

EC2024-795

BOILERS AND PRESSURE VESSELS ACT**REGULATIONS
AMENDMENT**

Pursuant to section 33 of the *Boilers and Pressure Vessels Act* R.S.P.E.I. 1988, Cap. B-5, Council made the following regulations:

1. **Clause 1.01(b) of the *Boilers and Pressure Vessels Act* Regulations (EC234/85) is amended by the addition of the word “to” before the words “ambient temperature”.**
2. **Subsection 1.02(1) of the regulations is amended by the deletion of the words “of 0.0425 cubic metres or less in capacity of the following types” and the substitution of the words “of the following types, regardless of volume”.**
3. **Section 3.01 of the regulations is revoked and the following substituted:**

3.01 Adoption of codes

- (1) Subject to the Act and these regulations, the following codes and standards are adopted:
 - (a) CSA standard CSA B51:19, Boiler, pressure vessel, and pressure piping code, as amended;
 - (b) CSA standard CSA B52:23, Mechanical refrigeration code, as amended;
 - (c) CSA standard CSA B139:19, Installation code for oil-burning equipment, as amended;
 - (d) CSA standard CSA B140.0:22, Oil-burning equipment: General requirements, as amended;
 - (e) CSA standard CSA Z7396.1:22, Medical gas pipeline systems - Part 1: Pipelines for medical gases, medical vacuum, medical support gases, and anaesthetic gas scavenging systems, as amended;
 - (f) CSA standard CSA B149.1:20, Natural gas and propane installation code, as amended;
 - (g) CSA standard CSA B149.2:20, Propane storage and handling code, as amended;
 - (h) CSA standard CSA B149.5:20, Installation code for propane fuel systems and containers on motor vehicles, as amended;
 - (i) the following sections of the ASME Boiler and Pressure Vessel Code 2023, as amended:
 - (i) Section I Rules for Construction of Power Boilers,
 - (ii) Section II Materials, Parts A, B, C, & D,
 - (iii) Section III Rules for Construction of Nuclear Facility Components Divisions I & II,
 - (iv) Section IV Rules for Construction of Heating Boilers,
 - (v) Section V Non-destructive Examination,
 - (vi) Section VI Recommended Rules for the Care and Operation of Heating Boilers,
 - (vii) Section VII Recommended Guidelines for the Care of Power Boilers,
 - (viii) Section VIII Rules for Construction of Pressure Vessels, Divisions 1, 2, and 3,
 - (ix) Section IX Welding, Brazing, and Fusing Qualifications,
 - (x) Section X Fiber-Reinforced Plastic Pressure Vessels,

- (xi) Section XI Rules for Inservice Inspection of Nuclear Power Plant Components,
- (xii) Section XIII Rules for Overpressure Protection;
- (j) the following standards of ANSI, ASME and NFPA:
 - (i) ASME standard ASME B31.1 2022 edition, Power Piping, as amended,
 - (ii) NFPA 54/ANSI Z223.1, National Fuel Gas Code, 2021 edition, as amended,
 - (iii) ASME standard ASME B31.3 2022 edition, Process Piping, as amended,
 - (iv) ASME standard ASME B31.4 2022 edition, Pipeline Transportation Systems for Liquids and Slurries, as amended,
 - (v) ASME standard ASME B31.5 2022 edition, Refrigeration Piping and Heat Transfer Components, as amended,
 - (vi) NFPA code NFPA 58 2020 edition, Liquefied Petroleum Gas Code, as amended,
 - (vii) NFPA code NFPA 59 2021 edition, Utility LP-Gas Plant Code, as amended,
 - (viii) NFPA standard NFPA 59A: 2023 edition, Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG), as amended,
 - (ix) ASME standard ASME B31.8 2022 edition, Gas Transmission and Distribution Piping Systems, as amended,
 - (x) ASME standard ASME B31.12 2019 edition, Hydrogen Piping and Pipelines, as amended,
 - (xi) CSA/ANSI standard CSA/ANSI B149.6:20, Code for digester gas, landfill gas, and biogas generation and utilization, as amended;
- (k) the NBBI National Board Inspection Code (NBIC) NB23:2023, as amended;
- (l) the Tubular Exchanger Manufacturers Association, Inc., TEMA Standards Ninth Edition;
- (m) CSA standard CSA B620:20, Highway tanks and TC portable tanks for the transportation of dangerous goods, as amended;
- (n) CSA standard CSA B108.1:23, Compressed natural gas refuelling stations installation code and CSA B108.2:23, Liquefied natural gas refuelling stations installation code, as amended;
- (o) National Standard of Canada, CAN/BNQ 1784-000, Canadian Hydrogen Installation Code 2022, as amended.

Applicable edition of code, standard

- (2) In these regulations, where a code or standard is cited but the year or edition is not specified, the applicable edition of the code or standard is that specified in subsection (1).

4. Section 4.01 of the regulations is revoked and the following substituted:

4.01 Qualifications of inspectors

The Minister may appoint an employee of the Department of Housing, Land and Communities as an inspector for the purposes of the Act and these regulations if the employee holds

- (a) a combination of training and experience in boiler and pressure vessel operations and inspections; and
- (b) an educational certificate in a related technical field, such as, but not limited to,
 - (i) a Fourth Class Power Engineering Certificate, or
 - (ii) a Certificate in Mechanical Engineering Technology.

- 5.(1) **The regulations are amended in the following provisions by the deletion of the words “ASME Code” and the substitution of the words “ASME Boiler and Pressure Vessel Code”:**

- (a) subsection 5.06.1(1);
 - (b) subsections 5.07(1) and (2);
 - (c) subsection 5.08(1);
 - (d) subsection 6.10(1);
 - (e) subsections 6.11(1) and (5);
 - (f) clauses 8.03(1)(a) and (c);
 - (g) section 8.30;
 - (h) section 9.24.
- (2) Subsection 8.11(2) of the regulations is amended by the deletion of the words “ASME Code” wherever they occur and the substitution of the words “ASME Boiler and Pressure Vessel Code”.
- (3) Subsection 5.12(1) of the regulations by the deletion of the words “ASME Pressure Vessel Code” and the substitution of the words “ASME Boiler and Pressure Vessel Code”.
6. (1) The regulations are amended in the following provisions by the deletion of the words “Chief Inspector” and the substitution of the words “chief inspector”:
- (a) subsection 1.02(3);
 - (b) subsection 5.07(2);
 - (c) section 5.28;
 - (d) clause 5.39(5)(c);
 - (e) subsections 5.39(6), (7) and (8);
 - (f) clauses 5.40(1)(a) and (b);
 - (g) subsection 7.08(1);
 - (h) clause 7.17(2)(a);
 - (i) section 7.18;
 - (j) section 7.20;
 - (k) sections 7.22 and 7.23;
 - (l) section 7.28;
 - (m) clauses 8.01(a) and (d);
 - (n) clauses 8.03(1)(a) and (b);
 - (o) subsection 8.04(2);
 - (p) subsections 8.06(4), (12);
 - (q) subsection 8.07(1).
- (2) The regulations are amended in the following provisions by the deletion of the words “Chief Inspector” wherever they occur and the substitution of the words “chief inspector”:

- (a) subsection 5.08(1);
 - (b) clause 8.03(1)(c).
7. Subsection 5.11(2) of the regulations is amended by the deletion of the words “latest addition of the ASME Code” and the substitution of the words “ASME Boiler and Pressure Vessel Code”.
8. Sections 5.13 and 5.14 of the regulations are amended by the deletion of the words “ASME Pressure Vessel Code” and the substitution of the words “ASME Boiler and Pressure Vessel Code”.
9. Subsection 5.16(1) of the regulations is amended by the deletion of the words “ASME Code” and the substitution of the words “applicable ASME Code, except the PED 2014/68/EU certified piping used in hot water district heating systems and in biomass boiler piping that is determined by the chief inspector to meet the standards of these regulations”.
10. Section 5.17 of the regulations is amended
- (a) in clause (b), by the deletion of the words “more than 207 kPa” and the substitution of the words “more than 414 kPa”; and
 - (b) in clause (e), by the deletion of the word “hot” and the substitution of the word “heated”.
11. Sections 5.23 and 5.28 of the regulations are amended by the addition of the word “applicable” before the words “ASME Code”.
12. (1) Subsection 5.38(1) of the regulations is amended by the deletion of the words “with CSA B-51-14” and the substitution of the words “with CSA B51”.
- (2) Subsection 5.38(2) of the regulations is revoked and the following substituted:
- Stamping, foreign registrations**
- (2) Stamping of boilers, pressure vessels or heat exchangers built outside of Canada, except those specified in the Schedule to these regulations, shall comply with the ASME Boiler and Pressure Vessel Code and shall include
- (a) the Canadian Registration Number; and
 - (b) the National Board Number.
13. (1) Subsection 5.39(5) of the regulations is amended
- (a) in clause (a),
 - (i) in subclause (iii), by the addition of the word “detailed” before the words “scope of work”, and
 - (ii) in subclause (iv), by the deletion of the words “name of person” and the substitution of the word “position”; and
 - (b) in clause (b), by the deletion of the word “he” and the substitution of the words “the applicant”.
- (2) Subsection 5.39(6) of the regulations is amended by the deletion of the word “he”.
14. (1) Subsections 5.40(1) and (2) of the regulations are revoked and the following substituted:

5.40 Requirement for permit for installation of pressure equipment

- (1) Before a person commences to install, repair or alter a pressure vessel, pressure plant, heating plant or power plant, the person shall
- (a) apply for a permit on the form supplied by the chief inspector, giving a description of the work to be done and particulars of the machinery and components to be used;
 - (b) obtain a permit to do the work, showing full details of the ownership and the purpose for which the premises are to be used and any other details required by the chief inspector prior to work commencing; and
 - (c) pay the prescribed fee.

Approval of drawings

- (2) A permit shall not be valid unless any requested drawings and documents considered necessary by the chief inspector have been approved.

- (2) **Subsection 5.40(3) of the regulations is amended by the addition of the words “if requested by the chief inspector” after the words “will do the work”.**

- (3) **Subsection 5.40(5) of the regulations is amended**

- (a) **in the words immediately before clause (a), by the deletion of the word “he” and the substitution of the words “the contractor”; and**
- (b) **in clauses (a) and (b), by the deletion of the word “he” and the substitution of the words “the inspector”.**

- (4) **Subsection 5.40 of the regulations is amended by the addition of the following after subsection (5):**

Form to be submitted

- (6) The installer shall submit form NB-365 Report of Boiler Installation (Form I-1), to be found at the NBBI website, for the installation of all boilers and fuel-fired potable water heaters.

15. **Section 5.41 of the regulations is amended by the deletion of the words “with CSA B-51-14” and the substitution of the words “with CSA B51”.**

16. **Subsections 6.05(1) and (2) of the regulations are amended by the addition of the words “with manual reset” after the words “cut-off device”.**

17. **Section 6.06 of the regulations is amended by the addition of the words “with manual reset” after the words “cut-off device”.**

18. **Section 6.08 of the regulations is amended by the deletion of the words “section 1 of the ASME Code” and the substitution of the words “Section I of the ASME Boiler and Pressure Vessel Code”.**

19. **Clause 6.11(4)(b) of the regulations is amended by the deletion of the words “section 1, ASME Power Boiler Code” and the substitution of the words “Section I of the ASME Boiler and Pressure Vessel Code”.**

20. **The regulations are amended by the addition of the following after section 6.19:**

FUEL BURNING EQUIPMENT AND APPLIANCES**6.20 Carbon monoxide detection**

All fuel burning equipment and appliances to which these regulations apply shall be installed with a carbon monoxide detection system that emits an audible alarm.

21. **Subsection 7.08(1) of the regulations is amended by the deletion of the words “he has condemned it” and the substitution of the words “it has been**

condemned”.

- 22. (1) Subsection 7.13(1) of the regulations is amended by the deletion of the words “with CSA B-51-14” and the substitution of the words “with CSA B51, excluding those tanks addressed in CSA B149.1”.**
- (2) Subsection 7.13(2) of the regulations is amended by the deletion of the words “as provided in Paragraph 5.3.4 CSA B-51-14” and the substitution of the words “in accordance with CSA B51”.**
- 23. Section 7.15 of the regulations is amended**
- (a) by the deletion of the word “he” and the substitution of the words “the inspector”; and**
- (b) by the deletion of the word “his” and the substitution of the words “the inspector’s”.**
- 24. Subsection 7.17(3) of the regulations is amended by the deletion of the words “his ability” and the substitution of the words “the inspector’s ability”.**
- 25. Subsection 7.23(3) of the regulations is amended by the deletion of the words “his representative” and the substitution of the words “the owner’s representative”.**
- 26. Clause 8.01(c) of the regulations is amended by the deletion of the words “for stamping his work” and the substitution of the words “for marking the welder’s work”.**
- 27. (1) Subsection 8.02(1) of the regulations is revoked and the following substituted:**
- 8.02 Application of Part**
- (1) This Part applies to all welding pertaining to the construction, fabrication, alteration or repair of any boiler, pressure vessel or pressure plant which is subject to the Act and, for greater certainty,**
- (a) all such welding shall conform strictly to the requirements of these regulations; and**
- (b) all alterations and repairs shall be performed in a manner that complies with the original standard or code of construction of the boiler, pressure vessel or pressure plant.**
- (2) Subsection 8.02(2) of the regulations is amended by the deletion of the words “requirements of CSA B-51-14” and the substitution of the words “requirements of CSA B51”.**
- 28. (1) Subsection 8.03(1) of the regulations is amended by the deletion of the words “he shall” and the substitution of the words “that person shall”.**
- (2) Subsection 8.03(2) of the regulations is amended by the deletion of the word “stamped” and the substitution of the word “marked”.**
- 29. Subsection 8.04(1) of the regulations is revoked and the following substituted:**
- 8.04 Qualifications of applicant**
- (1) An applicant for a welder’s certification test shall**
- (a) have acquired a journeyman’s certificate of qualification in welding issued by a recognized Canadian jurisdiction having authority;**
- (b) have been previously certified as a pressure welder by a recognized Canadian jurisdiction having authority that is deemed equivalent by the chief inspector to the welder’s certificate the applicant is applying for;**

- (c) have completed at least two years of practical experience in welding that includes open root welding as evidenced by a letter from each employer during that period; or
- (d) have successfully completed a welding course recognized by a recognized certification organization such as the Canadian Welding Bureau or another organization accepted by the chief inspector, and be working under the direct supervision of an employer that is engaged in pressure welding and holds a Mechanical Contractor license pursuant to section 5.39.

30. Subsection 8.05(3) of the regulations is revoked and the following substituted:

Marking

- (3) Every test shall be witnessed by an inspector who shall mark each coupon on the face side to denote the test position.

31. (1) Subsection 8.06(4) of the regulations is amended by the deletion of the word “he” wherever it occurs and the substitution of the words “that welder”.

