

EC2020-41

EXECUTIVE COUNCIL ACT
 MINISTER OF ENVIRONMENT, WATER AND CLIMATE CHANGE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CONTRIBUTION AGREEMENT
 – EXPANSION AND IMPROVEMENT OF THE PROTECTED
 AND CONSERVED AREAS NETWORK ON PRINCE EDWARD ISLAND)
 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 Environment, Water and Climate Change to enter into a contribution agreement for the Expansion and Improvement of the Protected and Conserved Areas Network on Prince Edward Island, with the Government of Canada, as represented by the Minister of Environment and Climate Change, effective upon the last party signing until March 31, 2023, such as more particularly described in the draft agreement.

EC2020-42

**FRENCH LANGUAGE SERVICES ACT
 GENERAL REGULATIONS
 AMENDMENT**

Pursuant to section 16 of the *French Language Services Act* R.S.P.E.I. 1988, Cap. F-15.2, Council made the following regulations:

1. Section 2 of the *French Language Services Act* General Regulations (EC845/13) is revoked and the following substituted:

2. Each of the following is a government institution for the purposes of the Act and these regulations: Government institutions

- (a) Department of Agriculture and Land;
- (b) Department of Economic Growth, Tourism and Culture;
- (c) Department of Education and Lifelong Learning;
- (d) Department of Environment, Water and Climate Change;
- (e) Department of Finance;
- (f) Department of Fisheries and Communities;
- (g) Department of Health and Wellness;
- (h) Department of Justice and Public Safety;
- (i) Department of Social Development and Housing;
- (j) Department of Transportation, Infrastructure and Energy;
- (k) Executive Council Office;
- (l) Health PEI;
- (m) Innovation PEI;
- (n) Island Regulatory and Appeals Commission;
- (o) Island Waste Management Corporation;
- (p) Prince Edward Island Human Rights Commission;
- (q) Prince Edward Island Liquor Control Commission;
- (r) Prince Edward Island Museum and Heritage Foundation;
- (s) Prince Edward Island Public Service Commission;
- (t) Workers Compensation Board of Prince Edward Island.

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

3. Each service that is designated as a designated service of a government institution and any limit on the scope of the designation are described in the Schedule to these regulations. Designated services

3. The Schedule to the regulations is revoked and the Schedule as set out in the Schedule to these regulations is substituted.

4. These regulations come into force on February 1, 2020.

SCHEDULE

**SCHEDULE
DESIGNATED SERVICES**

- 1.** The designated services of the Department of Education and Lifelong Learning and any limit on the scope of the designations are described in the following table:

Table 1 – Department of Education and Lifelong Learning

Column 1 Designated Service	Column 2 Scope of Designation
1. All services offered in person at specified public libraries.	The designation is limited to the following locations: (a) Bibliothèque publique d'Abram-Village, Abram-Village; (b) Bibliothèque publique Dr. J.-Edmond-Arsenault, Charlottetown; (c) Bibliothèque publique J.-Henri-Blanchard, Summerside. The designation is limited at each location to the services offered in person at that location.
2. Coaching support services offered to early childhood educators.	
3. The provision of the Community Cultural Partnership Program.	

- 2.** The designated services of the Department of Transportation, Infrastructure and Energy and any limit on the scope of the designations are described in the following table:

Table 2 – Department of Transportation, Infrastructure and Energy

Column 1 Designated Service	Column 2 Scope of Designation
1. Traveller Information Service - 511.	The designation is limited to the provision of this service by telephone and on the website of the Department of Transportation, Infrastructure and Energy.
2. Traffic signs containing written wording, erected or maintained by the Department of Transportation, Infrastructure and Energy.	The designation is limited to those traffic signs replaced or erected after the day on which these regulations come into force. The designation does not apply to the following types of traffic signs: (a) stop signs; (b) electronic variable message signs. The designation does not apply with respect to the following written wording on those traffic signs: (a) proper names; (b) the words "Trans Canada Highway" on Trans Canada Highway route shields.
3. All services offered in person at Access PEI in Wellington.	

3. The designated services of the Executive Council Office and any limit on the scope of the designations are described in the following table:

Table 3 – Executive Council

Column 1 Designated Service	Column 2 Scope of Designation
1. Online application process for Engage PEI.	

