

EC2016-843

EXECUTIVE COUNCIL ACT
 MINISTER OF FINANCE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RECIPROCAL TAXATION 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 Finance to enter into a Reciprocal Taxation Agreement with the Government of Canada, as represented by the Minister of Finance, for the period 1 January 2017 to 31 December 2021, whereby each party will bear or pay the taxes and fees imposed by the other party, such as more particularly described in the draft agreement.

EC2016-844

PROVINCIAL COURT ACT
 AND
 VICTIMS OF FAMILY VIOLENCE ACT
 JUSTICE OF THE PEACE
 APPOINTMENT AND DESIGNATION

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed the following person as justice of the peace and designated him pursuant to section 14 of the *Victims of Family Violence Act*, R.S.P.E.I. 1988, Cap. V-3.2 as justice of the peace to hear and determine applications within the Province of Prince Edward Island:

NAME	TERM OF APPOINTMENT
E.A. Halvorson	13 December 2016 to 4 March 2017

EC2016-845

**PUBLIC HEALTH ACT
NOTIFIABLE DISEASES AND CONDITIONS AND
COMMUNICABLE DISEASES REGULATIONS
AMENDMENT**

Pursuant to section 72 of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, Council made the following regulations:

1. Clause 1(d) of the *Public Health Act* Notifiable Diseases and Conditions and Communicable Diseases Regulations (EC560/13) is revoked.

2. The regulations are amended by the addition of the following after section 1:

- 1.1** (1) The following are prescribed as notifiable diseases or conditions: Notifiable diseases
or conditions
- (a) acute flaccid paralysis;
 - (b) adverse events following immunization (AEFI);
 - (c) diseases preventable by routine vaccination, including but not limited to:
 - (i) congenital rubella syndrome,
 - (ii) diphtheria,
 - (iii) hepatitis B,
 - (iv) invasive *Haemophilus influenzae* serotype B,
 - (v) measles,
 - (vi) mumps,
 - (vii) pertussis,
 - (viii) poliomyelitis,
 - (ix) rotavirus,
 - (x) rubella,
 - (xi) tetanus,
 - (xii) varicella;
 - (d) diseases spread by direct contact or through the provision of health care, including but not limited to:
 - (i) *Clostridium difficile*,
 - (ii) Creutzfeld-Jacob disease, classic,
 - (iii) Creutzfeld-Jacob disease, variant,
 - (iv) group B streptococcal disease of the newborn,
 - (v) herpes simplex, congenital,
 - (vi) methicillin-resistant *Staphylococcus aureus* (including colonizations),
 - (vii) vancomycin-resistant enterococci (infections only);
 - (e) diseases transmitted by respiratory routes, including but not limited to:
 - (i) hantavirus,
 - (ii) invasive group A streptococcal disease,
 - (iii) invasive meningococcal disease,
 - (iv) invasive pneumococcal disease,
 - (v) influenza,
 - (vi) legionellosis,
 - (vii) leprosy,
 - (viii) severe acute respiratory illness,
 - (ix) severe acute respiratory syndrome,
 - (x) tuberculosis;
 - (f) enteric, food and waterborne diseases, including but not limited to:
 - (i) amoebiasis,
 - (ii) botulism,
 - (iii) campylobacteriosis,
 - (iv) cholera,
 - (v) cryptosporidiosis,
 - (vi) cyclosporiasis,
 - (vii) giardiasis,
 - (viii) haemolytic uremic syndrome,
 - (ix) hepatitis A,
 - (x) listeriosis,

- (xi) paralytic shellfish poisoning,
 - (xii) salmonellosis,
 - (xiii) shigellosis,
 - (xiv) typhoid,
 - (xv) verotoxic *Escherichia coli*,
 - (xvi) *Vibrio parahaemolyticus*,
 - (xvii) yersiniosis;
 - (g) invasive *Haemophilus influenzae* non-B (non-vaccine preventable);
 - (h) neoplasms (benign or malignant);
 - (i) novel organisms deemed as having pandemic potential by the World Health Organization;
 - (j) severe acute respiratory diseases of unknown etiology;
 - (k) sexually transmitted and bloodborne pathogens, including but not limited to:
 - (i) chlamydia,
 - (ii) gonorrhoea,
 - (iii) hepatitis C,
 - (iv) human immunodeficiency virus,
 - (v) lymphogranuloma venereum,
 - (vi) syphilis;
 - (l) smallpox,
 - (m) vectorborne or other zoonotic diseases, including but not limited to:
 - (i) anthrax,
 - (ii) arbovirus
 - (iii) brucellosis,
 - (iv) Lyme disease,
 - (v) malaria,
 - (vi) plague,
 - (vii) rabies,
 - (viii) tularaemia;
 - (n) viral hemorrhagic fevers.
- (2) The following are prescribed as notifiable diseases or conditions, where there is or may be an outbreak of the disease or condition and either it appears epidemic or shows unusual features: Notifiable disease or condition, nuisance diseases
- (a) impetigo;
 - (b) pediculosis;
 - (c) ringworm;
 - (d) scabies.
- (3) The following are prescribed as notifiable diseases or conditions, in the circumstances described: Notifiable disease or condition, certain circumstances
- (a) a disease of known etiology, where it is or may be occurring with unusual frequency or in a rare or unusual form;
 - (b) a disease of unknown etiology, where there is or may be a cluster of cases;
 - (c) an enteric illness, including norovirus, where there is or may be an outbreak, whether or not confirmed by laboratory tests.
- (4) The diseases or conditions set out in subsections (1) to (3) are prescribed as communicable diseases, except the following: Communicable diseases
- (a) acute flaccid paralysis;
 - (b) adverse events following immunization (AEFI);
 - (c) congenital rubella syndrome;
 - (d) haemolytic uremic syndrome;
 - (e) neoplasms (benign or malignant);
 - (f) paralytic shellfish poisoning.