- (2) **Subsection 8.06(5) of the regulations is amended by the deletion of the word “he” and the substitution of the words “that welder”.**

(3) Subsection 8.06(7) of the regulations is amended

- (a) **by the deletion of the words “on either side” and the substitution of the words “in the weld or heat-affected zone on the convex surface”; and**

- (b) **by the deletion of the words “slag inclusion or other internal defects” and the substitution of the words “lack of fusion, slag inclusions or other internal discontinuities”.**

- (4) **Subsection 8.06(8) of the regulations is amended by the deletion of the words “before he” and the substitution of the words “, a welding certificate issued pursuant to section 8.04 for a special material, or a journeyman’s certificate acceptable to the chief inspector before the welder”.**

- (5) **Subsection 8.06(12) of the regulations is amended by the addition of the words “or proof of welding continuity acceptable to the chief inspector” after the words “to do approved welding”.**

- (6) **Subsection 8.06(13) of the regulations is amended by the deletion of the words “he shall return it to the Chief Inspector giving the procedure number of the work he is about to assign to the welder and if the Chief Inspector is satisfied that the procedure is similar, he may” and the substitution of the words “that employer shall return it to the chief inspector giving the procedure number of the work about to be assigned to the welder and, if the chief inspector is satisfied that the procedure is similar, the chief inspector may”.**

32. The heading immediately before section 8.07 is amended by the deletion of the word “STAMPING” and the substitution of the word “MARKING”.

- 33. (1) Subsection 8.07(1) of the regulations is amended by the deletion of the words “and the welder shall stamp all work performed by him with the assigned symbol as required by the” and the substitution of the words “or unique number and the welder shall mark all work the welder performs with the assigned symbol or unique number as required by the applicable”.**

- (2) **Subsection 8.07(2) of the regulations is amended by the deletion of the words “stamp his work so that the symbol” and the substitution of the words “mark the work so that the symbol or unique number”.**

- (3) **Subsection 8.07(3) of the regulations is revoked and the following substituted:**

Misuse of symbol

- (3) The certificate of any welder shall be cancelled who
- (a) fails to mark the work with the symbol or unique number assigned to the welder;
 - (b) marks work not performed by the welder;
 - (c) allows another person to use the welder's assigned symbol or unique number; or
 - (d) consistently does unacceptable welding.

34. (1) Subsections 8.08(1) and (3) of the regulations are amended by the addition of the word "applicable" before the words "ASME Code".

(2) Subsection 8.08(2) of the regulations is amended by the deletion of the word "he" and the substitution of the words "that person".

35. (1) Subsection 8.11(1) of the regulations is amended by the deletion of the words "stamped by the welder with his authorized symbol" and the substitution of the words "marked by the welder with the welder's authorized symbol or unique number".

(2) Subsection 8.11(3) of the regulations is revoked and the following substituted:

Prohibition

- (3) Under no circumstances shall any welding be done on any boiler or pressure vessel which is under pressure.

Non-ASME construction

- (4) All alterations and repairs that are performed on non-ASME constructed boilers and pressure vessels shall conform to the original code of construction and be performed in a manner acceptable to the inspector.

36. Subsection 8.12(2) of the regulations is amended by the addition of the word "applicable" before the words "ASME Code".

37. Section 8.15 of the regulations is amended by the deletion of the words "of the ASME Code" and the substitution of the words "of the applicable ASME Code".

38. Sections 8.24 and 8.25 of the regulations are amended by the deletion of the words "the ASME Power Boiler Code" and the substitution of the words "Section I of the ASME Boiler and Pressure Vessel Code".

39. Section 8.27 of the regulations is amended by the deletion of the words "ASME Power Boiler Code" and the substitution of the words "ASME Boiler and Pressure Vessel Code".

40. Section 8.31 of the regulations is amended by the deletion of the words "Methods or" and the substitution of the words "Methods of".

41. (1) Subsection 8.32(1) of the regulations is revoked and the following substituted:

8.32 Fees

- (1) The manufacturer or contractor shall pay a fee according to the following scale for procedure registration and welder or brazer certification:
- (a) for the survey and registration of a welding or brazing procedure.....\$70
 - (b) for transfer of a welder's or brazer's certificate\$75
 - (c) for a single procedure qualification test\$100 per hour

- (d) for a welder's or brazer's all-position certification test in one procedure
.....\$100 per hour
 - (e) for the certification test or retest of a welder or brazer on one position
.....\$100 per hour
- (2) **Subsection 8.32(2) of the regulations is amended by the deletion of the word “welder” and the substitution of the words “welder or brazer”.**

42. Clause 9.01(g) of the regulations is amended by the deletion of the words “not exceeding 20 kilograms (44 pounds)” and the substitution of the words “not exceeding 100 pounds”.

43. Section 9.03 of the regulations is revoked and the following substituted:

9.03 Codes and standards

Except as otherwise provided in these regulations, the codes and standards governing the design, fabrication, installation, testing and inspection of gas piping systems, appliances and fittings are those set out in the specified edition of the following publications:

- (a) CSA standard CSA B149.1:20, Natural gas and propane installation code, as amended;
 - (b) CSA standard CSA B149.2:20, Propane storage and handling code, as amended;
 - (c) CSA standard CSA B149.3:20, Code for the field approval of fuel-burning appliances and equipment, as amended;
 - (d) CSA standard CSA/ANSI B149.6:20, Code for digester gas, landfill gas, and biogas generation and utilization, as amended;
 - (e) CSA standard CSA Z662:23, Oil and gas pipeline systems, as amended;
 - (f) CSA standard CSA B149.5:20, Installation code for propane fuel systems and containers on motor vehicles, as amended;
 - (g) CSA B108.1:23 Compressed natural gas refuelling stations installation code, as amended;
 - (h) CSA B108.2:23, Liquified natural gas refuelling stations installation code, as amended.
- 44. Subsection 9.08(1) of the regulations is revoked and the following substituted:**

9.08 Installation permits

- (1) Installation permits shall be obtained by a Mechanical Contractor before any work commences or alterations or additions are made to any gas system, and an inspector may inspect the work done pursuant to the permit at any reasonable time as directed by the chief inspector.

45. Clause 9.10(d) of the regulations is amended by the addition of the words “up to 100 pounds capacity” after the words “filling portable cylinders”.

46. Section 9.12 of the regulations is amended by the deletion of the words “two point five kilograms” and the substitution of the words “2.5 kilograms”.

47. Clause 9.15(1)(d) of the regulations is amended by the deletion of the words “except as indicated in subsection 9.16 (b.2)”.

48. Section 9.16 of the regulations is amended

- (a) **by the revocation of clause (a);**
- (b) **in clause (b), by the deletion of the word “activitation” and the substitution of the word “activation”;**

- (c) **in clauses (c), (d) and (f), by the deletion of the word “activation” and the substitution of the word “activation”;** and
- (d) **in clause (k), by the deletion of the words “20 kilograms (44 pounds)” and the substitution of the words “100 pounds”.**

49. (1) Subsection 9.19(1) of the regulations is revoked and the following substituted:

9.19 Age and administrative requirements

- (1) A candidate for a certificate shall
 - (a) except in the case of a dispenser unit operator, be at least 18 years of age;
 - (b) complete and file with the chief inspector the prescribed application form;
 - (c) successfully complete the examination or be the holder of a valid interprovincial certificate of qualification; and
 - (d) for a Gas Maintenance Certificate, Class “N”,
 - (i) have at least three months’ experience assisting in the service or repair of control systems and operating components on gas-fired appliances, and
 - (ii) have successfully completed a course approved and supplied by the manufacturer of the equipment.

(2) Clause 9.19(2)(a) of the regulations is revoked.

50. Subsection 9.21(2) of the regulations is amended

- (a) **in clause (e), by the deletion of the words “by Part VI” and the substitution of the words “by Part V”;** and
- (b) **in clause (h), by the addition of the words “registered or licensed to practice in the province of Prince Edward Island” after the words “professional engineer”.**

51. Subsection 9.23(1) of the regulations is amended by the deletion of the words “unless he is” and the substitution of the words “unless the gas supplier is”.

52. The regulations are amended by the addition of the following after section 9.32:

9.32.1 Temporary construction heat installations

All temporary construction heat installations shall be equipped with carbon monoxide detectors on each level of the structure where temporary construction heat is present.

