

EC2024-835

EXECUTIVE COUNCIL ACT
MINISTER OF ENVIRONMENT, ENERGY AND CLIMATE ACTION
AUTHORITY TO ENTER INTO AN AGREEMENT
(CLIMATE-RESILIENT COASTAL COMMUNITIES PROGRAM -
NON-REPAYABLE CONTRIBUTION AGREEMENT)
WITH
THE GOVERNMENT OF CANADA

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Climate Action to enter into a non-repayable contribution agreement with the Government of Canada, as represented by the Minister of Natural Resources for the development of Shoreline Management Plans to Increase Climate Resilience in Prince Edward Island as part of the Climate-Resilient Coastal Communities Program, effective upon signing to December 31, 2027, such as more particularly described in the draft agreement.

EC2024-836

EXECUTIVE COUNCIL ACT
MINISTER OF EDUCATION AND EARLY YEARS
AUTHORITY TO ENTER INTO AN AGREEMENT
(AMENDMENT #5 - CANADA – PRINCE EDWARD ISLAND
CANADA-WIDE EARLY LEARNING AND CHILD CARE AGREEMENT)
WITH
THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Education and Early Years to enter into an Amended Contribution Agreement with the Government of Canada, as represented by the Minister of Employment and Social Development Canada and as represented by the Minister of Families, Children and Social Development, to support infrastructure projects that increase inclusion in early learning child care, effective upon the last signature being affixed until March 31, 2026, such as more particularly described in the draft agreement.

EC2024-837

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 MIMINEGASH

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 Miminegash for Community Centre Solar Project under the Rural Growth Initiative program, effective upon signing to February 21, 2025, such as more particularly described in the draft agreement.

EC2024-838

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 MURRAY HARBOUR

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 Murray Harbour for Reception Centre Upgrades under the Rural Growth Initiative program, effective upon signing to February 21, 2025, such as more particularly described in the draft agreement.

EC2024-839

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 Town Complex Upgrades under the Rural Growth Initiative program, effective upon signing to December 31, 2024, such as more particularly described in the draft agreement.

EC2024-840

EXECUTIVE COUNCIL ACT
 MINISTER OF WORKFORCE, ADVANCED LEARNING
 AND POPULATION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADIAN ADULT EDUCATION CREDENTIAL TESTING
 SERVICES AGREEMENT)
 WITH
 THE GOVERNMENT OF ALBERTA

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Workforce, Advanced Learning and Population to enter into the Canadian Adult Education Credential Testing Services Agreement with the Government of Alberta, as represented by the Minister of Education, for the implementation of the Canadian Adult Education Credential, effective upon signing to March 31, 2025, such as more particularly described in the draft agreement.

EC2024-841

FINANCE PEI ACT
 FINANCE PEI ACT REGULATIONS
 78820608 P.E.I. LTD.
 AUTHORIZATION

Pursuant to subsection 2(3) of the *Finance PEI Act* Finance PEI Act Regulations (EC2012-739), Council authorized Finance PEI to provide a five-year term loan in the amount of six million eight hundred twenty-six thousand eight hundred and nineteen (\$6,826,819.00) dollars at its prevailing fixed interest rate at the time of closing to 78820608 P.E.I. Inc., for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Finance PEI.

EC2024-842

ISLAND INVESTMENT DEVELOPMENT ACT
 FINANCIAL ASSISTANCE REGULATIONS
 RIVER RESORTS LTD.
 AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to refinance two (2) five-year term loans in the amount of four million five hundred forty-seven thousand six hundred fourteen decimal nine seven (\$4,547,614.97) dollars and in the amount of nine hundred eighteen thousand four hundred twenty-three decimal two zero (\$918,423.20) at the applicable market interest rate to River Resorts Ltd. on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

Order-in-Council EC2018-363 dated June 19, 2018 is hereby rescinded.

EC2024-843

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
RODD INVESTMENTS LTD.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to renew a five-year term loan in the amount of seven million eight hundred two thousand eight hundred thirty decimal three four (\$7,802,830.34) dollars at the applicable market interest rate to Rodd Investments Ltd. on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

Order-in-Council EC2018-364 dated June 19, 2018 is hereby rescinded.

EC2024-844

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
RODD MANAGEMENT LIMITED
AUTHORIZATION

Pursuant to subsection 2(1) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to renew a five-year term loan in the amount of two hundred seventy-nine thousand four hundred forty-three (\$279,443.00) dollars at the applicable market interest rate to Rodd Management Limited on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

Order-in-Council EC2018-365 dated June 19, 2018 is hereby rescinded.

EC2024-845

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAMELA DALEY AND RONALD DALEY
(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 Pamela Daley and Ronald Daley, both of Hastings, Ontario to acquire a land holding of approximately zero decimal five (0.5) acre of land at Murray River, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Michel Lemieux and Beverly Acorn Lemieux, both of Murray River, 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.

EC2024-846

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MATTHEW “CRAIG” GALLANT AND CAROLYN ROSALIE GALLANT
(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 Matthew “Craig” Gallant of North York, Ontario and Carolyn Rosalie Gallant of Halifax, Nova Scotia to acquire an interest in a land holding of approximately two hundred twenty-one decimal eight two (221.82) acres of land at Pisquid East and Maple Hill, both in Lot 37, Queens County, Province of Prince Edward Island, being acquired from Gerard MacDonald of Maple Hill, Prince Edward Island.

EC2024-847

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JULIE A. MATHESON
(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 Julie A. Matheson of Toronto, Ontario to acquire an interest in a land holding of approximately one hundred and nine decimal zero two (109.02) acres of land at Brackley, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Clifford McKenna of Hunter River, Prince Edward Island.

EC2024-848

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LOUIS MATTHYSSEN AND JACINTHE LAUZON
(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 Louis Matthyssen and Jacinthe Lauzon, both of Brownsburg-Chatham, Quebec to acquire a land holding of approximately four decimal six six (4.66) acres of land at Huntley, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Donna Jeffery and Jean-Claude Barube, both of Huntley, 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.

