

EC2023-110**EMPLOYMENT STANDARDS ACT
EXEMPTION REGULATIONS
AMENDMENT**

Pursuant to section 41 of the *Employment Standards Act* R.S.P.E.I. 1988, Cap. E-6.2, Council made the following regulations:

- 1. The *Employment Standards Act* Exemption Regulations (EC574/17) are amended by the addition of the following after section 2:**

- 3. Exemption – persons appointed under *Election Act***
 - (1) The persons listed in subsection (2) are exempt from the application of sections 6 to 10 and 16 of the Act.
Application
 - (2) The exemptions specified in subsection (1) apply to
 - (a) returning officers appointed under subsection 9(1) of the *Election Act* R.S.P.E.I. 1988, cap. E-1.1;
 - (b) election clerks appointed under subsection 10(1) of the *Election Act*; and
 - (c) election officers appointed under subsection 14.1(1) of the *Election Act*.

- 2. These regulations come into force on March 4, 2023.**

EXPLANATORY NOTES

SECTION 1 amends the *Employment Standards Act* Exemption Regulations (EC574/17) by adding a new section 3 that creates an exemption from the application of sections 6 to 10 and 16 of the Act for returning officers, election clerks and the specified election officers.

SECTION 2 provides for the commencement of the regulations.

EC2023-111

ENVIRONMENTAL PROTECTION ACT
ISLAND WASTE MANAGEMENT CORPORATION
APPOINTMENTS

Pursuant to section 7 of Order-in-Council EC1999-262 of 25 May 1999, as amended by Orders-in-Council EC2003-397 of 22 July 2003 and EC2007-578 of 25 September 2007, Council made the following appointments:

NAME	TERM OF APPOINTMENT
as member and chairperson	
Matthew McKenna Charlottetown (reappointed)	25 February 2023 to 25 February 2025
as members	
Reg Conohan Cardigan (reappointed)	25 February 2023 to 25 February 2025
Cletus Dunn Alberton (vice Lorne (Joe) MacConnell, resigned)	21 February 2023 to 21 February 2026
Paul MacDonald Peakes (vice Ronald MacWilliams, term expired)	21 February 2023 to 21 February 2026
Wendy McNeill Northport (vice Brenda Phillips, term expired)	21 February 2023 to 21 February 2026

EC2023-112

EXECUTIVE COUNCIL ACT
MINISTER OF ENVIRONMENT, ENERGY AND CLIMATE ACTION
AUTHORITY TO ENTER INTO AN AGREEMENT
(DEPARTMENT OF NATURAL RESOURCES
2 BILLION TREES PROGRAM
NON-REPAYABLE CONTRIBUTION AGREEMENT)
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 Environment, Energy and Climate Action to enter into an agreement with the Government of Canada, as represented by the Minister of Natural Resources Canada to establish the terms and conditions for Prince Edward Island to deliver the PEI Phase 1 – Forest Creation and Recovery under 2BT project, effective upon the last party signing to March 31, 2025, such as more particularly described in the draft agreement.

EC2023-113

EXECUTIVE COUNCIL ACT
 MINISTER OF ENVIRONMENT, ENERGY AND CLIMATE ACTION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AMENDMENT #3 – CONTRIBUTION AGREEMENT -
 EXPANSION AND IMPROVEMENT OF THE PROTECTED
 AND CONSERVED AREAS NETWORK ON PRINCE EDWARD ISLAND)
 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 Environment, Energy and Climate Action to enter into an agreement with the Government of Canada, as represented by the Minister of Environment and Climate Change Canada for the Expansion and Improvement of the Protected and Conserved Areas Network on Prince Edward Island, effective upon the last party signing to March 31, 2024, such as more particularly described in the draft agreement.

EC2023-114

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES AND COMMUNITIES
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MUNICIPAL ADMINISTRATIVE SUPPORT PROGRAM
 FUNDING AGREEMENT)
 WITH
 THE RURAL MUNICIPALITY OF UNION ROAD

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Fisheries and Communities to enter into an agreement with the Rural Municipality of Union Road, to assist small rural municipalities to comply with administrative requirements in the *Municipal Government Act*, effective upon signing to March 31, 2023, such as more particularly described in the draft agreement.