4. The designated services of Health PEI and any limit on the scope of the designations are described in the following table:

Table 4 – Health PEI

Column 1 Designated Service	Column 2 Scope of Designation
1. Telehealth Information Service - 811.	The designation is limited to the provision of this service by telephone.
2. General orientation services at Summerset Manor.	The designation is limited to an orientation to the building and the resident's household offered in person, by appointment, to residents and their family members at Summerset Manor.
3. Financial assessment services for the purpose of the Long Term Care Subsidization Program.	The designation is limited to financial assessment services offered in person, by appointment, to residents of Summerset Manor or their representatives.
4. Reception services at Summerset Manor.	The designation is limited to reception services offered in person at Summerset Manor.
5. Long term care dental care at Summerset Manor.	The designation is limited to the services of a dental assistant offered in person, by appointment, to residents as part of an annual dental screening and any follow-up appointments at Summerset Manor.

5. The designated services of the Prince Edward Island Museum and Heritage Foundation and any limit on the scope of the designations are described in the following table:

Table 5 – Prince Edward Island Museum and Heritage Foundation

Column 1 Designated Service	Column 2 Scope of Designation
1. The provision of information, in any form, within or in support of permanent and temporary exhibits at the Acadian Museum.	
2. All services offered in person at the Acadian Museum, including visitor services, interpretation services, research support services, and interpretation and education programs.	

EXPLANATORY NOTES

SECTION 1 revokes and replaces section 2 of the regulations to update the names of departments of government.

SECTION 2 revokes and replaces section 3 of the regulations to reflect formatting changes to the Schedule.

SECTION 3 revokes and replaces the Schedule to the regulations to update the formatting and add new designated services.

SECTION 4 provides for the commencement of these regulations.

EC2020-42

LOI SUR LES SERVICES EN FRANÇAIS MODIFICATION AU RÈGLEMENT GÉNÉRAL

En application de l'article 16 de la *Loi sur les services en français*, R.S.P.E.I. 1988, chap. F-15.2, le Conseil prend le règlement suivant:

1. L'article 2 du règlement général de la *Loi sur les services en français* (EC845/13) est abrogé et remplacé par ce qui suit:

2. Constituent des institutions gouvernementales pour l'application de la *Loi* et du présent règlement: Institution
gouvernementale

- (a) le Department of Agriculture and Land;
- (b) le Department of Economic Growth, Tourism and Culture;
- (c) le Department of Education and Lifelong Learning;
- (d) le Department of Environment, Water and Climate Change;
- (e) le Department of Finance;
- (f) le Department of Fisheries and Communities;
- (g) le Department of Health and Wellness;
- (h) le Department of Justice and Public Safety;
- (i) le Department of Social Development and Housing;
- (j) le Department of Transportation, Infrastructure and Energy;
- (k) l'Executive Council Office;
- (l) Health PEI;
- (m) Innovation PEI;
- (n) l'Island Regulatory and Appeals Commission;
- (o) l'Island Waste Management Corporation;
- (p) la Prince Edward Island Human Rights Commission;
- (q) la Prince Edward Island Liquor Control Commission;
- (r) la Prince Edward Island Museum and Heritage Foundation;
- (s) la Prince Edward Island Public Service Commission;
- (t) la Workers Compensation Board of Prince Edward Island.

2. L'article 3 du règlement est abrogé et remplacé par ce qui suit:

3. Les services désignés des institutions gouvernementales et les limites à la portée de la désignation sont décrits à l'annexe du présent règlement. Service désigné

3. L'annexe du règlement est abrogée et remplacée par l'annexe figurant dans les présentes.

4. Le présent règlement entre en vigueur le 1^{er} février, 2020.

ANNEXE

ANNEXE
SERVICES DÉSIGNÉS

1. Les services désignés du Department of Education and Lifelong Learning et les limites à la portée de la désignation sont décrits dans le tableau qui suit:

Tableau 1 – Department of Education and Lifelong Learning

Colonne 1 Services désignés	Colonne 2 Portée de la désignation
1. Tous les services offerts en personne aux bibliothèques publiques indiquées.	La désignation se limite aux emplacements suivants: (a) Bibliothèque publique d'Abram-Village, Abram-Village; (b) Bibliothèque publique Dr. J.-Edmond-Arsenault, Charlottetown; (c) Bibliothèque publique J.-Henri-Blanchard, Summerside. La désignation se limite aux services offerts en personne à ces emplacements.
2. Les services d'accompagnement offerts aux éducateurs et éducatrices de la petite enfance.	
3. La prestation du Programme de partenariat culturel communautaire.	