EC2024-849

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JACKY LYNN MILLER AND RW NOFFSINGER JR.
(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 Jacky Lynn Miller and RW Noffsinger Jr., both of Greeley, Colorado to acquire an interest in a land holding of approximately eighteen decimal four (18.4) acres of land at Brudenell, Lot 52, Kings County, Province of Prince Edward Island, being acquired from Elizabeth A. (Betty) Fraser, Trustee of Charlottetown, Prince Edward Island.

EC2024-850

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RHONDA WEST AND COLIN WEST
(DENIAL)

Council, having under consideration an application (#N6666) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Rhonda West and Colin West, both of Charlottetown, Prince Edward Island to acquire a land holding of approximately eleven (11) acres of land at Bristol, Lot 39, Kings County, currently owned by John Rich Webb of Bristol, Prince Edward Island.

EC2024-851

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ELISA WILBERS
(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 Elisa Wilbers of Charlottetown, Prince Edward Island to acquire an interest in a land holding of approximately one hundred and twelve decimal nine seven (112.97) acres of land at Hermitage, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Garnet Schellen and Evelyn Sheryl Anne Schellen, both of Vernon Bridge, Prince Edward Island.

EC2024-852

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ELISA WILBERS
(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 Elisa Wilbers of Charlottetown, Prince Edward Island to acquire an interest in a land holding of

approximately one hundred and ninety-four (194) acres of land at Hermitage, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Garnet Schellen of Vernon Bridge, Prince Edward Island.

EC2024-853

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
100228 P.E.I. 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 100228 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and nine decimal zero two (109.02) acres of land at Brackley, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Clifford McKenna of Hunter River, 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.

EC2024-854

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
101224 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 101224 P.E.I. Inc. of Springbrook, Prince Edward Island to acquire an interest in a land holding of approximately four decimal two (4.2) acres of land at Anglo Rustico, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Coles' Mussel Farms Ltd. of New London, Prince Edward Island.

EC2024-855

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
103383 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 103383 P.E.I. Inc. of Kensington, Prince Edward Island to acquire an interest, by way of share purchase, in a land holding of approximately two decimal zero two (2.02) acres of land at Kensington, Lot 19, Prince County, Province of Prince Edward Island, being acquired from Norma Thompson of Kensington, Prince Edward Island.

EC2024-856

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CALIBURN RESOURCES LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Caliburn Resources Ltd. of Cornwall, Prince Edward Island to acquire a land holding of approximately thirty-five (35) acres of land at Millvale, Lot 21, Queens County, Province of Prince Edward Island, being acquired from Roma Anne Gallant of Millvale, 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.

EC2024-857

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DOCK CORNER FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Dock Corner Farms Ltd. of Elmsdale, Prince Edward Island to acquire a land holding of approximately forty-nine decimal five (49.5) acres of land at Haliburton, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Miles Harris and Nancy Harris, both of O'Leary, 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.

EC2024-858

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DOCK CORNER FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Dock Corner Farms Ltd. of Elmsdale, Prince Edward Island to acquire a land holding of approximately thirty-nine decimal nine (39.9) acres of land at Brooklyn, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Troy Rennie of Elmsdale, 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.

EC2024-859

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DURABELT 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 Durabelt Inc. of Brudenell, Prince Edward Island to acquire a land holding of approximately eighteen decimal four (18.4) acres of land at Brudenell, Lot 52, Kings County, Province of Prince Edward Island, being acquired from Elizabeth A. (Betty) Fraser, Trustee of Charlottetown, Prince Edward Island.

EC2024-860

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
EASTERN RENTALS 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 Eastern Rentals Inc. of Cardigan, Prince Edward Island to acquire a land holding of approximately one hundred and sixteen decimal seven nine (116.79) acres of land at Glenfanning, Lot 53, Kings County, Province of Prince Edward Island, being acquired from Allan Pitre Farms Inc. of St. Peters Bay, Prince Edward Island.

EC2024-861

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LIGHTHOUSE HOLDINGS LTD. AND MOUNT EDWARD HOLDINGS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lighthouse Holdings Ltd. and Mount Edward Holdings Ltd., both of Charlottetown, Prince Edward Island to acquire a land holding of approximately sixteen decimal four (16.4) acres of land at Tenmile House, Lot 35, Queens County, Province of Prince Edward Island, being acquired from Steven Lambert of St. Lazare, Quebec 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.

EC2024-862

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MAPLE HILL GP INC. ACTING AS GENERAL PARTNER OF
GALLANT MACDONALDS OF MAPLE HILL INVESTMENT
LIMITED PARTNERSHIP
(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 Maple Hill GP Inc. acting as General Partner of Gallant MacDonalds of Maple Hill Investment Limited Partnership of Maple Hill, Prince Edward Island to acquire a land holding of approximately two hundred and twenty-one decimal eight two (221.82) acres of land at Pisquid East and Maple Hill, both in Lot 37, Queens County, Province of Prince Edward Island, being acquired from Gerard MacDonald of Maple Hill, 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.

EC2024-863

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES INC.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2022-689 of September 13, 2022, rescinded the said Order forthwith, thus rescinding permission for Marwood Properties Inc. of Brudenell, Prince Edward Island to acquire a land holding of approximately twenty-nine (29) acres of land at Murray Harbour, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Dale Marcy and Pamela Edmonston, both of Gila, New Mexico.

EC2024-864

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILBERS AYRSHIRE HOF LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Wilbers Ayrshire Hof Ltd. of Charlottetown, Prince Edward Island to acquire an interest, by way of share purchase, in a land holding of approximately one hundred and twelve decimal nine seven (112.97) acres of land at Hermitage, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Garnet Schellen and Evelyn Sheryl Anne Schellen, both of Vernon Bridge, 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.

EC2024-865

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILBERS AYRSHIRE HOF LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Wilbers Ayrshire Hof Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and ninety-four (194) acres of land at Hermitage, Lot 49, Queens County, Province of Prince Edward Island, being acquired from Garnet Schellen of Vernon Bridge, 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.

