

**EC2020-303**

EXECUTIVE COUNCIL ACT  
MINISTER OF FINANCE  
AUTHORITY TO ENTER INTO AN AGREEMENT  
(PARTICIPATION AGREEMENT  
CORPORATE CREDIT CARD PROGRAM)  
WITH  
THE PROVINCE OF NEWFOUNDLAND & LABRADOR  
AND  
BANK OF MONTREAL

Pursuant to clauses 10(b) and (c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Finance to enter into a one-year extension of the participation agreement with the Province of Newfoundland and Labrador and Bank of Montreal for the provision of corporate procurement card services, such as more particularly described in the draft agreement.

**EC2020-304**

FINANCE PEI ACT  
REGULATIONS  
COASTAL CULTURE INC.  
AUTHORIZATION

Pursuant to subsection 2(3) of the *Finance PEI Act* Regulations (EC2012-739), Council authorized Finance PEI to provide a five-year term working capital loan in the amount of one million (\$1,000,000.00) dollars at a rate of four (4%) percent to Coastal Culture Inc., on terms and conditions satisfactory to the Board of Directors of Finance PEI.

**EC2020-305**

PUBLIC HEALTH ACT  
CONTINUATION OF  
DECLARATION  
STATE OF PUBLIC HEALTH EMERGENCY

WHEREAS a state of public health emergency was declared in Prince Edward Island on March 16, 2020, pursuant to Order-in-Council EC2020-174; and continued on April 15, 2020 by Order-in-Council EC2020-254;

WHEREAS Council has determined, on the advice of the Chief Public Health Officer, that a public health emergency continues to exist as a result of COVID-19 (coronavirus);

AND WHEREAS continued coordination of action or special measures are required in order to protect the public health of the population;

THEREFORE, Council continues Order-in-Council EC2020-174 pursuant to subsection 49(5) of the *Public Health Act*, R.S.P.E.I. Cap. P-30.1 effective May 15, 2020 for a period of thirty (30) days, unless it is sooner terminated or continued by Council.

**EC2020-306**

**REGULATED HEALTH PROFESSIONS ACT  
REGISTERED NURSES REGULATIONS  
AMENDMENT**

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:

**1. Section 1 of the *Regulated Health Professions Act* Registered Nurses Regulations (EC350/18) is amended**

(a) in clause (g), by the addition of the words “, provisional class or special class” after the words “extended class”; and

(b) in clause (j), by the addition of the words “, provisional class or special class” after the words “general class”.

**2. Clause 4(a) of the regulations is amended**

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

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

(i.1) the provisional class, for both registered nurses and nurse practitioners, and

**3. The regulations are amended by the addition of the following after section 5:**

**5.1** (1) Where an applicant under section 5 or subsection 9(1) or 11(1) does not meet the requirements for currency of professional knowledge and skills, the Council may direct the registrar to register the applicant in the provisional class of the register, subject to the term or condition that the applicant successfully completes a refresher program approved by the Council, within a specified time period.

Provisional  
registration

(2) Where a registered nurse satisfies the term or condition imposed under subsection (1), the registrar shall register the registered nurse in the general class of the register.

Satisfaction of  
term or condition

(3) A registered nurse registered in the provisional class shall be supervised in practising nursing as a registered nurse by a registered nurse registered in the general class or a nurse practitioner registered in the extended class, approved by the Council.

Supervision

(4) A registration in the provisional class as a registered nurse shall not be renewed or reinstated.

No renewal or reinstatement

**4. The regulations are amended by the addition of the following after section 7:**

**7.1** (1) Where an applicant under section 7 or subsection 9(2) or 11(2) does not meet the requirements for currency of professional knowledge and skills, the Council may direct the registrar to register the applicant as a nurse practitioner in the provisional class of the register, subject to the term or condition that the applicant successfully completes a refresher program approved by the Council, within a specified time period.

Provisional registration

(2) Where a nurse practitioner satisfies the term or condition imposed under subsection (1), the registrar shall register the nurse practitioner in the extended class of the register.

Satisfaction of term or condition

(3) A nurse practitioner registered in the provisional class shall be supervised in practising nursing as a nurse practitioner by a nurse practitioner registered in the extended class, approved by the Council.

Supervision

(4) A registration in the provisional class as a nurse practitioner shall not be renewed or reinstated.