3. Section 9 of the regulations is revoked.

4. (1) Subsection 9.1(1) of the regulations is amended in the words preceding clause (a), by the deletion of the words “A report made under section 33 of the Act shall include” and the substitution of the words “For the purpose of section 33 of the Act, the following information shall be reported verbally:”.

(2) Subsection 9.1(2) of the regulations is amended

(a) in the words preceding clause (a), by the deletion of the words “A report made under section 34 or section 36 of the Act shall include” and the substitution of the words “For the purpose of section 34, subsection 35(2) and section 36 of the Act, the following information shall be reported verbally:”; and

(b) by the revocation of clause (c) and the substitution of the following:

(c) the name and location of the institution, health facility, school or child care facility to which the report relates.

(3) Subsection 9.1(3) of the regulations is amended in the words preceding clause (a), by the deletion of the words “A report made under subsection 9(2) of these regulations shall include” and the substitution of the words “For the purpose of section 35.1 of the Act, the following information shall be reported verbally:”.

(4) Section 9.1 of the regulations is amended by the addition of the following after subsection (3):

(3.1) For the purpose of subsection 37(2) and section 38 of the Act, the required information shall be reported verbally, without delay. Report without delay

(5) Subsection 9.1(5) of the regulations is revoked and the following substituted:

(5) A report referred to in subsection (1), (2) or (3) shall be made to the Chief Public Health Officer within one of the following time periods after developing the belief on which the report is based or, in the case of a report made under subsection (3), after the laboratory finding on which the report is based is made: Time periods for reporting

- (a) within one hour, where the report relates to
 - (i) a disease of known etiology, where it is or may be occurring with unusual frequency or in a rare or unusual form,
 - (ii) a disease of unknown etiology, where there is or may be a cluster of cases,
 - (iii) an enteric illness, including norovirus, where there is or may be an outbreak, whether or not confirmed by laboratory tests,
 - (iv) an influenza-like illness, where there is or may be an outbreak in a health facility or institution,
 - (v) a novel organism deemed as having pandemic potential by the WHO, or
 - (vi) any of the following:
 - (A) acute flaccid paralysis,
 - (B) anthrax,
 - (C) botulism,
 - (D) congenital rubella syndrome,
 - (E) diphtheria,
 - (F) hepatitis A,
 - (G) haemolytic uremic syndrome,
 - (H) invasive group A streptococcal disease,
 - (I) invasive *Haemophilus influenzae* serotype B,
 - (J) invasive meningococcal disease,
 - (K) measles,
 - (L) paralytic shellfish poisoning,
 - (M) plague,
 - (N) poliomyelitis,
 - (O) rabies,
 - (P) rubella,
 - (Q) severe acute respiratory illness (SARI),
 - (R) severe acute respiratory syndrome (SARS),
 - (S) smallpox,
 - (T) a viral hemorrhagic fever;
- (b) within 24 hours, where the report relates to any of the following:
 - (i) an adverse event following immunization (AEFI),
 - (ii) Creutzfeld-Jacob disease, classic,
 - (iii) Creutzfeld-Jacob disease, variant,
 - (iv) impetigo,
 - (v) mumps,
 - (vi) pediculosis,

- (vii) pertussis,
- (viii) ringworm,
- (ix) scabies,
- (x) tuberculosis,
- (xi) varicella;

(c) within the time period specified by order of the Chief Public Health Officer, where the report relates to a notifiable disease or condition or communicable disease not referred to in clause (a) or (b).

5. Section 12 of the regulations is revoked.

6. Schedule I, Schedule II and Schedule III of the regulations are revoked.

7. These regulations come into force on January 1, 2017.

EXPLANATORY NOTES

SECTION 1 revokes the definition of “health practitioner”, which is now defined in the Act.