EC2024-866

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
ELISA WILBERS
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Elisa Wilbers of Charlottetown, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to three hundred and ten (310) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Elisa Wilbers files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2024-867

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
WILBERS AYRSHIRE HOF LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Wilbers Ayrshire Hof Ltd. of Charlottetown, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to three hundred and ten (310) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Wilbers Ayrshire Hof Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2024-868

NATURAL PRODUCTS MARKETING ACT
HOG COMMODITY MARKETING REGULATIONS
AMENDMENT

On the recommendation of the Prince Edward Island Marketing Council and under the authority of subsections 4(2) and (3) and section 29 of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3, Council made the following regulations:

1. **The enacting clause of the *Natural Products Marketing Act Hog Commodity Marketing Regulations (EC275/76)* is revoked and the following is substituted:**

On the recommendation of the Prince Edward Island Marketing Council and under the authority of subsections 4(2) and (3) and section 29 of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3, Council made the following regulations:

2. **Section 1 of the regulations is amended by the deletion of the words “In this Order” and the substitution of the words “In these regulations”.**
3. **The regulations are amended in the following provisions by the deletion of the word “chairman” and the substitution of the word “chairperson”:**
 - (a) section 4;
 - (b) subsection 7(2);
 - (c) subsection 17(1);
 - (d) section 18;
 - (e) section 19;
 - (f) subsection 25(1);
 - (g) clauses 26(1)(a), (b) and (c).
4. **Section 12 of the regulations is amended**
 - (a) in subsection (8), by the deletion of the word “him” and the substitution of the words “the candidate”;
 - (b) in subsection (9), by the deletion of the word “he” and the substitution of the words “the Returning Officer”; and
 - (c) in subsection (17), by the deletion of the word “his” and the substitution of the words “the Returning Officer’s”.
5. **Section 13 of the regulations is amended by the deletion of the word “his” and the substitution of the words “the member’s”.**
6. **Section 15 of the regulations is amended by the deletion of the words “in accordance with this Order in Council” and the substitution of the words “in accordance with these regulations”.**
7. **Subsection 17(1) of the regulations is amended by the deletion of the word “vice-chairman” and the substitution of the word “vice-chairperson”.**

8. **Clause 18(b) of the regulations is amended by the deletion of the word “he” and the substitution of the words “the chairperson”.**
9. **Section 19 of the regulations is amended**
 - (a) **by the deletion of the word “vice-chairman” and the substitution of the word “vice-chairperson”; and**
 - (b) **by the deletion of the word “his” wherever it occurs and the substitution of the words “the chairperson’s”.**
10. **Subsection 23(2) of the regulations is amended by the deletion of the word “his” and the substitution of the words “an officer’s”.**
11. (1) **Subsection 25(1) of the regulations is amended**
 - (a) **by the deletion of the word “his” and the substitution of the words “the chairperson’s”; and**
 - (b) **by the deletion of the word “vice-chairman” and the substitution of the word “vice-chairperson”.**
 - (2) **Subsection 25(5) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the member’s”.**
 - (3) **Subsection 25(8) of the regulations is amended**
 - (a) **by the deletion of the word “chairman” wherever it occurs and the substitution of the word “chairperson”; and**
 - (b) **by the deletion of the word “vice-chairman” and the substitution of the word “vice-chairperson”.**
12. **Subsection 28(1) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the treasurer’s”.**
13. **Subsection 30(2) of the regulations is amended**
 - (a) **by the deletion of the word “him” and the substitution of the words “the auditor”; and**
 - (b) **by the deletion of the word “his” and the substitution of the words “the auditor’s”.**
14. **Subsection 31(5) of the regulations is revoked and the following is substituted:**

Appeal of removal from registrar

 - (5) A producer may appeal the removal of the producer’s name from the register to the Appeals Tribunal and the producer’s name shall remain on the register until the appeal is heard.

Appeals procedure

 - (6) An appeal under subsection (5) shall be heard in accordance with the Appeals Procedure Regulations (EC142/86) made under the Act.
15. **Section 37 of the regulations is amended**
 - (a) **by the deletion of the word “him” and the substitution of the words “the person”; and**
 - (b) **by the deletion of the word “his” and the substitution of the words “the person’s”.**

- 16. Section 38 of the regulations is amended**
- (a) **in the words immediately before clause (a), by the deletion of the word “his” and the substitution of the words “the member’s or officer’s”;**
 - (b) **in clause (a),**
 - (i) **by the deletion of the word “him” wherever it occurs and the substitution of the words “the member or officer”, and**
 - (ii) **by the deletion of the word “his” and the substitution of the words “the member’s or officer’s”; and**
 - (c) **in clause (b),**
 - (i) **by the deletion of the word “he” and the substitution of the words “the member or officer”, and**
 - (ii) **by the deletion of the word “his” and the substitution of the words “the member’s or officer’s”.**
- 17. Clause 40(p) of the regulations is amended by the deletion of the word “him” and the substitution of the words “the person”.**
- 18. Section 41 of the regulations is amended**
- (a) **by the deletion of the word “himself” and the substitution of the words “itself, himself or herself”;**
 - (b) **by the deletion of the word “he” and the substitution of the words “the person”; and**
 - (c) **by the deletion of the words “him or his” and the substitution of the words “the person or the person’s”.**
- 19. These regulations come into force on September 28, 2024.**

EXPLANATORY NOTES

SECTION 1 replaces the enacting clause of the *Natural Products Marketing Act Hog Commodity Marketing Regulations (EC275/76)* so that the clause refers to the enabling provisions in the Act that authorize the making of regulations.

SECTION 2 amends section 1 of the regulations to update the wording in the provision to correctly refer to the regulations as “regulations” rather than as an “Order”.

SECTIONS 3 to 5 amend the noted provisions in the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 6 amends section 15 of the regulations to update the wording in the provision to correctly refer to the regulations as “regulations” rather than an “Order in Council”.

SECTIONS 7 to 18 amend the noted provisions in the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 19 provides for the commencement of the regulations.

