

**EC2018-120**

EXECUTIVE COUNCIL ACT  
 MINISTER OF JUSTICE AND PUBLIC SAFETY  
 AND ATTORNEY GENERAL  
 AUTHORITY TO ENTER INTO AN AGREEMENT  
 (FUNDING AGREEMENT -  
 CANADIAN FAMILY JUSTICE FUND)  
 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 Justice and Public Safety and Attorney General to enter into an agreement with the Government of Canada, as represented by the Minister of Justice and Attorney General of Canada, for the period April 1, 2017 to March 31, 2022, to receive funding for the costs associated with the strengthening of the Canadian family justice system through improved access to family justice services using the Canadian Family Justice Fund in accordance with its terms and conditions, such as more particularly described in the draft agreement.

**EC2018-121**

FINANCIAL ADMINISTRATION ACT  
 SPECIAL WARRANT  
 (SUPPLEMENTARY EXPENDITURE  
 FOR FISCAL YEAR 2017/18)  
 DEPARTMENT OF COMMUNITIES, LAND AND ENVIRONMENT

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Communities, Land and Environment as follows:

<b>Account Class</b>	<b>Account Name</b>	<b>Amount</b>
	<b>Environment</b>	
0827-02947	Beverage Container Management – Materials, Supplies & Services	\$415,000
0236-03125	Inspection Services – Salaries	43,000
	<b>Forests, Fish and Wildlife</b>	
0039-03130	Forest Fire Protection – Salaries	113,400
0039-03227	Forest Fire Protection – Travel & Training	74,600
0095-03125	Fish and Wildlife – Salaries	75,800
0095-03001	Fish and Wildlife – Professional Fees	58,200
	<b>Climate Change Secretariat</b>	
0830-03001	Climate Change Secretariat – Professional Fees	<u>15,000</u>
		<u>\$795,000</u>

Further, Council noted that this amount is partially-offset by revenue of \$380,000.

**EC2018-122**HEALTH PROFESSIONS STATUTES REPEAL ACT  
DECLARATION RE

Under authority of section 1(2) of the *Health Professions Statutes Repeal Act* Stats. P.E.I. 2015, c. 29 Council ordered that a Proclamation do issue proclaiming section 1 of the said "Health Professions Statutes Repeal Act" to come into force effective April 1, 2018.

**EC2018-123**HEALTH PROFESSIONS STATUTES REPEAL ACT  
DECLARATION RE

Under authority of section 2(3) of the *Health Professions Statutes Repeal Act* Stats. P.E.I. 2015, c. 29 Council ordered that a Proclamation do issue proclaiming section 2 of the said "Health Professions Statutes Repeal Act" to come into force effective April 1, 2018.

**EC2018-124**INSURANCE ACT  
PRINCE EDWARD ISLAND MUTUAL INSURANCE COMPANY  
DIVIDEND ORDERED

Having under consideration a request from the Prince Edward Island Mutual Insurance Company, and pursuant to subsection 317(3) of the *Insurance Act*, R.S.P.E.I. 1988, Cap. I-4, Council ordered that a dividend in the amount of ten percent (10%) of the one year written premiums be paid from the reserve fund of the Prince Edward Island Mutual Insurance Company to the policyholders of record as at 31 December 2017, and that the company provide the sum of two million, four hundred and ten thousand, six hundred and forty-three dollars (\$2,410,643.00) for payment of the aforesaid dividend.

**EC2018-125**PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JOHN L. BRAGG, CAROLYN BRAGG, PATRICIA BRAGG,  
LEE BRAGG AND MATTHEW BRAGG  
(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 John L. Bragg, Carolyn Bragg, Patricia Bragg, Lee Bragg and Matthew Bragg, all of Oxford, Nova Scotia to acquire an interest in a land holding of approximately two decimal three five (2.35) acres of land at Oyster Bed Bridge, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Stuart M. Drummond of Hunter River, Prince Edward Island.

**EC2018-126**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 SHANNITA HEUVELMANS AND FRANCOIS MARTINEAU  
 (DENIAL)

Council, having under consideration an application (#N5730) 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 Shannita Heuvelmans and Francois Martineau, both of L'Original, Ontario to acquire a land holding of approximately fifty (50) acres of land at Souris Line Road, in Lot 45, Kings County, currently owned by Ellen Walsh of Souris, Prince Edward Island.

**EC2018-127**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 BRIAN REDFORD  
 (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 Brian Redford of Kanata, Ontario to acquire a land holding of approximately sixteen decimal zero two (16.02) acres of land at Darlington, Lot 22, Queens County, Province of Prince Edward Island, being acquired from Martin R. Belanger and Christine Louise R. Belanger, both 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.

**EC2018-128**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 EVAN WILLEMSSEN AND KAREN IJSSELDIJK  
 (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 Evan Willemsen and Karen Ijsseldijk, both of Krimpen aan den IJssel, South Holland, the Netherlands to acquire a land holding of approximately one hundred and six (106) acres of land at Annandale, Lot 56, Kings County, Province of Prince Edward Island, being acquired from Jon Jenkins and Niki Jenkins, both of Delta, British Columbia 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.

**EC2018-129**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
100585 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 100585 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal seven two (1.72) acres of land in Charlottetown, Queens County, Province of Prince Edward Island, being acquired from the Estate of Robert Doddridge of Charlottetown, Prince Edward Island.

**EC2018-130**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
102188 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 102188 P.E.I. Inc. of Alberton, Prince Edward Island to acquire a land holding of approximately three decimal zero four (3.04) acres of land at Elmsdale, Lot 4, Prince County, Province of Prince Edward Island, being acquired from Elmsdale Corner Grocery Ltd. of Elmsdale, Prince Edward Island.

**EC2018-131**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ANNEAR FARMS 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 Annear Farms Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately forty-one decimal zero four (41.04) acres of land at Pembroke, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Brenda Leeco, Ethel Sorrie and Louise Graham, all of Montague, 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.

**EC2018-132**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ANNEAR FARMS 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 Annear Farms Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately ninety decimal three four (90.34) acres of land at Valleyfield, Lot 59 and Glenmartin, Lot 61, both in Kings County, Province of Prince Edward Island, being acquired from Harry Annear and Sandra Annear, both of Montague, 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.