EC2023-115

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (FUNDING AGREEMENT
 FIRST NATIONS EMERGENCY SERVICES)
 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 Justice and Public Safety to enter into an agreement with the Government of Canada, as represented by the Minister of Indigenous Services and the Minister of Crown-Indigenous Service Relations, for building emergency management capacity in PEI's First Nations Communities to support efficient and effective emergency response and recovery efforts, for the period April 1, 2022 to March 31, 2023, such as more particularly described in the draft agreement.

EC2023-116

PROVINCIAL DEBENTURE ISSUE
 MAXIMUM AGGREGATE PRINCIPAL AMOUNT \$200,000,000.00
 STATEMENT
 RECEIVED

Pursuant to subsection 49(6) of the *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9, Council received the following details from the Minister of Finance as to the sum of money raised pursuant to Order-in-Council EC2022-936 dated December 6, 2022:

Principal amount:	\$200,000,000.00
Interest (Coupon) Rate:	3.75%
Date of Issue:	January 31, 2023
Date of Maturity:	December 1, 2032

EC2023-117

FINANCIAL ADMINISTRATION ACT
 AUTHORITY TO CANCEL AND DISCLOSE
 CERTAIN DEBT
 STUDENT FINANCIAL ASSISTANCE CORPORATION

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 twenty-seven (27) accounts owing to the Student Financial Assistance Corporation in the total amount of \$190,949.00, as at February 15, 2023.

Further, pursuant to subsection 26.2(1) of the said *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9 Council disclosed the following authorized cancellations:

SCHEDULE
 (CANCELLATIONS)

Borrower	Address	Total Debt, Including Interest
27 Student Loans	Exempt per Section 26.2(3)(b)	\$190,949.00
Total		\$190,949.00

EC2023-118

FOREST FIRE PROTECTION ACT
 DECLARATION RE

Under authority of section 27 of the *Forest Fire Protection Act* Stats. P.E.I. 2020, c. 65 Council ordered that a Proclamation do issue proclaiming the said "*Forest Fire Protection Act*" to come into force effective March 4, 2023.

EC2023-119

**FOREST FIRE PROTECTION ACT
FOREST FIRE PROTECTION REGULATIONS**

Pursuant to section 25 of the *Forest Fire Protection Act* R.S.P.E.I. 1988, Cap. F-32.2, Council made the following regulations:

PART 1 - DEFINITIONS

1. Definitions

In these regulations

- (a) “**Act**” means the *Forest Fire Protection Act* R.S.P.E.I. 1988, Cap. F-13.2;
- (b) “**fire season**” means the period specified as the fire season under section 2;
- (c) “**Pulaski**” means a firefighting hand tool resembling an axe with an integrated hoe for moving soil or other material.

PART 2 - ADMINISTRATION

2. Fire season

For the purpose of section 8 of the Act, the fire season for Kings, Queens and Prince County is the period each year that commences at 12:01 a.m. on March 15 and ends at 11:59 p.m. on November 15.

3. Notice to public

For the purpose of section 11 of the Act, a forest service officer shall provide notice to the public respecting open burning days, restricted burning days and non-burning days by

- (a) posting the information on a website maintained by the Government for that purpose that is accessible to the public; or
- (b) updating the information in a recorded message that members of the public may access by telephone at a telephone number maintained by the Minister for that purpose.

PART 3 - REQUIRED EQUIPMENT

4. Required equipment for Category 1 fire

A person who starts or ignites a Category 1 fire shall ensure, at a minimum, that the following equipment is available at the site of the fire:

- (a) a hand tool that can be used for fire suppression, such as a shovel, axe or grub hoe or a Pulaski;
- (b) a telephone capable of contacting the 911 emergency number.

5. Required persons, equipment for Category 2 or 3 fire

A person who starts or ignites a Category 2 or 3 fire shall ensure, at a minimum, that the following are available at the fire site:

- (a) at least two persons capable of monitoring and controlling the fire;
- (b) at least 400 litres of water and equipment for pumping it;
- (c) at least two hand tools that can be used for fire suppression, such as a shovel, axe or grub hoe or a Pulaski;
- (d) at least one operational bulldozer, excavator or loader and a person capable of operating it;
- (e) a telephone capable of contacting the 911 emergency number.