2. Les services désignés du Department of Transportation, Infrastructure and Energy et les limites à la portée de la désignation sont décrits dans le tableau qui suit:

Tableau 2 – Department of Transportation, Infrastructure and Energy

Colonne 1 Services désignés	Colonne 2 Portée de la désignation
1. Le service de renseignements aux voyageurs – 511.	La désignation se limite à la prestation de ce service par téléphone et sur le site Web du Department of Transportation, Infrastructure and Energy.
2. Les panneaux de signalisation routière renfermant des mots et érigés ou entretenus par le Department of Transportation, Infrastructure and Energy.	La désignation se limite aux panneaux de signalisation routière remplacés ou érigés après l'entrée en vigueur du présent règlement. La désignation ne s'applique pas aux types suivants de panneaux de signalisation routière: (a) les panneaux d'arrêt; (b) les panneaux électroniques à messages variables. La désignation ne s'applique pas aux mots suivants qui figurent sur les panneaux de signalisation routière: (a) les appellations; (b) les mots « Trans Canada Highway » sur les emblèmes de la route transcanadienne.
3. Tous les services offerts en personne au site d'Accès Î.-P.-É. à Wellington.	

3. Les services désignés de l'Executive Council Office et les limites à la portée de la désignation sont décrits dans le tableau qui suit:

Tableau 3 – Executive Council

Colonne 1 Services désignés	Colonne 2 Portée de la désignation
1. Le processus de demande en ligne de Contribuons à l'Î.-P.-É.	

4. Les services désignés de Health PEI et les limites à la portée de la désignation sont décrits dans le tableau qui suit:

Tableau 4 – Health PEI

Colonne 1 Services désignés	Colonne 2 Portée de la désignation
1. Le service d'information de télésanté – 811.	La désignation se limite à la prestation de ce service par téléphone.
2. Les services d'orientation générale au foyer Summerset.	La désignation se limite à la visite de l'immeuble et de la maisonnée du résident, offerte en personne sur rendez-vous aux résidents et aux membres de leur famille au foyer Summerset.
3. Les services d'examen de la situation financière dans le cadre du Programme de subventions pour les soins de longue durée.	La désignation se limite aux services d'examen de la situation financière offerts en personne sur rendez-vous aux résidents du foyer Summerset ou à leur représentant.
4. Les services d'accueil au foyer Summerset.	La désignation se limite aux services d'accueil offerts en personne au foyer Summerset.
5. Les soins dentaires offerts dans le cadre des soins de longue durée au foyer Summerset.	La désignation se limite aux services offerts aux résidents par un assistant dentaire, en personne et sur rendez-vous, lors de l'examen dentaire annuel et de tout rendez-vous de suivi au foyer Summerset.

5. Les services désignés de la Prince Edward Island Museum and Heritage Foundation et les limites à la portée de la désignation sont décrits dans le tableau qui suit:

Tableau 5 – Prince Edward Island Museum and Heritage Foundation

Colonne 1 Services désignés	Colonne 2 Portée de la désignation
1. L'offre d'information sous toute forme dans le cadre ou à l'appui d'expositions permanentes ou temporaires au Musée acadien.	
2. Tous les services offerts en personne au Musée acadien, y compris les services aux visiteurs, les services d'interprétation, les services d'appui à la recherche et les programmes d'interprétation et d'éducation.	

NOTES EXPLICATIVES

L'ARTICLE 1 abroge et remplace l'article 2 du règlement pour mettre à jour les noms des ministères.

L'ARTICLE 2 abroge et remplace l'article 3 du règlement pour refléter le nouveau formatage de l'annexe.

L'ARTICLE 3 abroge et remplace l'annexe du règlement pour mettre à jour le formatage et ajouter les nouveaux services désignés.

L'ARTICLE 4 prévoit la date d'entrée en vigueur du présent règlement.

EC2020-43

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
10019038 CANADA LTD.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a ten-year term loan in the amount of two million, seven hundred and eighteen thousand and one (\$2,718,001.00) dollars at a rate of four (4%) percent to 10019038 Canada Ltd. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2020-44

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
BAMBRICK HEIGHTS INC.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a ten-year term loan in the amount of four million (\$4,000,000.00) dollars at a rate of four (4%) percent to Bambrick Heights Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2020-45

**LONG-TERM CARE SUBSIDIZATION ACT
REGULATIONS**

Pursuant to section 12 of the *Long-Term Care Subsidization Act* R.S.P.E.I. 1988, Cap. L-16.1, Council made the following regulations:

Interpretation

- 1.** (1) In these regulations, Definitions
- (a) “Act” means the *Long-Term Care Subsidization Act* R.S.P.E.I. 1988, Cap. L-16.1; Act
- (b) “applicant” means applicant
- (i) a person who applies, or on whose behalf an application is made, for financial assistance, or
- (ii) a person who receives financial assistance;
- (c) “nursing home” means nursing home
- (i) a manor or similar facility owned and operated by the government, or
- (ii) a nursing home licensed under the *Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13;
- (d) “spouse” means a person who, in respect of another person, spouse
- (i) is married to the other person,
- (ii) has entered into a marriage with the other person that is voidable or void, or
- (iii) is not married to the other person but is cohabiting with the other person in a conjugal relationship and has done so continuously for a period of at least 12 months.

(2) An applicant is a person in need if the accommodation assistance for a calendar year exceeds the applicant's income as assessed in section 3. Person in need

(3) Nursing homes are approved as residential institutions for the purposes of the Act and these regulations. Residential institutions

Application

2. (1) A person shall apply for financial assistance in the form required by the Minister. Application form

(2) Subject to clause (3)(b), where a person has a spouse, the person may apply for financial assistance jointly with the person's spouse or as an individual. Application, joint

(3) A person shall apply for financial assistance as an individual, where

- (a) the person does not have a spouse; or
- (b) the person is living separate and apart from the person's spouse due to a breakdown in the relationship. Application, individual

(4) The Minister may request and the applicant and the applicant's spouse, if a joint applicant, shall provide in a timely manner the information required to determine whether the applicant is a person in need, and the Minister may seek verification of that information from third parties, including the Canada Revenue Agency, as the Minister considers necessary. Supporting information

(5) An application for financial assistance shall be considered to be consent by the applicant and the applicant's spouse, if a joint applicant, for third parties to release to the Minister information required by the Minister for the purpose of

- (a) determining whether an applicant is a person in need;
- (b) planning, delivering or funding programs, allocating resources and evaluating or monitoring programs; and
- (c) detecting, monitoring and preventing fraud or any unauthorized receipt of financial assistance. Application considered consent

(6) Where the Minister determines that an applicant is not a person in need and refuses the application, the Minister shall notify the applicant and the applicant's spouse, if a joint applicant, in writing, of the decision, the reasons for the decision and the right to appeal the decision. Notice

3. (1) In this section, Definitions

(a) "dependent" means a person who dependent

- (i) is supported by the applicant or the applicant's spouse,
- (ii) resides with the applicant's spouse,
- (iii) is the child, grandchild, parent, grandparent, brother, sister, aunt, uncle, niece or nephew of the applicant or the applicant's spouse, and
- (iv) is either
 - (A) under the age of 18 years, or
 - (B) 18 years of age or over, with an impairment in physical or mental function;

(b) "low income measure" means the low income measure before tax, by size of family unit, for the most recent calendar year published by Statistics Canada; low income measure

(c) "net income" means the amount reported on line 236 of an individual's Income Tax and Benefit Return, as confirmed by the Canada Revenue Agency. net income

(2) Where an applicant applies as an individual, the applicant's income for the purposes of determining whether the person is a person in need is the applicant's net income for the preceding taxation year. Calculation of income, individual applicant

(3) Subject to subsection (4), where an applicant applies jointly with the applicant's spouse, the applicant's income for the purposes of determining whether the applicant is a person in need is equal to 50% of the aggregate of the net incomes of the applicant and the applicant's spouse for the preceding taxation year. Calculation of income, joint applicant

(4) Where the applicant's spouse under subsection (3) does not reside in a nursing home, the aggregate of the net incomes of the applicant and the applicant's spouse for the preceding taxation year shall be divided so that the portion of the aggregate allocated to the applicant's spouse is the greater of

Minimum income
for spouse

- (a) the applicable low income measure; and
- (b) 50% of the aggregate.

(5) For the purpose of determining the applicable low income measure in subsection (4), the family unit is composed of the applicant's spouse and any dependents.

Size of family unit

(6) Where an applicant is under 65 years of age, the Minister may, in extenuating circumstances, increase the portion of the aggregate of the net incomes of the applicant and the applicant's spouse allocated to the applicant's spouse under subsection (4).

Minister may vary

Administration

4. (1) The Minister shall reassess whether an applicant is a person in need and the needs of the person in respect of financial assistance at least once per year.

Reassessment

(2) On reassessment, the Minister may vary, suspend or cancel the provision of financial assistance to an applicant.