**EC2018-133**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BRAGG COMMUNICATIONS INCORPORATED  
(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 Bragg Communications Incorporated of Oxford, Nova Scotia to acquire an interest, by way of easement, in a land holding of approximately two decimal three five (2.35) acres of land at Oyster Bed Bridge, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Stuart M. Drummond of Hunter River, Prince Edward Island.

**EC2018-134**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BRENDEL FARMS LTD.  
(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 Brendel Farms Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately zero decimal five eight (0.58) of an acre of land at North Bedeque, Lot 25, Prince County, Province of Prince Edward Island, being acquired from Derrick Gardiner of North Bedeque, Prince Edward Island.

**EC2018-135**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 BRENDDEL FARMS LTD.  
 (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 Brendel Farms Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately zero decimal eight five (0.85) of an acre of land at North Bedeque, Lot 25, Prince County, Province of Prince Edward Island, being acquired from Dwight Brenton Gardiner and Megan Jane Gardiner, both of North Bedeque, Prince Edward Island.

**EC2018-136**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 CASCUMPEC BAY OYSTER COMPANY 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 Cascumpec Bay Oyster Company Ltd. of O'Leary, Prince Edward Island to acquire a land holding of approximately fifty-eight decimal nine five (58.95) acres of land at Roxbury, Lot 10, Prince County, Province of Prince Edward Island, being acquired from Michelle L. Arsenaault of Elmsdale, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Cascumpec Bay Oyster Company Ltd. and on all successors in title.

**EC2018-137**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 CONVENTIONAL HOLDINGS LTD.  
 (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 Conventional Holdings Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately eight decimal one eight (8.18) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from G.I.D. Holdings Ltd. of Winsloe, Prince Edward Island.

**EC2018-138**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DALE & RONNIE RENNIE 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 Dale & Ronnie Rennie Inc. of Alma, Prince Edward Island to acquire a land holding of approximately ten (10) acres of land at Huntley, Lot 3, Prince County, Province of Prince Edward Island, being acquired from Barry K. Matthews and Ann Marie Matthews, both of St. Eleanors, 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.

**EC2018-139**

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 forty-seven (47) acres of land at Brudenell, Lot 52, Kings County, Province of Prince Edward Island, being acquired from William Nelson and Preston Dewar, both of Brudenell, Prince Edward Island.

**EC2018-140**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
IFJ FARMS 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 IFJ Farms Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately fifty-four (54) acres of land at Tarantum, Lot 36, Queens County, Province of Prince Edward Island, being acquired from Marie MacDonald of Orwell, 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.

**EC2018-141**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
JAAS HOLDINGS 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 Jaas Holdings Inc. of Clyde River, Prince Edward Island to acquire a land holding of approximately sixty-two decimal seven nine (62.79) acres of land at Cornwall, Lot 32, Queens County, Province of Prince Edward Island, being acquired from K. Joanne Donahue and P.E. Eugene Donahue, both of Cornwall, Prince Edward Island.

**EC2018-142**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
MARITIME PRIDE EGGS 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 Maritime Pride Eggs Inc. of Halifax, Nova Scotia to acquire a land holding of approximately two decimal four nine (2.49) acres of land at Travellers Rest, Lot 19, Prince County, Province of Prince Edward Island, being acquired from Prince Edward Eggs Inc. of Charlottetown, Prince Edward Island.

**EC2018-143**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
YUMMYVI CLUB 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 Yummyvi Club Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal seven two (1.72) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from 100585 P.E.I. Inc. of Charlottetown, Prince Edward Island.



**EC2018-144**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
D & E PORK INC.  
(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 D & E Pork Inc. of Albany, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to four hundred and fifty (450) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said D & E Pork Inc. 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.

**EC2018-145**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
APPLICATION TO LEASE LAND  
DALE & RONNIE RENNIE INC.  
(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 Dale & Ronnie Rennie Inc. of Alma, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to four hundred (400) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Dale & Ronnie Rennie Inc. 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.

**EC2018-146**

**NATURAL PRODUCTS MARKETING ACT  
EGG 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 Egg Commodity Marketing Regulations (EC274/76)* 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) in the words immediately preceding clause (a), by the deletion of the words “In this Order” and the substitution of the words “In these regulations”; and**

**(b) in clause (b), by the deletion of the words “Egg Producers of Prince Edward Island” and the substitution of the words “Egg Farmers of PEI”.**

**3. Section 2 of the regulations is revoked and the following substituted:**

**2. The board previously renamed by these regulations as the Egg Producers of Prince Edward Island is renamed as the Egg Farmers of PEI, and is continued as a body corporate.** Renaming and continuation of commodity board

**4. 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) clauses 25(1)(a), (b) and (c).**

**5. (1) Subsection 12(5) of the regulations is amended by the deletion of the word “him” and the substitution of the words “the registered producer”.**

**(2) Subsection 12(8) of the regulations is amended by the deletion of the word “him” and the substitution of the words “the candidate”.**

**(3) Subsection 12(9) of the regulations is amended by the deletion of the word “he” and the substitution of the words “the Returning Officer”.**

**(4) Subsection 12(17) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the Returning Officer’s”.**

**6. Section 13 of the regulations is amended by the deletion of the word “his” and the substitution of the words “the member’s”.****7. Section 14 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”.****8. Subsection 16(1) of the regulations is amended by the deletion of the words “a chairman and a vice-chairman” and the substitution of the words “a chairperson and a vice-chairperson”.****9. Sections 17 and 18 of the regulations are revoked and the following substituted:**

**17. The chairperson of the commodity board shall** Duties of chairperson  
**(a) arrange for the calling, time and place of meetings;**  
**(b) chair all meetings the chairperson is able to attend; and**  
**(c) be a signing officer of the commodity board,**  
 and may vote on all motions.