No renewal or reinstatement

**5. Subsection 14(1) of the regulations is revoked and the following substituted:**

**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 done one of the following to demonstrate currency of professional knowledge and skills:

Currency requirements

(a) within the five years preceding the application, successfully completed

(i) the education requirement set out in section 12, or

(ii) a refresher program satisfactory to the registrar; or

(b) actively practised nursing as a registered nurse, without the imposition of any restrictions under the applicable law of the jurisdiction of practice, for

(i) at least 450 hours within the year preceding the application, or

(ii) at least 1,125 hours within the five years preceding the application.

**6. Clause 17(1)(b) of the regulations is amended by the deletion of the words “at least 1,800 hours” and the substitution of the words “at least 900 hours”.**

**7. These regulations come into force on May 23, 2020.**

### EXPLANATORY NOTES

**SECTION 1** amends the definitions of ‘nurse practitioner’ and ‘registered nurse’ to reflect registration in one of several classes in the register.

**SECTION 2** adds a new provisional class to the registered nurses part of the register, where both registered nurses and nurse practitioners may be registered.

**SECTION 3** adds a new section 5.1 to the regulations, which provides for the registration in the provisional class as a registered nurse of an applicant who does not meet the requirements for currency of professional knowledge and skills, on the terms or conditions that the applicant be supervised while practising nursing as a registered nurse and complete a refresher program to move to the general class of registration. It provides that registration in the provisional class is not subject to renewal or reinstatement.

**SECTION 4** adds a new section 7.1 to the regulations, which provides for the registration in the provisional class as a nurse practitioner of an applicant who does not meet the requirements for currency of professional knowledge and skills, on the terms or conditions that the applicant be supervised while practising nursing as a nurse practitioner and complete a refresher program to move to the extended class of registration. It provides that registration in the provisional class is not subject to renewal or reinstatement.

**SECTION 5** amends subsection 14(1) of the regulations to provide that an applicant may demonstrate currency by actively practising nursing as a registered nurse for either 450 hours in the year preceding the application or 1,125 hours in the five years preceding the application.

**SECTION 6** amends the hours of active practice as a nurse practitioner required in clause 17(1)(b) to demonstrate currency from at least 1,800 hours to at least 900 hours in the three years preceding the application.

**SECTION 7** provides for the commencement of these regulations.

### EC2020-307

#### SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

**1. Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended by the revocation of Parts 40.01, 40.02, 40.03, 40.1, 40.2, 42 and 43 and the substitution of Parts 41.1, 42, 42.1, 42.2, 42.3, 43, 43.1 and 43.2 after Part 41 as set out in the Schedule to these regulations.**

**2. These regulations come into force on May 23, 2020.**

#### SCHEDULE

##### PART 41.1 *PLANNING ACT* Subdivision and Development Regulations (EC693/00)

|   | Column I<br>Offence  | Column II<br>Section | Column III<br>Penalty for out of<br>court settlement |
|---|--|----------------------|--|
| 1 | Developing or constructing a road on a primary, secondary or baymouth barrier sand dune .....  | 40(1)                | \$200  |
| 2 | Subdividing a parcel of land on an off-shore island .....  | 64(1)(a)             | 200  |
| 3 | Constructing or locating a building or development on a sand dune or wildlife habitat on an off-shore island .....   | 64(1)(b)             | 200  |
| 4 | Locating on an off-shore island a building or development other than a summer cottage with a water supply and sewage disposal system meeting the requirements of the <i>Environmental Protection Act</i> ..... | 64(1)(c)             | 200  |
| 5 | Undertaking development in the Morell River Conservation Zone without a permit   | 67(4)                | 200  |
| 6 | Owner of property within the Morell River Conservation Zone permitting development without a permit  | 67(5)                | 200  |
| 7 | Expanding, relocating, structurally altering or otherwise undertaking development with respect to an existing use within the Morell River Conservation Zone  | 67(7)                | 200  |

##### PART 42 *PLANT HEALTH ACT* Potatoes Regulations (EC138/95)

| Item<br>Number | Column I<br>Offence   | Column II<br>Section | Column III<br>Penalty for out of<br>court settlement |
|----------------|---|----------------------|--|
| 1              | Disposing of potatoes in an unsafe manner.....                      | 5                    | \$1,000  |
| 2              | Storing potatoes unlawfully, etc., permitting volunteer growth..... | 5.1                  | 1,000  |

|   |  |        |       |
|---|--|--------|-------|
| 3 | Failing to register potato plantings.....      | 6.1(1) | 1,000 |
| 4 | Failing to produce proof of disinfection ..... | 7.1(4) | 200   |