9.32.2 Installations requiring a direct fired or electric vaporizer

All installations requiring a direct fired or electric vaporizer shall have the tank, vaporizer, and liquid piping installed on a single reinforced concrete base.

9.32.3 Gas verification tag

All installations shall have a verification tag displayed, and accessible for review by an inspector prior to completion, that contains the following information:

- (a) the date of installation;
- (b) company name;
- (c) permit number;
- (d) the gasfitter’s name and license number;
- (e) total BTU load at time of installation;
- (f) test pressure and duration;
- (g) pipe size and length;
- (h) verification that the installation meets the requirements of these regulations;

- (i) the signature of the gasfitter.

9.32.4 Manual shut-off valves

All commercial installations shall have a labelled and easily accessible master shut-off valve installed at the gas piping system's point of entry into the building, and at every 200 feet after that point.

53. Clauses 10.03(1)(a) and (b) of the regulations are revoked and the following substituted:

- (a) CSA standard CSA Z7396.1:22 Medical gas pipeline systems - Part 1: Pipelines for medical gases, medical vacuum, medical support gases, and anaesthetic gas scavenging systems, as amended;
- (b) NFPA 55 2023 edition, Compressed Gases and Cryogenic Fluids Code, as amended.

54. Section 10.07 of the regulations is revoked and the following substituted:

10.07 Qualified candidate

- (1) A candidate for a medical gas installer certificate shall
 - (a) complete and file the appropriate application form with the chief inspector;
 - (b) be the holder of a certificate of trades qualification in the plumbing or pipe-fitting trade or have equivalent experience in servicing medical gas piping systems as determined by the chief inspector;
 - (c) meet the medical gas installer requirements as outlined in CSA Z7396.1;
 - (d) successfully pass a written examination based on CSA Z7396.1;
 - (e) successfully pass a brazing test for a brazing certificate of proficiency using a CRN registered brazing procedure specification in accordance with section IX of the ASME Boiler and Pressure Vessel Code; and
 - (f) pay the fee of \$100.

Renewal of certificate

- (2) The holder of a medical gas installer certificate shall renew the certificate every three years.

Revocation of certificate

- (3) The chief inspector may revoke a medical gas installer certificate where there is evidence of failure to comply with inspectors' orders, misrepresentation of qualifications, or poor workmanship.

55. Section 10.09 of the regulations is amended by the deletion of the words "CSA Z305.1-92, Non-Flammable Medical Gas Piping Systems" and the substitution of the words "CSA Z7396.1".

56. Section 10.16 of the regulations is amended by the deletion of the words "satisfy himself that all the provision" and the substitution of the words "ensure that all the requirements".

57. Section 10.18 of the regulations is amended by the addition of the words "and shall be witnessed by an inspector" after the words "adopted standards".

58. Subsection 10.20(2) of the regulations is amended by the deletion of the words "by the Chief Inspector" and the substitution of the words "in writing by the chief inspector".

59. Section 10.21 of the regulations is revoked and the following substituted:

10.21 Required inspections

The inspector shall carry out, or order a person who is qualified in accordance with CSA Z7396.1 to carry out, the required inspections in accordance with CSA Z7396.1.

60. Section 11.02 of the regulations is amended by the addition of the words “of refrigeration capacity” after the words “units of 6 kW or less”.

61. (1) Subsection 11.04(1) of the regulations is amended by the deletion of the word “mechanics” and the substitution of the word “mechanic’s”.

(2) Section 11.04 of the regulations is amended by the addition of the following after subsection (1):

Hydrocarbon refrigerant

(1.1) Any refrigeration system that contains a hydrocarbon refrigerant shall be serviced, repaired, altered, or installed only by a refrigeration mechanic who has also successfully completed a training program acceptable to the chief inspector that addresses the additional safety concerns of hydrocarbon refrigerants.

(3) Section 11.04 of the regulations is amended by the addition of the following after subsection (2):

Additional training

(2.1) For hydrocarbon refrigerants, the power engineer or refrigeration operator shall also have successfully completed additional training acceptable to the chief inspector to address the safety concerns of hydrocarbon refrigerants.

62. (1) Section 11.08 of the regulations is amended by the addition of the following after subsection (1):

Doors – additional requirements

(1.1) Refrigeration machinery room doors shall

- (a) be self-closing and open outwards from the refrigeration machinery room; and
- (b) have lever handles or panic hardware acceptable to the inspector installed on them.

(2) Subsection 11.08(2) of the regulations is amended by the deletion of the words “CSA B-52-13” wherever they occur and the substitution of the words “CSA B52”.

(3) Clauses 11.08(3)(a) and (d) of the regulations are amended by the deletion of the words “CSA B-52-13” and the substitution of the words “CSA B52”.

(4) Subsection 11.08(4) of the regulations is revoked and the following substituted:

Machinery rooms for flammable refrigerants

(4) A machinery room for a flammable refrigerant classified as 2L, 2 or 3 shall conform to the requirements of CSA B52 and, in addition,

- (a) when located in a basement or sub-basement, shall have mechanical ventilation operating continuously;
- (b) shall have at least one exit door that opens directly to the outside air;
- (c) if one or more additional exits communicate with the building, those exits shall be through a vestibule equipped with self-closing and tight-fitting fire doors; and
- (d) shall have a vapour detection system that activates an audible alarm and a high visibility flashing light that is tested and proven to be functional annually.

63. **Section 11.10 of the regulations is amended by the deletion of the word “he” and the substitution of the words “that person”.**
64. **Section 11.11 of the regulations is amended by the deletion of the words “ASME B31.5-2013 refrigeration piping standard” and the substitution of the words “ASME standard B31.5 Refrigeration Piping and Heat Transfer Components”.**
65. **Clause 11.12(c) of the regulations is amended by the deletion of the words “and shall conform to CSA Standard HC.7.5 seamless copper and brass pipes”.**
66. **Section 11.21 of the regulations is amended by the deletion of the word “he” and the substitution of the words “that inspector”.**
67. **Section 11.32 of the regulations is amended by the deletion of the words “direct pressure actuated relief device” and the substitution of the words “pressure relief device or some other means designed to safely relieve pressure, and in the case of a pressure relief device except for a fusible plug, the device shall be directly pressure actuated”.**
68. **Subsections 11.33(1) and (2) of the regulations are amended by the addition of the words “, Division 1” after the words “Section VIII”.**
69. **Subsections 11.35(2), (3) and (4) of the regulations are amended by the deletion of the words “CSA B-52-13” and the substitution of the words “CSA B52”.**
70. **Section 11.39 of the regulations is amended by the deletion of the words “CSA B-52-13, Mechanical Refrigeration Code,” and the substitution of the words “CSA B52,”.**
71. (1) **Subsection 11.43(1) of the regulations is amended by the deletion of the words “in accordance with the requirements of CSA B-52-13” and the substitution of the words “appropriate for the specific refrigeration system”.**
- (2) **Subsection 11.43(2) of the regulations is amended by the addition of the words “or sealed container” after the words “kept in a suitable cabinet”.**
72. (1) **Section 11.44 of the regulations is amended by renumbering it as subsection 11.44(1).**
- (2) **Section 11.44 of the regulations is amended by the addition of the following after subsection (1):**
- Supervision**
- (2) A facility that contains a refrigeration plant, while in operation and open to the public, shall have a person present at all times who is familiar with the refrigeration plant and the various safety protocols associated with the facility.
73. **Subsection 11.48(3) of the regulations is amended by the deletion of the words “CSA B-51-14” and the substitution of the words “CSA B51”.**
74. **These regulations come into force on September 7, 2024.**

EXPLANATORY NOTES

SECTION 1 amends clause 1.01(b) of the *Boilers and Pressure Vessels Act* Regulations (EC234/85) to correct an error in the text.