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

**10. Subsection 22(2) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the officer’s”.****11. (1) Subsection 24(1) of the regulations is amended by the deletion of the words “the chairman, or in his absence the vice-chairman” and**

**the substitution of the words “the chairperson, or in the chairperson’s absence the vice-chairperson”.**

**(2) Subsection 24(5) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the member’s”.**

**(3) Subsection 24(8) of the regulations is revoked and the following substituted:**

(8) Where the chairperson and the vice-chairperson are absent from a meeting, the commodity board may elect a chairperson for the purpose of that meeting from among the members present. Absence

**12. Subsection 27(1) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the treasurer’s”.**

**13. Subsection 29(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. (1) Subsection 30(2) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the producer’s”.**

**(2) Subsection 30(5) of the regulations is amended by the deletion of the word “his” wherever it occurs and the substitution of the words “the producer’s”.**

**15. Section 36 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 37 of the regulations is amended**

**(a) 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**

**(b) 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 39(p) of the regulations is amended by the deletion of the word “him” and the substitution of the words “the person”.**

**18. Section 40 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”;**

**(c) by the deletion of the word “him” and the substitution of the words “the person”; and**

**(d) by the deletion of the word “his” and the substitution of the words “the person’s”.**

**19. (1) Subsection 41(3) of the regulations is amended**

(a) by the deletion of the word “he” wherever it occurs and the substitution of the words “the producer”; and

(b) by the deletion of the word “his” wherever it occurs and the substitution of the words “the producer’s”.

(2) Subsection 41(10) of the regulations is amended by the deletion of the word “him” and the substitution of the words “the producer”.

(3) Subsection 41(12) of the regulations is amended by the deletion of the word “his” and the substitution of the words “the producer’s”.

20. These regulations come into force on March 24, 2018.

#### EXPLANATORY NOTES

**SECTION 1** replaces the enacting clause of the regulations so that the clause refers to the provisions in the *Natural Products Marketing Act* that authorize the making of the regulations.

**SECTION 2** updates the wording of a provision in the regulations to refer to the regulations as “regulations” rather than as an “Order”. Section 2 also updates a reference to the Egg Producers of Prince Edward Island to become a reference to the Egg Farmers of PEI.

**SECTION 3** changes the name of the commodity board from the Egg Producers of Prince Edward Island to the Egg Farmers of PEI, and continues the Egg Farmers of PEI as a body corporate.

**SECTIONS 4 to 6** revise several provisions in the regulations to replace gender-specific wording with gender-neutral wording.

**SECTION 7** updates the wording of a provision in the regulations to refer to the regulations as “regulations” rather than as an “Order in Council”.

**SECTIONS 8 to 19** revise various provisions in the regulations to replace gender-specific wording with gender-neutral wording.

**SECTION 20** provides for the commencement of these regulations.

#### EC2018-147

#### PUBLIC DEPARTMENTS ACT ACTING MINISTERS APPOINTMENTS

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointments were made:

Honourable Robert Mitchell to be Acting Minister of Agriculture and Fisheries commencing on the 15th day of March 2018, and continuing for the duration of the absence from the Province of Honourable Robert Henderson.

Honourable Wade MacLauchlan to be Acting Minister of Education, Early Learning & Culture and Justice & Public Safety and Attorney General commencing on the 18th day of March 2018, and continuing for the duration of the absence from the Province of Honourable Jordan Brown.

Honourable Paula Biggar to be Acting Minister of Rural and Regional Development commencing on the 21st day of March 2018, and continuing for the duration of the absence from the Province of Honourable Pat Murphy.

Honourable Heath MacDonald to be Acting Minister of Economic Development and Tourism commencing on the 26th day of March 2018, and continuing for the duration of the absence from the Province of Honourable Chris Palmer.

**EC2018-148**

**REGULATED HEALTH PROFESSIONS ACT  
GENERAL REGULATIONS  
AMENDMENT**

Pursuant to section 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

**1. The *Regulated Health Professions Act* General Regulations (EC829/13) are amended by the addition of the following after section 1:**

- 1.1** For the purpose of clause 12(2)(b) of the Act, an applicant is considered to be reasonably proficient in English if the applicant Language proficiency
- (a) obtained, within the 24 months immediately preceding the application, the minimum score required by the council on an English language proficiency test administered by a language testing agency approved by council;
  - (b) completed both primary and secondary education in English;
  - (c) obtained the prescribed educational requirements for registration as a member from an educational institution in which the language of instruction, including the language used in any practicum, was English;
  - (d) did one or a combination of the following in a jurisdiction where the language of instruction or practice, as the case may be, was English:
    - (i) completed postgraduate education consisting of a minimum term of study specified by the council,
    - (ii) practised the regulated health profession, unsupervised and in good standing, for a minimum period of time specified by the council;
  - (e) held, immediately preceding the application and continuously for a minimum period of time specified by the council, a senior teaching appointment at an educational institution approved by the council, in which the language of instruction, including the language used in any patient care, was English; or
  - (f) otherwise satisfies the council that the applicant is reasonably proficient in English.

**2. These regulations come into force on April 1, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** adds section 1.1 to the regulations setting out circumstances in which an applicant is considered to be reasonably proficient in English for the purpose of registration in the register of a regulated health profession.

**SECTION 2** provides for the commencement of these regulations.

**EC2018-149****REGULATED HEALTH PROFESSIONS ACT  
DIETITIANS 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**

- | <b>1. In these regulations</b>  | Definitions                      |
|---|----------------------------------|
| (a) "Act" means the <i>Regulated Health Professions Act</i> R.S.P.E.I. 1988, Cap. R-10.1;   | Act                              |
| (b) "Council" means the Council of the College of Dietitians continued under section 3;   | Council                          |
| (c) "dietetic intern" means a member registered in the register of dietetic interns;  | dietetic intern                  |
| (d) "dietetics" means the health profession in which a person applies particular knowledge, skills and judgment in providing dietetic services to another person, including <ul style="list-style-type: none"> <li>(i) the assessment of nutritional needs and the design, implementation and evaluation of nutritional care plans and therapeutic diets,</li> <li>(ii) the science of food and human nutrition, and</li> <li>(iii) the dissemination of information about food and human nutrition to attain, maintain and promote the health of individuals, groups and the community;</li> </ul> | dietetics                        |
| (e) "dietitian" means a member registered in the register of dietitians;  | dietitian                        |
| (f) "dietitian candidate" means a member registered in the register of dietitian candidates;  | dietitian candidate              |
| (g) "refresher program" means a refresher program in dietetics 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;  | refresher program                |
| (h) "register of dietetic interns" means the sub-register of the register for dietetics, established under clause 2(3)(c);  | register of dietetic interns     |
| (i) "register of dietitian candidates" means the sub-register of the register for dietetics, established under clause 2(3)(b);  | register of dietitian candidates |
| (j) "register of dietitians" means the sub-register of the register for dietetics, established under clause 2(3)(a).  | register of dietitians           |

