



## **PLEASE NOTE**

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This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the [\*Table of Public Acts\*](#).

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## CHAPTER P-19.1

### PRINCE EDWARD ISLAND SCIENCE AND TECHNOLOGY CORPORATION ACT

- 1. In this Act** Definitions
- (a) “Board” means the Board of Directors of the Corporation established under subsection 2(2); Board
- (b) “Corporation” means the Prince Edward Island Science and Technology Corporation established under subsection 2(1); Corporation
- (c) “financial assistance” includes any advances, whether repayable or not, made by the Corporation; financial assistance
- (d) “Minister” means the Minister of the Crown designated by the Lieutenant Governor in Council to administer this Act. 2003,c.14,s.1. Minister
- 2. (1)** There is established a Crown corporation to be called the Prince Edward Island Science and Technology Corporation, which has the same general powers as conferred upon companies incorporated under the *Companies Act* R.S.P.E.I. 1988, Cap. C-14, except where such powers are inconsistent with this Act. Crown corporation established
- (2) The affairs of the Corporation shall be conducted by a Board of Directors consisting of Board of Directors
- (a) the Deputy Minister, Department of Development and Technology;
- (b) the Deputy Minister, Department of Education;
- (c) the Deputy Minister, Department of Health and Social Services;
- (d) the Director of Finance, Department of Development and Technology; and
- (e) three persons appointed by the Lieutenant Governor in Council for a term to be prescribed by the Lieutenant Governor in Council in the instrument of appointment; and
- (f) one person who shall be a post-secondary student.
- (3) The Chief Executive Officer appointed under subsection 3(2) shall act as secretary of the Board. Secretary
- (4) Subject to subsection (5), the members of the Board Remuneration and expenses
- (a) shall serve without remuneration; and
- (b) shall be entitled to reimbursement of expenses reasonably incurred in carrying out their duties as members of the Board.

Exception	(5) Every member of the Board appointed under clause (2)(e) who is not an employee as defined in the <i>Civil Service Act</i> R.S.P.E.I. 1988, Cap. C-8 may be paid remuneration in accordance with Treasury Board policy.
Chair	(6) The Deputy Minister, Department of Development and Technology, shall act as the Chair of the Board.
Agent of Crown	(7) The Corporation is for all purposes an agent of Her Majesty in right of the Province of Prince Edward Island and its powers pursuant to this Act may be exercised only as an agent of Her Majesty.
Property	(8) Property acquired by the Corporation is the property of Her Majesty in right of the Province of Prince Edward Island, and title thereto may be vested in Her Majesty or in the name of the Corporation.
Actions in name of Corporation	(9) Actions, suits or other legal proceedings in respect of any right or obligation acquired or incurred by the Corporation, whether in its name or in the name of Her Majesty in right of the Province of Prince Edward Island, may be brought or taken by or against the Corporation in the name of the Corporation in any court that would have jurisdiction if the Corporation were not an agent of Her Majesty in right of the Province of Prince Edward Island. 2003,c.14,s.2.
Administration	<b>3.</b> (1) The Minister has the general supervision and management of this Act.
Management	(2) The Lieutenant Governor in Council shall appoint a Chief Executive Officer of the Corporation who, under the direction of the Minister, shall <ul style="list-style-type: none"> <li>(a) supervise the administration and management of the Corporation; and</li> <li>(b) perform such other duties as the Board or the Lieutenant Governor in Council assigns.</li> </ul>
Remuneration	(3) The Chief Executive Officer shall be paid out of the funds of the Corporation such remuneration as may be determined by the Lieutenant Governor in Council.
Delegation	(4) The Minister may delegate the administration of any function of the Corporation upon terms and conditions the Minister may determine. 2003,c.14,s.3.
Advisory committees	<b>4.</b> (1) The Minister may <ul style="list-style-type: none"> <li>(a) establish advisory committees; and</li> </ul>

(b) appoint individuals to advisory committees for the purpose of providing the Minister with advice regarding policy with respect to any matter governed by this Act.

(2) The term of the members of an advisory committee shall be determined by the Minister at the time the advisory committee is established.

Term

(3) Members of an advisory committee

(a) shall serve without remuneration; and

(b) shall be entitled to reimbursement of expenses reasonably incurred in carrying out their duties as members of the advisory committee. 2003,c.14,s.4.

Remuneration and expenses

5. The Board may make bylaws and policies, not inconsistent with this Act, for its internal organization and the regulation of its operations, including

Bylaws and policy

(a) the functions of all agents, officers and employees of the Corporation; and

(b) the conduct of all affairs of the Corporation not otherwise provided for in this Act or the regulations. 2003,c.14,s.5.

6. The objects of the Corporation are to

Objects

(a) provide leadership in the creation, implementation and support of the Government's science and technology development strategy;

(b) provide leadership in strengthening the science and technology capability of Prince Edward Island business enterprises;

(c) provide leadership with respect to the growth and development of new and expanding Prince Edward Island business enterprises with a science and technology orientation;

(d) provide leadership with respect to the prospecting of business enterprises in support of designated strategic sectors relating to science and technology;

(e) encourage the science and technology and research community and its infrastructure in Prince Edward Island to be internationally competitive;

(f) facilitate cooperation and communication between the Government and the science and technology and research community and to encourage coordination between the public, education and business elements of the research community;

(g) promote communication on matters related to science and technology and research among the research and business communities and the general public; and

(h) work with economic development agencies to develop policies and agreements in support of economic development in the province through enhancement of science and technology. 2003,c.14,s.6.