EC2024-869

NATURAL PRODUCTS MARKETING ACT

POULTRY MEAT COMMODITY MARKETING REGULATIONS

AMENDMENT

On the recommendation of the Prince Edward Island Marketing Council and under the authority of subsections 4(2) and (3) and section 29 of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3, Council made the following regulations:

- 1. The enacting clause of the *Natural Products Marketing Act Poultry Meat Commodity Marketing Regulations (EC277/76)* is revoked and the following substituted:**

On the recommendation of the Prince Edward Island Marketing Council and under the authority of subsections 4(2) and (3) and section 29 of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3, Council made the following regulations:

- 2. Section 1 of the regulations is amended**
- (a) by renumbering it as subsection 1(1);
 - (b) in the words immediately before clause (a), by the deletion of the words “In this Order and in all orders, rules and regulations made hereunder, unless the context otherwise requires, terms defined in the Act shall have the same meaning herein, and” and the substitution of the words “In these regulations and the Board orders made under them,”;
 - (c) in clause (b), by the deletion of the words “formed pursuant to the Act and regulations passed thereto” and the substitution of the words “continued under section 2”;
 - (d) in clause (d), by the deletion of the words “. The birds are normally considered to be”;
 - (e) by the addition of the following after clause (k):
 - (k.1) “register” means the register of producers maintained under section 29;
 - (f) in clause (l), by the deletion of the words “as provided hereafter” and the substitution of the words “pursuant to section 29”; and
 - (g) by the addition of the following after subsection (1):

Board definitions

- (2) The board may define any term used in a board order if the term is not defined in the Act or these regulations.

- 3. The regulations are amended by the addition of the following after section 2:**

2.1 Purposes

The board

- (a) is constituted as a commodity board under the Act for the promotion, control, and regulation of the marketing of poultry meat in the province; and
- (b) shall represent and protect the interests of the province’s registered producers at the provincial and national levels.

2.2 Policies and process

The board shall, after consultation with the province's registered producers, create policies respecting the roles and responsibilities of the board and its committees, including a process to be followed by the board for responding to resolutions passed at annual and special meetings of registered producers.

2.3 Powers

The board has all the powers contained in subsection 4(3) of the Act.

4. Section 3 of the regulations is amended by the deletion of the word "commodity".**5. Section 4 of the regulations is revoked and the following substituted:****4. Seal**

The board shall adopt a common seal, the use of which shall be authenticated by the signature of the chairperson, secretary, or other person as the board may authorize by resolution.

6. Section 6 of the regulations is amended by the deletion of the words "ninety days" wherever they appear and the substitution of the words "90 days".**7. The regulations are amended by the addition of the following after section 6:****6.1 Committees**

(7) The board may establish and maintain committees as it considers necessary to advise or assist the board in its work.

No sub-delegation

(8) The board shall not delegate any of its powers to any committees established by it.

Membership

(9) Members of committees established under subsection (1) are not required to be board members.

Term: re-appointment

(10) The board

(a) shall make appointments of members to committees for one-year terms; and

(b) may re-appoint members to the same or different committees.

8. Subsection 7(2) of the regulations is amended by the deletion of the words "sixty days of the close of the fiscal year of the board at a regularly scheduled meeting of the board or a special meeting of the board called by the chairman" and the substitution of the words "60 days of the close of the fiscal year of the board at a regularly scheduled meeting of the board or a special meeting of the board called by the chairperson".**9. Subsection 9(1) of the regulations is amended, by the deletion of the words "this Order in Council" and the substitution of the words "these regulations".****10. Sections 11 to 14 of the regulations are revoked and the following substituted:****11 Election of members**

(1) The members of the board shall be elected by the registered producers listed in the register.

Election procedures

(2) The procedures for electing members of the board shall provide for the elections to be conducted at the board's annual meeting or at a special meeting called for

this purpose, by the casting of ballots in person or by mail-in ballot, as determined by the board.

12. Returning officer

- (1) Where an election to the board is to be held, the board shall appoint a returning officer.

Duties

- (2) The returning officer shall
- (a) not later than the second Saturday of January in each year in which an election is to be held, ensure that an election notice is
- (i) published in at least two daily or weekly newspapers in circulation in the province, or
- (ii) mailed to each registered producer who is eligible to vote in the election at the most recent address provided by the registered producer to the board; and
- (b) advise that nomination forms shall be provided by the board.

13. Nominations

- (1) A registered producer who seeks election to the board shall be nominated and the registered producer's name submitted, either electronically or by regular mail, to a nominating committee established by the board under section 6.1 for this purpose.

Acceptance

- (2) Nominations may be accepted by the nomination committee prior to a nomination meeting of the board or from the floor at the nomination meeting.

Nomination form

- (3) Every registered producer submitting a nomination form shall ensure that the nomination form is postmarked or received by the returning officer not later than January 31 of the election year.

Notice of acceptance

- (4) Acceptance of a nomination by the nominee shall be by notice in writing from the nominee to the returning officer and the notice shall accompany the nomination.

No nomination received

- (5) If no nomination is received for a board position for which an election is being held, the incumbent is deemed elected.

Single nominee

- (6) Where only one eligible registered producer is nominated to fill a vacancy, that registered producer shall be declared elected for the ensuing term by the returning officer at the conclusion of the election.

More than one nomination

- (7) If more than one nomination is received to fill a vacancy for which an election is being held, the returning officer shall conduct an election by hand-delivered or mail-in ballots.

Register closed

- (8) For the purpose of conducting an election, the register shall be closed on the last day of the month following the end of the fiscal year.

14. Ballot

- (1) The returning officer shall ensure the following is mailed to eligible registered producers
- (a) a mail-in ballot which shall bear the name of each candidate nominated for election;
- (b) a ballot envelope;
- (c) a return addressed envelope; and
- (d) voting instructions.

Notice

- (2) A registered producer shall be deemed to have received a mail-in ballot under subsection (1) which is addressed to the registered producer, with postage prepaid at the last known address of the registered producer, recorded in the register four business days after the returning officer mailed it.

Notice not received

- (3) Failure by a registered producer to receive a mail-in ballot shall not invalidate an election.

Counterfoil

- (4) The counterfoil of the mail-in ballot shall have the registered producer's name recorded on it.

Return of mail-in ballots

- (5) All mail-in ballots shall be returned by mail, with the counterfoil attached, to the returning officer and shall be received by the returning officer or postmarked by a date to be determined at a meeting of the board.