**PART 2 - DESIGNATION**

- |  |                                  |
|--|----------------------------------|
| <b>2. (1)</b> Dietetics is designated as a regulated health profession.  | Designation of dietetics         |
| (2) Dietetics is prescribed for the purpose of subsection 2(4) of the Act.   | Title protection only            |
| (3) The register for dietetics is divided into the following sub-registers:  | Sub-registers                    |
| (a) the register of dietitians, consisting of the following parts: <ul style="list-style-type: none"> <li>(i) general registration,</li> <li>(ii) special registration;</li> </ul>   |                                  |
| (b) the register of dietitian candidates;  |                                  |
| (c) the register of dietetic interns.  |                                  |
| <b>3.</b> The Prince Edward Island Dietitians Registration Board established as a body corporate under the <i>Dietitians Act</i> R.S.P.E.I. 1988, Cap. D-10.1, is continued as the College of Dietitians of Prince Edward Island, the college for dietetics. | Continuation of Board as College |

## PART 3 – DIETITIANS AND DIETITIAN CANDIDATES

## Dietitians

*Registration*

**4.** An applicant for registration in the general part of the register of dietitians shall General registration

- (a) for the purpose of clause 12(2)(c) of the Act, have the education qualifications required in section 11;
- (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in section 12;
- (c) for the purpose of clause 12(2)(e) of the Act, have successfully completed the internship training set out in section 13;
- (d) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (e) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 15(1).

**5.** (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 of the register of dietitians. Special registration

(2) Registration in the special registration part is for a limited time and purpose and is therefore not subject to renewal or reinstatement. No renewal or reinstatement

*Renewal of Registration*

**6.** (1) An applicant for renewal of registration in the general registration part of the register of dietitians shall Renewal of general registration

- (a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 16(1);
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 15(1).

(2) Where an applicant under subsection (1) fails to meet the requirements for continuing education and competency, the Council may require the applicant to do one or both of the following within a specified time period: Failure to meet continuing education and competency requirements

- (a) successfully complete a continuing education program approved by the Council;
- (b) pass an examination administered or approved by the Council.

(3) Where an applicant under subsection (1) fails to demonstrate currency of professional knowledge and skills, the Council may require the applicant to successfully complete a refresher program approved by the Council, within a specified time period. Failure to demonstrate currency

*Reinstatement of Registration*

**7.** For the purpose of subsection 24(1) of the Act, the maximum period of time is three years. Reinstatement period

**8.** (1) An applicant for reinstatement of registration in the general registration part of the register of dietitians shall Reinstatement of general registration

- (a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 15(1).

(2) Where an applicant under subsection (1) fails to demonstrate currency of professional knowledge and skills, the Council may require Failure to demonstrate currency

the applicant to successfully complete a refresher program approved by the Council, within a specified time period.

#### Dietitian Candidates

##### *Registration*

**9.** (1) An applicant for registration in the register of dietitian candidates shall Registration

(a) for the purpose of clause 12(2)(c) of the Act, have the education qualifications required in section 11;

(b) for the purpose of clause 12(2)(e) of the Act, have successfully completed the internship training set out in section 13;

(c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and

(d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 15(1).

(2) Where an applicant under subsection (1) fails to demonstrate currency of professional knowledge and skills, the Council may require the applicant to successfully complete a refresher program approved by the Council, within a specified time period. Failure to demonstrate currency

(3) A dietitian candidate shall be supervised in practising dietetics by a dietitian registered in the general registration part of the register of dietitians, approved by the Council. Subject to supervision

(4) Registration in the register of dietitian candidates is for the purpose of enabling a dietitian candidate to obtain practice experience pending completion of the examinations set out in section 12 for registration as a dietitian, and is therefore not subject to reinstatement. Not subject to reinstatement

##### *Renewal of Registration*

**10.** (1) An applicant for renewal of registration in the register of dietitian candidates shall Renewal of registration

(a) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and

(b) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in subsection 15(1).

(2) Where an applicant under subsection (1) fails to demonstrate currency of professional knowledge and skills, the Council may require the applicant to successfully complete a refresher program approved by the Council, within a specified time period. Failure to demonstrate currency

#### Prescribed Requirements

**11.** In this Part, for the purpose of clause 12(2)(c) of the Act, the required education qualification is either Education

(a) a bachelor's degree specializing in dietetics or human nutrition obtained at an institution accredited by the Partnership for Dietetic Education and Practice or approved by the Council; or

(b) qualifications that the Partnership of Dietetic Education and Practice or the Council considers substantially equivalent to a degree described in clause (a).

**12.** For the purpose of clause 12(2)(d) of the Act, the required examinations are Examinations

(a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of dietetics in the province; and

(b) the Canadian Dietetic Registration Examination or other competency examination approved by the Council.



**13.** For the purpose of clause 12(2)(e) of the Act, the required internship training is an internship program accredited by the Partnership for Dietetic Education and Practice or approved by the Council.

Internship

**14.** For the purpose of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant shall meet one of the following requirements to demonstrate currency of professional knowledge and skills:

Currency requirements

- (a) successful completion of the educational requirements set out in section 11 not more than three years prior to the date of the application;
- (b) active practice of dietetics without any restrictions for at least 500 hours during the three years immediately preceding the date of the application;
- (c) successful completion of a refresher program satisfactory to the registrar, within the three years immediately preceding the date of the application.

**15.** (1) For the purpose of subsection 12(2)(j), subclause 22(2)(a)(v) and clauses 24(4)(f) and 25(3)(c) of the Act, and in accordance with these regulations, an applicant under this Part, a dietitian, as required by the Act and regulations or the Council, or a dietitian candidate, as the case may be, shall hold or be covered by professional liability insurance under a policy that

Insurance requirements

- (a) is issued in the name of the applicant or member or clearly covers the applicant or member;
- (b) applies to any practice setting in Prince Edward Island;
- (c) provides coverage of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000, excluding legal or court costs;
- (d) covers liability for any professional service the applicant will provide or the member provides practising dietetics; and
- (e) provides an extended reporting period of at least three years in the case of a claims-based policy or a minimum retroactive date of five years in the case of an occurrence-based policy.

(2) An applicant or member referred to in subsection (1), shall provide or ensure the registrar is provided with the most current certificate of professional liability insurance issued by the insurer that confirms the applicant or member is insured under a policy that meets the requirements of subsection (1).