Powers

7. (1) Subject to general directions as to science and technology policy issued by the Lieutenant Governor in Council, the Corporation may
- (a) enter into agreements for the performance, on behalf of the Corporation, of research projects or the conduct of investigations and studies, as it deems advisable;
  - (b) conduct research in subjects that may be beneficial to the development of resources or industry in the province;
  - (c) conduct research, and undertake development, consultation, design, innovation, investigations and studies for other persons or bodies upon such terms and conditions, including remuneration for its services, as may be decided by the Corporation;
  - (d) borrow, and receive, by way of grant or loan, money from the Government or any corporation and give as security therefor bills of exchange, promissory notes and other negotiable instruments and securities;
  - (e) borrow, and receive, by way of grant or loan, money from the Government of Canada or any department or agency of the Government of Canada and give as security therefor bills of exchange, promissory notes and other negotiable instruments and securities;
  - (f) provide financial assistance and make advances upon the security of, and as security for, any financial assistance provided by the Corporation, or any debt or liability owed to the Corporation, on real or personal property;
  - (g) acquire, take and hold by purchase, lease, donation, mortgage or otherwise, real and personal property;
  - (h) sell, convey, lease, mortgage, or otherwise dispose of, real or personal property or any part thereof and for such purposes execute any agreement, deed, lease, mortgage, pledge, lien or conveyance and designate the officials or employees of the Corporation to sign the required documents or conveyances;
  - (i) construct facilities and buildings for sale, lease or rent;
  - (j) make improvements to land and buildings;
  - (k) provide services such as power, water, sewerage, roads and other amenities used or useful in connection with the operations of the Corporation or those of the occupiers of the Corporation's land;
  - (l) attach covenants on any land sold, leased or conveyed by the Corporation;
  - (m) enter into agreements pertaining to the ownership of any invention, work, information or material, regardless of form, including any patent, copyright, technological or industrial design process or trademark;
  - (n) convey any of its real property to any department or Crown Corporation of the Government;

- (o) invest, either directly or through companies established for the purpose, in the province's economic enterprises;
- (p) guarantee the payment of a debt or an obligation;
- (q) acquire, hold, deal with and dispose of shares, stocks, bonds, debentures and other securities as if the Corporation were an individual;
- (r) invest any revenues or surplus funds in such a manner as the Minister may determine;
- (s) solicit and receive donations; or
- (t) do any other thing as may be required to be done and exercise any other power required to be exercised for the purposes of carrying out the provisions and intent of this Act.

(2) The Corporation shall carry out any mandate entrusted to it by the Lieutenant Governor in Council to achieve any project pertaining to science and technology that is of importance to the welfare of the province. 2003,c.14,s.7. Mandate conferred by LGIC

**8.** For the purpose of carrying into effect the objects of the Corporation or any project, the Corporation may enter into and carry out agreements with any person, including, but not limited to, any body corporate and any corporation of the Crown in right of the Government of Canada or in right of any province. 2003,c.14,s.8. Agreements

**9.** (1) The Corporation may Staff

- (a) employ administrative, accounting, clerical and professional or technical staff; and
- (b) engage such consultants and professional or technical specialists that the Chief Executive Officer considers necessary to carry out the functions of the Corporation.

(2) The *Civil Service Act* does not apply to any person employed by the Corporation. 2003,c.14,s.9. Application of Civil Service Act

**10.** Any person acting under the authority of this Act or the regulations is not personally liable for any loss or damage suffered by any person by reason of any act done or omitted to be done by the person in good faith in the exercise or purported exercise of the person's functions. 2003,c.14,s.10. Liability

**11.** (1) All discoveries, inventions and improvements in processes, apparatus or machines made by a member or members of the professional or technical staff of the Corporation and its subsidiaries and all rights with respect thereto are hereby vested in the Corporation. Rights to inventions

(2) The Corporation and its subsidiaries may, with the approval of the Lieutenant Governor in Council, pay to its professional or technical staff Bonuses

and to others working under its auspices who have made discoveries, inventions or improvements in processes, apparatus or machines, such bonuses or royalties as in the opinion of the Corporation are warranted. 2003,c.14,s.11.

## Investment

**12.** The Corporation may enter into an agreement with a person in whose favour an investment has been or is proposed to be made by the Corporation providing for the respective rights, obligations and liabilities of the Corporation and the person with respect to the ownership of any invention, work, information or material, regardless of form, including any patent, copyright, technological or industrial design process or trademark acquired or produced by the person while engaged in a project funded in whole or in part by an investment made by the Corporation. 2003,c.14,s.12.

## Regulations

**13.** The Lieutenant Governor in Council may make such regulations as are considered necessary and advisable for carrying out the purposes and the provisions of this Act. 2003,c.14,s.13.