

EC2020-75

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES AND COMMUNITIES
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING -
 PEI SHELLFISH AQUACULTURE LEASING PROGRAM)
 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 Fisheries and Communities to enter into a memorandum of understanding with the Government of Canada, as represented by the Minister of Fisheries and Oceans, for administration of the PEI Shellfish Aquaculture Leasing Program, for the period April 1, 2019 to March 31, 2021, such as more particularly described in the draft agreement.

EC2020-76

FINANCIAL ADMINISTRATION ACT
 SPECIAL WARRANT
 (SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2018/19)
 ECONOMIC GROWTH, TOURISM AND CULTURE

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 Economic Growth, Tourism and Culture (formerly the Department of Economic Development and Tourism) as follows:

Account Class	Account Name	Amount
	General Administration/ Corporation Management	
0149-3124	Salaries	<u>\$5,200</u>

EC2020-77

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE
FOR FISCAL YEAR 2018/19)
DEPARTMENT OF EDUCATION AND LIFELONG LEARNING

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 Education and Lifelong Learning (formerly the Department of Education, Early Learning and Culture) as follows:

Account Class	Account Name	Amount
	Provincial Learning Materials Distribution Centre	
0049-2916	Materials, Supplies and Services	270,000
	Finance and Administration – Grants to Public Schools	
0068-4141	Maintenance	790,000
0068-4147	Transportation	175,000
0068-4181	Equipment and Repairs	<u>90,000</u>
	Total	<u>\$1,325,000</u>

EC2020-78

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2018/19)
INTERMINISTERIAL WOMEN'S SECRETARIAT

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 Interministerial Women's Secretariat as follows:

Account Class	Account Name	Amount
	Interministerial Women's Secretariat	
0444-3124	Salaries	<u>\$400</u>

EC2020-79

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY CAPITAL EXPENDITURE
FOR FISCAL YEAR 2018/19)
DEPARTMENT OF TRANSPORTATION, INFRASTRUCTURE
AND ENERGY

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 (Capital) for the Department of Transportation, Infrastructure and Energy as follows:

Account Class	Account Name	Amount
Capital Improvements - Highways		
0371-5010	National and Collector Highways	<u>93,000</u>
	Total	<u>\$93,000</u>

EC2020-80

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 3)
DECLARATION RE

Under authority of section 3 of *An Act to Amend the Highway Traffic Act (No. 3)* Stats. P.E.I. 2019, c. 24 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Highway Traffic Act (No. 3)" to come into force effective February 22, 2020.

EC2020-81

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 4)
DECLARATION RE

Under authority of section 4 of *An Act to Amend the Highway Traffic Act (No. 4)* Stats. P.E.I. 2019, c. 39 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Highway Traffic Act (No. 4)" to come into force effective February 22, 2020.

EC2020-82

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102446 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 102446 P.E.I. Inc. of Rosebank, Prince Edward Island to acquire, by share acquisition, an interest in a land holding of approximately ten decimal three (10.3) acres of land at Borden-Carleton, Lot 28, Prince County, Province of Prince Edward Island, being acquired from Randy Cooke of Cape Wolfe, Prince Edward Island; Dewis Cooke of Sherbrooke, Prince Edward Island; and John Price in trust for Murphy's LLC of Sanibel, Florida.

EC2020-83

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 102447 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 102447 P.E.I. Inc. of Rosebank, Prince Edward Island to acquire, by share acquisition, an interest in a land holding of approximately zero decimal four (0.4) of an acre of land at Freeland, Lot 11, Prince County, Province of Prince Edward Island, being acquired from Randy Cooke of Cape Wolfe, Prince Edward Island; Dewis Cooke of Sherbrooke, Prince Edward Island; and John Price in trust for Murphy's LLC of Sanibel, Florida.

EC2020-84

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 2221701 ONTARIO LIMITED
 (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 2221701 Ontario Limited of Fergus, Ontario to acquire a land holding of approximately thirty-three (33) acres of land at Gaspereaux, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Joseph Keith McKenzie and Edith Adele McKenzie, both of Stratford, 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.

EC2020-85

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 A.J. TONER LIMITED
 (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 A.J. Toner Limited of Summerside, Prince Edward Island to acquire a land holding of approximately one decimal eight nine (1.89) acres of land at Summerside, Lot 17, Prince County, Province of Prince Edward Island, being acquired from Paul Moser and Verena Moser, both of Summerside, Prince Edward Island.

