

EC2016-271

EXECUTIVE COUNCIL ACT
MINISTER OF TRANSPORTATION, INFRASTRUCTURE AND ENERGY
AUTHORITY TO ENTER INTO AN AGREEMENT
(CONSTRUCTION LICENSE AGREEMENT
FOR PEI-NB CABLE INTERCONNECTION UPGRADE PROJECT)
WITH THE GOVERNMENT OF CANADA
AND
THE GOVERNMENT OF NEW BRUNSWICK
AND WITH
THE PRINCE EDWARD ISLAND ENERGY CORPORATION
AND
MARITIME ELECTRIC COMPANY, LIMITED

Pursuant to clauses 10(a), (b) and (d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Transportation, Infrastructure and Energy to enter into an agreement with the Government of Canada, as represented by the Minister of Public Works and Government Services, and the Government of New Brunswick, as represented by the Minister of Natural Resources, collectively known as “the licensor”; and with The Prince Edward Island Energy Corporation, as represented by its Chief Executive Officer, and Maritime Electric Company, Limited, as represented by its President and Chief Executive Officer, collectively known as “the licensee”; to set out terms and conditions whereby the licensor permits the licensee to use and occupy certain lands on the seabed of the Northumberland Strait between Cape Tormentine, New Brunswick and Borden-Carleton, Prince Edward Island for the purpose of constructing and installing a high voltage subsea power cable with appurtenances incidental thereto, such as more particularly described in the draft agreement.

EC2016-272

EXECUTIVE COUNCIL ACT
 MINISTER OF TRANSPORTATION, INFRASTRUCTURE AND ENERGY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (OPERATION AND MAINTENANCE LICENSE AGREEMENT
 FOR PEI-NB CABLE INTERCONNECTION UPGRADE PROJECT)
 WITH THE GOVERNMENT OF CANADA
 AND
 THE GOVERNMENT OF NEW BRUNSWICK
 AND WITH
 THE PRINCE EDWARD ISLAND ENERGY CORPORATION
 AND
 MARITIME ELECTRIC COMPANY, LIMITED

Pursuant to clauses 10(a), (b) and (d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Transportation, Infrastructure and Energy to enter into an agreement with the Government of Canada, as represented by the Minister of Public Works and Government Services, and the Government of New Brunswick, as represented by the Minister of Natural Resources, collectively known as “the licensor”; and with The Prince Edward Island Energy Corporation, as represented by its Chief Executive Officer, and Maritime Electric Company, Limited, as represented by its President and Chief Executive Officer, collectively known as “the licensee”; to set out terms and conditions whereby the licensor grants the licensee rights and interest in the defined area of the Northumberland Strait between Cape Tormentine, New Brunswick and Borden-Carleton, Prince Edward Island for the purpose of completing, operating and maintaining the high voltage subsea power cable with appurtenances incidental thereto, such as more particularly described in the draft agreement.

EC2016-273

EXECUTIVE COUNCIL ACT
 MINISTER OF TRANSPORTATION, INFRASTRUCTURE AND ENERGY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (PEI-NB CABLE INTERCONNECTION UPGRADE PROJECT
 JOINT MANAGEMENT AGREEMENT)
 WITH
 THE GOVERNMENT OF CANADA
 AND
 THE GOVERNMENT OF NEW BRUNSWICK

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Transportation, Infrastructure and Energy to enter into an agreement with the Government of Canada, as represented by the Minister of Public Works and Government Services, and with the Government of New Brunswick, as represented by the Minister of Natural Resources, to establish a mechanism for the parties to collectively manage and administer the Construction License Agreement and the Operation and Maintenance License Agreement for the PEI-NB Cable Interconnection Upgrade Project, such as more particularly described in the draft agreement.

EC2016-274

EXECUTIVE COUNCIL ACT
 MINISTER OF WORKFORCE AND ADVANCED LEARNING
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (YOUTH EMPLOYMENT STRATEGY
 FUNDING AGREEMENT
 SEAFOOD INDUSTRY YOUTH EMPLOYMENT PROJECT)
 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 Workforce and Advance Learning to enter into an agreement with the Government of Canada, as represented by the Minister of Employment and Social Development Canada to set out terms and conditions of funding for a summer work experience program supporting students working in the seafood processing sector in Prince Edward Island during the period April 18, 2016 to October 14, 2016, such as more particularly described in the draft agreement.

