement governing the conduct and management of lottery schemes in the Atlantic Provinces, with the Shareholders responsible for gaming or lotteries in the other Atlantic Provinces and the Atlantic Lottery Corporation Inc., such as more particularly described in the draft agreement.

EC2019-143

AN ACT TO AMEND THE EXTRA-PROVINCIAL
 CORPORATIONS REGISTRATION ACT
 DECLARATION RE

Under authority of section 2 of *An Act to Amend the Extra-provincial Corporations Registration Act* Stats. P.E.I. 2018, c. 26 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Extra-provincial Corporations Registration Act" to come into force effective May 3, 2019.

EC2019-144

**EXTRA-PROVINCIAL CORPORATIONS REGISTRATION ACT
FEES REGULATIONS
AMENDMENT**

Pursuant to section 15 of the *Extra-provincial Corporations Registration Act* R.S.P.E.I. 1988, Cap. E-14, Council made the following regulations:

1. Subsection 1(2) of the *Extra-provincial Corporations Registration Act* Fees Regulations (EC597/04) is revoked and the following substituted:

(2) The fees prescribed for registration under section 7 of the Act, or for an application to review a registration under section 8 of the Act, are as follows: Registration fees

- (a) where the applicant is a financial institution, \$1,750;
- (b) where the applicant is an oil and gas company, \$2,250;
- (c) subject to subsection (3), where the applicant is an extra-provincial corporation other than one referred to in clause (a) or (b), \$275.

(3) Notwithstanding subsection (2), the fee prescribed for registration under section 7 of the Act, or for an application to review a registration under section 8 of the Act, for a Canada corporation, other than a trust company or a loan corporation, that maintains its head office and its chief place of business in the province is \$0. Exception

2. Section 2 of the regulations is amended by the deletion of the words “\$200” and the substitution of the words “\$100”.

3. These regulations come into force on May 3, 2019.

EXPLANATORY NOTES

SECTION 1 revokes subsection 1(2) of the *Extra-provincial Corporations Registration Act* Fees Regulations (EC597/04) and substitutes a new subsection (2) that updates the prescribed fees to \$1,750 for a financial institution, \$2,250 for an oil and gas company and \$275 for another type of extra-provincial corporation. The section also adds a new subsection (3) that provides that the fee to register a Canada corporation, other than a trust company or a loan corporation, that maintains its head office and its chief place of business in the province is \$0.

SECTION 2 amends section 2 of the regulations to reduce the fee payable under section 11 of the Act for the issuance of a new certificate of registration in the prescribed circumstances from \$200 to \$100.

SECTION 3 provides for the commencement of the regulations.

EC2019-145

FINANCIAL ADMINISTRATION ACT
AUTHORITY TO CANCEL AND DISCLOSE
CERTAIN DEBT
FINANCE PEI

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized cancellation of debt from one (1) account owing to Finance PEI in the total amount of \$22,500.

Further, pursuant to subsection 26.2(4) of the said *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9 Council disclosed the following authorized cancellation:

SCHEDULE
(CANCELLATIONS)

Borrower	Address	Total Debt, Including Interest
Debtors under \$25,000 (1)	Charlottetown, P.E.I.	\$22,500

EC2019-146

GRAIN ELEVATORS CORPORATION ACT
PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
APPOINTMENT

Pursuant to section 2(2) of the *Grain Elevators Corporation Act* R.S.P.E.I. 1988, Cap. G-5, Council made the following appointment:

NAME	TERM OF APPOINTMENT
Earle Smith	19 February 2019
Bedeque	to
(reappointed)	19 February 2022

Further, in accordance with subsection 2(3) of the said Act, Council designated Earle Smith to continue as Vice-President for the duration of his term as member.