EC2020-86

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CAMERON FARMS 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 Cameron Farms Ltd. of Hampton, Prince Edward Island to acquire a land holding of approximately sixty-two decimal eight eight (62.88) acres of land at Hampton, Lot 29, Queens County, Province of Prince Edward Island, being acquired from Fangyi Tian of Sharon, Ontario 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.

EC2020-87

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GRIFFIN FAMILY 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 Griffin Family Farms Inc. of Elmsdale, Prince Edward Island to acquire a land holding of approximately one hundred and eighty-seven (187) acres of land at Cape Wolfe, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Gerald Howard and Andrea Howard, both of Cape Wolfe, 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.

EC2020-88

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HALDON INVESTMENTS 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 Haldon Investments Inc. of London, Ontario to acquire a land holding of approximately four decimal three (4.3) acres of land at Mont-Carmel, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Larry Vettor, Anna Bortolon and Ave Life Inc., all of Guelph, Ontario SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Haldon Investments Inc. and on all successors in title.

EC2020-89

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HANSEN ELECTRIC 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 Hansen Electric Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately sixty-four decimal seven eight (64.78) acres of land at Cornwall, Lot 32, Queens County, Province of Prince Edward Island, being acquired from the Estate of H. Barrie Willis of Cornwall, Prince Edward Island.

EC2020-90

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KMAC CONSTRUCTION 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 KMac Construction Ltd. of Stanhope, Prince Edward Island to acquire a land holding of approximately twenty-seven decimal seven (27.7) acres of land at West Covehead, Lot 34, Queens County, Province of Prince Edward Island, being acquired from M & L Holdings Inc. of Kensington, Prince Edward Island.

EC2020-91

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MACCORMACK BUILDERS AND APARTMENTS 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 MacCormack Builders and Apartments Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately three decimal zero two (3.02) acres of land at Summerside, Lot 17, Prince County, Province of Prince Edward Island, being acquired from G.E. MacNeill Contracting Ltd. of Elmsdale, Prince Edward Island.

EC2020-92

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RARE 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 Rare Club Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately five (5) acres of land at Green Bay, Lot 30, Queens County, Province of Prince Edward Island, being acquired from Alex Livingston of Charlottetown, Prince Edward Island.

EC2020-93

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TWO RIVERS FARM 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 Two Rivers Farm Inc. of Flat River, Prince Edward Island to acquire a land holding of approximately nine hundred and one decimal nine six (901.96) acres of land at Flat River, Lot 60; Belle River, Lot 62; and Melville, Lot 60, all in Queens County, Province of Prince Edward Island, being acquired from Judith Davies of Flat 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.

EC2020-94

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
URBAINVILLE FARMS 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 Urbainville Farms Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately fourteen decimal six four (14.64) acres of land at Abrams Village and Urbainville, both in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Roy J. Gallant and Rita M. Gallant, both of Abrams Village, Prince Edward Island PROVIDED THAT approximately eight decimal three four (8.34) acres of the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2020-95

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
URBAINVILLE FARMS 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 Urbainville Farms Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately forty-two decimal three five (42.35) acres of land at Mont-Carmel, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Alfred Arsenault of Urbainville, 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.

EC2020-96

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
URBAINVILLE FARMS 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 Urbainville Farms Ltd. of Wellington, Prince Edward Island to acquire a land holding of approximately two hundred decimal five nine (200.59) acres of land at Harmony, Lot 14 and St. Raphael, Lot 15, both in Prince County, Province of Prince Edward Island, being acquired from Lynden Ellis of Northam, 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.

EC2020-97

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WESTCOUNTRY FARMS 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 Westcountry Farms Inc. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately zero decimal six nine (0.69) of an acre of land at Arlington, Lot 14, Prince County, Province of Prince Edward Island, being acquired from Barrie Phillips, Sherwin Phillips and John Phillips, all of Tyne Valley, Prince Edward Island.

EC2020-98

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 REVEREND DAVID E. COFFIN
 (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 Reverend David E. Coffin of Bishops Falls, Newfoundland and Labrador to acquire a land holding of approximately thirty-two decimal five (32.5) acres of land at Iris, Lot 62, Queens County, Province of Prince Edward Island, being acquired from the Estate of Alexander S. Daley of Cambridge, Massachusetts 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.

EC2020-99

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MATTHEW HEBB AND SHELLEY HEBB
 (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 Matthew Hebb and Shelley Hebb, both of London, Ontario to acquire an interest in a land holding of approximately four decimal three (4.3) acres of land at Mont-Carmel, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Larry Vettor, Anna Bortolon and Ave Life Inc., all of Guelph, Ontario.