EC2016-275

**HEALTH SERVICES ACT
 COMMUNITY HEALTH ENGAGEMENT COMMITTEE
 REGULATIONS**

Pursuant to section 35 of the *Health Services Act* R.S.P.E.I. 1988, Cap. H-1.6, the Lieutenant Governor in Council made the following regulations:

- 1.** In these regulations, Definitions
- (a) “Act” means the *Health Services Act* R.S.P.E.I. 1988, Cap. H-1.6; Act
- (b) “committee” means the Community Health Engagement Committee (Western Region) or the Community Health Engagement Committee (Eastern Region), each established by the Minister; committee
- (c) “member” means a member of a committee, except where otherwise indicated; member
- (d) “Treasury Board” means the Treasury Board established pursuant to section 8 of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12. Treasury Board
- 2.** (1) Pursuant to subsection 5(2) of the Act, the Minister established the Community Health Engagement Committee (Western Region) and the Community Health Engagement Committee (Eastern Region) to provide local and regional input to the Minister and Health PEI with respect to health services. Purpose of committees
- (2) The duties of the committees are as follows: Duties of committees
- (a) to gather and consider information from the public respecting health needs and services in the region of the committee;
- (b) to identify health-related issues in the region of the committee;
- (c) to provide feedback related to health policy to the Minister and feedback related to the delivery of health services to Health PEI respecting
- (i) the health needs, services and issues in the region of the committee,
- (ii) the strategic plan prepared and submitted by Health PEI pursuant to subsection 15(2) of the Act,
- (iii) the strategic plan of the Department, and
- (iv) provincial strategies relating to health care.

- 3.** (1) The Community Health Engagement Committee (Western Region) shall consist of the following members appointed by the Minister: Western Region committee - composition
- (a) one member nominated by and from the membership of the Western Hospital Foundation Inc.;
 - (b) one member nominated by and from the membership of the O’Leary Community Health Foundation Inc.;
 - (c) one member nominated by and from the membership of the Prince County Hospital Foundation Inc.;
 - (d) up to nine public representatives who reside in the federal electoral district of Egmont or Malpeque.
- (2) The Community Health Engagement Committee (Eastern Region) shall consist of the following members appointed by the Minister: Eastern Region committee - composition
- (a) one member nominated by and from the membership of the Kings County Memorial Hospital Foundation Inc.;
 - (b) one member nominated by and from the membership of the Eastern Kings Health Foundation Inc.;
 - (c) one member nominated by and from the membership of the Queen Elizabeth Hospital Foundation Inc.;
 - (d) up to nine public representatives who reside in the federal electoral district of Malpeque, Charlottetown or Cardigan.
- 4.** (1) Subject to subsection (2), the term of office of a member is three years and a member may be reappointed for not more than one additional consecutive term. Term of office and reappointment
- (2) The Minister may vary the terms of the initial members to ensure that the terms of all members do not expire at the same time. Terms of initial members
- 5.** Members shall serve on a committee without remuneration but may be reimbursed for mileage expenses in accordance with the policies of the Treasury Board. Reimbursement
- 6.** Each committee shall elect one of its members as the chair of that committee and another of its members as the secretary of that committee. Chair and secretary
- 7.** (1) The chair of each committee shall meet with the Board at least once annually. Chair to meet with Board
- (2) Each committee shall submit to the Minister and the Board, at the time required by the Minister, an annual report summarizing its activities during the past year. Annual report
- 8.** (1) Each committee shall conduct its meetings in accordance with Robert’s Rules of Order Newly Revised, 11th edition. Conduct of meetings
- (2) The secretary of a committee shall record minutes of each committee meeting and submit the minutes of a meeting, as adopted by the committee, to the Minister and the Board within 30 days of the date the meeting is held. Meeting minutes
- 9.** (1) A member may resign by giving notice of the member’s resignation to the Minister in writing and the resignation takes effect on the day the notice is served on the Minister. Resignation of member
- (2) A member automatically ceases to be a member Ceases to be member
- (a) in the case of a member nominated by and from the membership of a foundation pursuant to clause 3(1)(a), (b) or (c) or (2)(a), (b) or (c), on the day the member ceases to be a member of the nominating foundation;
 - (b) in the case of a member who is a public representative appointed pursuant to clause 3(1)(d) or (2)(d), on the day the member ceases to reside in one of the applicable federal electoral districts; and
 - (c) on the death of the member.
- (3) The Minister may revoke the appointment of a member at the Minister’s discretion for any reason, including where the member Revocation of appointment
- (a) fails to attend three consecutive meetings of a committee without, in the opinion of the Minister, a reasonable excuse;
 - (b) is convicted of an offence that, in the opinion of the Minister, renders the member unsuitable to continue to hold office as a member;