Proof of insurance

**16.** (1) For the purpose of subclause 22(2)(a)(i) of the Act, the requirements for continuing education and competency are

Continuing education and competency

- (a) the successful completion of at least 30 hours of continuing education that meets the standards and requirements established by the Council in accordance with section 60 of the Act in each three-year period defined by the Council, subject to proration; and
- (b) participation in any methods or programs established by the Council in accordance with section 60.1 of the Act to assess the competency of dietitians, as required by the Council.

(2) A dietitian shall

Record

- (a) keep a record in a form satisfactory to the registrar of the activities that the dietitian undertakes for the purpose of this section; and
- (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar.

#### Designations and Reserved Activities

**17.** For the purpose of subsection 89(1) of the Act,

Designations of a dietitian

- (a) the designations of a dietitian include the following titles, abbreviations and initials:
  - (i) dietitian,
  - (ii) nutritionist,
  - (iii) registered dietitian or R.D.;
- (b) the designations of a dietitian candidate include the following titles, abbreviations and initials:
  - (i) dietitian candidate,
  - (ii) registered dietitian candidate or R.D. Candidate.

**18.** Subject to any terms or conditions imposed on a member's registration, dietitians and dietitian candidates are authorized to perform the reserved activity of performing a procedure on tissue below the dermis for the purpose of taking a blood sample by skin pricking to monitor capillary blood readings.

Reserved activity

#### PART 4 - DIETETIC INTERNS

##### Registration

**19.** (1) An applicant for registration in the register of dietetic interns shall

Intern registration

- (a) for the purpose of clause 12(2)(c) of the Act, be enrolled in or have completed, at an institution accredited by the Partnership for Dietetic Education and Practice or approved by the Council, a bachelor's degree specializing in dietetics or human nutrition; and
- (b) for the purpose of clause 12(2)(e) of the Act, be enrolled in an internship program accredited by the Partnership for Dietetic Education and Practice or approved by the Council.

(2) For greater certainty, there are no prescribed requirements pursuant to clauses 12(2)(d), (f) or (j) of the Act for registration in the register of dietetic interns.

No prescribed requirements

(3) A dietetic intern shall be supervised in practising dietetics by a dietitian registered in the general registration part of the register of dietitians, approved by the Council.

Subject to supervision

(4) Registration in the register of dietetic interns is not subject to reinstatement.

Not subject to reinstatement

##### Renewal of Registration

**20.** (1) For the purpose of subclause 22(2)(a)(v.1) of the Act, an applicant for renewal of registration in the register of dietetic interns shall

Renewal of intern registration

- (a) be enrolled in or have completed, at an institution accredited by the Partnership for Dietetic Education and Practice or approved by the Council, a bachelor's degree specializing in dietetics or human nutrition; and
- (b) be enrolled in an internship program accredited by the Partnership for Dietetic Education and Practice or approved by the Council.

(2) For greater certainty, there are no prescribed requirements pursuant to subclauses 22(2)(a)(i), (ii) or (v) of the Act for renewal of registration in the register of dietetic interns.

No prescribed requirements

##### Designations and Reserved Activities

**21.** For the purpose of subsection 89(1) of the Act, the designations of a dietetic intern include the title "dietetic intern".

Designation of an intern

**22.** Subject to any terms or conditions imposed on the dietetic intern's registration, a dietetic intern is authorized to perform the reserved activity of performing a procedure on tissue below the dermis for the purpose of taking a blood sample by skin pricking to monitor capillary blood readings.

Reserved activity

#### PART 5 - GENERAL

**23.** (1) For the purpose of clause 15(1)(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 dietitian, dietitian candidate or dietetic intern shall be, in the opinion of the registrar, in good taste, dignified and professional.

Name of corporation

(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).

Change of name

**24.** The following regulations are revoked:

Revocation

- (a) the *Dietitians Act* Registration Regulations (EC454/95);

(b) the *Dietitians Act* Standards and Discipline Regulations (EC830/95).

25. These regulations come into force on April 1, 2018.

Commencement

### EXPLANATORY NOTES

**SECTION 1** defines terms used in these regulations.

**SECTION 2** designates dietetics as a regulated health profession and prescribes it as a regulated health profession that does not have a distinct and identifiable scope of practice so that the prohibition in subsection 2(3) of the Act does not apply to the practice of dietetics. It also divides the register for dietetics into sub-registers and parts.

**SECTION 3** continues the Prince Edward Island Dietitians Registration Board as the College of Dietitians of Prince Edward Island.

**SECTION 4** sets out the applicable prescribed requirements for general registration in the register of dietitians.

**SECTION 5** provides for the special registration of an applicant in the register of dietitians. It states that registration in the special registration part is not subject to renewal or reinstatement.

**SECTION 6** sets out the applicable prescribed requirements for renewal of general registration in the register of dietitians. It empowers the Council to require an applicant who does meet the continuing education and competency requirements or the currency requirements to fulfil other requirements.

**SECTION 7** provides that a former dietitian may apply for reinstatement of registration in the general registration part of the register of dietitians if his or her registration has lapsed for less than three years.

**SECTION 8** sets out the applicable prescribed requirements for reinstatement of general registration in the register of dietitians. It empowers the Council to require an applicant who does meet the currency requirements to fulfil other requirements.

**SECTION 9** sets out the applicable prescribed requirements for registration in the register of dietitian candidates. It empowers the Council to require an applicant who does meet the currency requirements to fulfil other requirements. It requires that a dietitian candidate be supervised in practising dietetics by a dietitian registered in the general part. It provides that registration in the register of dietitian candidates is not subject to renewal or reinstatement.

**SECTION 10** sets out the applicable prescribed requirements for renewal of registration in the register of dietitian candidates. It empowers the Council to require an applicant who does meet the currency requirements to fulfil other requirements.

**SECTION 11** sets out the required education qualification under Part 3.

**SECTION 12** sets out the required examinations.

**SECTION 13** sets out the required internship training.

**SECTION 14** sets out options for demonstrating currency of professional knowledge and skills.

**SECTION 15** sets out requirements with respect to professional liability insurance.

**SECTION 16** sets out the requirements for continuing education and competency. It also requires dietitians to keep a record of their continuing education and competency activities and provide a copy to the registrar on request.

**SECTION 17** sets out titles, abbreviations and initials that are included in designations of a dietitian and a dietitian candidate.

**SECTION 18** authorizes dietitians and dietitian candidates to perform a reserved activity, subject to any terms or conditions on their registration.