Scrutineer

- (6) Each candidate in an election is entitled to appoint one scrutineer to represent the candidate at the opening and counting of the mail-in ballots.

Counting of ballots

- (7) The returning officer shall set a date for counting the mail-in ballots for the election.

14.1 Witnesses

- (1) The returning officer may appoint any persons necessary to witness the opening and counting of the mail-in ballots.

Council witness

- (2) The Council may appoint a witness to represent the Council at the opening and counting of the mail-in ballots.

Validity

- (3) The failure of a scrutineer or a person appointed under subsection (1) or (2) to witness the opening and counting of the mail-in ballots shall not invalidate an election.

Valid ballots

- (4) Mail-in ballots shall only be counted where
- (a) the mail-in ballot is postmarked by a date to be determined by the Board;
 - (b) the registered producer's name is recorded on the counterfoil; and
 - (c) the counterfoil is removed by the returning officer before it is placed in the ballot box.

Counting

- (5) Mail-in ballots shall be opened and counted by the returning officer in the presence of the persons appointed under subsection 14(6) and subsections (1) and (2).

Valid results

- (6) A complete report of the results of the counting of the mail-in ballots, bearing the signatures of those present, shall be filed with the board and the Council.

Declaration

- (7) The candidate receiving the greatest number of votes for each vacancy shall be declared elected by the returning officer.

Resolution of tied vote

- (8) Where, upon the counting of the votes, two or more candidates for a vacancy on the board have an equal number of votes and none can be declared the winner, the returning officer shall immediately
- (a) write the names of those candidates on separate, identical blank sheets of paper;

- (b) fold the sheets of paper in an identical manner so that the names are concealed;
- (c) deposit the sheets of paper in a receptacle and withdraw a sheet to select the candidate to be elected; and
- (d) declare the candidate whose name appears on the sheet withdrawn to be elected.

14.2 Term, assumption of office

Each member of the board shall be elected for a two-year term and shall assume office at the first meeting of the board following the member's election.

14.3 Office may be declared vacant

- (1) The board may declare vacant the office of any member of the board who has been convicted of any offence under the Act or under the *Criminal Code* (Canada), has resigned or become ineligible, or who has failed to attend three consecutive meetings of the board without reasonable cause.

No longer registered producer

- (2) The board may declare vacant the office of any member of the board who discontinues being a registered producer during the member's term.

14.4 Council may appoint

If no member is elected to the board in accordance with these regulations, or if an elected member becomes unwilling or unable to act, or if a vacancy occurs on the board for any other reason, the Council may, after consulting with the board, appoint a registered producer to fill the unexpired term of office of the member being replaced, or until the date of the next election.

- 11. Subsection 15(1) of the regulations is amended by the deletion of the words "chairman and a vice-chairman and shall appoint a secretary and a treasurer; the same person may be appointed secretary and treasurer" and the substitution of the words "chairperson and a vice-chairperson and shall appoint a secretary and a treasurer, who may be the same person".**

12. Section 16 of the regulations is amended

- (a) **in the words immediately before clause (a), by the deletion of the word "chairman" and the substitution of the word "chairperson"; and**
- (b) **in clause (b), by the deletion of the word "he" and the substitution of the words "the chairperson".**

13. Section 17 of the regulations is revoked and the following substituted:

17. Vice-chairperson

The vice-chairperson of the board shall perform all the duties and functions of the chairperson in the chairperson's absence, or in the event of the chairperson's inability or refusal to act.

- 14. Clause 18(a) of the regulations is amended by the deletion of the words "ten days" and the substitution of the words "10 days".**

- 15. Subsection 21(2) of the regulations is amended by the deletion of the word "his" and the substitution of the words "an officer's".**

- 16. Section 22 of the regulations is amended by the deletion of the words "fifteenth day" and the substitution of the words "15th day".**

- 17. Section 23 of the regulations is amended**
- (a) **in subsection (1), by the deletion of the words “chairman, or in his absence the vice-chairman” and the substitution of the words “chairperson, or in the chairperson’s absence the vice-chairperson”; and**
 - (b) **in subsection (5), by the deletion of the word “his” and the substitution of the words “the member’s”.**
- 18. Subsection 24(1) of the regulations is amended by the deletion of the word “chairman” wherever it occurs and the substitution of the word “chairperson”.**
- 19. Subsection 26(1) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the treasurer’s”.**
- 20. Section 28 of the regulations is amended**
- (a) **in subsection (1), by the deletion of the words “sixty days” and the substitution of the words “60 days”;**
 - (b) **in subsection (2), by the deletion of the words “him and on every balance sheet laid before the board at a general meeting and in the report shall state whether, in his opinion,” and the substitution of the words “the auditor and on every balance sheet laid before the board at a general meeting and in the report shall state whether, in the auditor’s opinion,”; and**
 - (c) **in subsection (3), by the deletion of the words “ninety days” and the substitution of the words “90 days”.**
- 21. (1) Subsection 29(2) of the regulations is revoked and the following substituted:**
- Mandatory registration**
- (2) Every producer, 18 years of age or older, who delivered more than 500 chickens to a killing plant registered by Agriculture Canada during either of the two immediately preceding calendar years shall be registered with the board.
- Discretionary registration**
- (2.1) Any producer, 18 years of age or older, who raised, produced and sold poultry meat from 500 chickens but did not deliver the chickens to a killing plant registered by Agriculture Canada during either of the two immediately preceding calendar years may register with the board by completing a registration form provided by the board.
- (2) **Subsection 29(4) of the regulations is amended by the deletion of the words “thirty days” and the substitution of the words “30 days”.**
- (3) **Subsection 29(5) of the regulations is revoked and the following substituted:**
- Appeal of removal from register**
- (5) A producer may appeal the removal of the producer’s name from the register to the Appeals Tribunal and the producer’s name shall remain on the register until the appeal is heard.
- Appeals procedure**
- (6) An appeal under subsection (5) shall be heard in accordance with the Appeals Procedure Regulations (EC142/86) made under the Act.
- 22. Subsection 31(1) of the regulations is amended by the deletion of the words “ten percent of the registered producers requesting that a special meeting of producers be held for discussion of matters respecting the operation of the plan or of the board, the board shall call a special meeting of producers within thirty days” and the substitution of the words “10% of the registered producers requesting that a special meeting of producers be held for discussion of matters respecting the**

operation of the plan or of the board, the board shall call a special meeting of producers within 30 days”.

