
SECTION 2

GOVERNMENT ORGANIZATION

2.03 EXECUTIVE COUNCIL

AUTHORITY:

EXECUTIVE COUNCIL ACT
FINANCIAL ADMINISTRATION ACT

ADMINISTRATION:

TREASURY BOARD SECRETARIAT

EFFECTIVE DATE:

DECEMBER 2023

2.03 EXECUTIVE COUNCIL

- (1) The Executive Council is responsible for the administration of public business in the Province. It is the Prince Edward Island Government's authority for policy setting and decision making.

Executive Council consists of the Premier, who may be the President, and not less than seven or more than eleven other persons appointed by the Lieutenant Governor on advice of the Premier.

The Executive Council Office provides advice, support and direction to departments and agencies of government and assures they are informed of the decisions of Council.

Other responsibilities include:

- Development of new regulations or amendments to existing Acts through the Cabinet Committee on Policy and Priorities;
 - Organize legal, ceremonial or administrative events, such as swearing into office Members of Executive Council; and
 - Maintaining records and assessing Ministerial responsibilities.
- (2) The Premier, Executive Council (also known as "Cabinet"), and the Lieutenant Governor acting on the advice and with the consent of the Executive Council, serve the following functions:
- The Premier may be the President of Executive Council;
 - Executive Council is comprised of the Premier and other persons appointed by the Lieutenant Governor on the advice of the Premier, and deals with:
 - non-statutory matters such as policy questions, information items, requests for direction, or confirmation of Ministerial intent; and
 - statutory matters arising from legislation; and
 - The "Lieutenant Governor in Council" refers to the Executive Council acting on behalf of the Lieutenant Governor in the exercise of a power delegated to it by legislation or an Order-in-Council.

- (3) The Premier is an Ex Officio member of all Cabinet Committees. The *Executive Council Act* names Treasury Board as a Cabinet Committee and allows for other committees to be appointed by Executive Council.

Cabinet Committees assist in the development of new initiatives using innovative approaches to addressing significant issues within their terms of reference.

- (4) Budget Cabinet is a committee of all the Ministers established for the purpose of considering budget proposals and approving the Estimates of Revenue and Expenditure and Capital Estimates for presentation to the Legislative Assembly. The process to follow, including the required documentation, is more fully described in Section 6.01 - Appropriation/Budget Process of the Treasury Board Policy and Procedures Manual.

- (5) Submissions for Executive Council consideration are prepared in a standard format.
- (6) The Executive Council Office communicates decisions of Executive Council. The necessary departments and agencies are informed of decisions in one of three types of documents:
- An Order-in-Council which gives evidence of decisions under the authority of legislation;
 - Decisions of Executive Council, treated as confidential, are issued to relevant parties; and
 - A Minute-in-Council is generally issued to authorize an action where no legislative authority exists.
- (7) An [Order-in-Council](#) is a public document issued by the Lieutenant Governor on the advice of the Executive Council directing that certain action be undertaken under authority of legislation. It can be used to make regulations, appoint the members of a board, authorize certain land transactions or to approve certain initiatives such as agreements with the Government of Canada. An Order-in-Council is also used to document the authority where required by legislation for loans by government entities to persons or corporations.