6. Required persons, equipment for Category 4 fire

A person who starts or ignites a Category 4 fire shall ensure, at a minimum, that the following are available at the fire site:

- (a) at least two persons capable of monitoring and controlling the fire;
- (b) at least 400 litres of water and equipment for pumping it;
- (c) at least two hand tools that can be used for fire suppression, such as a shovel, axe or grub hoe or a Pulaski;
- (d) a telephone capable of contacting the 911 emergency number.

7. Equipment required for forestry operations

(1) A person who operates equipment or machinery in forestry operations or within 30 metres of a forest during fire season shall ensure that the following equipment is available at the site:

- (a) a fire extinguisher rated at least 6A 80BC that is in serviceable condition;
- (b) a shovel.

Removal of debris

(2) An operator referred to in subsection (1) shall ensure that the equipment involved in forestry operations or within 30 metres of a forest during fire season is checked daily for accumulation of flammable debris and that any accumulation of debris is removed.

Safe disposition of equipment

(3) An operator referred to in subsection (1) who leaves equipment or machinery in a forest or within 30 metres of a forest during fire season while it is not being operated shall ensure that the equipment or machinery is placed in an area that is free from flammable materials.

PART 4 - PERMITS**8. Issuance at no charge**

A permit for any category of fire shall be issued at no charge.

9. Suspension of permit

(1) A permit for any category of fire is immediately suspended when a fire closure order is issued, and the permit holder or any person acting on the permit holder's behalf shall immediately extinguish any fire lighted under the permit.

Duration of suspension

(2) A permit referred to in subsection (1) remains suspended until the fire closure order is cancelled.

10. Suspension of permit by Minister

(1) The Minister may suspend a permit for the period specified by the Minister, not exceeding the remainder of the period for which the permit is valid, where the Minister is satisfied that the permit holder obtained the permit through misrepresentation or fraud.

Permit holder must extinguish fire

(2) Where a permit holder is notified of the suspension of the permit under subsection (1), the permit holder or any person acting on the permit holder's behalf shall immediately extinguish any fire ignited under the permit.

Permit to be surrendered on request

(3) Where a permit is suspended, the permit holder shall immediately on the request of a forest service officer surrender the permit to the Department.

PART 5 - REQUISITION OF EQUIPMENT**11. Compensation for requisition of equipment, etc.**

- (1) A person from whom equipment or facilities have been requisitioned under section 15 of the Act shall be compensated based on the applicable rates stated in
 - (a) the most current Standard Negotiated Rates provided by the Department of Transportation and Infrastructure; or
 - (b) the most current Mutual Aid Resource Sharing Aviation Rates provided by the Canadian Interagency Forest Fire Centre.

Where rates not established

- (2) Where an exact rental rate has not been established for equipment or facilities in the rates referred to in clause (1)(a) or (b), the Minister shall provide fair and equitable compensation based on current market rates.

PART 6 - TRAINING

12. Training required for forest service officer

The required training for a person to be appointed as a forest service officer is the successful

- (a) completion of the basic forest fire suppression training approved by the Minister; and
- (b) completion of training in the Incident Command System 100 and 200 administered by the Emergency Measures Office of the Department of Justice and Public Safety.

13. Commencement

These regulations come into force on March 4, 2023.

EC2023-120

HIGHWAY SIGNAGE ACT

REGULATIONS AMENDMENT

Pursuant to section 16 of the *Highway Signage Act* R.S.P.E.I. 1988, Cap. H-4.1, Council made the following regulations:

1. **The *Highway Signage Act* Regulations (EC298/03) are amended in the enacting clause by the deletion of the words “Stats. P.E.I. 2002, c. 12” and the substitution of the words “R.S.P.E.I. 1988, Cap. H-4.1”.**
2. **Clause 1(1)(a) of the regulations is amended by the deletion of the words “Stats. P.E.I. 2002, c. 12” and the substitution of the words “R.S.P.E.I. 1988, Cap. H-4.1”.**
3. **Clause 4(1)(b) of the regulations is amended**
 - (a) **in subclause (ii), by the deletion of the words “Her Majesty in right of the province” and the substitution of the words “the Government”; and**
 - (b) **in subclause (iii), by the deletion of the words “after consultation with the Department of Transportation and Infrastructure Renewal,”.**
4. **Schedule 2 to the regulations is amended**
 - (a) **in subsection 7(3), by the deletion of the words “Her Majesty in right of the province” and the substitution of the words “the Government”; and**