EC2019-147

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
CANADIAN MENTAL HEALTH ASSOCIATION
/PRINCE EDWARD ISLAND DIVISION
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a five-year term loan in the amount of two million one hundred and twenty-five thousand (\$2,125,000.00) dollars at a rate of four (4%) percent to the Canadian Mental Health Association/Prince Edward Island Division for the purchase of Capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2019-148

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
PAN AMERICAN PROPERTIES INC.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a five-year term loan in the amount of eight hundred and ninety-eight thousand, nine hundred and eighteen (\$898,918.00) dollars at a rate of four (4%) percent to Pan American Properties Inc. for the purchase of Capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2019-149

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
PAN AMERICAN PROPERTIES INC.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a five-year term loan in the amount of eight hundred and ninety-eight thousand, nine hundred and eighteen (\$898,918.00) dollars at a rate of four (4%) percent to Pan American Properties Inc. for the purchase of Capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2019-150

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
SOMRU BIOSCIENCE INC.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a five-year term loan in the amount of up to two million (\$2,000,000.00) dollars at a rate of four (4%) percent to Somru Bioscience Inc. for the renovation of Capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2019-151

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102297 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 102297 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately five decimal one two (5.12) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Irving Frizzell and Vivian Frizzell, both of Charlottetown, Prince Edward Island.

EC2019-152

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 11231731 CANADA 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 11231731 Canada Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately five decimal four (5.4) acres of land at Argyle Shore, Lot 30, Queens County, Province of Prince Edward Island, being acquired from Donald McCrimmon and Lynda McCrimmon, both of Argyle Shore, 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 11231731 Canada Inc. and on all successors in title.

EC2019-153

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 2541041 NOVA SCOTIA LIMITED
 (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 2541041 Nova Scotia Limited of Windsor, Nova Scotia to acquire a land holding of approximately zero decimal four six (0.46) of an acre of land at Mayfield, Lot 23, Queens County, Province of Prince Edward Island, being acquired from the Estate of Maria Iris Sau King Fung of Calgary, Alberta.

EC2019-154

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ISLAND NATURE TRUST
 (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 Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately twelve decimal six (12.6) acres of land at Malpeque, Lot 18, Prince County, Province of Prince Edward Island, being acquired from Duncan McNeill and Diana McNeill, both of Westmount, Quebec 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.

EC2019-155

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
K & J 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 K & J Holdings Inc. of Montague, Prince Edward Island to acquire a land holding of approximately eight decimal seven eight (8.78) acres of land at South Pinette, Lot 58, Queens County, Province of Prince Edward Island, being acquired from Kenneth Moyaert and June Moyaert, both of Montague, Prince Edward Island.

EC2019-156

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NOYE AND NOYE LIMITED
(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 Noye and Noye Limited of Springhill, Prince Edward Island to acquire a land holding of approximately forty-eight decimal eight seven (48.87) acres of land at Mount Pleasant, Lot 12, Prince County, Province of Prince Edward Island, being acquired from Michael Wilson of Springhill, 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 Noye and Noye Limited and on all successors in title.

EC2019-157

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NOYE AND NOYE LIMITED
(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 Noye and Noye Limited of Springhill, Prince Edward Island to acquire a land holding of approximately one hundred and fifteen decimal three (115.3) acres of land at Springhill, Lot 13, Prince County, Province of Prince Edward Island, being acquired from Clayton Noye and Donnalee Noye, both of Springhill, 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 Noye and Noye Limited and on all successors in title.

EC2019-158

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STORYBOOK ADVENTURES AND NATURES RETREAT 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 Storybook Adventures and Natures Retreat Inc. of Brookfield, Prince Edward Island to acquire, by lease, an interest in a land holding of approximately twenty-three decimal six six (23.66) acres of land at Brookfield, Lot 31, Queens County, Province of Prince Edward Island, being acquired from Dennis King and Jana Hemphill, both of Brookfield, Prince Edward Island.

EC2019-159

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STRATEGIC 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 Strategic Holdings Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately thirteen decimal six five (13.65) acres of land at Summerside, Lots 17 and 19, Prince County, Province of Prince Edward Island, being acquired from Kenadian Supply Inc. of Summerside, Prince Edward Island.

EC2019-160

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WESTCOUNTRY FARMS 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 Westcountry Farms Inc. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately ten decimal eight one (10.81) acres of land at Arlington, Lot 14, Prince County, Province of Prince Edward Island, being acquired from John Phillips, Barrie Phillips and Sherwin Phillips, all of Arlington, 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.

EC2019-161

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WESTCOUNTRY FARMS 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 Westcountry Farms Inc. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately seventy-three decimal eight one (73.81) acres of land at Bayside, Lot 14, Prince County, Province of Prince Edward Island, being acquired from John Phillips, Barrie Phillips and Sherwin Phillips, all of Arlington, 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.