**SECTION 19** prescribes requirements for registration in the register of dietetic interns. It clarifies that there are no prescribed requirements for registration in this register pursuant to certain clauses in subsection 12(2) of the Act. It requires that a dietetic intern be supervised in the practice of dietetics by a dietitian registered in the general registration part of the register of dietitians, approved by the Council.

**SECTION 20** prescribes requirements for the renewal of registration in the register of dietetic interns. It clarifies that there are no prescribed requirements for registration in this register pursuant to certain subclauses in clause 22(4)(a) of the Act.

**SECTION 21** sets out titles, abbreviations and initials that are included in designations of a dietetic intern.

**SECTION 22** authorizes dietetic interns to perform a reserved activity, subject to any terms or conditions on their registration.

**SECTION 23** requires that the name of a corporation applying for a permit to carry on the business of providing the services of a dietitian, dietitian candidate or dietetic intern shall be, in the opinion of the registrar, in good taste, dignified and professional. It requires a health profession corporation to obtain written confirmation from the registrar that any proposed name change meets those requirements.

**SECTION 24** revokes regulations made under the former Act governing dietitians.

**SECTION 25** provides for the commencement of these regulations.

#### EC2018-150

### REGULATED HEALTH PROFESSIONS ACT LICENSED PRACTICAL NURSE 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 DESIGNATION

1. In these regulations	Definitions
(a) “Act” means the <i>Regulated Health Professions Act</i> R.S.P.E.I. 1988, Cap. R-10.1;	Act
(b) “College” means the College of Licensed Practical Nurses of Prince Edward Island continued under section 3;	College
(c) “Council” means the Council of the College;	Council
(d) “graduate practical nurse” means a member who is registered in the register of graduate practical nurses;	graduate practical nurse
(e) “licensed practical nurse” means a member who is registered in the register of licensed practical nurses;	licensed practical nurse
(f) “practical nursing” means the health profession in which a person applies particular knowledge, skills and judgment in providing practical nursing services to another person, including	practical nursing
(i) assessing the person,	
(ii) collaborating in the development of a nursing plan of care,	
(iii) implementing a nursing plan of care, and	

(iv) evaluating the person on an ongoing basis for purposes including promoting health, preventing illness or providing palliative or rehabilitative care;

(g) “refresher program” means a refresher program in practical nursing 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; refresher program

(h) “register of graduate practical nurses” means the sub-register of the register for practical nursing established under section 4; register of graduate practical nurses

(i) “register of licensed practical nurses” means the sub-register of the register for practical nursing established under section 4. register of licensed practical nurses

**2.** Practical nursing is designated as a regulated health profession. Designation of practical nursing

**3.** The Prince Edward Island Licensed Practical Nurse Registration Board established as a body corporate under the *Licensed Practical Nurses Act* R.S.P.E.I. 1988, Cap. L-10.1, is continued as the College of Licensed Practical Nurses of Prince Edward Island, the college for practical nursing. Continuation of Board as College

## PART 2 – REGISTRATION

### Register

**4.** The register for practical nursing is divided into the following sub-registers and parts: Sub-registers and parts

(a) the register of licensed practical nurses, consisting of the following parts:

- (i) general registration,
- (ii) provisional registration,
- (iii) special registration;

(b) the register of graduate practical nurses.

### Licensed Practical Nurses

#### *Registration*

**5.** An applicant for general registration in the register of licensed practical nurses shall General registration

(a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 12;

(b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in subsection 13(1);

(c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and

(d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 15.

**6.** (1) Where an applicant under section 5 does not meet the requirements for currency of professional knowledge and skills, the Council may direct the registrar to register the applicant in the provisional registration part of the register of licensed practical nurses, subject to the term or condition that the applicant successfully completes a refresher program approved by the Council, within a specified time period. Provisional registration

(2) Where a licensed practical nurse satisfies the term or condition imposed under subsection (1), the registrar shall register the licensed practical nurse in the general registration part of the register of licensed practical nurses. Satisfaction of term or condition

(3) A licensed practical nurse registered in the provisional registration part shall be supervised in practising practical nursing by a licensed practical nurse registered in the general registration part, approved by the Council. Subject to supervision

(4) Registration in the provisional registration part is for a limited time and purpose and is therefore not subject to renewal or reinstatement. No renewal or reinstatement

7. (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 of the register of licensed practical nurses. Special registration

(2) Registration in the special registration part is for a limited time or special purpose and is therefore not subject to renewal or reinstatement. No renewal or reinstatement

#### *Renewal of Registration*

8. (1) An applicant for renewal of registration in the general registration part of the register of licensed practical nurses shall Renewal of general registration

(a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 16(1);

(b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and

(c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 15.

(2) Where an applicant under subsection (1) does not meet the requirements for continuing education and competency, the Council may direct the registrar to register the applicant in the provisional registration part of the register of licensed practical nurses, subject to the term or condition that the applicant successfully completes one or both of the following within a specified time period: Provisional registration, continuing education

(a) a continuing competency program described in subsection 16(1);

(b) a refresher program approved by the Council.

(3) Where an applicant under subsection (1) does not meet the requirements for currency of professional knowledge and skills, the Council may direct the registrar to register the applicant in the provisional registration part of the register of licensed practical nurses, subject to the term or condition that the applicant successfully completes a refresher program approved by the Council, within a specified time period. Provisional registration, currency

(4) Subsections 6(2) to (4) apply with respect to provisional registration under this section, with any necessary changes. Subsection 6(2) to (4) apply

#### *Reinstatement of Registration*

9. For the purpose of subsection 24(1) of the Act, the maximum prescribed period of time is three years. Reinstatement period

10. (1) An applicant for reinstatement of registration in the general registration part of the register of licensed practical nurses shall Reinstatement of general registration

(a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and

(b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in section 15.

(2) Where an applicant under subsection (1) does not meet the requirements for currency of professional knowledge and skills, the Council may direct the registrar to register the applicant in the provisional registration part of the register of licensed practical nurses, subject to the term or condition that the applicant successfully completes a refresher program approved by the Council, within a specified time period. Provisional registration

(3) Subsections 6(2) to (4) apply with respect to provisional registration under this section, with any necessary changes. Subsection 6(2) to (4) apply

#### *Graduate Practical Nurses*

11. (1) An applicant for registration in the register of graduate practical nurses shall Graduate Practical Nurse Register

(a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 12;

(b) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and

(c) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 15.