- (b) **by the deletion of the words “*Department of Tourism and Culture*” and the substitution of the words “*Department of Transportation and Infrastructure*”.**

5. **These regulations come into force on March 4, 2023.**

EXPLANATORY NOTES

SECTION 1 amends the *Highway Signage Act* Regulations (EC298/03) to update the citation of the *Highway Signage Act* as it is listed in the Revised Statutes of Prince Edward Island.

SECTION 2 corrects the citation of the Act in clause 1(1)(a) of the regulations.

SECTION 3 amends subclause 4(1)(b)(ii) of the regulations to change the reference to “Her Majesty in right of the province” to “the Government”, for consistency with amendments made to the Act on December 1, 2022. The section amends subclause 4(1)(b)(iii) of the regulations to delete outdated wording.

SECTION 4 amends subsection 7(3) as it appears in Schedule 2 to the regulations. Subsection 7(3) is a provision of the Act that has been repeated in the Schedule, and it was amended on December 1, 2022 to delete the words “Her Majesty in right of the province” and to substitute the words “the Government”. The section also amends Schedule 2 to the regulations to correct the name of the Department as it appears on the Notice to Remove Sign.

SECTION 5 provides for the commencement of these regulations.

EC2023-121

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
11010905 CANADA LTD.
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 ten-year term loan in the amount of five million, eight hundred thirty thousand (\$5,830,000.00) dollars at a rate of two (2%) percent to 11010905 Canada Ltd. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-122

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
ANCHORED CONSTRUCTION GROUP 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 ten-year term loan in the amount of three million eight hundred thousand (\$3,800,000.00) dollars at a rate of two (2%) percent to Anchored Construction Group Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-123

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
ARSENAULT BROS. HOLDINGS 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 ten-year term loan in the amount of five million, six hundred fourteen thousand, six hundred thirty-nine (\$5,614,639.00) dollars at a rate of two (2%) percent to Arsenault Bros Holdings Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-124

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
GREENSVIEW3 LIMITED PARTNERSHIP
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 ten-year term loan in the amount of four million, five hundred seventy-six thousand, five hundred (\$4,576,500.00) dollars at a rate of two (2%) percent to Greensview3 Limited Partnership for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-125

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
IPAX 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 ten-year term loan in the amount of four million, two hundred fifty-five thousand, seven hundred twenty-seven (\$4,255,727.00) dollars at a rate of two (2%) percent to IPAX Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-126

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
KREATIVE RENTALS CORP.
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 ten-year term loan in the amount of five million nine hundred forty thousand (\$5,940,000.00) dollars at a rate of two (2%) percent to Kreative Rentals Corp. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-127

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
LAYTON GRAHAM AND MARTIN GRAHAM
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 ten-year term loan in the amount of eight hundred thousand (\$800,000.00) dollars at a rate of two (2%) percent to Layton Graham and Martin Graham for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-128

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
M&S RENTALS 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 ten-year term loan in the amount of two million, six hundred two thousand, five hundred fifty-two (\$2,602,552.00) dollars at a rate of two (2%) percent to M&S Rentals Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-129**ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
NORTH SHORE INVESTMENTS 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 ten-year term loan in the amount of three million, four hundred seventy-two thousand, seven hundred fifty-six (\$3,472,756.00) dollars at a rate of two (2%) percent to North Shore Investments Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-130**ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
R.E.M. PROPERTIES LTD.
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 ten-year term loan in the amount of five million, eight hundred eighty-four thousand, eight hundred seventy-five (\$5,884,875.00) dollars at a rate of two (2%) percent to R.E.M. Properties Ltd. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-131**ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
SLEMON PARK CORPORATION
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 eight-year term loan in the amount of three hundred thousand (\$300,000.00) dollars at a rate of five decimal five (5.5%) percent to Slemon Park Corporation for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-132

