

EC2024-915**AN ACT TO AMEND THE OFF-HIGHWAY VEHICLE ACT
DECLARATION RE**

Under authority of section 5 of the *An Act to Amend the Off-Highway Vehicle Act* Stats. P.E.I. 2024, c. 50 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Off-Highway Vehicle Act*" to come into force effective November 1, 2024.

EC2024-916**OFF-HIGHWAY VEHICLE ACT
REGULATIONS
AMENDMENT**

Pursuant to section 22 of the *Off-Highway Vehicle Act* R.S.P.E.I. 1988, Cap. O-3, Council made the following regulations:

1. Subsection 1(1) of the *Off-Highway Vehicle Act* Regulations (EC96/88) is revoked and the following substituted:

1. Definitions

(1) In these regulations

- (a) “**Act**” means the *Off-Highway Vehicle Act* R.S.P.E.I. 1988, Cap. O-3;
- (b) “**licence plate**” means a licence plate issued by the Registrar under section 5 or 7 of the Act;
- (c) “**restricted certificate of registration**” means a certificate of registration referred to in subsection 2(1);
- (d) “**snowmobile**” means a snow vehicle as defined in the Act;
- (e) “**trail vehicle**” means an off-highway vehicle that is
 - (i) an all terrain vehicle, or
 - (ii) a dirt bike.

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

2. Restricted certificate of registration

- (1) The Registrar may issue a certificate of registration under section 5 or 7 of the Act that authorizes the owner or operator of an off-highway vehicle to operate, and permit another person to operate, the off-highway vehicle only on property
 - (a) owned or leased by the owner or operator of the off-highway vehicle; or
 - (b) on which the owner or operator of the off-highway vehicle resides.

Particulars on certificate of registration

- (2) A certificate of registration shall contain the following information:
 - (a) the date the certificate of registration is issued;
 - (b) the name and address of the registered owner the certificate of registration is issued to;
 - (c) whether the certificate of registration is a restricted certificate of registration;

- (d) the registration number assigned to the off-highway vehicle the certificate of registration is issued in respect of;
- (e) a full description of the off-highway vehicle;
- (f) on the reverse side of the certificate of registration, a form for endorsement of notice to the Registrar on the transfer of ownership of the off-highway vehicle;
- (g) the applicable date of expiry under subsection (4);
- (h) any other information required by the Registrar.

Notice - change of name or address

- (3) The registered owner of an off-highway vehicle for which a certificate of registration has been issued shall notify the Registrar of any change in the registered owner's name or address within 30 days of the change.

Date of expiry - certificate of registration

- (4) For the purposes of subsection 5(2) of the Act,
 - (a) a certificate of registration, other than a restricted certificate of registration, expires,
 - (i) for a snowmobile, on November 30 each year, unless the certificate of registration specifies otherwise,
 - (ii) for a trail vehicle, on the owner's next birthday after the certificate of registration is issued or renewed, unless the certificate of registration specifies otherwise,
 - (iii) for an off-highway vehicle that is not a snowmobile or a trail vehicle, on the date specified on the certificate of registration, if any; and
 - (b) a restricted certificate of registration expires on the date specified on the certificate of registration, if any.

Renewal of certificate of registration

- (5) The registered owner of an off-highway vehicle may apply to renew a certificate of registration.

Renewal fee

- (6) An application to renew a certificate of registration made under subsection (5) shall, subject to subsection (7), be accompanied by the fee specified in clause 2.2(d).

Registrar may waive renewal fee

- (7) The Registrar may, in the Registrar's discretion, waive the fee referred to in subsection (6).

Re-validation sticker

- (8) On receipt of an application for renewal of a certificate of registration under subsection (5), and of the required fee under subsection (6), unless the fee is waived under subsection (7), the Registrar may
 - (a) renew the certificate of registration for the applicable period specified in subsection (4); and
 - (b) issue a re-validation sticker in the form approved by the Registrar as proof that the certificate of registration has been renewed.

Display of re-validation sticker

- (9) A re-validation sticker shall be displayed on an off-highway vehicle in a manner and location approved by the Registrar.