SECTION 2 prescribes certain diseases and conditions as notifiable diseases or conditions and prescribes certain diseases and conditions as communicable diseases.

SECTION 3 revokes section 9 of the regulations, which sets out reporting requirements that are now contained in the Act.

SECTION 4 amends and updates the wording of subsections 9.1(1) to (3) to correspond with amendments made to the Act. It adds subsection 9.1(3.1) respecting the method and timing of reports made pursuant to subsection 37(2) and section 38 of the Act. It also revokes and replaces subsection 9.1(5) to set out the time limits within which required reports are to be made to the Chief Public Health Officer respecting notifiable diseases or conditions and communicable diseases.

SECTION 5 revokes section 12, which sets out notifiable diseases or conditions and communicable diseases, and reporting requirements related to those diseases with reference to Schedules.

SECTION 6 revokes Schedules that are no longer needed.

SECTION 7 provides for the commencement of these regulations.

EC2016-846

SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Part 45 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is revoked and the following substituted:

PART 45

TOBACCO AND ELECTRONIC SMOKING DEVICE SALES AND ACCESS ACT R.S.P.E.I. 1988, Cap. T-3.1

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Selling or offering to sell tobacco containing prescribed flavouring agent	3.1	\$250 (1st offence) 500 (2nd or subsequent offence)
2	Selling or supplying tobacco or an electronic smoking device to person under age 19	4(1)	250 (1st offence) 500 (2nd or subsequent offence)

3	Purchasing or attempting to purchase tobacco or an electronic smoking device for, or for resale to, person under age 19	4(2)	250 (1st offence) 500 (2nd or subsequent offence)
4	Selling or supplying tobacco or an electronic smoking device to person appearing to be under age 19 without prescribed form of ID	4(4)	250 (1st offence) 500 (2nd or subsequent offence)
5	Selling or supplying tobacco or an electronic smoking device to person who produces ID that appears altered or not authentic	4(5)	250 (1st offence) 500 (2nd or subsequent offence)
6	Selling tobacco or an electronic smoking device in designated place	4.1(1)	250 (1st offence) 500 (2nd or subsequent offence)
7	Permitting vending machine in place person owns or occupies	5	250 (1st offence) 500 (2nd or subsequent offence)
8	Displaying or permitting display of tobacco where sold or offered for sale	5.1(1)	250 (1st offence) 500 (2nd or subsequent offence)
9	Displaying or permitting display of an electronic smoking device where sold or offered for sale	5.1(1.1)	250 (1st offence) 500 (2nd or subsequent offence)
10	Advertising or promoting or permitting the advertisement or promotion of, where not permitted, the sale or use of tobacco	5.2(1)	250 (1st offence) 500 (2nd or subsequent offence)
11	Advertising or promoting or permitting the advertisement or promotion of, where not permitted, the sale or use of an electronic smoking device.....	5.3(1)	250 (1st offence) 500 (2nd or subsequent offence)
12	False, misleading or deceptive advertising or promotion of tobacco or an electronic smoking device.....	5.4	250 (1st offence) 500 (2nd or subsequent offence)
13	Owner or person in charge of place where tobacco sold failing to display required signs or failing to display required signs in the required manner and locations	6(1)	250 (1st offence) 500 (2nd or subsequent offence)
14	Owner or person in charge of place where electronic smoking device sold failing to display required signs or failing to display required signs in the required manner and locations	6(2)	250 (1st offence) 500 (2nd or subsequent offence)
15	Retail vendor failing to post notice of suspension or cancellation of retail vendor's license in the required form for the required time period	6.1	250 (1st offence) 500 (2nd or subsequent offence)
16	Obstructing, attempting to obstruct or failing to cooperate with inspector	7.1	250 (1st offence) 500 (2nd or subsequent offence)

2. These regulations come into force on January 1, 2017.

EXPLANATORY NOTES

SECTION 1 sets out the ticket fines for first offences and second or subsequent offences under the *Tobacco and Electronic Smoking Device Sales and Access Act*.

SECTION 2 provides for the commencement of these regulations.

EC2016-847

PUBLIC DEPARTMENTS ACT
DEPARTMENTS OF GOVERNMENT
MINISTERS OF THE CROWN
TRANSFER OF CONTROL AND SUPERVISION OF
LABOUR AND INDUSTRIAL RELATIONS SERVICES
AND WORKERS COMPENSATION BOARD

Pursuant to subsection 5(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council transferred from the Minister of Justice and Public Safety/Department of Justice and Public Safety to the Minister of Workforce and Advanced Learning/Department of Workforce and Advanced Learning

1. control and supervision of the Labour and Industrial Relations Services Section and all powers, duties and functions related to labour and industrial relations services; and
2. control and supervision of the Workers Compensation Board.

This Order is deemed to have come into force on January 1, 2017.