



PLEASE NOTE

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

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CHAPTER T-3.4

TOURISM PEI ACT

- 1.** In this Act Definitions
- (a) “Board” means the Board of Directors of the Corporation established pursuant to subsection 7(1); Board
- (b) “Corporation” means Tourism PEI.; Corporation
- (c) “Minister” means the Minister of the Crown designated by the Lieutenant Governor in Council to administer this Act. 1999,c.46,s.1. Minister
- 2.** Tourism PEI Inc., a body corporate incorporated pursuant to the *Companies Act* R.S.P.E.I. 1988, Cap. C-14 by letters patent dated December 23, 1998, is continued in accordance with this Act as a Crown corporation to be called Tourism PEI. 1999,c.46,s.2. Tourism PEI
- 3.** The Corporation has the same general powers as conferred upon companies incorporated under the *Companies Act* except where those powers are inconsistent with this Act. 1999,c.46,s.3. Powers
- 4.** (1) The Lieutenant Governor in Council shall appoint a Chief Executive Officer of the Corporation who, under the direction of the Minister, shall CEO appointed
- (a) supervise the administration and management of the Corporation; and
- (b) perform other duties as the Minister or Lieutenant Governor in Council assigns.
- (2) The Chief Executive Officer shall be paid out of the funds of the Corporation remuneration as may be determined by the Lieutenant Governor in Council. 1999,c.46,s.4. Remuneration
- 5.** The Minister may delegate the administration of any function of the Corporation upon terms and conditions the Minister may determine. 1999,c.46,s.5. Delegation
- 6.** (1) The Corporation is for all purposes an agent of the Crown in right of the province of Prince Edward Island and its powers under this Act may be exercised only as an agent of the province. Agent of the Crown
- (2) Property acquired by the Corporation is the property of the Government of Prince Edward Island, and title thereto may be vested in Property

the name of the Government of Prince Edward Island or in the name of the Corporation. 1999,c.46,s.6.

Board of Directors

7. (1) The Lieutenant Governor in Council shall appoint a Board of Directors for the Corporation consisting of not less than five and not more than nine persons to conduct the affairs and business of the Corporation.

Private sector directors

(2) At least two of the directors appointed pursuant to subsection (1) shall be from the private sector of the tourism industry.

Minister - chair

(3) The Minister shall act as chair of the Board.

Chief Executive Officer - secretary
vice chair

(4) The Chief Executive Officer shall act as secretary of the Board.

(5) The Lieutenant Governor in Council shall designate one of the members of the Board appointed pursuant to subsection (1) to act as vice-chair of the Board.

Meetings

(6) The chair
(a) may call meetings of the Board; and
(b) shall preside at meetings of the Board.

Absence of chair

(7) In the absence of the chair, the vice-chair
(a) may exercise all the powers; and
(b) shall perform all the duties,
of the chair.

Quorum

(8) A majority of the members of the Board shall constitute a quorum.

Vote of majority

(9) An affirming vote of the majority of the members of the Board present at any meeting of the Board where a quorum is present is sufficient to pass a resolution.

Remuneration

(10) The Corporation may pay members of the Board who are not employees in the civil service of Prince Edward Island or Ministers of the Crown
(a) remuneration for their services;
(b) allowances for travelling; and
(c) any other expenses as determined by the Lieutenant Governor in Council.

Powers of Board

(11) The Board shall administer the affairs of the Corporation and may exercise any power and perform any act authorized pursuant to this Act and the regulations.

Bylaws

(12) The Board may pass bylaws, not inconsistent with this Act or the regulations, to regulate

- (a) the functions and duties of all agents, officers and servants of the Corporation;
- (b) the time and place for holding meetings of the Board, the calling of meetings of the Board, voting at meetings of the Board, and procedures at meetings of the Board; and
- (c) the conduct of all affairs of the Corporation not otherwise provided for in this Act or the regulations. 1999,c.46,s.7.