- (c) commits an act, other than one referred to in clause (b), that, in the opinion of the Minister, undermines the ability of the member to act credibly as a member; or
- (d) in the opinion of the Minister, is unlikely to be able to fulfil the member's duties on a committee due to physical or mental incapacity.
- (4) Where the Minister revokes the appointment of a member, the Minister shall give the member notice of the revocation in writing and the revocation takes effect on the date specified in the notice. Notice of revocation
- 10.** Where a vacancy occurs on a committee, the Minister shall Filling a vacancy
- (a) in the case of a vacancy of a member nominated by and from the membership of a foundation pursuant to clause 3(1)(a), (b) or (c) or (2)(a), (b) or (c), appoint a member nominated by and from the membership of the applicable foundation to serve for the remainder of the term of the original member; or
- (b) in the case of a vacancy of a member who was a public representative appointed pursuant to clause 3(1)(d) or (2)(d), appoint a member who is resident in one of the applicable federal electoral districts to serve for the remainder of the term of the original member.
- 11.** (1) Any notice required to be given or served under these regulations is deemed to be sufficiently given or served Giving or serving notice
- (a) upon a copy being personally given to or served on the person to whom it is directed or another person who is designated to accept service on behalf of that person;
- (b) upon a copy being sent by facsimile or other electronic means to the person to whom it is directed and an acknowledgement of receipt being received; or
- (c) five days after a copy is sent by registered mail or ten days after a copy is sent by regular mail, addressed to the person to whom it is directed at the last known address for that person.
- (2) Where it is impractical for any reason to give or serve a notice in a manner referred to in subsection (1), an application may be made, without notice, to the Supreme Court for an order for substituted service and the court may make such an order providing for the steps to be taken to bring the matter to the attention of the person to whom the notice is directed. Substituted service
- 12.** These regulations come into force on May 14, 2016. Commencement

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 sets out the purpose and duties of the committees.

SECTION 3 provides for the composition of each committee, consisting of members appointed by the Minister from hospital foundations and federal electoral districts in the region of the committee.

SECTION 4 sets out a three-year term of office for members and provides that members may be reappointed for a maximum of one additional consecutive term. It also allows the Minister to vary the terms of the initial members so the expiry of terms will be staggered.

SECTION 5 provides that members shall serve without remuneration but may be reimbursed for mileage expenses in accordance with Treasury Board policies.

SECTION 6 provides for the election of a chair and secretary of each committee.

SECTION 7 requires the chair of each committee to meet with the Board at least once annually. It requires each committee to submit an annual report to the Minister and the Board.

SECTION 8 requires each committee to conduct its meetings in accordance with Robert's Rules of Order Newly Revised, 11th edition. It requires the secretary of a committee to record minutes of each meeting and submit them, as adopted by the committee, to the Minister and the Board within 30 days of the date of the meeting.

SECTION 9 provides for the resignation of a member, circumstances in which a member automatically ceases to be a member, and the revocation of a member's appointment.

SECTION 10 provides for the filling of a vacancy on a committee.

SECTION 11 sets out when a notice is considered to be given or served under these regulations. It also provides for an application to be made to the Supreme Court for substituted service.

SECTION 12 provides for the commencement of these regulations.

EC2016-276

JUDICATURE ACT
PROTHONOTARY OF THE COURT OF APPEAL
AND THE SUPREME COURT
TERRI A. MACPHERSON, Q.C.
APPOINTMENT

Under authority of subsection 27(2) of the *Judicature Act*, R.S.P.E.I. 1988, Cap. J-2.1, Council appointed Terri A. MacPherson, Q.C. of Mermaid, Prince Edward Island as Prothonotary of the Court of Appeal and the Supreme Court, to serve at pleasure on an acting basis, effective May 3, 2016.

Further, Council ordered that should the said Terri A. MacPherson cease to be employed in the Department of Justice and Public Safety, her appointment as Prothonotary shall terminate coincident with the date her employment terminates.

EC2016-277

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GREAT WISDOM BUDDHIST INSTITUTE 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 Great Wisdom Buddhist Institute Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately two hundred and twenty-four decimal six (224.6) acres of land at Brudenell, Lots 52 and 53, Kings County, Province of Prince Edward Island, being acquired from WJD Farms Inc. of Brudenell, Prince Edward Island.

EC2016-278

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GREAT WISDOM BUDDHIST INSTITUTE 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 Great Wisdom Buddhist Institute Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately eight decimal seven seven (8.77) acres of land at Brudenell, Lot 53, Kings County, Province of Prince Edward Island, being acquired from John Brothers and Jocelyn Brothers, both of Cardigan, Prince Edward Island.