2.1 Particulars on licence plate

A licence plate shall display

- (a) the name of the province, which may be abbreviated; and
- (b) any other information required by the Registrar.

2.2 Prescribed fees

- (1) The fees payable to the Registrar in respect of off-highway vehicles are as follows:
 - (a) certificate of registration \$50

- (b) licence plate \$5
- (c) transfer of certificate of registration to new owner \$20
- (d) registration renewal application fee \$50
- (e) duplicate or replacement certificate of registration \$10
- (f) administrative costs for processing a cheque that is not honoured \$25

Government-owned off-highway vehicle

- (2) The fees set out in subsection (1) do not apply to an off-highway vehicle owned by the Government.

3. Section 3 of the regulations is amended

- (a) by the deletion of the word “License” wherever it occurs and the substitution of the word “Licence”; and
- (b) by the deletion of the word “license” wherever it occurs and the substitution of the word “licence”.

- 4. Subsection 4(1) of the regulations is amended by the deletion of the words “must register the vehicle in his name within 14 days thereof” and the substitution of the words “shall register the off-highway vehicle in the new owner’s name within 14 days”.**

- 5. Subsection 7(1) of the regulations is revoked and the following substituted:**

7. Powers of Registrar to suspend, etc.

- (1) The Registrar may suspend, cancel or revoke a certificate of registration or a licence plate issued to a person in respect of an off-highway vehicle where the Registrar is satisfied that
 - (a) the certificate of registration or licence plate was erroneously issued or granted;
 - (b) the certificate of registration is a restricted certificate of registration, and the off-highway vehicle was operated other than on property
 - (i) owned or leased by the owner or operator of the off-highway vehicle, or
 - (ii) on which the owner or operator of the off-highway vehicle resides;
 - (c) the off-highway vehicle
 - (i) is mechanically unfit or unsafe to be operated, or
 - (ii) has been dismantled or wrecked;
 - (d) the person failed to pay the required fee or revenue tax;
 - (e) the certificate of registration or licence plate was placed or displayed on an off-highway vehicle other than the off-highway vehicle the certificate of registration or licence plate was issued in respect of;
 - (f) the person has committed an offence under the Act or the regulations; or
 - (g) the person has been convicted of an offence under the *Criminal Code* (Canada).

Non-resident privilege

- (2) The Registrar may prohibit a person who is not a resident of the province from operating an off-highway vehicle in the province where the Registrar is satisfied that the person has contravened any provision listed in clauses (1)(a) to (g).

- 6. The regulations are amended in the following provisions by the deletion of the word “valid”:**

- (a) clause 8(2)(a);
- (b) subclause 10(a)(i);
- (c) subsection 11.1(2);

- (d) subsection 12(1);
 - (e) paragraph 12(2)(b)(ii)(A);
 - (f) subclause 12(2)(c)(i);
 - (g) paragraph 12(3)(b)(ii)(A);
 - (h) subclause 12(3)(c)(i).
7. Clause 9(c) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the operator’s”.
8. Subsection 15(2) of the regulations is amended by the deletion of the words “operators should have” and the substitution of the words “every operator of an off-highway vehicle shall have”.
9. Clause 16(b) of the regulations is amended by the deletion of the word “main” and the substitution of the word “maim”.
10. Section 17 of the regulations is amended by the deletion of the word “his” and the substitution of the words “the person’s”.
11. Section 18 of the regulations is amended
- (a) by the deletion of the words “his duties” and the substitution of the words “the peace officer’s duties”; and
 - (b) by the deletion of the words “his possession” and the substitution of the words “the operator’s or passenger’s possession”.
12. Subsection 19(3) of the regulations is amended by the deletion of the words “and on summary conviction is liable to a fine of \$225” and the substitution of the words “and is liable on summary conviction to a fine of not less than \$250 and not more than \$2,000”.
13. Subsection 23(2) of the regulations is amended
- (a) in clause (c), by the deletion of the word “he” wherever it occurs and the substitution of the words “the person”;
 - (b) in clause (d),
 - (i) by the deletion of the word “he” and the substitution of the words “the person”, and
 - (ii) by the deletion of the word “his” and the substitution of the words “the person’s”;
 - (c) in clause (f), by the deletion of the word “his” and the substitution of the words “the person’s”;
 - (d) in clause (i), by the deletion of the word “he” and the substitution of the words “the person”;
 - (e) in clause (j), by the deletion of the word “his” and the substitution of the words “the person’s”;
 - (f) in clause (k), by the deletion of the word “his” and the substitution of the words “the person’s”;
 - (g) in clause (l), by the deletion of the word “he” wherever it occurs and the substitution of the words “the person”;