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
Z & C FLOURISH INTERNATIONAL 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 ten-year term loan in the amount of four million, eight hundred twenty-two thousand, three hundred eighty (\$4,822,380.00) dollars at a rate of two (2%) percent to Z & C Flourish International Ltd. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-133

ISLAND REGULATORY AND APPEALS COMMISSION ACT
ISLAND REGULATORY AND APPEALS COMMISSION
APPOINTMENTS

Pursuant to sections 2 and 3 of the *Island Regulatory and Appeals Commission Act* R.S.P.E.I. 1988, Cap. I-11, Council made the following appointments:

NAME	TERM OF APPOINTMENT
via clause 3(1)(d), as part-time commissioners	
Cynthia McCardle Kinkora (reappointed)	21 February 2023 to 21 February 2026
Terry McKenna Charlottetown (reappointed)	21 February 2023 to 21 February 2026

EC2023-134

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MATTHEW BROWN
(DENIAL)

Council, having under consideration an application (#N6437) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Matthew Brown of Dieppe, New Brunswick to acquire a land holding of approximately zero decimal six one (0.61) acres of land at Fortune Cove, Lot 5, Prince County, currently owned by Arlene Cecilia Perry of Tignish, Prince Edward Island.

EC2023-135

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SYLVAIN HUET
(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 Sylvain Huet of Chateauguay, Quebec to acquire a land holding of approximately zero decimal eight (0.8) acres of land at Donaldston, Lot 35, Queens County, Province of Prince Edward Island, being acquired from Leo Doucette and Patricia Doucette, both of North Milton, 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.

EC2023-136

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GONZALO PATRICK JABBAZ
(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 Gonzalo Patrick Jabbaz, of Toronto, Ontario to acquire an interest in a land holding of approximately zero decimal two five (0.25) acres of land at Lower Montague, Lot 59, Kings County, Province of Prince Edward Island, being acquired from Victoria Zangari, Michael Zangari and Ann Curley, all of Huntsville, Ontario.

EC2023-137

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROBERT MAJOR AND DELIA KERR MAJOR
(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 Robert Major and Delia Kerr Major, both of Burlington, Ontario to acquire a land holding of approximately one decimal three seven (1.37) acres of land at Eglington, Lot 43, Kings County, Province of Prince Edward Island, being acquired from Amber Robb of Eglington, 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.

EC2023-138

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LINDSAY MICHAEL AND MIGUEL MUNOZ MARMOL
(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 Lindsay Michael and Miguel Munoz Marmol, both of East York, Ontario to acquire an interest in a land holding of approximately zero decimal five six (0.56) acres of land at Mermaid, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Allan McIsaac and Joanne McIsaac, both of Websters Corner, Prince Edward Island.

EC2023-139

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LINDSAY MICHAEL AND MIGUEL MUNOZ MARMOL
(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 Lindsay Michael and Miguel Munoz Marmol, both of East York, Ontario to acquire an interest in a land holding of approximately forty-seven decimal eight (47.8) acres of land at Mermaid, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Dean's Cove Farm Ltd. of Websters Corner, Prince Edward Island.

EC2023-140

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
442-444 BLOOR ST WEST PROPERTIES ULC
(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 442-444 Bloor St West Properties ULC of Toronto, Ontario to acquire a land holding of approximately zero decimal two five (0.25) acres of land at Lower Montague, Lot 59, Kings County, Province of Prince Edward Island, being acquired from Victoria Zangari, Michael Zangari and Ann Curley, all of Huntsville, Ontario.

EC2023-141

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ANNEAR 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 Annear Farms Inc. of Lower Montague, Prince Edward Island to acquire a land holding of approximately two hundred forty-one decimal three two (241.32) acres of land at Cardigan North, Lot 53; St. Georges, Lots 53 and 54; and Primrose, Lot 54, all in Kings County, Province of Prince Edward Island, being acquired from Somerglen Farms Ltd. of St. Georges, 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.