- 23. Section 35 of the regulations is amended by the deletion of the words “him in good faith in the performance or intended performance of his duties” and the substitution of the words “the person in good faith in the performance or intended performance of the person’s duties”.**
- 24. Section 36 of the regulations is amended**
- (a) in the words immediately before clause (a), by the deletion of the words “his heirs” and the substitution of the words “every member’s or officer’s heirs”;**
 - (b) in clause (a), by the deletion of the words “him, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him, in or about the execution of the duties of his office” and the substitution of the words “the member or officer, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by the member or officer, in or about the execution of the duties of the member’s or officer’s office”; and**
 - (c) in clause (b), by the deletion of the words “he sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his own” and the substitution of the words “the member or officer sustains or incurs in or about or in relation to the affairs of the member or officer, except the costs, charges or expenses as are occasioned by the member’s or officer’s own”.**
- 25. Clause 38(p) of the regulations is amended by the deletion of the words “by him” and the substitution of the words “by each person”.**
- 26. Section 39 of the regulations is amended by the deletion of the words “such capacities separately from the others, and to contract in each of such capacities with himself in each of the other capacities in which he acts, for the purposes of this plan, and shall comply with all provisions in the Act, this plan, and all orders, rules, and regulations of the board that apply to him or his operations” and the substitution of the words “the capacities separately from the others, and to contract in each of the capacities individually in each of the other capacities in which the person acts, for the purposes of this plan, and shall comply with all provisions in the Act, this plan, and all orders, rules and regulations of the board that apply to the person or the person’s operations in each capacity”.**
- 27. These regulations come into force on September 28, 2024.**

EXPLANATORY NOTES

SECTION 1 revokes and substitutes the enacting clause of the *Natural Products Marketing Act Poultry Meat Commodity Marketing Regulations (EC277/76)* so that the clause refers to the enabling provisions in the Act that authorize the making of regulations.

SECTION 2 amends section 1 of the regulations to renumber it as subsection 1(1) and to update the wording in the subsection to correctly refer to the regulations as “regulations” rather than as an “Order.” The wording in specified definitions is updated. A definition is added to the section as well as a new subsection 1(2) to authorize the board to define any term used in a board order where the term is not defined in the Act or the regulations.

SECTION 3 adds three new provisions to the regulations to specify the purposes of the board, authorize the board to create policies and clarify the board has all the powers contained in subsection 4(3) of the Act.

SECTION 4 amends section 3 of the regulations to delete an unnecessary term.

SECTION 5 revokes and substitutes section 4 of the regulations to update terminology respecting the board's common seal.

SECTION 6 amends section 6 of the regulations to update a numerical reference.

SECTION 7 adds a new section to the regulations to authorize the board to establish and maintain committees to assist the board in its work.

SECTION 8 amends subsection 7(2) of the regulations to update a numerical reference and replace a gender-specific term with a gender-neutral term.

SECTION 9 amends subsection 9(1) of the regulations to update the wording in the provision to correctly refer to the regulations as "regulations" rather than as an "Order in Council."

SECTION 10 revokes and substitutes sections 11 to 14 of the regulations to update the provisions relating to elections to the board.

SECTION 11 amends subsection 15(1) of the regulations to replace gender-specific terms with gender-neutral terms and correct punctuation.

SECTION 12 amends section 16 of the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 13 revokes and substitutes section 17 of the regulations to replace gender-specific terms with gender-neutral terms in respect of the duties and functions of the vice-chairperson of the board.

SECTION 14 amends clause 18(a) of the regulations to update a numerical reference.

SECTION 15 amends subsection 21(2) of the regulations to replace a gender-specific term with a gender-neutral term.

SECTION 16 amends section 22 of the regulations to update a numerical reference.

SECTION 17 amends section 23 of the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 18 amends subsection 24(1) of the regulations to replace a gender-specific term with a gender-neutral term.

SECTION 19 amends subsection 26(1) of the regulations to replace a gender-specific term with a gender-neutral term.

SECTION 20 amends section 28 of the regulations to update a numerical reference and replace gender-specific terms with gender-neutral terms.

SECTION 21 revokes and substitutes subsection 29(2) of the regulations to authorize the mandatory and discretionary registration of producers with the board. Subsection 29(4) of the regulations is amended to update a numerical reference. The section revokes and substitutes subsection 29(5) of the regulations to authorize a producer to appeal the removal of the producer's name from the register. A new subsection 29(6) is added to the regulations to specify an appeal under subsection 29(5) is to be heard in accordance with the Appeals Procedure Regulations made under the *Natural Products Marketing Act*.

SECTION 22 amends subsection 31(1) of the regulations to update numerical references.

SECTION 23 amends section 35 of the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 24 amends section 36 of the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 25 amends clause 38(p) of the regulations to replace a gender-specific term with a gender-neutral term.

SECTION 26 amends section 39 of the regulations to replace gender-specific terms with gender-neutral terms.

SECTION 27 provides for the commencement of the regulations.

EC2024-870

PHARMACY ACT

GENERAL REGULATIONS AMENDMENT

Pursuant to section 51 of the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6.1, Council made the following regulations:

1. Clause 1(c) of the *Pharmacy Act* General Regulations (EC527/14) is revoked and the following substituted:

- (c) “**professional service**” means a service, other than a pharmacy service, provided by a member, including
 - (i) administering a drug or vaccine, and
 - (ii) conducting a medication review.

2. (1) Subsection 3(1) of the regulations is amended

- (a) **by the revocation of subclause (b)(i) and the substitution of the following:**
 - (i) the corporation is in good standing under the enactment or Act of the Parliament of Canada under which it was incorporated or registered, and
- (b) **in subclause (b)(ii), by the deletion of the period and the substitution of a semi-colon; and**
- (c) **by the addition of the following after clause (b):**
 - (c) hold public liability insurance with coverage in the amount of at least five million dollars for the pharmacy to be operated under the permit.