EC2020-100

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MICHEL JACOB, TIM WILLISTON,
 MIREILLE BREAU WILLISTON AND JULIE MACPHAIL
 (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 Michel Jacob of Cap-Pelé, New Brunswick, Tim Williston and Mireille Breau Williston, both of Shediac Cape, New Brunswick and Julie MacPhail of Lower Cloverdale, New Brunswick to acquire an interest in a land holding of approximately zero decimal four (0.4) of an acre of land at Freeland, Lot 11, Prince County, Province of Prince Edward Island, being acquired from Randy Cooke of Cape Wolfe, Prince Edward Island, Dewis Cooke of Sherbrooke, Prince Edward Island and John Price, in trust for Murphy's LLC of Sanibel, Florida.

EC2020-101

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MICHEL JACOB, TIM WILLISTON,
 MIREILLE BREAU WILLISTON AND JULIE MACPHAIL
 (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 Michel Jacob of Cap-Pelé, New Brunswick, Tim Williston and Mireille Breau Williston, both of Shediac Cape, New Brunswick and Julie MacPhail of Lower Cloverdale, New Brunswick to acquire an interest in a land holding of approximately ten decimal three (10.3) acres of land at Borden-Carleton, Lot 28, Prince County, Province of Prince Edward Island, being acquired from Randy Cooke of Cape Wolfe, Prince Edward Island, Dewis Cooke of Sherbrooke, Prince Edward Island and John Price, in trust for Murphy's LLC of Sanibel, Florida.

EC2020-102

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DAVID MEW
 (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 David Mew of Toronto, Ontario to acquire an interest in a land holding of approximately five (5) acres of land at Green Bay, Lot 30, Queens County, Province of Prince Edward Island, being acquired from Alex Livingston of Charlottetown, Prince Edward Island.

EC2020-103

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MATTHEW VENNE AND JENNIFER VENNE
 (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 Matthew Venne and Jennifer Venne, both of Fergus, Ontario to acquire an interest in a land holding of approximately thirty-three (33) acres of land at Gaspereaux, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Joseph Keith McKenzie and Edith Adele McKenzie, both of Stratford, Prince Edward Island.

EC2020-104

MUNICIPAL GOVERNMENT ACT
RURAL MUNICIPALITY OF WELLINGTON
EXTENSION OF MUNICIPAL BOUNDARY
(APPLICATION TO ANNEX
PROVINCIAL PROPERTY NO. 755371)
APPROVED

Having under consideration an application from the Rural Municipality of Wellington presented pursuant to subsection 15(2) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1 to extend its boundaries to include approximately zero decimal three five (0.35) of an acre, being Provincial Property No. 755371 for which no municipal government is provided under the said Act, and having under consideration the recommendation of the Island Regulatory and Appeals Commission, Council under authority of subsection 21(1)(b) of the aforesaid Act, approved the application to restructure as originally proposed and ordered that the boundary of the Rural Municipality of Wellington be extended to annex approximately zero decimal three five (0.35) of an acre as aforesaid, effective February 22, 2020 in accordance with the said application and as indicated on a plan filed in the Registry Office for Prince County by the Minister of Fisheries and Communities pursuant to subsection 21(3) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

This Order-in-Council comes into force on February 22, 2020.

EC2020-105

AN ACT TO AMEND THE OFF-HIGHWAY VEHICLE ACT
DECLARATION RE

Under authority of section 13 of *An Act to Amend the Off-Highway Vehicle Act* Stats. P.E.I. 2019, c. 28 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Off-Highway Vehicle Act" to come into force effective February 22, 2020.

EC2020-106

PRIVATE TRAINING SCHOOLS ACT
DECLARATION RE

Under authority of section 58 of the *Private Training Schools Act* Stats. P.E.I. 2016, c. 49 Council ordered that a Proclamation do issue proclaiming the said "Private Training Schools Act" to come into force effective February 22, 2020.

EC2020-107

**PRIVATE TRAINING SCHOOLS ACT
REGULATIONS**

Pursuant to section 53 of the *Private Training Schools Act* R.S.P.E.I. 1988, Cap. P- 20.2, Council made the following regulations:

- 1.** In these regulations Definitions
- (a) “Act” means the *Private Training Schools Act* R.S.P.E.I. 1988, Act
Cap. P-20.2;
- (b) “security” means a financial guarantee provided by an operator security
that meets the requirements of the Act and section 14.
- 2.** Any occupation listed in the Index of Occupational Titles in the Designated
occupation
National Occupational Classification is designated as appropriate for an occupational training program to be offered by the operator of a private training school.
- 3.** In addition to the requirements of subsection 5(2) of the Act, an Additional
documentation
applicant for a license to operate a private training school shall provide
- (a) a detailed statement of textbooks and other supplies or equipment that each student is required to have for each occupational training program and the cost to the student of the textbooks and other supplies or equipment;
- (b) a copy of proposed catalogues and other advertising materials the applicant intends to use in connection with the school; and
- (c) a copy of the certificate or diploma used or to be used by the private training school.
- 4.** For the purposes of clause 5(2)(b) of the Act, an applicant for a Business plan
license to operate a private training school shall provide to the Administrator, in respect of the proposed private training school, a business plan that includes
- (a) a financial plan for the private training school that shows projected revenues and expenditures for the current year and the two years following;
- (b) an educational plan for the private training school that sets out in detail the proposed occupational training programs; and
- (c) the organizational structure and staffing of the private training school.
- 5.** (1) For the purposes of clause 5(2)(d) of the Act, an operator is Insurance coverage
required to obtain and maintain liability coverage for the private training school in the amount of at least \$2,000,000.
- (2) An operator shall ensure that the operator’s insurance covers a Training off
premises
student who is training off the premises of the private training school while taking part in an on-the-job training component of an occupational training program.
- 6.** The fees payable for an application for a license for a private training Fees payable
school, an approval of an occupational training program and an instructor’s authorization are those set out in the Schedule to these regulations.
- 7.** (1) An operator may charge a student who has been accepted into an Registration fee
approved occupational training program a registration fee, not to exceed \$100, which shall be credited to the tuition fee for the student’s occupational training program.
- (2) If a student fails to attend an approved occupational training Failure to attend
program after paying the registration fee referred to in subsection (1), the operator may retain the full amount of the registration fee.
- (3) The registration fee referred to in subsection (1) shall be refunded Refund
in full if the approved occupational training program is not offered at the time advertised or agreed to between the student and the operator.

- 8.** (1) An operator who offers an approved occupational training program with a duration in excess of six months shall divide the total amount of tuition to be charged for the program into payments by semester in proportion to the number of semesters required for the completion of the program. Payments by semester
- (2) An operator shall not collect a fee from a student in excess of \$500 for tuition, materials or supplies, or any combination of them, more than three months in advance of the commencement of the approved occupational training program, except with the prior written approval of the Administrator. Advance payment
- 9.** (1) Where a student enrolled in an approved occupational training program withdraws by notice in writing or is expelled from the program for just cause prior to completing two-thirds of it, the operator may retain a portion of the fees paid in proportion to the number of classes held up to the date of withdrawal, plus 10 per cent of the total of tuition and other fees. Retention of fees
- (2) Where a student withdraws from an approved occupational training program after completing two-thirds of it, or fails to give notice until after two-thirds of the approved occupational training program has been completed, the operator shall have no obligation to refund any part of the total cost of the approved occupational training program. Withdrawal
- (3) Tuition and other fees owing for a student who has withdrawn from an approved occupational training program but has not paid shall be a debt due to the operator. Recovery of unpaid fees
- (4) Where a student discontinues, withdraws from or is expelled from an approved occupational training program, the operator shall terminate the student contract by registered mail to the student within
- (a) 30 days from the date the student ceased to receive instruction; or
 - (b) if the student has not attended any classes, 30 days from the effective date of the student contract.
- Notice of termination of student contract
- (5) The operator shall calculate the amount owed by the student in accordance with subsection (1) and refund any amount owed to the student within 15 working days of the termination of the student contract. Settlement
- (6) Notwithstanding any provision contained in a student contract in respect of an approved occupational training program, the operator shall not retain any monies paid by or on behalf of a student for or on account of the approved occupational training program where
- (a) the operator is not licensed to operate the private training school under the Act; or
 - (b) the operator or an instructor or other employee of the private training school has made to the student any misleading representation in advertising of the type referred to in subsection 51(4) of the Act.
- Return of fees paid
- 10.** An operator shall refund in full any registration fee paid by a student and all tuition and other fees paid by the student where Refund
- (a) the operator expels the student without cause; or
 - (b) the operator terminates an approved occupational training program prior to its completion and is unable to provide for completion of training that is satisfactory to the student and to the Administrator.
- 11.** In addition to the requirements of clause 5(5)(g) of the Act, every student contract shall set out, either in the body of the student contract or as a separate document that is annexed to and forms part of the student contract, the following: Terms of student contract
- (a) the name and address of the private training school;
 - (b) the name of the operator or official responsible for student affairs;
 - (c) the commencement date and duration of the approved occupational training program;
 - (d) a statement that an operator, an instructor or any employee of the private training school is prohibited from guaranteeing a position of employment to any student or prospective student;