(2) A graduate practical nurse shall be supervised in practising practical nursing by a licensed practical nurse registered in the general registration part of the register of licensed practical nurses, approved by the Council. Subject to supervision

(3) Registration in the register of graduate practical nurses is for a limited time and for the purpose of enabling a graduate practical nurse to obtain practice experience pending completion of the examinations set out in subsection 13(1) for registration as a licensed practical nurse, and is therefore not subject to renewal or reinstatement. Not subject to renewal or reinstatement

(4) An applicant who has written, but not successfully completed, the competency exam referred to in clause 13(1)(b) three or more times is not eligible for registration in the register of graduate practical nurses unless the applicant has repeated and successfully completed an education program referred to in section 12. Not eligible for registration

#### Prescribed Requirements

**12.** For the purpose of clause 12(2)(c) of the Act, the requirement with respect to education is the successful completion of: Education

(a) a practical nursing education program approved by the Council; or

(b) a program that the Council considers substantially equivalent to a program described in clause (a).

**13.** (1) For the purpose of clause 12(2)(d) of the Act, the required examinations are Examinations

(a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of practical nursing in the province; and

(b) the Canadian Practical Nurse Registration Examination or other competency examination approved by the Council.

(2) The successful completion of an examination referred to in subsection (1) means Successful completion of examination

(a) in respect of the provincial examination, meeting the minimum standard established by the Council; and

(b) in respect of the Canadian Practical Nurse Registration Examination or other competency examination approved by the Council, obtaining the established pass mark in not more than three attempts after successfully completing an education program referred to in section 12.

**14.** For the purpose of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant shall meet one of the following requirements to demonstrate currency of professional knowledge and skills: Currency requirements

(a) successful completion of the educational requirement set out in section 12 not more than two years prior to the date of the application;

(b) active practice of practical nursing without any restrictions for at least 1,000 hours during the five years immediately preceding the date of the application;

(c) successful completion of a refresher program satisfactory to the registrar within the two years immediately preceding the date of the application.

**15.** (1) For the purpose 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 Insurance requirements

- (a) is issued in the name of the applicant or member or clearly covers the applicant or member;
- (b) applies to any practice setting in Prince Edward Island;
- (c) provides coverage of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000 excluding legal or court costs;
- (d) covers liability for any professional service the applicant will be providing or the member provides practising practical nursing; and
- (e) provides an extended reporting period of at least three years in the case of a claims-based policy or a minimum retroactive date of five years in the case of an occurrence-based policy.

(2) An applicant or a member registered under these regulations, as the case may be, shall provide or ensure the registrar is provided with the most current certificate of professional liability insurance issued by the insurer that confirms the applicant or member is insured under a policy that meets the requirements of subsection (1). Proof of insurance

**16.** (1) For the purpose of subclause 22(2)(a)(i) of the Act, an applicant shall have participated in and successfully completed the continuing competency program established by the Council pursuant to section 60.1 of the Act. Continuing education and competency

- (2) A licensed practical nurse shall Record
- (a) keep a record in a form satisfactory to the registrar of the activities that the licensed practical nurse undertakes for the purpose of this section; and
  - (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar.

### PART 3 – DESIGNATIONS AND RESERVED ACTIVITIES

**17.** For the purpose of subsection 89(1) of the Act, Designations of members

- (a) the designations of a licensed practical nurse include the following titles, abbreviations and initials:
  - (i) licensed practical nurse,
  - (ii) L.P.N. or LPN;
- (b) the designations of a graduate practical nurse include the following titles, abbreviations and initials:
  - (i) graduate practical nurse,
  - (ii) G.P.N. or GPN.

**18.** (1) Subject to subsection (2) and any terms or conditions imposed on the licensed practical nurse's registration, a licensed practical nurse is authorized to perform the following reserved activities: Reserved activities, licensed practical nurse

- (a) performing a procedure on tissue below the dermis or below the surface of a mucous membrane in the provision of wound care;
- (b) administering a substance by injection, inhalation, mechanical ventilation, irrigation, topical means or enteral or parenteral instillation;
- (c) putting an instrument, hand or finger
  - (i) beyond the external ear canal,
  - (ii) beyond the point in the nasal passages where they normally narrow,
  - (iii) beyond the larynx,
  - (iv) beyond the opening of the urethra,
  - (v) beyond the labia majora,
  - (vi) beyond the anal verge, or
  - (vii) into an artificial opening into the body.

(2) Despite being authorized under subsection (1), a licensed practical nurse may perform a reserved activity referred to in subsection (1) with respect to a person only if Conditions

- (a) a registered nurse, nurse practitioner, medical practitioner or dentist who is authorized by an enactment to practice in the province directs the licensed practical nurse to perform the reserved activity with respect to the person; and
- (b) the licensed practical nurse is competent to perform the reserved activity.



**19.** (1) In this section and in section 20, “advanced foot care” means the reserved activity of performing a procedure on tissue below the dermis for the purpose of removing a corn or callous as part of the provision of foot care.

Advanced foot care, defined

(2) A licensed practical nurse may apply to the Council, in the form approved by the Council, for special authorization to perform advanced foot care.

Application for special authorization

(3) An applicant is eligible for special authorization to perform advanced foot care if the applicant meets the competencies for advanced foot care established by the Council.

Eligibility

(4) On receipt and review of an application made in accordance with subsection (1), the Council may, if the Council is satisfied the applicant is eligible in accordance with subsection (3),

Special authorization granted

(a) grant the applicant special authorization to perform advanced foot care; and

(b) direct the registrar to note the special authorization in the register in relation to the licensed practical nurse and on his or her certificate of registration.

(5) On refusing to grant special authorization to perform advanced foot care, the Council shall serve on the applicant written notice of the refusal, including reasons, and the applicant’s right to appeal the refusal.

Notice of refusal

(6) A licensed practical nurse who is aggrieved by a refusal of the Council to grant a special authorization to perform advanced foot care may appeal the refusal to the Supreme Court within 30 days after being served with notice of the refusal.

Appeal

(7) On hearing the appeal, the court may

Powers of court

(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.