- (h) **in clause (n), by the deletion of the words “; this provision does not apply to a vehicle parked by reason of absolute necessity” and the substitution of the words “, except in the case of an emergency”; and**
- (i) **in clause (o), by the deletion of the word “his” and the substitution of the words “the person’s”.**

14. The regulations are amended by the addition of the following after section 23:

24. Transitional

Notwithstanding subclause 2(4)(a)(ii), the date of expiry for a certificate of registration issued in respect of a trail vehicle that is valid and subsisting on the date this section comes into force expires on April 30, 2025.

15. These regulations come into force on November 1, 2024.

EXPLANATORY NOTES

SECTION 1 repeals and replaces subsection 1(1) of the *Off-Highway Vehicle Act Regulations* (EC96/88), adding definitions for “licence plate”, “restricted certificate of registration” and “trail vehicle”.

SECTION 2 revokes section 2 of the regulations and substitutes a new section 2 that

- (a) authorizes the Registrar to issue a restricted certificate of registration under section 5 or 7 of the Act;
- (b) sets out the required contents of a certificate of registration and the dates of expiry for certificates of registration;
- (c) requires the registered owner of an off-highway vehicle to notify the Registrar of any change in the owner’s name or address within 30 days of the change; and
- (d) provides for a renewal process for certificates of registration.

Section 2 also adds section 2.1 of the regulations, which sets out the required contents of a licence plate, and section 2.2 of the regulations, which sets out prescribed fees.

SECTION 3 amends section 3 of the regulations to replace references to “License” and “license” with references to “Licence” and “licence”.

SECTION 4 amends subsection 4(1) of the regulations to implement gender-neutral language.

SECTION 5 repeals and replaces section 7 of the regulations to implement gender-neutral language, clarify wording, remove an unnecessary citation and authorize the Registrar to suspend, cancel or revoke a restricted certificate of registration in specified circumstances.

SECTION 6 updates language in various provisions throughout the regulations.

SECTION 7 amends clause 9(c) of the regulations to implement gender-neutral language.

SECTION 8 amends subsection 15(2) of the regulations to update the wording.

SECTION 9 amends clause 16(b) to fix a spelling error.

SECTIONS 10 and 11 amend sections 17 and 18 of the regulations to implement gender-neutral language.

SECTION 12 amends subsection 19(3) of the regulations to authorize a minimum and maximum penalty in respect of the offence of trespass.

SECTION 13 amends subsection 23(2) of the regulations to implement gender-neutral language and remove incorrect punctuation.

SECTION 14 adds transitional provisions to account for existing certificates of registration.

SECTION 15 provides for the commencement of the regulations.

EC2024-917

ANIMAL WELFARE ACT

**ANIMAL WELFARE REGULATIONS
AMENDMENT**

Pursuant to section 45 of the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2, Council made the following regulations:

- 1. Clause 1(1)(i) of the *Animal Welfare Act Animal Welfare Regulations (EC194/17)* is revoked and the following substituted:**
 - (i) **“Kennel Code”** means *A Code of Practice for Canadian Kennel Operations, Third Edition* (2018), published by the Canadian Veterinary Medical Association;
- 2. Clause 4(1)(a) of the regulations is revoked and the following substituted:**
 - (a) the *American Veterinary Medical Association Guidelines for the Euthanasia of Animals: 2020 Edition*;
- 3. (1) Subsection 21(9) of the regulations is amended by the deletion of the words “guidelines for immunization and health care set out in the”.**
- (2) Subsection 21(10) of the regulations is amended by the deletion of the words “guidelines for immunization and health care set out in the”.**
- 4. Subsection 32(1) of the regulations is amended**
 - (a) in clause (a), by the deletion of the words “(1993)”, and the substitution of the words “(1993) (Revised: April 2020)”;**
 - (b) by the revocation of clause (e) and the substitution of the following:**
 - (e) *CCAC guidelines: Identification of scientific endpoints, humane intervention points, and cumulative endpoints* (2022);
 - (c) by the revocation of clause (h) and the substitution of the following:**
 - (h) *CCAC guidelines: Wildlife* (2023);
 - (d) by the revocation of clause (i) and the substitution of the following:**
 - (i) *CCAC guidelines: Laboratory animal facilities* (2024);
 - (e) in clause (q), by the deletion of the words “(2010)” and the substitution of the words “(2010) (Revised: July 2019)”;**
 - (f) by the revocation of clause (s) and the substitution of the following:**
 - (s) *CCAC policy: certification of ethical animal care and use programs* (2012) (Revised: 2022);
 - (g) by the revocation of clause (t) and the substitution of the following:**

- (t) *CCAC policy statement on: scientific merit and ethical review of animal-based research* (2013);
- (h) **by the revocation of clause (v) and the substitution of the following:**
- (v) *CCAC guidelines on: the care and use of farm animals in research, teaching and testing* (2009).

5. Schedule B to the regulations is amended

- (a) **in item 2, by the deletion of the words “(2009)” and the substitution of the words “(2023)”;**
- (b) **in item 6, by the deletion of the words “(2003)” and the substitution of the words “(2022)”;**
- (c) **item 7, by the deletion of the words “(2012)” and the substitution of the words “(2016)”;**
- (d) **in item 8, by the deletion of the word “NFACC” and the substitution of the words “NFACC (2018)”;**
- (e) **in item 14, by the deletion of the words “(2001)” and the substitution of the words “(2017)”;** and
- (f) **in item 15, by the deletion of the words “Animal Care” and the substitution of the words “Animal Care (2009)”.**

6. These regulations come into force on October 19, 2024.

EXPLANATORY NOTES

SECTION 1 revokes and replaces clause 1(1)(i) of the *Animal Welfare Act* Animal Welfare Regulations (EC194/17), to update the definition of “Kennel Code”.

SECTION 2 amends clause 4(1)(a) of the regulations to update the permissible procedures for euthanizing animals.

SECTION 3 amends section 21 of the regulations to remove unnecessary wording.

SECTION 4 amends subsection 32(1) of the regulations to reflect revisions made to various guidelines and policy statements published by the Canadian Council on Animal Care.

SECTION 5 amends Schedule B to the regulations to reflect revisions made to various codes of practice published by the National Farm Animal Care Council.

SECTION 6 provides for the commencement of these regulations.

EC2024-918

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

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 Town of O’Leary, for Fire Department Equipment under the Rural Growth Initiative program, effective upon signing to February 21, 2025, such as more particularly described in the draft agreement.

EC2024-919

SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT

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

1. Part 40 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by the revocation of items 1 and 2 and the substitution of the following:

1 Registered owner of off-highway vehicle failing to notify Registrar of change of name or address.....	2(3)	\$250
2 New owner of off-highway vehicle failing to register vehicle in new owner’s name within 14 days of sale or transfer.....	4(1)	250

(b) by the revocation of item 22 and the substitution of the following:

22 Operator of off-highway vehicle operating off-highway vehicle on any land without the express permission of the owner of land or the tenant, licensee or permittee of the owner of the land.....	19(2)	250
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2. These regulations come into force on November 1, 2024.

EXPLANATORY NOTES

SECTION 1 amends Part 40 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) to revoke items 1, 2 and 22, and substitute new provisions that specify the minimum fine amount for an out of court settlement for offences set out in subsections 2(3), 4(1) and 19(2) of the *Off-Highway Vehicle Act* Regulations (EC96/88).

SECTION 2 provides for the commencement of these regulations.