PART 42.1  
**PUBLIC HEALTH ACT**  
R.S.P.E.I. 1988, Cap. P-30.1

| Item Number | Column I<br>Offence  | Column II<br>Section | Column III<br>Penalty for out of court settlement   |
|-------------|--|----------------------|---|
| 1           | Failure to comply with order of Chief Public Health Officer under section 24 in respect of a public health hazard .....                              | 24(9)                | \$1,000 1 <sup>st</sup> offence<br>2,000 2 <sup>nd</sup> offence<br>10,000 3 <sup>rd</sup> and subsequent offence |
| 2           | Failure to comply with order of Chief Public Health Officer made under section 39 in respect of a communicable disease .....                         | 39(8)                | \$1,000 1 <sup>st</sup> offence<br>2,000 2 <sup>nd</sup> offence<br>10,000 3 <sup>rd</sup> and subsequent offence |
| 3           | Failure to ensure person under sixteen years complies with order of Chief Public Health Officer in respect of a communicable disease .....           | 40                   | \$1,000 1 <sup>st</sup> offence<br>2,000 2 <sup>nd</sup> offence<br>10,000 3 <sup>rd</sup> and subsequent offence |
| 4           | Failure to comply with order of Chief Public Health Officer to be immunized or take other preventative measures during public health emergency ..... | 49(3)                | \$1,000 1 <sup>st</sup> offence<br>2,000 2 <sup>nd</sup> offence<br>10,000 3 <sup>rd</sup> and subsequent offence |

PART 42.2  
**RECREATION DEVELOPMENT ACT**  
R.S.P.E.I. 1988, Cap. R-8

| Item Number | Column I<br>Offence   | Column II<br>Section | Column III<br>Penalty for out of court settlement |
|-------------|---|----------------------|---|
| 1           | Using an area designated as a protected area in a manner destructive of preserved objects or elements .....   | 10                   | \$200   |
| 2           | Wilfully taking sand, gravel or stone from a protected beach ..   | 11(a)                | 200   |
| 3           | Defacing or altering a protected beach .....  | 11(b)                | 200   |
| 4           | Depositing refuse, litter or other material on a protected beach without the permission of the Minister ..... | 11(c)                | 200   |
| 5           | Using a provincial park, protected area or protected beach in a manner contrary to the regulations .....      | 12                   | 200   |
| 6           | Contravening Act or regulations where no penalty provided ..  | 14(b)                | 200   |

PART 42.3  
**RECREATION DEVELOPMENT ACT**  
**Provincial Parks Regulations**  
(EC1134/66)

| Item Number | Column I<br>Offence  | Column II<br>Section | Column III<br>Penalty for out of court settlement |
|-------------|--|----------------------|---|
| 1           | Removing a flower, shrub or plant in a provincial park .....   | 2(a)                 | \$200   |
| 2           | Wilfully defacing a natural object or injuring a tree, shrub flower or grass in a provincial park .....                            | 2(b)                 | 200   |
| 3           | Removing, defacing, damaging or destroying a sign board, sign, public building or structure in a provincial park .....             | 2(c)                 | 200   |
| 4           | Removing or displacing any rock, sand, mineral, fossil or object of natural interest in a provincial park .....                    | 2(d)                 | 200   |
| 5           | Polluting or obstructing a stream or body of water in a provincial park .....  | 2(e)                 | 200   |
| 6           | Displaying an advertisement in a provincial park .....   | 2(f)                 | 200   |
| 7           | Selling or offering for sale an article or service or carrying on a business in a provincial park .....                            | 2(g)                 | 200   |
| 8           | Depositing rubbish or offensive matter in a provincial park except in an incinerator or trash basket .....                         | 2(h)                 | 200   |
| 9           | Starting or maintaining an open fire in a provincial park except in a fire place or grill .....                                    | 2(i)                 | 200   |
| 10          | Dropping a burning match, lighted cigar or cigarette or other burning substance in a provincial park .....                         | 2(j)                 | 200   |
| 11          | Begging or soliciting in a provincial park .....   | 2(k)                 | 200   |
| 12          | Permitting a horse, dog or other animal to be at large in a provincial park .....  | 2(l)                 | 200   |
| 13          | Operating a motor vehicle in a provincial park or in designated areas other than on public highways and public parking areas ..... | 2(m)                 | 200   |
| 14          | Camping in a provincial park or in designated areas not designated for camping .....   | 2(n)                 | 200   |
| 15          | Removing or defacing a traffic sign or device in a provincial park .....   | 3(3)                 | 200   |
| 16          | Disobeying an official traffic sign, signal or device in a provincial park .....   | 3(4)                 | 200   |
| 17          | Refusing or failing to comply with an order, signal or direction of the Minister in a provincial park .....                        | 4                    | 200   |

|  |      |     |
|--|------|-----|
| 18 Camping within a provincial park without a permit   | 5(1) | 200 |
| 19 Camping within a provincial park for more than fourteen consecutive days and nights without permission .....                          | 5(2) | 200 |
| 20 Entering or attempting to enter a provincial park after being removed from the park by the caretaker .....                            | 7    | 200 |
| 21 Acting in a noisy or disorderly manner, creating a disturbance, pursuing offensive conduct or being in an intoxicated condition ..... | 8    | 200 |
| 22 Hunting, shooting, snaring, killing, poisoning or harming a bird, fowl, mammal, amphibian, reptile, fish or other creature ...        | 11   | 200 |