EC2016-279

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GREAT WISDOM BUDDHIST INSTITUTE 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 Great Wisdom Buddhist Institute Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately ninety-five decimal eight six (95.86) acres of land at Brudenell, Lot 53, Kings County, Province of Prince Edward Island, being acquired from Delodder Development Corporation of Brudenell, Prince Edward Island.

EC2016-280

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GREAT WISDOM BUDDHIST INSTITUTE 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 Great Wisdom Buddhist Institute Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately twenty-one decimal five six (21.56) acres of land at Brudenell, Lot 53, Kings County, Province of Prince Edward Island, being acquired from Willy Delodder of Brudenell, Prince Edward Island.

EC2016-281

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GREAT WISDOM BUDDHIST INSTITUTE 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 Great Wisdom Buddhist Institute Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately one decimal eight (1.8) acres of land at Brudenell, Lot 53, Kings County, Province of Prince Edward Island, being acquired from Anne Delodder of Montague, Prince Edward Island.

EC2016-282

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

Council, having under consideration Order-in-Council EC2016-75 of February 16, 2016, rescinded the said Order forthwith, thus rescinding permission for Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately five hundred and ninety (590) acres of land at Martinvale, Lot 52, and Cardross, Lot 53, Kings County, Province of Prince Edward Island, being acquired from the Estate of Cyrus Dockerty of Primrose, Prince Edward Island

EC2016-283

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES 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 Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately one hundred (100) acres of land at Martinvale, Lot 52, Kings County, Province of Prince Edward Island, being acquired from the Estate of Cyrus Dockerty of Primrose, 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.

EC2016-284

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES 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 Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately four hundred and ninety (490) acres of land at Cardross, Lot 53, Kings County, Province of Prince Edward Island, being acquired from the Estate of Cyrus Dockerty of Primrose, 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.

EC2016-285

PLANNING ACT
SUBDIVISION AND DEVELOPMENT REGULATIONS
AMENDMENT

Pursuant to sections 8 and 8.1 of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, Council made the following regulations:

1. Section 25 of the *Planning Act* Subdivision and Development Regulations (EC693/00) is amended by the addition of the following after subsection (3):

(3.1) Subsection (3) does not apply to a parcel of land along a portion of a collector highway that is designated for infilling under the regulations made under the *Roads Act*. Effect of infilling designation

(3.2) Notwithstanding the restrictions on subdivision specified in clause (3)(b), a person may subdivide additional lots from an existing parcel of land that abuts, or requires access to, a collector highway if the person has applied for and obtained approval of a plan of subdivision that includes approval for a road connecting to and within the subdivision to serve the lots that meets the requirements of these regulations respecting road standards. Connecting roads

2. These regulations come into force on May 14, 2016.

EXPLANATORY NOTES

SECTION 1 amends section 25 of the regulations by adding a new subsection (3.1) to clarify that subsection (3) does not apply to a parcel of land along a portion of a collector highway that is designated for infilling under the regulations made under the *Roads Act*. The section also adds a new subsection (3.2) to clarify that a person may subdivide additional lots, notwithstanding clause (3)(b), if the person has applied for and obtained approval of a plan of subdivision that includes approval for a road connecting to and within the subdivision to serve the lots. The road must meet the requirements of the regulations respecting road standards.

SECTION 2 provides for the commencement of the regulations.

EC2016-286**PROVINCIAL COURT ACT
JUSTICE OF THE PEACE
APPOINTMENT**

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed Terri A. MacPherson, Q.C. of Mermaid as a Justice of the Peace in and for the Province of Prince Edward Island for a term of five years, effective May 3, 2016.

Further, Council ordered that should the said Terri A. MacPherson cease to be employed in her present capacity in the Department of Justice and Public Safety, her appointment as a Justice of the Peace shall terminate coincident with the date her employment terminates.

EC2016-287**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

1. Schedule B-2, INFILLING AREAS of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after subsection 1(3):

- (4) On Route 22
 - (a) in the settlement of Mount Stewart, that segment of highway which lies between the northern boundary of property number 147215 and 60 metres south of the northern boundary of property number 1049691, a distance of 360 metres;

2. These regulations come into force on May 14, 2016.

EXPLANATORY NOTES

SECTION 1 adds a provision which designates 360 metres of Route 22, south of the Community of Mount Stewart, as a Collector Infilling Area to allow for the creation of new parcels of land to facilitate subdivision and development.

SECTION 2 provides for the commencement of these regulations.