EC2019-162

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILKIE FARMS LTD.
(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 Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately zero decimal two five (0.25) of an acre of land at Cascumpec, Lot 6, Prince County, Province of Prince Edward Island, being acquired from Garth Wilkie and Doris Wilkie, both of Union, Prince Edward Island.

EC2019-163

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILKIE FARMS LTD.
(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 Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately twenty-two decimal six three (22.63) acres of land at Alberton, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Darryl Wilkie of Brooklyn, Prince Edward Island and Garth Wilkie of Union, Prince Edward Island.

EC2019-164

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILKIE FARMS 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 Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately twenty-nine (29) acres of land at Union, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Garth Wilkie of Union, 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.

EC2019-165

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILKIE FARMS 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 Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately sixty decimal five (60.5) acres of land at Montrose, Lot 3, Prince County, Province of Prince Edward Island, being acquired from Garth Wilkie of Union, 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.

EC2019-166

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILKIE FARMS 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 Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately ninety-one decimal zero five (91.05) acres of land at Montrose, Lot 3, Prince County, Province of Prince Edward Island, being acquired from Garth Wilkie of Union, 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.

EC2019-167

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILKIE FARMS 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 Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately ninety-four (94) acres of land at Union, Lot 5, Prince County, Province of Prince Edward Island, being acquired from Garth Wilkie of Union, 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.

EC2019-168

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
WILKIE FARMS LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Wilkie Farms Ltd. of Alberton, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one hundred and one (101) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Wilkie Farms Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2019-169

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BRUCE MCDOW
(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 Bruce McDow of Windsor, Nova Scotia to acquire an interest in a land holding of approximately zero decimal four six (0.46) of an acre of land at Mayfield, Lot 23, Queens County, Province of Prince Edward Island, being acquired from the Estate of Maria Iris Sau King Fung of Calgary, Alberta.

EC2019-170

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DAVID SYKES AND STEPHANIE SYKES
(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 David Sykes and Stephanie Sykes, both of Toronto, Ontario to acquire a land holding of approximately twenty-two decimal two six (22.26) acres of land at Savage Harbour, Lot 37, Queens County, Province of Prince Edward Island, being acquired from Fantilli Management Corp. of Concord, Ontario SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said David Sykes and Stephanie Sykes and on all successors in title.

EC2019-171

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DAVID SYKES AND STEPHANIE SYKES
(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 David Sykes and Stephanie Sykes, both of Toronto, Ontario to acquire a land holding of approximately nine decimal nine nine (9.99) acres of land at Savage Harbour, Lot 37, Queens County, Province of Prince Edward Island, being acquired from Phillip Gallant of Breadalbane, 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 David Sykes and Stephanie Sykes and on all successors in title.

EC2019-172

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 121285, LOT 41, KINGS COUNTY
SUBDIVISION RESTRICTION
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition prohibiting subdivision in respect of approximately eighteen decimal one eight (18.18) acres of land, being Provincial Property No. 121285 located in Lot 41, Kings County, Prince Edward Island and currently owned by St. Peter's Roman Catholic Parish (St. Peter's Bay) Inc. of St. Peters, Prince Edward Island.

Council noted that this amendment will permit subdivision of a parcel of land of approximately three decimal four four (3.44) acres to allow for the subdivision of six residential lots (six single-unit dwellings) and determined that following subdivision, the condition preventing subdivision shall continue to apply to the remaining land.

This Order-in-Council comes into force on March 12, 2019.

EC2019-173

PUBLIC DEPARTMENTS ACT
ACTING MINISTER
APPOINTMENT

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointment was made:

Honourable Heath MacDonald to be Acting Minister of Economic Development and Tourism commencing on the 14th day of March 2019, and continuing for the duration of the absence from the Province of Honourable Chris Palmer.