SECTION 2 amends subsection 1.02(1) of the regulations to update the application of the Act and regulations to the listed types of pressure vessels.

SECTION 3 revokes section 3.01 of the regulations and substitutes a new section 3.01 to list the new codes and standards being adopted by the regulations.

SECTION 4 amends section 4.01 of the regulations to update the wording generally and to provide for the appointment of qualified persons as inspectors.

SECTION 5 amends the specified provisions of the regulations to update the title of the ASME Boiler and Pressure Vessel Code.

SECTION 6 amends the specified provisions of the regulations to correct the title of “chief inspector”.

SECTION 7 amends subsection 5.11(2) of the regulations to update the title of the ASME Boiler and Pressure Vessel Code.

SECTION 8 amends sections 5.13 and 5.14 of the regulations to update the title of the ASME Boiler and Pressure Vessel Code.

SECTION 9 amends subsection 5.16(1) of the regulations to clarify the application of the ASME Boiler and Pressure Vessel Code and the PED standards to piping used in the specified equipment.

SECTION 10 amends clauses 5.17(b) and (e) of the regulations to update the specified requirements.

SECTION 11 amends sections 5.23 and 5.28 of the regulations to add the word “applicable” to the words “ASME Code”.

SECTION 12 amends subsection 5.38(1) of the regulations to correct a reference to CSA B51, and revokes subsection 5.38(2) of the regulations to clarify the requirements for stamping the specified equipment that was manufactured outside Canada.

SECTION 13 amends subsection 5.39(5) of the regulations to clarify the requirements for a contractor’s license, and also amends subsections 5.39(5) and (6) to eliminate gendered wording.

SECTION 14 revokes subsections 5.40(1) and (2) of the regulations to update and clarify the requirements for a permit to install pressure equipment, and also amends subsections 5.40(3) and (5) of the regulations to clarify and eliminate gendered wording, and adds a new subsection (6) to require an installer to submit the specified Report of Boiler Installation.

SECTION 15 amends section 5.41 of the regulations to correct a reference to CSA B51.

SECTION 16 amends subsections 6.05(1) and (2) of the regulations to clarify that the cut-off device specified there must be equipped with a manual reset.

SECTION 17 amends section 6.06 of the regulations to clarify that the cut-off device specified there must be equipped with a manual reset.

SECTION 18 amends section 6.08 of the regulations to correct a reference to the ASME Boiler and Pressure Vessel Code.

SECTION 19 amends clause 6.11(4)(b) of the regulations to correct a reference to the ASME Boiler and Pressure Vessel Code.

SECTION 20 amends the regulations by adding the specified heading and a new section 6.20 after section 6.19. The new section 6.20 requires all fuel burning equipment and

appliances to which the regulations apply to be installed with a carbon monoxide detection system that emits an audible alarm.

SECTION 21 amends subsection 7.08(1) of the regulations to eliminate gendered wording.

SECTION 22 amends subsections 7.13(1) and (2) of the regulations to correct references to CSA B51.

SECTION 23 amends section 7.15 of the regulations to eliminate gendered wording.

SECTION 24 amends subsection 7.17(3) of the regulations to eliminate gendered wording.

SECTION 25 amends subsection 7.23(3) of the regulations to eliminate gendered wording.

SECTION 26 amends clause 8.01(c) of the regulations to eliminate gendered wording.

SECTION 27 revokes subsection 8.02(1) of the regulations and substitutes a new subsection 8.02(1) to clarify the application of the Part. The section also amends subsection 8.02(2) of the regulations to correct a reference to CSA B51.

SECTION 28 amends subsections 8.03(1) and (2) of the regulations to eliminate gendered wording and update the wording.

SECTION 29 revokes subsection 8.04(1) of the regulations and substitutes a new subsection 8.04(1) to update the qualifications required for certification as a welder.

SECTION 30 revokes subsection 8.05(3) of the regulations to update and clarify the requirements.

SECTION 31 amends subsections 8.06(4) and (5) of the regulations to eliminate gendered wording and subsections 8.06(7), (8), (12) and (13) to update and clarify the requirements.

SECTION 32 amends the heading immediately before section 8.07 of the regulations to change the word “STAMPING” to “MARKING”, for consistency with other changes to the terminology in this Part.

SECTION 33 amends subsections 8.07(1), (2) and (3) of the regulations to eliminate gendered wording and to update the requirements.

SECTION 34 amends subsections 8.08(1) and (3) of the regulations to update references to the ASME Code and subsection 8.08(2) to eliminate gendered wording.

SECTION 35 amends subsection 8.11(1) of the regulations to eliminate gendered wording. The section also revokes subsection 8.11(3) of the regulations and substitutes new subsections (3) and (4). Subsection 8.11(3) prohibits welding on boilers or pressure vessels that are under pressure. Subsection 8.11(4) clarifies the requirements respecting non-ASME boilers and pressure vessels.

SECTION 36 amends subsection 8.12(2) of the regulations to update a reference to the ASME Code.

SECTION 37 amends section 8.15 of the regulations to update a reference to the ASME Code.

SECTION 38 amends sections 8.24 and 8.25 of the regulations to update a reference to the ASME Boiler and Pressure Vessel Code.

SECTION 39 amends section 8.27 of the regulations to update a reference to the ASME Boiler and Pressure Vessel Code.

SECTION 40 amends section 8.31 of the regulations to correct a typographical error.

SECTION 41 revokes subsection 8.32(1) of the regulations and substitutes a new subsection 8.32(1) to set out the applicable fees as specified. The section also amends subsection 8.32(2) of the regulations to include the term “brazer”.

SECTION 42 amends clause 9.01(g) of the regulations to increase the capacity of the portable propane cylinder listed there to up to 100 pounds.

SECTION 43 revokes section 9.03 of the regulations and substitutes a new section 9.03 to update the codes and standards listed there.

SECTION 44 revokes subsection 9.08(1) of the regulations and substitutes a new subsection (1) to update the requirements respecting installation permits and inspection of the work authorized by the permits.

SECTION 45 amends clause 9.10(d) of the regulations for consistency with the amendment made by section 42.

SECTION 46 amends section 9.12 of the regulations to correct an error.

SECTION 47 amends clause 9.15(1)(d) of the regulations to delete a reference to a later clause that has been revoked.

SECTION 48 revokes clause 9.16(a) of the regulations to delete a reference to a certificate that no longer exists, and amends clauses 9.16(b), (c), (d) and (f) of the regulations to correct typographical errors.

SECTION 49 revokes subsection 9.19(1) of the regulations and substitutes a new subsection 9.19(1) to update the qualifications required for a certificate and to eliminate gendered wording. The section also revokes clause 9.19(2)(a) of the regulations. The clause referred to a type of certificate that no longer exists.

SECTION 50 amends subsection 9.21(2) of the regulations to correct an incorrect reference and to clarify a reference to a professional engineer.

SECTION 51 amends subsection 9.23(1) of the regulations to eliminate gendered wording.

SECTION 52 amends the regulations by adding new sections 9.32.1 to 9.32.4 to provide rules respecting temporary construction heat installations, including their required equipment and safe operation, requirements for gas verification tags and requirements for manual shut-off valves.

SECTION 53 revokes clauses 10.03(1)(a) and (b) of the regulations and substitutes new clauses 10.03(1)(a) and (b) to update the applicable standards.

SECTION 54 revokes section 10.07 of the regulations and substitutes a new section 10.07 to specify the requirements for a candidate for a medical gas installer certificate, to specify the term of the certificate and to authorize the chief inspector to revoke a certificate for the specified reasons.

SECTION 55 amends section 10.09 of the regulations to update the reference to the CSA standard.

SECTION 56 amends section 10.16 of the regulations to eliminate gendered wording.