(2) Clause 3(2)(a) of the regulations is amended by the deletion of the words “clauses 1(a) and (b)” and the substitution of the words “clauses 1(a), (b), if applicable, and (c)”.

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

4. Design and equipment

For the purposes of sections 8 and 11 of the Act and as a term and condition of the operation of a pharmacy under a permit, a pharmacy shall be equipped with

- (a) a well-defined and sufficiently sized dispensary area that is inaccessible to the public and equipped for the safe and proper compounding and dispensing of drugs and the delivery of other pharmacy services;
- (b) an area for confidential patient consultation;
- (c) a reference library of, or unrestricted internet access to, current references relevant to compounding and dispensing drugs and other pharmacy services;

- (d) a computer system capable of storing, retrieving, reporting and auditing information with sufficient speed, efficiency and security; and
- (e) a security system to prevent and detect unauthorized access to the premises.

4. Section 7.1 of the regulations is revoked.

5. (1) Subsection 8(1) of the regulations is amended

- (a) **in the words preceding clause (a), by the deletion of the words “subject to subsection (2),”; and**
- (b) **in subclause (a)(ii), by the deletion of the words “, in accordance with section 9”.**

(2) Section 8 of the regulations is amended by the addition of the following after subsection (6):

Refills, no time limit

- (6.1) Despite subsection (6), a prescription given on or after the date this subsection comes into force is valid for refill, if applicable, until the refills run out unless
- (a) the prescriber provides for an earlier expiry on the prescription; or
 - (b) the prescription is for a monitored drug, as defined in the *Narcotics Safety and Awareness Act* R.S.P.E.I. 1988, Cap. N-01.

(3) Subsections 8(7) and (8) of the regulations are revoked.

6. Section 9 of the regulations is revoked.

7. Subsection 11(1) of the regulations is revoked and the following substituted:

11. Multiple drug package

- (1) A member or other employee in a pharmacy may, with the approval of the patient or representative of the patient, package in a multiple drug package two or more drugs in solid form that are to be taken orally, if a pharmacist or pharmacy technician is satisfied it is appropriate to do so.

8. Section 12 of the regulations is amended by the deletion of the words “Schedule I drug or a Schedule II drug” and the substitution of the word “drug”.

9. (1) Clause 14(1)(a) of the regulations is amended by the addition of the words “or electronic transmission” after the words “facsimile transmission”.

(2) Subclause 14(2)(b)(iv) of the regulations is amended by the deletion of the words “where the prescription is transferred verbally,”.

(3) Subsection 14(3) of the regulations is revoked and the following substituted:

Information required

- (3) A pharmacist or pharmacy technician transferring a prescription by facsimile transmission or electronic transmission shall include the following information in the transmission:
- (a) the name of the pharmacy and the facsimile number or electronic address to which it is being sent;
 - (b) an indication that the transmission is confidential.

10. Subsection 17(3) of the regulations is revoked and the following substituted:

Facsimile or electronic transmission

- (3) In addition to the information required in subsection (2), a request for central-fill services submitted by facsimile transmission or electronic transmission shall contain
- (a) the facsimile number or electronic address to which it is being sent; and
 - (b) an indication that the transmission is confidential.

11. These regulations come into force on October 1, 2024.

EXPLANATORY NOTES

SECTION 1 clarifies the definition of “professional service” in the regulations.

SECTION 2 amends clause 3(1)(b)(i) of the regulations to make it more succinct and adds a clause (c) requiring an applicant to have public liability insurance to obtain a permit to operate a pharmacy.

SECTION 3 revokes and replaces section 4 of the regulations to make it more succinct.

SECTION 4 revokes section 7.1 of the regulations to remove restrictions on the sale and supply of dimenhydrinate and its salts and exempted codeine products.

SECTION 5 removes references to revoked provisions in subsection 8(1) of the regulations, adds a new subsection 8(6.1), which provides that refills of a prescription given on or after the date the subsection comes into force do not expire unless specified by the prescriber or where the prescription is for a monitored drug, and revokes subsections 8(7) and (8), which require a pharmacist or pharmacy technician to initial a prescription.

SECTION 6 revokes section 9 of the regulations respecting prescriptions given by facsimile transmission.

SECTION 7 revokes and replaces subsection 11(1) to make it more succinct.

SECTION 8 amends section 12 of the regulations to refer to a drug instead of a drug from a particular drug schedule.

SECTION 9 amends section 14 of the regulations to provide for the transfer of a prescription by electronic transmission and to apply subclause 14(2)(b)(iv) to all prescription transfers, not just verbal ones. It also revokes and replaces subsection 14(3) to include prescription transfers by electronic transmission.

SECTION 10 revokes and replaces subsection 17(3) of the regulations to include prescription transfers by electronic transmission.

SECTION 11 provides for the commencement of these regulations.

EC2024-871

REGULATED HEALTH PROFESSIONS ACT

PODIATRIST REGULATIONS

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:

PART 1 - INTERPRETATION AND ADMINISTRATION**1. Definitions**

In these regulations,

- (a) “**Act**” means the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1;
- (b) “**Council**” means the Council of the College of Physicians and Surgeons of Prince Edward Island;
- (c) “**podiatrist**” means a person who is registered in the register for podiatry;
- (d) “**podiatry**” means the health profession in which a person applies particular knowledge, skills and judgment in the assessment, treatment and prevention of diseases, disorders or dysfunctions of the foot;
- (e) “**refresher program**” means a refresher program in podiatry consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing education credits, a practicum or a combination of these elements.

2. Designation

Podiatry is designated as a regulated health profession.

3. College

The College of Physicians and Surgeons of Prince Edward Island is the college for podiatry.

4. Register

The register for podiatry is divided into the following parts:

- (a) general registration;
- (b) special registration.

PART 2 - REGISTRATION**General Registration****5. General registration**

- (1) The registrar shall register an applicant in the general registration part where
 - (a) the registrar is satisfied that the applicant meets all the requirements for registration set out in subsection 12(2) of the Act and these regulations and registers the applicant pursuant to subsection 12(3) of the Act; or
 - (b) the Council directs the registrar to register the applicant in the general registration part pursuant to subsection 12(6) of the Act or reinstate the registration of the applicant in the general registration part pursuant to subsection 24(4) of the Act.