EC2019-174

REGULATED HEALTH PROFESSIONS ACT
COUNCIL OF THE COLLEGE OF PHARMACISTS
APPOINTMENT

Pursuant to clause 7(4)(b) of the *Regulated Health Professions Act* R.S.P.E.I. R.S.P.E.I. 1988, Cap. R-10.1, Council made the following appointment:

NAME	TERM OF APPOINTMENT
William Caw Bonshaw (reappointed)	28 February 2019 to 28 February 2022

EC2019-175

SECURITIES TRANSFER ACT
DECLARATION RE

Under authority of section 107 of the *Securities Transfer Act* Stats. P.E.I. 2018, c. 32 Council ordered that a Proclamation do issue proclaiming the said "Securities Transfer Act " to come into force effective May 3, 2019.

EC2019-176

STUDENT FINANCIAL ASSISTANCE ACT
GENERAL REGULATIONS
AMENDMENT

Pursuant to section 38 of the *Student Financial Assistance Act* R.S.P.E.I. 1988, Cap. S-8.2, Council made the following regulations:

1. Subsection 14(3) of the *Student Financial Assistance Act* General Regulations (EC709/10) is revoked.

2. Sections 31 and 32 of the regulations are revoked and the following substituted:

31. (1) In this section, "academic year" means a period commencing on August 1 and ending on the following July 31. Academic year defined

(2) A borrower may apply to the Minister, in the form required by the Minister, for a debt reduction grant in respect of the borrower's student loans for the academic years of a program of study. Application for debt reduction grant

(3) In respect of an applicant's student loans for academic years occurring before August 1, 2018, the Minister may grant an amount equalling the total amount of student loans received by the applicant for those academic years or \$2,000 per academic year, whichever is less, if the Minister is satisfied that the applicant

Grants for academic years before August 1, 2018

- (a) graduated from the program of study within one year immediately preceding the application; and
- (b) received student loans and loans made under the *Canada Student Financial Assistance Act* (Canada) or *Canada Student Loans Act* (Canada) equalling over \$6,000 per academic year of the program of study.

(4) In respect of an applicant's student loans for academic years occurring after July 31, 2018, the Minister may grant an amount equalling the total amount of student loans received by the applicant for those academic years or \$3,500 per academic year, whichever is less, if the Minister is satisfied that the applicant

Grants for academic years after July 31, 2018

- (a) is a resident of the province;
- (b) graduated from the program of study within the three years immediately preceding the application; and
- (c) received student loans and loans made under the *Canada Student Financial Assistance Act* (Canada) or *Canada Student Loans Act* (Canada) equalling over \$6,000 per academic year of the program of study.

(5) For the purpose of subsection (4), an applicant is considered a resident of the province if the applicant resides and maintains his or her principal residence in the province and has done so for at least six months immediately preceding the application for a debt reduction grant.

Resident defined

32. A debt reduction grant shall be applied first against any amounts payable by the borrower in respect of the student loans received by the borrower, after which any remaining balance shall be paid to the borrower.

Distribution of debt reduction grant

3. The heading immediately preceding section 33 of the regulations is amended by the deletion of the word "INTEREST" and the substitution of the word "PAYMENT".

4. Section 33 of the regulations is amended by the deletion of the word "interest" and the substitution of the word "payment".

5. Section 34 of the regulations is revoked.

6. (1) Subsections 35(1), (3) and (5) of the regulations are amended by the deletion of the word "interest" wherever it occurs and the substitution of the word "payment".

(2) Subsection 35(4) of the regulations is amended by the deletion of the words "Interest relief" and the substitution of the words "Payment relief".

7. Section 36 of the regulations is amended by the deletion of the words "an interest relief status" and the substitution of the words "a borrower's payment relief status".

8. These regulations come into force on March 31, 2019.

EXPLANATORY NOTES

SECTION 1 revokes subsection 14(3) of the regulations, which requires students to submit confirmation of pre-study period earnings.

SECTION 2 repeals and replaces provisions respecting debt reduction grants, to set out rules for grants in respect of academic years occurring before August 1, 2018 and academic years occurring after July 31, 2018, and to improve wording.

SECTIONS 3 – 7 amend the regulations to provide for payment relief instead of interest relief.

SECTION 8 provides for the commencement of these regulations.

EC2019-177

**SOCIAL ASSISTANCE ACT
SOCIAL ASSISTANCE APPEAL BOARD
APPOINTMENT**

Pursuant to section 5 of the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Ashley Schurman Summerside (vice Bernice Arsenault, term expired)	12 March 2019 to 12 March 2022