SECTION 57 amends section 10.18 of the regulations to add a requirement for an inspector to witness the testing required in that section.

SECTION 58 amends subsection 10.20(2) of the regulations to require the authorization by the chief inspector to be in writing.

SECTION 59 revokes section 10.21 of the regulations and substitutes a new section 10.21 to update the requirements for inspections under CSA Z7396.1.

SECTION 60 amends section 11.02 of the regulations to clarify that the reference to “units of 6kW or less” is a reference to refrigeration capacity.

SECTION 61 amends subsection 11.04(1) of the regulations to correct a typographical error. The section also amends section 11.04 by adding a new subsection (1.1) to specify the requirements for a refrigeration system that contains a hydrocarbon refrigerant, and a new subsection (2.1) to specify the training required for a power engineer or refrigeration operator who works with that type of system.

SECTION 62 amends subsection 11.08 of the regulations to add a new subsection (1.1) to specify additional safety requirements for refrigeration machinery room doors, amends subsection 11.08(2) and clauses (3)(a) and (d) to correct references to CSA B52. Subsection 11.08(4) is revoked and a new subsection (4) substituted that requires a refrigeration machinery room to have a vapour detection system installed as specified.

SECTION 63 amends section 11.10 of the regulations to eliminate gendered wording.

SECTION 64 amends section 11.11 of the regulations to update the reference to the applicable ASME standard.

SECTION 65 amends clause 11.12(c) of the regulations to eliminate reference to a standard that no longer applies.

SECTION 66 amends section 11.21 of the regulations to eliminate gendered wording.

SECTION 67 amends section 11.32 of the regulations to clarify the requirements for a direct pressure actuated relief device.

SECTION 68 amends subsections 11.33(1) and (2) to add references to “Division 1” of the specified section of the ASME Boiler and Pressure Vessel Code.

SECTION 69 amends subsections 11.35(2), (3) and (4) of the regulations to update references to CSA B52.

SECTION 70 amends section 11.39 of the regulations to update the reference to CSA B52.

SECTION 71 amends subsection 11.43(1) of the regulations to require appropriate protective equipment to be provided. It also amends subsection 11.43(2) to provide that the equipment may be kept in a sealed container in addition to a suitable cabinet.

SECTION 72 amends section 11.44 of the regulations to renumber it as subsection 11.44(1) and adds a new subsection (2) that requires a facility with a refrigeration plant, while in operation and open to the public, to have a person present who is familiar with the plant and its safety protocols.

SECTION 73 amends subsection 11.48(3) of the regulations to update the reference to CSA B51.

SECTION 74 provides for the commencement of the regulations.

EC2024-796

DRUG COST ASSISTANCE ACT**DRUG COST ASSISTANCE PROGRAM REGULATIONS
AMENDMENT**

Pursuant to section 21 of the *Drug Cost Assistance Act* R.S.P.E.I. 1988, Cap. D-14.1, Council made the following regulations:

1. **Section 2 of the Drug Cost Assistance Program Regulations (EC367/14) is revoked and the following substituted:**
2. **Submission of claim to other payors first**
Where, in respect of a benefit, an eligible person is covered by third-party insurance or a prescribed benefit plan or program not established under the Act, the eligible person or participating pharmacy shall submit a claim for the benefit to the third-party insurer or administrator of that plan or program, as the case may be, before submitting a claim under these regulations.
2. **Clauses 37(2)(a) and (3)(a) of the regulations are revoked.**
3. (1) **Subsection 47(1) of the regulations is revoked and the following substituted:**
47. **Establishing breakdown of marriage or relationship**
 - (1) An applicant may establish that the applicant is separated from the applicant's spouse by submitting a statutory declaration, in the form approved by the Minister, with an application for enrolment or a variation in the terms of enrolment, confirming there has been a breakdown of the marriage, within the meaning in the *Divorce Act* (Canada), or the spouses are no longer cohabiting in a conjugal relationship.
 - (2) **Subsections 47(2), (3) and (4) of the regulations are amended by the deletion of the words "living separate and apart" and the substitution of the word "separated".**
 - (3) **Subsection 47(5) of the regulations is revoked and the following substituted:**
Effect of separation
 - (5) Where the Administrator is satisfied that an applicant is separated from the applicant's spouse, the spouse's income shall not be considered in respect of the applicant's enrolment or terms of enrolment in a program.
4. **These regulations come into force on September 1, 2024.**

EXPLANATORY NOTES

SECTION 1 revokes and replaces section 2 of the regulations to require that, where applicable, claims for benefits are made to a third-party insurer or the administrator of a prescribed benefit plan or program not established under the Act before a claim is made under these regulations.

SECTION 2 revokes clauses 37(2)(a) and (3)(a) of the regulations to remove age-related eligibility criteria in respect of the Insulin Pump Program.

SECTION 3 amends section 47 of the regulations to remove references to specific programs and clarify the requirements for an applicant to establish separation from a spouse for the purpose of the applicant's enrolment or terms of enrolment in a program.

SECTION 4 provides for the commencement of these regulations.

EC2024-797

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RURAL GROWTH FUNDING AGREEMENT)
 WITH
 THE RURAL MUNICIPALITY OF BRACKLEY

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, Tourism, Sport and Culture to enter into an agreement with the Rural Municipality of Brackley for Reception Centre Upgrades under the Rural Growth Initiative program, effective upon signing to February 28, 2025, such as more particularly described in the draft agreement.

EC2024-798

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RURAL GROWTH FUNDING AGREEMENT)
 WITH
 THE RURAL MUNICIPALITY OF HUNTER RIVER

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, Tourism, Sport and Culture to enter into an agreement with the Rural Municipality of Hunter River for Reception Centre Upgrades under the Rural Growth Initiative program, effective upon signing to October 31, 2024, such as more particularly described in the draft agreement.

EC2024-799

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RURAL GROWTH FUNDING AGREEMENT)
 WITH
 LENNOX ISLAND FIRST NATION

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, Tourism, Sport and Culture to enter into an agreement with the Lennox Island First Nation for Ballfield Revitalization under the Rural Growth Initiative program, effective upon signing to December 31, 2024, such as more particularly described in the draft agreement.

EC2024-800

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RURAL GROWTH FUNDING AGREEMENT)
 WITH
 RURAL MUNICIPALITY OF MORELL

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, Tourism, Sport and Culture to enter into an agreement with the Rural Municipality of Morell for Community Upgrades under the Rural Growth Initiative program, effective upon signing to March 1, 2025, such as more particularly described in the draft agreement.

EC2024-801

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RURAL GROWTH FUNDING AGREEMENT)
 WITH
 RURAL MUNICIPALITY OF MOUNT STEWART

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, Tourism, Sport and Culture to enter into an agreement with the Rural Municipality of Mount Stewart for Commercial Building Upgrades under the Rural Growth Initiative program, effective upon signing to March 1, 2025, such as more particularly described in the draft agreement.

EC2024-802

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RURAL GROWTH FUNDING AGREEMENT)
 WITH
 THE CITY OF SUMMERSIDE

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, Tourism, Sport and Culture to enter into an agreement with the City of Summerside for Fire Equipment Upgrades under the Rural Growth Initiative program, effective upon signing to November 30, 2024, such as more particularly described in the draft agreement.

EC2024-803

EXECUTIVE COUNCIL ACT
 MINISTER OF HOUSING, LAND AND COMMUNITIES
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (SERVICE AGREEMENT)
 WITH
 THE CITY OF SUMMERSIDE

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Housing, Land and Communities, on behalf of the Prince Edward Island Housing Corporation to enter into a Service Agreement with the City of Summerside, to provide enhanced community policing supports to the neighbourhoods surrounding the Summerside Emergency Shelter, for the period October 1, 2024 to September 30, 2025, such as more particularly described in the draft agreement.