EC2023-142

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BLACK POND 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 Black Pond Farms Ltd. of Little Harbour, Prince Edward Island to acquire a land holding of approximately zero decimal two nine (0.29) acres of land at Souris West, Lot 44, Kings County, Province of Prince Edward Island, being acquired from David Cronin and Cheryl Cronin, both of Amesbury, Massachusetts.

EC2023-143

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BLACK POND 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 Black Pond Farms Ltd. of Little Harbour, Prince Edward Island to acquire a land holding of approximately zero decimal eight five (0.85) acres of land at Little Harbour, Lot 46, Kings County, Province of Prince Edward Island, being acquired from Margaret Mary MacPhee, of Dartmouth, Nova Scotia.

EC2023-144

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND GROWN SOD 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 Island Grown Sod Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately five decimal seven six (5.76) acres of land at York, Lot 34, Queens County, Province of Prince Edward Island, being acquired from Cecil MacLauchlan of York, 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.

EC2023-145

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 eleven (11) acres of land at Courtin Island, Lot 18, Prince County, Province of Prince Edward Island, being acquired from Gordon Ramsay and Jonathon Ramsay, both of Kensington, 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.

EC2023-146

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 fifty (50) acres of land at Derby, Lot 9, Prince County, Province of Prince Edward Island, being acquired from Stephen Lank of Cornwall, 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.

EC2023-147

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KILDARE HOMES 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 Kildare Homes Ltd. of Suffolk, Prince Edward Island to acquire a land holding of approximately one decimal eight (1.8) acres of land at New Perth, Lot 52, Kings County, Province of Prince Edward Island, being acquired from Bradmark Holdings Inc., of Cardigan, Prince Edward Island.

EC2023-148

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MACDUFF 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 MacDuff Holdings Inc. of Newton, Prince Edward Island to acquire a land holding of approximately thirty decimal six one (30.61) acres of land at Summerside, Lot 19, Prince County, Province of Prince Edward Island, being acquired from Read Farms Inc., of Summerside, Prince Edward Island.

EC2023-149

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES 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 Marwood Properties Inc. of Brudenell, Prince Edward Island to acquire a land holding of approximately one decimal two (1.2) acres of land at Brudenell, Lot 53, Kings County, Province of Prince Edward Island, being acquired from Lorne McKenna and Margaret McKenna, both of Cardigan, Prince Edward Island.

EC2023-150

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MICHAEL PROPERTIES 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 Michael Properties Ltd. of Stratford, Prince Edward Island to acquire a land holding of approximately zero decimal five six (0.56) acres of land at Mermaid, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Allan McIsaac and Joanne McIsaac, both of Websters Corner, Prince Edward Island.

EC2023-151

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MICHAEL PROPERTIES 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 Michael Properties Ltd. of Stratford, Prince Edward Island to acquire a land holding of approximately forty-seven decimal eight (47.8) acres of land at Mermaid, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Dean's Cove Farm Ltd. of Websters Corner, 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.

EC2023-152

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NATURE CONSERVANCY OF CANADA
(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 Nature Conservancy of Canada of Toronto, Ontario to acquire a land holding of approximately sixty-nine (69) acres of land at Cap-Egmont, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Ronald J. Caissie and Gail Caissie, both of Wellington Station, 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.

EC2023-153

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROVINCIALY OWNED LAND AT SCOTCHFORT
LOT 36, QUEENS COUNTY
EXEMPTION FROM
IDENTIFICATION FOR NON-DEVELOPMENT USE

Pursuant to section 21 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council determined that on transfer to Abegweit First Nation, land located at Scotchfort, Lot 36, Queens County, Prince Edward Island, being a portion of Provincial Property No. 130203, totalling approximately ten (10) acres and currently owned by the Government of Prince Edward Island, as represented by the Minister of Transportation and Infrastructure, NOT be identified for non-development use under the Land Identification Program established by the *Prince Edward Island Lands Protection Act* Land Identification Regulations (EC606/95).

EC2023-154

REAL ESTATE TRADING ACT
FEES REGULATIONS
REVOCAION

Pursuant to section 47 of the *Real Estate Trading Act* R.S.P.E.I. 1988, Cap. R-2, Council made the following regulations:

1. **The *Real Estate Trading Act* Fees Regulations (EC481/95) are revoked.**
2. **These regulations come into force on March 4, 2023.**

EXPLANATORY NOTES

SECTION 1 revokes the Fees Regulations made under the *Real Estate Trading Act*.