**PART 43**  
**ROADS ACT**  
**R.S.P.E.I. 1988, Cap. R-15**

| Item<br>Number | Column I<br>Offence  | Column II<br>Section | Column III<br>Penalty for out of<br>court settlement |
|----------------|--|----------------------|--|
| 1              | Refusing to attend or produce under summons.....   | 12(2)                | (\$50/\$200)   |
| 2              | Cutting down or removal of poles.....  | 17                   | 50/200   |
| 3              | Failing to obtain approval of the Minister for development within a highway development area .....   | 17.4(1),(2)          | 50/200   |
| 4              | Contravening restrictions respecting controlled access highway.....  | 28(a)                | 50/200   |
| 5              | Contravening restrictions respecting selling within 150 ft. of a controlled access highway.....  | 28(b)                | 50/200   |
| 6              | Obstructing public highway.....  | 37(1)                | 50/200   |
| 7              | Placing rubbish, etc., on or near highway or causing obstruction, nuisance or injury .....   | 37(3)                | 50/200   |
| 8              | Obstructing water course .....   | 39(1)                | 50/200   |
| 9              | Owner or occupier failing to keep drains open .....  | 39(2)                | 50/200   |
| 10             | Constructing bridge without approval .....   | 39(3)                | 50/200   |
| 11             | Causing damage to bridge .....   | 40                   | 50/200   |
| 12             | Failing to comply with requirements for written permit & failing to abide by restrictions on building near highway.....  | 41(1)                | 50/200   |
| 13             | Failing to comply with requirements for written permit & failing to abide by restrictions with respect to erecting any building, structure, sign or billboard near intersection..... | 41(2)                | 50/200   |
| 14             | Failing to comply with requirements for written permit & failing to abide by restrictions with respect to erecting any building, structure, sign or billboard near bend.....         | 41(4)                | 50/200   |
| 15             | Placing, stationing or operating blinding lights near highway....  | 43(1)                | 50/200   |
| 16             | Removing or placing any substance on public road or right-of-way.....  | 44(1)                | 50/200   |
| 17             | Piling snow or ice on public road impeding traffic or road maintenance or creating safety hazard.....  | 44(2)                | 50/200   |
| 18             | Parking or leaving vehicle on public right-of-way.....   | 45                   | 50/200   |
| 19             | Moving excess load or building without permit.....   | 46(1)                | 50/200   |
| 20             | Failing to obtain permit for overweight vehicle.....   | 46(2.1)              | 50/200   |
| 21             | Disobeying sign or signal of peace officer to stop vehicle.....  | 49(5)(a)             | 1,000/2,000  |
| 22             | Disobeying peace officer's order to drive to approved weighing device.....   | 49(5)(b)             | 1,000/2,000  |
| 23             | Refusing to have vehicle weighed.....  | 49(5)(c)             | 1,000/2,000  |
| 24             | Failing to remove portion of load as ordered.....  | 49(5)(d)             | 1,000/2,000  |
| 25             | Failing to produce driver's license, registration.....   | 50(1)                | 100  |
| 26             | Operating a motor vehicle in contravention of the Vehicle Weights Regulations.....   | – See Notes Below:   |  |

**Note 1: [s.9(1)] Vehicle Weights Regulations**

For first offence \$50 plus

- (a) \$1 for each 50 kg. or fraction thereof on the first 500 kg. of excess weight or load.
- (b) \$2 for each 50 kg. or fraction thereof on the excess weight or load over 500 kg.
- (c) \$2 for each 50 kg. or fraction thereof on the excess weight or load over 2,000 kg.

For any subsequent offence \$200 plus

- (a) \$1 for each 50 kg. or fraction thereof on the first 500 kg. of excess weight or load.
- (b) \$2 for each 50 kg. or fraction thereof on the excess weight or load over 500 kg.
- (c) \$2 for each 50 kg. or fraction thereof on the excess weight or load over 2,000 kg.