EC2024-804

FINANCIAL ADMINISTRATION ACT
 AUTHORITY TO CANCEL AND DISCLOSE
 CERTAIN ACCOUNTS RECEIVABLE
 UNDER THE REAL PROPERTY TAX ACT

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the cancellation of thirty-six (36) accounts receivable under the *Real Property Tax Act* totalling \$29,544.66 as at March 31, 2024.

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

SCHEDULE
 (CANCELLATIONS)

Act	Debtor	Address	Total Debt
<i>Real Property Tax Act</i>	Debtors under \$25,000 (36 Accounts)	Various	\$29,544.66

EC2024-805

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 AMY PEARL COLE
 (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 Amy Pearl Cole of Mississauga, Ontario to acquire an interest in a land holding of approximately two hundred and sixteen (216) acres of land at Victoria Cross, Lot 51, Kings County, Province of Prince Edward Island, being acquired from Mark Chandler of Victoria Cross, Prince Edward Island.

EC2024-806

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GAIL FINNISON
(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 Gail Finnison of Rosseau, Ontario to acquire an interest in a land holding of approximately twenty-eight decimal two six (28.26) acres of land at Ebbsfleet, Lot 2, Prince County, Province of Prince Edward Island, being acquired from the Estate of Kathleen Ada Costain of Ajax, Ontario; Nancy Costain-Petitpas of Midland, Ontario; Deborah (Debbie) Costain of Toronto, Ontario; Cynthia (Cindy) Costain of Toronto, Ontario; and, Barbara L. Costain of Barrie, Ontario 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.

EC2024-807

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GARRY NEEDHAM AND SUSAN NEEDHAM
(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 Garry Needham and Susan Needham, both of Southampton, Ontario to acquire a land holding of approximately six decimal nine two (6.92) acres of land at Pembroke, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Elizabeth Brouwer of Montague, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2024-808

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JOSEPH PROVENZANO AND DANIELLE ARSENAULT
(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 Joseph Provenzano and Danielle Arsenault, both of Toronto, Ontario to acquire a land holding of approximately thirty decimal zero seven (30.07) acres of land at Nail Pond, Lot 1, Prince County, Province of Prince Edward Island, being acquired from Ashleigh Arsenault and Caileigh Arsenault, both of Newmarket, Ontario 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.

EC2024-809

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
103360 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 103360 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire an interest, by way of share purchase, in a land holding of approximately twenty-three decimal four (23.4) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Andrea Dawson of North Wiltshire, Prince Edward Island; Darren MacGregor of Charlottetown, Prince Edward Island; David Long of Fort Saskatchewan, Alberta; George Rowat of Stratford, Prince Edward Island; Heather Delage of Breadalbane, Prince Edward Island; Marc Sauer of Charlottetown, Prince Edward Island; Mark Wellman of Johnstons River, Prince Edward Island; Oliver Technow of Charlottetown, Prince Edward Island; Reactsol Ltd. of London, England; Richard Bethell of Charlottetown, Prince Edward Island; Shawn Delong of Mermaid, Prince Edward Island; Ted Dolan of Doylestown, Pennsylvania; Peter Ercoli of Bristol, Indiana; and H. I. G. BioVectra, L.P. of Miami, Florida.

EC2024-810

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
AAF GRANDVIEW HOLDINGS 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 AAF Grandview Holdings Ltd. of Charlottetown, Prince Edward Island to acquire an interest, by way of share purchase, in a land holding of approximately four decimal eight eight (4.88) acres of land at Grandview, Lot 57, Queens County, Province of Prince Edward Island, being acquired from Richard Speelman of Grandview, Prince Edward Island, and Scott Speelman of Vernon River, Prince Edward Island.

EC2024-811

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BLUE AND RED 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 Blue and Red Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately zero decimal seven eight (0.78) acre of land at Crapaud, Lot 29, Queens County, Province of Prince Edward Island, being acquired from 102156 P.E.I. Inc. of Crapaud, Prince Edward Island.

EC2024-812

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
D & D MANUFACTURING 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 D & D Manufacturing Inc. of St. Peters Bay, Prince Edward Island to acquire a land holding of approximately forty (40) acres of land at St. Georges, Lot 54, Kings County, Province of Prince Edward Island, being acquired from Allan Pitre Farms Inc. of Primrose, Prince Edward Island.

EC2024-813

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DAIJOCH ENTERPRISES 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 DAIJOCH Enterprises Ltd. of North Rustico, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land at North Rustico, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Grant Marshall of Andover, Massachusetts and Jennifer Marshall of Orleans, Ontario.

EC2024-814

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DOUBLE W CONTRACTING SERVICES 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 Double W Contracting Services Inc. of Lower Montague, Prince Edward Island to acquire a land holding of approximately zero decimal two four (0.24) acre of land at Murray Harbour, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Gordon Beck of Dartmouth, Nova Scotia.

EC2024-815

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MESSAGE CENTRE P.E.I. INC. AND PELLECO 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 Message Centre P.E.I. Inc. of Charlottetown, Prince Edward Island and Pelleco Inc. of Covehead, Prince Edward Island to acquire a land holding of approximately one decimal eight five (1.85) acres of land at Brackley Beach, Lot 33, Queens County,

Province of Prince Edward Island, being acquired from Fred Meda and Robena Meda, both of Norfolk, Massachusetts 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.

EC2024-816

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SANDERSON CAPITAL 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 Sanderson Capital Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately five decimal two five (5.25) acres of land at Cornwall, Lot 32, Queens County, Province of Prince Edward Island, being acquired from Jody Sanderson and Larissa Sanderson, both of Cornwall, Prince Edward Island.

EC2024-817

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SEA CROSS 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 Sea Cross Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately forty-eight decimal one (48.1) acres of land at Stanley Bridge, Lot 22, Queens County, Province of Prince Edward Island, being acquired from Greenfield Capital Inc. of Cavendish, Prince Edward Island.

EC2024-818

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STICKS AND STONES DEVELOPMENTS 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 Sticks and Stones Developments Inc. of New Glasgow, Prince Edward Island to acquire a land holding of approximately forty-three (43) acres of land at Bedeque, Lot 26, Prince County, Province of Prince Edward Island, being acquired from Nicole Ward and Nathan Garnier, both of Albany, 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.

EC2024-819

LONG-TERM CARE SUBSIDIZATION ACT

REGULATIONS
AMENDMENT

Pursuant to section 12 of the *Long-Term Care Subsidization Act* R.S.P.E.I. 1988, Cap. L-16.1, Council made the following regulations:

1. (1) Subsection 7(1) of the *Long-Term Care Subsidization Act* Regulations (EC45/20) is amended by the deletion of the words “30 days” and the substitution of the words “45 days”.

(2) Subsection 7(2) of the regulations is revoked and the following substituted:

Notice

(2) The Minister shall provide notice of the appointment of a Panel to the appellant.

Decision within 30 days

(3) A Panel shall review the documents provided under subsection (1) and render a decision on the appeal, in writing, within 30 days of appointment.

Jurisdiction of Panel

(4) The Panel shall decide only the matters that are raised on appeal and fall within the Act and these regulations.

Copy of decision

(5) The Panel shall promptly provide a copy of its decision to the appellant and the Minister.

2. Section 8 of the regulations is revoked and the following substituted:

8. Providing notice or other documents

Any notice or other document required to be provided to a person under section 7 is considered to have been provided

- (a) upon being delivered personally or by courier to the person;
- (b) upon being sent by facsimile or other electronic means to the person and an acknowledgement of receipt being received; or
- (c) five days after being sent by mail to the person at the person’s last known mailing address.

3. Section 9 of the regulations is amended by the addition of the following after subsection (1):

Overpayment

(1.1) Where an appeal is not successful, financial assistance provided in accordance with subsection (1) may be considered an overpayment recoverable as a debt due to the Government.