8. The objects of the Corporation are

Objects

- (a) to provide leadership in the development, support and implementation of the government's tourism strategy;
- (b) to provide advice, information, infrastructure and services to the private sector and governments so as to assist in the promotion and development of tourism in Prince Edward Island;
- (c) to provide the strategic leadership to government's efforts to assist, establish and maintain profitable tourism enterprises on Prince Edward Island;
- (d) to provide strategic and operational leadership in government's efforts to
 - (i) gather, interpret, and disseminate tourism market information to be used by private and public sector organizations on Prince Edward Island, and
 - (ii) enhance the competitiveness and wealth-creation capabilities of those organizations;
- (e) to encourage and provide assistance to Prince Edward Island enterprises in the creation, maintenance, or expansion of tourism activity in Prince Edward Island;
- (f) to identify and encourage the development of new forms of tourism enterprise in Prince Edward Island;
- (g) to work with tourism agencies of other jurisdictions in the development of policies and agreements in support of tourism development in Prince Edward Island;
- (h) to encourage Prince Edward Island firms and individuals in the preparation and implementation of sound business plans and marketing strategies;
- (i) to plan and implement an annual tourism marketing plan and strategy to enhance the province as a tourist destination. 1999,c.46,s.8.

9. Subject to general directions as to tourism policy issued by the Lieutenant Governor in Council, the Corporation may

Powers

- (a) provide grants for the purposes of carrying out the objects of this Act;
- (b) borrow, and receive, by way of grant or loan, money from the government or any bank and give as security therefor bills of

exchange, promissory notes and other negotiable instruments and securities;

(c) accept and receive contributions of capital;

(d) 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;

(e) acquire, take and hold by purchase, lease, donation, mortgage or otherwise, real and personal property;

(f) sell, convey, lease, mortgage or otherwise dispose of real property or any part thereof and for such purposes execute any agreement, deed, lease, mortgage, pledge, lien or conveyance;

(g) make improvements to land and buildings;

(h) attach covenants as prescribed by regulation on any land sold, leased or conveyed by the Corporation ensuring that the use of the land will be reserved to its highest and best use in terms of agriculture, fishing, forestry, wildlife, industry, tourism, or any rural development purpose;

(i) convey any of its real property to any department or agency of the government;

(j) establish companies for the purposes of investing in Prince Edward Island tourism enterprises;

(k) acquire, hold, deal with and dispose of shares and stocks, as if the Corporation were an individual, subject to the approval of the Lieutenant Governor in Council;

(l) invest its surplus funds in such securities, or in such manner, as the Corporation may determine;

(m) do any other things as may be required to be done and exercise any other powers required to be exercised for the purposes of carrying out the provisions and intent of this Act. 1999,c.46,s.9.

Mandate conferred
by Executive
Council

10. The Corporation shall carry out any mandate entrusted to it by the Lieutenant Governor in Council to achieve any project of importance to the tourism industry of the province. 1999,c.46,s.10.

Agreements

11. 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 any body corporate and any agency of the Crown in right of Canada or of any province. 1999,c.46,s.11.

Staff

12. (1) The Corporation may employ such administrative, accounting, clerical and professional staff and may contract with such consultants and professional specialists as the Chief Executive Officer considers necessary to carry out the functions of the Corporation.

(2) The *Civil Service Act* R.S.P.E.I. 1988, Cap. C-8 shall not apply to any person employed by the Corporation except casual or seasonal employees. Application of Civil Service Act

(3) Where any functions of the Corporation are assumed by the Department of Tourism, section 25 of the *Civil Service Act* shall apply. 1999,c.46,s.12; 2000,c.5,s.3. Application of Civil Service Act

13. No person acting under the authority of this Act or the regulations is personally liable for any loss or damage suffered by any person by reason of any act done by the person in good faith in the exercise or purported exercise of the person's functions. 1999,c.46,s.13. Liability

14. The Corporation shall obtain the prior approval of Treasury Board for any expenditure above an amount set by the Lieutenant Governor in Council during the annual budget process. 1999,c.46,s.14. Expenditures

15. The Lieutenant Governor in Council may make regulations. 1999,c.46,s.15. Regulations

16. On the date this Act comes into force
 (a) all shares in Golf Links Prince Edward Island Inc. are transferred to and become the property of the Corporation;
 (b) all tourism and all golf related contracts of Enterprise P.E.I. are transferred to and become the property of the Corporation; and
 (c) for accounting and financial reporting purposes the tourism related transactions, and the assets and liabilities, as approved by Treasury Board, of Enterprise P.E.I., the former Department of Economic Development and Tourism, the Department of Fisheries and Tourism, and Tourism PEI Inc., from April 1, 1998 until March 31, 1999 shall be included in the operations of the Corporation. 1999,c.46,s.16. Transitional provisions

17. Amendment. 1999,c.46,s.17. Consequential amendment