Reinstatement period

- (2) For the purpose of subsection 24(1) of the Act, a podiatrist may apply for reinstatement of registration in the general registration part within three years after a lapse in the registration.

6. Education

For the purpose of clause 12(2)(c) of the Act, the requirement with respect to education is the successful completion of a post-secondary program in podiatry approved by the Council.

7. Currency requirements

For the purposes of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant shall have done one of the following within the three years immediately preceding the date of the application to demonstrate currency of professional knowledge and skills:

- (a) successfully completed the educational requirement set out in section 6;
- (b) actively practised podiatry in the province or in another jurisdiction recognized by the Council, to an extent that is acceptable to the Council;
- (c) successfully completed a refresher program satisfactory to the registrar.

8. Insurance requirements

For the purposes of clause 12(2)(j), subclause 22(2)(a)(v) and clauses 24(4)(f) and 25(3)(c) of the Act, an applicant or a member registered under these regulations, as the case may be, is required to hold or be covered by professional liability insurance under a policy that provides coverage of not less than \$5,000,000 per claim or occurrence and an aggregate limit of not less than \$5,000,000 excluding legal or court costs.

9. Additional qualifications

For the purposes of clause 12(2)(k), subclause 22(2)(a)(v.1) and clause 24(4)(g) of the Act, an applicant shall have up-to-date certification in first aid and cardiopulmonary resuscitation, approved by the Council.

Special Registration

10. Special registration

- (1) Where the Council directs the registrar to register an applicant pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part.

No renewal or reinstatement

- (2) Registration in the special registration part may not be renewed or reinstated.

PART 3 – DESIGNATIONS AND RESERVED ACTIVITIES

11. Designations of members

For the purpose of subsection 89(1) of the Act, the designations of a podiatrist include

- (a) podiatrist;
- (b) chiropodist; and
- (c) where the podiatrist has successfully completed a doctor of podiatric medicine degree, doctor of podiatric medicine or DPM.

12. Reserved activities

Subject to any terms or conditions imposed on the podiatrist's registration, a podiatrist is authorized to perform the following reserved activities:

- (a) communicating to a person or the person's personal representative a diagnosis identifying a disease, disorder or condition of the foot as the cause of the person's symptoms in circumstances in which it is reasonably foreseeable that the person or the person's personal representative will rely on the diagnosis;
- (b) performing a procedure on the subcutaneous tissues of the foot.

13. Application for special authorization

- (1) A podiatrist may apply to the registrar, in the form approved by the Council, for special authorization to perform one or more of the following reserved activities:
- (a) administering a drug into the foot by injection;
 - (b) prescribing a drug, as defined in the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6.1, for a purpose related to podiatry;
 - (c) administering a drug or substance by inhalation;
 - (d) applying electrical energy in the form of laser therapy to treat a fungal foot infection;
 - (e) performing a procedure on the bone tissues of the foot.

Eligibility

- (2) An applicant is eligible for special authorization to perform a reserved activity listed in subsection (1) where the applicant has successfully completed the applicable training program:
- (a) for the purpose of clause (1)(a), a drug administration program approved by the Council;
 - (b) for the purpose of clause (1)(b), a drug knowledge program approved by the Council;
 - (c) for the purpose of clause (1)(c), a drug inhalation program approved by the Council;
 - (d) for the purpose of clause (1)(d), a laser therapy program approved by the Council;
 - (e) for the purpose of clause (1)(e), a surgical training program approved by the Council.

Granting of special authorization

- (3) On receipt and review of an application made in accordance with subsection (1), where the registrar is satisfied that the applicant has completed the required training program in accordance with subsection (2), the registrar may
- (a) grant the applicant special authorization to perform the reserved activity; and
 - (b) note the special authorization in the register in relation to the podiatrist and on the podiatrist's certificate of registration.

Referral to the Council

- (4) Where the registrar is not satisfied that the applicant has completed the required training program in accordance with subsection (2), the registrar shall refer the application to the Council.

Review by the Council

- (5) On receipt of an application referred by the registrar, the Council shall review the application and may
- (a) direct the registrar to
 - (i) grant the applicant special authorization to perform the reserved activity, and
 - (ii) note the special authorization in the register in relation to the podiatrist and on the podiatrist's certificate of registration; and
 - (b) impose any terms and conditions on the special authorization that the Council considers appropriate.

Notice of refusal

- (6) On refusing to grant special authorization to perform a reserved activity set out in subsection (1), the Council shall serve on the applicant written notice of the refusal, including reasons, and the applicant's right to appeal the refusal.

Appeal

- (7) A podiatrist who is aggrieved by a refusal of the Council to grant a special authorization to perform a reserved activity set out in subsection (1) may appeal the refusal to the Supreme Court within 30 days after being served with notice of the refusal.

Powers of court

- (8) On hearing the appeal, the court may

- (a) confirm the refusal;
- (b) refer the matter, or any issue, back to the Council for further consideration;
or
- (c) provide any direction that it considers appropriate.

Costs

- (9) The court may make any order as to the costs of an appeal that it considers appropriate.

Suspension, cancellation, expiration, renewal

- (10) A special authorization granted under this section is suspended or cancelled, or expires, on the suspension, cancellation or expiration of the podiatrist's registration, as the case may be, and may be renewed on renewal of the podiatrist's registration.

PART 4 - GENERAL**14. Name of corporation**

- (1) For the purpose of clause 15(2)(d) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of a podiatrist shall be, in the opinion of the registrar, in good taste, dignified and professional.

Change of name

- (2) Before changing its name, a health profession corporation shall obtain written confirmation from the registrar that the proposed name meets the requirements of subsection (1).

15. Exception, corporation

The prohibition in subsection 90(1) of the Act does not apply in respect of a corporation other than a health profession corporation carrying on the business of providing the professional services of a podiatrist.

16. Commencement

These regulations come into force on October 1, 2024.