Powers of the
Minister

(3) The Minister shall ensure

Audits

- (a) case audits are conducted on a random or continuing basis;
- (b) any other action is taken as may be necessary to monitor and evaluate the delivery of financial assistance; and
- (c) the results of the case audits and other activities are reported to the Minister.

5. (1) In this section,

Definitions

(a) "administrator" means the senior administrative officer of a nursing home;

administrator

(b) "comfort allowance" means financial assistance for personal items and services.

comfort allowance

(2) The administrator shall establish a trust account for applicants residing in the nursing home into which, on the request of an applicant, the administrator shall deposit all or a portion of an applicant's comfort allowance in trust to the credit of the applicant.

Trust account for
comfort allowance

(3) The administrator may use the interest accrued on moneys held in the trust account for the benefit of all residents.

Use of interest

(4) Where an applicant who resides in a nursing home dies leaving a positive balance in the trust account, the administrator shall first apply that balance toward any accounts payable by the applicant in respect of personal items and services and pay any remainder to the applicant's estate.

Distribution of
balance on death

(5) The administrator shall provide an annual summary of an applicant's trust account activity to the applicant or the applicant's agent.

Annual accounting

6. (1) Where the Minister seeks to recover a debt due by a deceased applicant to the government from the applicant's estate under section 11 of the Act

Recovery of debt
from estate

- (a) the first \$2,500 of the value of the applicant's estate is not subject to the claim; and
- (b) where the deceased applicant leaves a surviving spouse, the Minister's claim shall not exceed 50% of the value of the applicant's estate.

(2) Where

Satisfaction

(a) a certificate has been filed with the Registrar of the Supreme Court under subsection 11(4) of the Act; and

(b) the debt due by the applicant to the government has been paid, cancelled, discharged or written off under clause 11(3)(c) of the Act, the Minister shall file a satisfaction of the certificate with the Registrar and serve it on the debtor.

Appeals

- 7.** (1) The Minister shall, within 30 days of receiving a notice of appeal, appoint a Panel and ensure the Panel is provided with
- Appointment of Panel
- (a) a copy of the notice of appeal;
- (b) a copy of the appellant's written application for financial assistance made under the Act;
- (c) the particulars of the financial resources of the appellant as calculated by the Minister; and
- (d) any other documents and records pertaining to the matter under appeal.
- (2) The Panel shall commence a hearing of the appeal within 15 clear days after receipt of the notice of appeal.
- Appeal hearing within 15 clear days
- 8.** (1) The Panel shall provide the appellant and the Minister at least three clear days' notice of the date, time and place of the hearing.
- Notice of hearing
- (2) Notice of the hearing shall be sent by registered mail or courier to the appellant at the address shown on the notice of appeal.
- Registered mail or courier
- (3) An appellant may withdraw an appeal at any time before the date set for the hearing of the appeal by notifying the Panel either verbally or in writing of the appellant's decision to withdraw the appeal.
- Withdrawal of appeal
- 9.** (1) Where an appeal is made in respect of a decision to reduce, suspend or cancel financial assistance, the amount of financial assistance previously provided shall continue to be provided until the Panel renders its decision.
- Continued financial assistance pending appeal
- (2) Where an appeal is made in respect of a refusal to provide financial assistance, no financial assistance shall be provided to the appellant unless the Panel grants the appeal.
- No financial assistance pending appeal
- 10.** The appellant may request that the hearing of the appeal be held in private or be open to the public.
- Public or private hearing
- 11.** Where the appellant or a person acting on behalf of the appellant does not attend the hearing, the Panel shall dismiss the appeal.
- Failure to attend hearing
- 12.** (1) The Panel shall decide only the matters that fall within the Act and these regulations and are raised on appeal.
- Panel decides matters before it
- (2) At the conclusion of the hearing of the appeal, the Panel shall
- Decision of Panel
- (a) dismiss the appeal; or
- (b) allow the appeal and vary the decision made by the Minister.
- (3) The Panel shall provide a copy of the decision to the parties within 15 clear days from the conclusion of the hearing of the appeal.
- Copy of decision
- (4) Subject to subsection (5), the decision of the Panel is final and binding on the parties.
- Final and binding
- (5) Within 10 clear days of receipt of the written decision, the Minister or the appellant may, on the basis of new evidence only, request that the Panel review its decision on the appeal.
- New evidence
- (6) The decision of the Panel on a review under subsection (5) is final and binding on the parties.
- Decision on review
- (7) The effective date of the decision of the Panel under subsection (2) or subsection (6) shall be retroactive to the date of the Minister's decision being appealed.
- Effective date of decision
- 13.** (1) Where an appeal is allowed by the Panel, the Panel may award costs to the appellant in an amount sufficient to cover the appellant's reasonable expenses, excluding legal fees, resulting from the appeal.
- Costs
- (2) Where an appeal is dismissed by the Panel, the Panel may determine that the financial assistance granted under subsection 9(1) is an overpayment within the meaning of the Act.
- Overpayment