**Note 2: [s.9(2)] Vehicle Weights Regulations**

During spring weight restrictions for a first offence \$50 plus

- (a) \$3 for each 50 kg. or fraction thereof on the first 500 kg. of excess weight or load.
- (b) \$6 for each 50 kg. or fraction thereof on the excess weight or load over 500 kg.
- (c) \$6 for each 50 kg. or fraction thereof on the excess weight or load over 2,000 kg.

For any subsequent offence \$200 plus

- (a) \$3 for each 50 kg. or fraction thereof on the first 500 kg. of excess weight or load.
- (b) \$6 for each 50 kg. or fraction thereof on the excess weight or load over 500 kg.
- (c) \$6 for each 50 kg. or fraction thereof on the excess weight or load over 2,000 kg.

PART 43.1  
**SMOKE-FREE PLACES ACT**  
**R.S.P.E.I. 1988, Cap. S-4.2**

| Item<br>Number | Column I<br>Offence   | Column II<br>Section | Column III<br>Penalty for out of<br>court settlement |
|----------------|---|----------------------|--|
| 1              | Smoking in a public place or workplace when not permitted by the Act or regulations .....   | 4(1)                 | \$100  |
| 2              | Smoking in a motor vehicle while a person under the age of nineteen years is present.....   | 4(2)                 | 100  |
| 3              | Owner of a public place or workplace or employer at a workplace that has no designated smoking area failing to ensure that persons refrain from smoking in the public place or workplace.....                             | 7(a)                 | 100  |
| 4              | Owner of a public place or workplace or employer at a workplace failing to ensure that persons smoke only in a designated smoking area of the public place or workplace.....  | 7(b)                 | 100  |
| 5              | Person smoking in outdoor designated smoking area of Hillsborough Hospital who is not a patient.....  | 8(4)                 | 100  |
| 6              | Person smoking in designated smoking room of a long-term care facility who is not a resident of that facility.....  | 9(2)                 | 100  |
| 7              | Owner of a long-term care facility or employer at a long-term care facility requiring an employee to enter or work in a designated smoking room.....  | 11(a)                | 100  |
| 8              | Owner of a long-term care facility or employer at a long-term care facility permitting an employee to enter or work in a designated smoking room other than as permitted by the regulations .....                         | 11(b)                | 100  |
| 9              | Owner of a public place or workplace or employer at a workplace, failing to post or keep posted signs respecting smoking required by the regulations.....   | 12                   | 100  |
| 10             | Obstructing or attempting to obstruct, or failing to cooperate with, an inspector in the exercise of his or her functions under the Act or regulations .....  | 14(2)                | 100  |
| 11             | Employer or union taking discriminatory action against an employee because the employee has acted in accordance with or sought the enforcement of the Act, the regulations or an order of an inspector .....              | 17(1)(a)             | 100  |
| 12             | Employer or union threatening to take discriminatory action against an employee because the employee has acted in accordance with or sought the enforcement of the Act, the regulations or an order of an inspector ..... | 17(1)(b)             | 100  |
| 13             | Employer or union imposing any penalty on an employee because the employee has acted in accordance with or sought the enforcement of the Act, the regulations or an order of an inspector .....                           | 17(1)(c)             | 100  |
| 14             | Employer or union intimidating or coercing an employee because the employee has acted in accordance with or sought the enforcement of the Act, the regulations or an order of an inspector.....                           | 17(1)(d)             | 100  |
| 15             | Driver failing to come to a safe stop when requested to do so by a police officer .....   | 19.1(2)              | 100  |

PART 43.2  
**SMOKE-FREE PLACES ACT**  
**General Regulations**  
**(EC279/03)**

| Item<br>Number | Column I<br>Offence  | Column II<br>Section | Column III<br>Penalty for out of<br>court settlement |
|----------------|--|----------------------|--|
| 1              | Owner of a public place or workplace or employer at a workplace failing to ensure signs required to be posted under the Act or regulations are not obstructed .....                              | 5(2)(a)              | \$100  |
| 2              | Owner of a public place or workplace or employer at a workplace failing to ensure signs required to be posted under the Act or regulations are replaced if defaced or damaged .....              | 5(2)(b)              | 100  |
| 3              | Owner of a long-term care facility failing to ensure that the ventilation system for a designated smoking room is in operation during the hours the designated smoking room is open for use..... | 6(2)                 | 100  |

**EXPLANATORY NOTES**

**SECTION 1** amends Schedule 2 to the *Summary Proceedings Act* Ticket Regulations to arrange the specified Parts in proper alphabetical order and number them accordingly.

**SECTION 2** provides for the commencement of these regulations.