SECTION 2 provides for the commencement of these regulations.

EC2023-155

REAL ESTATE TRADING ACT
REGULATIONS

Pursuant to section 47 of the *Real Estate Trading Act* R.S.P.E.I. 1988, Cap. R-2, Council made the following regulations:

Interpretation

1. **Definitions**
In these regulations,
(a) **“Act”** means the *Real Estate Trading Act* R.S.P.E.I. 1988, Cap. R-2;

- (b) “**agent’s examination**” means the examination for agents required to be successfully completed at the end of the agents’ course, as established and administered by the Association;
- (c) “**agent’s license**” means an agent’s license issued under section 8 of the Act;
- (d) “**Association**” means the Prince Edward Island Real Estate Association incorporated under *An Act to Incorporate the Prince Edward Island Real Estate Association* S.P.E.I. 1983, Cap. 48;
- (e) “**provincial examination**” means the examination for agents and salespersons from another Canadian jurisdiction, as established and administered by the Association, concerning the provincial legislation relevant to real estate trading and other industry practices and requirements specific to Prince Edward Island;
- (f) “**salesperson’s examination**” means the examination for salespersons required to be successfully completed at the end of the salespersons’ pre-licensing course, as established and administered by the Association;
- (g) “**salesperson’s license**” means a salesperson’s license issued under section 5 of the Act.

Bond

2. Amount of bond

- (1) The amount of the bond required under section 16 of the Act is
 - (a) in respect of each agent carrying on business in this province, \$5,000; and
 - (b) in respect of each salesperson carrying on business in this province, \$2,000.

Form of bond

- (2) The form of a bond required for the purposes of section 16 of the Act is a surety bond issued by an insurer licensed pursuant to the *Insurance Act* R.S.P.E.I. 1988, Cap. I-4.

Inquiry by Registrar

3. Inquiry

- (1) The Registrar or a person appointed by the Registrar may conduct an inquiry or investigation into the operation of an agent’s business by inspecting all the agent’s books and records and by obtaining any additional information the Registrar may require from whatever sources in order to complete the inquiry or investigation, where the Registrar has reasonable grounds to believe that
 - (a) there has been a contravention of the Act or the regulations by an agent or salesperson;
 - (b) the agent or salesperson may have committed an offence under the Criminal Code (Canada) in connection with a transaction relating to real estate; or
 - (c) it is in the public interest to conduct the inquiry or investigation.

Powers

- (2) The person conducting the investigation or inquiry shall have any or all of the powers that are and may be conferred upon a Commission under the *Public Inquiries Act* R.S.P.E.I. 1988, Cap. P-31, including the power to take evidence under oath.

Prerequisites for Licensing

4. Salesperson’s pre-licensing course and examination

- (1) An applicant for a salesperson’s license shall complete the salesperson’s pre-licensing course established and administered by the Association and shall successfully complete the salesperson’s examination.

Agent’s course and examination

- (2) An individual applicant for an agent's license shall complete the agent's course established and administered by the Association and shall successfully complete the agent's examination.

Licensing and Renewals

5. Salesperson's license

- (1) The Registrar may, on application, issue a salesperson's license to an applicant who has, within the two years immediately preceding the application, successfully completed the salesperson's examination.

Application by agent

- (2) The requirement of subsection (1) for successful completion of the salesperson's examination does not apply in respect of an application for a salesperson's license by an applicant who
- (a) holds an agent's license; or
 - (b) held an agent's license within the two years immediately preceding the application.

6. Applicant from other Canadian jurisdiction

The Registrar may, on application for a salesperson's license by an applicant who

- (a) holds a license in another Canadian jurisdiction that in the opinion of the Registrar is comparable to a salesperson's license or an agent's license; or
- (b) held a license in another Canadian jurisdiction that in the opinion of the Registrar was comparable to a salesperson's license or an agent's license within the two years immediately preceding the application,

issue a salesperson's license to the applicant if the application is made within two years after the applicant has successfully completed the provincial examination.