4. Sections 10, 11, 12 and 13 of the regulations are revoked.

5. These regulations come into force on September 7, 2024.

EXPLANATORY NOTES

SECTION 1 amends subsection 7(1) of the regulations to require the Minister to appoint a Panel and provide the Panel with specified documents within 45 days of receiving a notice of appeal, instead of 30 days. It revokes subsection 7(2), which requires a Panel to hold a hearing, and substitutes new subsections 7(2) to (5), which require the Minister to notify the appellant when a Panel has been appointed, and require the Panel to review the documents and render a decision within 30 days of appointment and provide a copy of the decision to the appellant and the Minister.

SECTION 2 revokes section 8 of the regulations, which contains provisions pertaining to a hearing, and substitutes a new section 8 setting out the methods by which notice or other documents may be provided to persons under section 7.

SECTION 3 amends section 9 of the regulations to add a new subsection (1.1), which provides that financial assistance paid pending appeal may be considered an overpayment if the appeal is not successful. This was previously addressed in section 13.

SECTION 4 revokes sections 10, 11, 12 and 13 of the regulations, which contain provisions that are already in the Act, now in section 7, or no longer applicable.

SECTION 5 provides for the commencement of these regulations.

EC2024-820

PUBLIC DEPARTMENTS ACT ACTING MINISTER APPOINTMENT(S)

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 Gilles Arsenault to be Acting Minister of Environment, Energy and Climate Action commencing on the 2nd day of September 2024 and continuing for the duration of the absence from the Province of Honourable Steven Myers.

EC2024-821

REGULATED HEALTH PROFESSIONS ACT PHARMACIST AND PHARMACY TECHNICIAN 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. **Subclause 1(a)(i) of the *Regulated Health Professions Act* Pharmacist and Pharmacy Technician Regulations (EC445/19) is amended by the deletion of the words “a Bachelor of Science in Pharmacy or Pharm. D. degree program,” and the substitution of the words “a pharmacy degree program”.**
2. (1) **Clauses 24(1)(a) to (e) of the regulations are revoked and the following substituted:**

- (a) administering by injection a drug or vaccine prescribed by the pharmacist or another prescriber;
 - (b) prescribing or administering, intranasally or by injection, a vaccine for a disease listed in Schedule A;
 - (c) administering by injection a vaccine for a disease listed in Schedule B;
 - (d) prescribing a vaccine for a disease listed in Schedule B;
 - (e) dispensing opioid agonist treatment.
- (2) **Section 24 of the regulations is amended by the addition of the following after subsection (1):**
- Special authorization to perform additional reserved activities, pharmacy student**
- (1.1) A pharmacy student may apply to the Registrar, in a form approved by the Council, for a special authorization to perform the following reserved activities:
- (a) administering by injection a drug or vaccine prescribed by a prescriber;
 - (b) administering, intranasally or by injection, a vaccine for a disease listed in Schedule A;
 - (c) administering by injection a vaccine for a disease listed in Schedule B.
- (3) **Subsection 24(2) of the regulations is amended**
- (a) **in the words before clause (a), by the addition of the words “or subsection (1.1)” after the words “clauses (1)(a) to (d)”;** and
 - (b) **in subclause (b)(i), by the addition of the words “and subsection (1.1),” after the words “clauses (1)(a), (b) and (c),”.**
- (4) **Subsection 24(3) of the regulations is amended**
- (a) **by the addition of the words “or (1.1)” after the words “subsection (1)” wherever they occur; and**
 - (b) **by the addition of the words “or (2.1)” after the words “subsection (2)”.**
- (5) **Subsection 24(4) of the regulations is amended by the addition of the words “or (2.1)” after the words “subsection (2)”.**
- (6) **Clause 24(5)(a) of the regulations is amended by the addition of the words “or (1.1)” after the words “subsection (1)”.**
- (7) **Subsection 24(6) of the regulations is amended by the addition of the words “or pharmacy student” after the word “pharmacist”.**
- (8) **Subsection 24(8) of the regulations is amended by the addition of the words “or pharmacy student’s” after the word “pharmacist’s” wherever it occurs.**
3. **Section 25 of the regulations is revoked and the following substituted:**
25. **Restriction on prescribing or administering a vaccine to a child**
- A pharmacist or pharmacy student shall not, pursuant to a special authorization, prescribe a vaccine for or administer a vaccine to a patient under 18 years of age except
- (a) an injectable vaccine prescribed by a medical practitioner or nurse practitioner, which may be administered by injection to a patient who is under 18 years of age;
 - (b) a spray vaccine for influenza, which may be prescribed for or administered intranasally to a patient who is two years of age or older; and
 - (c) an injectable vaccine for influenza, COVID-19 or rabies (pre-exposure only), which may be prescribed for or administered by injection to a patient who is five years of age or older.
4. **Section 25.1 of the regulations is amended in the words before clause (a)**

- (a) **by the deletion of the words “A pharmacist who is” and the substitution of the words “A pharmacist or pharmacy student who is”; and**
- (b) **by the deletion of the words “clauses 24(1)(a) to (d)” and the substitution of the words “clauses 24(1)(a) to (c) or subsection 24(1.1)”.**

5. (1) Subsection 43.1(1) of the regulations is revoked and the following substituted:

43.1 Special authorization to perform additional reserved activities

- (1) A pharmacy technician or pharmacy technician student may apply to the Registrar, in the form approved by the Council, for a special authorization to perform the following reserved activities:
 - (a) administering by injection a drug or vaccine prescribed by a prescriber;
 - (b) administering intranasally or by injection a vaccine for a disease listed in Schedule A;
 - (c) administering by injection a vaccine for a disease listed in Schedule B.
- (2) **Subsections 43.1(4) and (5) of the regulations are amended by the addition of the words “or pharmacy technician student” after the words “pharmacy technician”.**

6. Schedule A to the regulations is amended

- (a) **in the words before clause (a), by the deletion of the words “prescribed and administered with special authorization under clause 24(1)(c) or administered with special authorization under clause 43.1(1)(b)” and the substitution of the words “prescribed or administered with an applicable special authorization”; and**
- (b) **by the addition of the following after clause (i):**
 - (i.1) respiratory syncytial virus;

7. Schedule B to the regulations is amended by the deletion of the words “prescribed and administered with special authorization under clause 24(1)(d) or administered with special authorization under clause 43.1(1)(c)” and the substitution of the words “prescribed or administered with an applicable special authorization”.

8. These regulations come into force on September 14, 2024.

EXPLANATORY NOTES

SECTION 1 amends the education requirements in subclause 1(a)(i) of the regulations to refer to a pharmacy degree instead of particular types of pharmacy degrees.

SECTION 2 amends section 24 of the regulations to update the reserved activities in subsection (1) for which a pharmacist may obtain a special authorization, adds a new subsection (1.1) to provide for a pharmacy student to obtain a special authorization for certain reserved activities, and makes corresponding amendments to other subsections.

SECTION 3 revokes and replaces section 25 of the regulations setting out the vaccines a pharmacist or pharmacy student may prescribe or administer to a child pursuant to a special authorization.

SECTION 4 amends section 25.1 of the regulations to reflect the amendments to section 25 of the regulations.

SECTION 5 revokes and replaces subsection 43.1(1) to provide for a pharmacy technician student to obtain a special authorization for certain reserved activities and to update those reserved activities for both pharmacy technicians and pharmacy technician students. It also

amends subsections 43.1(4) and (5) of the regulations to reflect the changes to subsection (1).

SECTION 6 amends Schedule A of the regulations to simplify the description and add respiratory syncytial virus to the list of diseases for which a vaccine may be prescribed or administered with an applicable special authorization.

SECTION 7 amends Schedule B of the regulations to simplify the description.

SECTION 8 provides for the commencement of these regulations.