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

Costs

**20.** (1) Despite having special authorization to perform advanced foot care, a licensed practical nurse may perform that reserved activity with respect to a person only if the licensed practical nurse

Conditions

(a) is competent to perform the procedure;

(b) is of the professional opinion that it is in the best interests of the person to perform the procedure in accordance with

(i) the applicable standards of practice,

(ii) the code of ethics established or adopted by the Council, and

(iii) any applicable practice directives issued by the College;

(c) provides the person or the person’s representative with sufficient information for the person or representative to make an informed and voluntary decision regarding the procedure; and

(d) obtains the informed consent of the person or the person’s representative.

(2) On performing advanced foot care with respect to a person, a licensed practical nurse shall promptly notify the person’s primary health care provider, orally or in writing, or as directed by the person’s primary health care provider, that the procedure has been performed and the reason for performing it.

Notice to primary health care provider

(3) On performing advanced foot care with respect to a person, a licensed practical nurse shall

Record

(a) create and maintain for a period of not less than 10 years a record of the following:

(i) the person’s name, address, and date of birth,

(ii) the procedure performed and the reason for performing it,

(iii) the date the procedure was performed,

(iv) any complicating factors associated with the procedure,

(v) the notification required under subsection (2); or

(b) where the procedure is performed in a health care facility, enter the information referred to in subclauses (a)(ii) to (v) in the person's health record maintained at the facility.

#### PART 4 – GENERAL

- 21.** (1) For the purpose of clause 15(1)(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 licensed practical nurse or a graduate practical nurse shall be, in the opinion of the registrar, in good taste, dignified and professional. Name of corporation
- (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). Change of name
- 22.** The *Licensed Practical Nurses Act* Regulations (EC622/02) are revoked. Revocation
- 23.** These regulations come into force on April 1, 2018. Commencement

#### EXPLANATORY NOTES

**SECTION 1** defines terms used in these regulations.

**SECTION 2** designates practical nursing as a regulated health profession.

**SECTION 3** continues the Prince Edward Island Licensed Practical Nursing Registration Board as the College of Licensed Practical Nurses of Prince Edward Island.

**SECTION 4** divides the register for practical nursing into sub-registers and parts.

**SECTION 5** sets out applicable prescribed requirements for registration in the general part of the register of licensed practical nurses.

**SECTION 6** provides for provisional registration in the register of licensed practical nurses where an applicant does not meet the currency of professional knowledge and skills requirement. It makes the registration subject to the term or condition that the applicant successfully completes a refresher program approved by the Council within a specified time period. On satisfying the term or condition, the member will be registered in the general registration part. The section provides that a licensed practical nurse registered in the provisional registration part shall be supervised by a licensed practical nurse registered in the general registration part. Finally, it states that provisional registration is not subject to renewal or reinstatement.

**SECTION 7** provides for registration in the special registration part of the register of licensed practical nurses. It states that registration in this part is not subject to renewal or reinstatement.

**SECTION 8** sets out the applicable prescribed requirements for renewal of registration in the general registration part of the register of licensed practical nurses. It provides for provisional registration where the applicant does not meet the requirements for continuing education and competency or currency of professional knowledge and skills, subject to specified terms or conditions. It provides that subsections 6(2) to (4) apply so that on satisfying the term or condition the member will be registered in the general registration part, the member is subject to supervision while registered in the provisional registration part and the provisional registration is not subject to renewal or reinstatement.

**SECTION 9** provides that the maximum prescribed period of time a former member's registration may lapse before applying for reinstatement of registration is three years.

**SECTION 10** sets out the applicable prescribed requirements for reinstatement of registration in the general registration part of the register of licensed practical nurses. It provides for provisional registration where the applicant does not meet the requirements for currency of professional knowledge and skills, subject to specified terms or conditions. It provides that subsections 6(2) to (4) apply so that on satisfying the term or condition the member will be registered in the general registration part, the member is subject to supervision while registered in the provisional registration part and the provisional registration is not subject to renewal or reinstatement.

**SECTION 11** sets out the applicable prescribed requirements for registration in the register of graduate practical nurses. It provides that a graduate practical nurse is to be supervised by a licensed practical nurse registered in the general registration part and that registration in the register of graduate practical nurses is not subject to renewal or reinstatement. Finally, it states that an applicant who has already attempted but failed to pass the required competency examination three or more times is not eligible for registration under this section unless the applicant has repeated and successfully completed a required education program.

**SECTION 12** prescribes the education requirement for registration.

**SECTION 13** sets out the required examinations and defines what constitutes successful completion of the respective examinations.

**SECTION 14** sets out three options to demonstrate currency of professional knowledge and skills.

**SECTION 15** prescribes insurance requirements for applicants and members registered under these regulations.

**SECTION 16** prescribes continuing education requirements.

**SECTION 17** sets out some protected designations of members registered under these regulations.

**SECTION 18** sets out the reserved activities a licensed practical nurse is authorized to perform, subject to certain conditions.

**SECTION 19** provides for a licensed practical nurse to apply for and be granted special authorization to perform advanced foot care. It requires notice of refusal to grant the special authorization and provides for the appeal of a refusal.

**SECTION 20** sets out conditions on a special authorization to perform advanced foot care and requirements for notice to the person's primary health care provider and record-keeping.

**SECTION 21** requires the name of a health profession corporation to be in good taste, dignified and professional.

**SECTION 22** revokes regulations made under the former Act.

**SECTION 23** provides for the commencement of these regulations.

**EC2018-151****REGULATED HEALTH PROFESSIONS ACT  
RESERVED ACTIVITIES REGULATIONS  
AMENDMENT**

Pursuant to subsection 96(1) of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

**1. Subsection 2(1) of the *Regulated Health Professions Act* Reserved Activities Regulations (EC536/15) is revoked and the following substituted:**

**2. (1)** For the purposes of section 86 of the Act, the administration of a substance prescribed by a prescriber by any of the following means is designated as a reserved activity: Designation of reserved activity

- (a) enteral or parenteral instillation;
- (b) topical administration.

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

**3.** For the purpose of clause 86(1)(g) of the Act, the following are prescribed forms of energy: Forms of energy

- (a) electrical;
- (b) electromagnetic;
- (c) sound.

**3. These regulations come into force on April 1, 2018.**

**EXPLANATORY NOTES**

**SECTION 1** provides that administering a substance prescribed by a prescriber topically or by enteral or parenteral instillation is a reserved activity.

**SECTION 2** sets out forms of energy the application of which or the ordering of the application of which is a reserved activity.

**SECTION 3** provides for the commencement of these regulations.