7. Renewal of salesperson's license

- (1) The Registrar may, on application, renew a salesperson's license held by the applicant, if the application is made
- (a) before or on the expiry of the last salesperson's license held by the applicant; or
 - (b) within
 - (i) two years after the expiry of the last salesperson's license held by the applicant, where no longer period of time is permitted by the Registrar under subsection (3), or
 - (ii) the longer period of time after the expiry of the last salesperson's license held by the applicant that is permitted by the Registrar under subsection (3).

Late applications

- (2) Subject to subsection (3), where a person who previously held a salesperson's license failed to apply for the renewal of that license at a time permitted under subsection (1), the person may apply to the Registrar as an applicant for a salesperson's license and comply with the requirements of section 5.

Extension for late applications

- (3) The Registrar may, on application, extend the time period for submitting an application for a salesperson's license beyond the time period set out in subclause (1)(b)(i) for up to an additional two years, as the Registrar may determine, where the Registrar is satisfied that it is appropriate to do so because of any illness of the applicant or any other reason beyond the control of the applicant.

8. Agent's license

- (1) The Registrar may, on application, issue an agent's license to an individual applicant who has,
- (a) within the two years immediately preceding the application, successfully completed the agent's examination; and
 - (b) for at least two of the four years immediately preceding the application, either

- (i) held a salesperson's license, or
- (ii) held a license in another Canadian jurisdiction that in the opinion of the Registrar was comparable to a salesperson's license.

Agent's license - designated representative

- (2) The Registrar may, on application, issue an agent's license to an individual applicant who has, in accordance with subsection 6(1) of the Act, for at least two out of the four years immediately preceding the application, held a salesperson's license and acted as the designated representative of a corporation or partnership that held an agent's license.

Agent's license - partnership or corporation

- (3) The Registrar may, on application, issue an agent's license to a partnership or corporation that has a designated representative who meets the requirements set out in subsection (1) or (2) or section 9, as applicable.

9. Applicant from other Canadian jurisdiction

The Registrar may on application issue an agent's license to an individual who

- (a) holds a license in another Canadian jurisdiction that in the opinion of the Registrar is comparable to an agent's license; or
- (b) held a license in another Canadian jurisdiction that in the opinion of the Registrar was comparable to an agent's license within the two years immediately preceding the application,

if the application is made within two years after the applicant successfully completed the provincial examination.

10. Renewal of agent's license

- (1) The Registrar may, on application, renew an agent's license held by an individual, if the application is made
 - (a) before or on the expiry of the last agent's license held by the individual; or
 - (b) within
 - (i) two years after the expiry of the last agent's license held by the individual, where no longer period of time is permitted by the Registrar under subsection (4), or
 - (ii) the longer period of time after the expiry of the last agent's license held by the individual that is permitted by the Registrar under subsection (4).

Renewal of agent's license - partnership or corporation

- (2) The Registrar may, on application, renew an agent's license held by a partnership or corporation if the partnership or corporation and its designated representative meets the requirements set out in subsection (1).

Late applications

- (3) Subject to subsection (4), where a person who previously held an agent's license failed to apply for the renewal of that license at a time permitted under subsection (1), the individual, partnership or corporation may apply to the Registrar as an applicant for an agent's license and meet the requirements of section 8.

Extension for late applications

- (4) The Registrar may, on application by a person referred to in subsection (1), extend the time period for submitting an application for an agent's license beyond the period set out in subclause (1)(b)(i) for up to an additional two years, as the Registrar may determine, where the Registrar is satisfied that it is appropriate to do so because of an illness of the person or any other reason beyond the person's control.

11. Age of majority

An individual who has not reached the full age of 18 years is not eligible to hold a license.

12. Schedule adopted

The Schedule to these regulations is adopted and forms part of these regulations.

Revocation, Commencement

13. Revocation

The *Real Estate Trading Act* Regulations (EC516/68) are revoked.

14. Commencement

These regulations come into force on March 4, 2023.

SCHEDULE

FEES

1. The following fees are prescribed:

- | | | |
|-----|------------------------------------------------------------|-------|
| (a) | agent's license or renewal for a two-year term | \$300 |
| (b) | salesperson's license or renewal for a two-year term | 200 |