General

14. (1) In this section, “former regulations” means the *Long Term Care Subsidization Act Regulations* (EC615/05). Former regulations, meaning

(2) Where, immediately before the commencement of this section, the amount of financial assistance payable to an applicant was varied pursuant to subsection 8(3) of the former regulations, the Minister shall continue to provide the variation as if these regulations had not come into force, until the reason for the variation no longer exists. Transitional

(3) For the purpose of subsection (2), financial liabilities are limited to the items of expense set out in subsection 8(6) of the former regulations at values not exceeding the rates established for social assistance pursuant to the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3 immediately before the commencement of this section. Exemption limits

15. The *Long Term Care Subsidization Act Regulations* (EC615/05) are revoked. Revocation

16. These regulations come into force on February 1, 2020. Commencement

EXPLANATORY NOTES

SECTION 1 defines terms used throughout the regulations, clarifies how a person in need is determined and states that nursing homes are approved as residential institutions.

SECTION 2 provides for joint and individual applications for financial assistance, requires the submission of supporting information and authorizes the Minister to seek verification of information from third parties, including the Canada Revenue Agency. It also requires the Minister to give notice to an applicant of a refusal to provide financial assistance.

SECTION 3 provides for the calculation of income of an individual or joint applicant for the purposes of determining whether a person is a person in need and ensures that a spouse living outside a nursing home has a minimum income that is not below the low income measure.

SECTION 4 requires the Minister to reassess an applicant at least once per year and authorizes the Minister to vary, suspend or cancel the provision of financial assistance to the applicant on reassessment. It also requires the Minister to ensure audits and other monitoring activities are conducted and reported to the Minister.

SECTION 5 requires the administrator of a nursing home to establish a trust account where applicants residing in the nursing may credit and debit their comfort allowances. It permits the administrator to use interest earned on the trust moneys for the benefit of all residents. It provides for the distribution of trust moneys on the death of an applicant and requires the administrator to give an annual accounting of an applicant’s trust account activity.

SECTION 6 sets some limits on the recovery of debt from an applicant’s estate and requires the Minister to file a satisfaction of a certificate filed with the Registrar of the Supreme Court when the debt due has been paid, cancelled, discharged or written off.

SECTION 7 provides for the appointment of a Panel on appeal and the provision of relevant documents to the Panel. It requires the Panel to hear the appeal within 15 clear days of receipt of the notice of appeal.

SECTION 8 requires the Panel to give notice of the date, time and place of the hearing by registered mail or courier and provides for an appellant to withdraw an appeal before the hearing.

SECTION 9 provides for the continued provision of financial assistance pending appeal where the appeal is in respect of a decision to reduce, suspend or cancel financial assistance. It provides for financial assistance

to be granted retroactively where a decision to refuse to provide financial assistance is successfully appealed.

SECTION 10 provides that an appellant may request that a hearing of an appeal be held in private or open to the public.

SECTION 11 requires the Panel to dismiss an appeal if the appellant or a person acting on behalf of the appellant does not attend the hearing.

SECTION 12 provides for the decision of the Panel and a review of the decision in limited circumstances.

SECTION 13 provides for the Panel to award costs to a successful appellant and to consider financial assistance paid to an unsuccessful appellant pending appeal to be an overpayment.

SECTION 14 sets out transitional provisions respecting the variation of assistance under the former regulations.

SECTION 15 revokes the former regulations.

SECTION 16 provides for the commencement of these regulations.

EC2020-46

PROVINCIAL COURT ACT JUSTICE OF THE PEACE APPOINTMENT

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed Vicki MacEachern of Summerside, in Prince County, Prince Edward Island, as Justice of the Peace in and for the County of Prince in the Province of Prince Edward Island for a term of five (5) years, effective 21 January, 2020.

Further, Council ordered that should Vicki MacEachern cease to be employed by the Province of Prince Edward Island in her present capacity in the Provincial Court, her appointment as Justice of the Peace shall terminate coincident with the date the employment terminates.