- (e) a copy of the applicant's policy manual that includes the policies referred to in clause 5(2)(i) and subsection 5(3) of the Act, if the operator has established policies pursuant to those provisions;
- (f) the name of the approved occupational training program and a detailed outline of its content, examinations to be taken and methods of instruction;
- (g) method of payment options;
- (h) procedures for collecting and any interest applicable to delinquent accounts;
- (i) the date the student contract is entered into;
- (j) the name and mailing address of the student;
- (k) the signature of the student; and
- (l) the signature of the official who has the authority to enter into and cancel student contracts for the private training school.

12. (1) An operator shall ensure that an agreement that meets the requirements of the Act and this section is signed by the operator, the student and the employer before a student commences an on-the-job training component of an approved occupational training program. Requirement for on-the-job training agreement

(2) For the purposes of this section and clause 5(5)(h) of the Act, an on-the-job training agreement shall specify Terms

- (a) the names and contact information of the parties to the agreement;
- (b) a complete and accurate description of the job to be performed by the student during the work term;
- (c) the dates of commencement and completion and the duration of the work term;
- (d) the hours required to be worked by the student in order to comply with the training requirements of the work term;
- (e) the training or instruction to be provided by the employer during the work term;
- (f) the responsibilities and expectations of each party to the agreement during the work term, including but not limited to
 - (i) limitation of liability,
 - (ii) confidentiality,
 - (iii) limitation of remuneration, and
 - (iv) that there is no expectation of employment following the work term.

13. (1) Subject to subsection (2), the fee for an instructor's authorization is set out in the Schedule to these regulations. Fee

(2) The fee set out in the Schedule to these regulations for an instructor's authorization shall be waived by the Administrator if the instructor holds a valid teacher's license issued under the *Education Act* R.S.P.E.I. 1988, Cap. E-.02. Waiver of fee

(3) For the purposes of an application for an instructor's authorization under subsection 17(2) of the Act, the applicant shall provide proof that the applicant Qualifications

- (a) holds a degree from an accredited baccalaureate university program that is relevant to the occupational training program, and has at least 12 months' actual work experience in the occupation;
- (b) is a graduate of a community college, a college of applied arts and technology, or an equivalent college, in an area of study directly related to the occupational training program, and has at least 24 months' actual work experience in the occupation;
- (c) is a graduate of a private training school registered under the Act, or a predecessor of the Act, in an area of study directly related to the occupational training program, and has at least 24 months' actual work experience in the occupation; or
- (d) has a high school diploma, or equivalent standing, and at least 48 months' work experience in the occupation.

(4) In an occupation where certification of workers is provided by the Government, or by an organization approved by the Government, an applicant for an instructor's authorization in that occupation shall possess that certification or obtain it within three months of employment. Certified occupations

(5) The Administrator shall cancel the instructor's authorization of an instructor who fails to obtain the certification referred to in subsection (4) within the time period allowed under that subsection. Cancellation

14. (1) Every applicant for a license, and every operator, shall provide and maintain, while the license is in effect and for two years after the last class of students graduates from an occupational training program that is discontinued, security as prescribed in this section. Security

(2) The security to be provided for the purposes of subsection (1) shall be Form of security

- (a) a bond in favour of the Government from a guarantee company approved to conduct business in Prince Edward Island, executed and sealed in a manner sufficient to bind the owner or operator of the school and the surety company to the benefit of students entering into student contracts with the operator of the private training school;
- (b) a bond of a guarantor, other than a guarantee company, accompanied by collateral security; or
- (c) a personal bond accompanied by collateral security.

(3) The amount of the bond referred to in subsection (2) shall be calculated and maintained without interruption Bond amount

- (a) while the private training school is in operation, sixty per cent of the tuition collected in the highest quarter annually, rounded to the nearest \$100; and
- (b) during the first two years after the private training school ceases to be licensed, sixty per cent of the tuition collected in the highest quarter of the final year during which the occupational training program was offered, rounded to the nearest \$100.

(4) An applicant for a license to operate a new private training school shall provide a bond that meets the requirements of subsection (2) calculated using projected tuition levels and expected enrolment for the first year of operation of the private training school. Calculation

(5) The classes of negotiable security that may be accepted as collateral security for a bond are Collateral security

- (a) an irrevocable standby letter of credit in favour of the Government drawn on a bank, credit union or trust company authorized to carry on business on Prince Edward Island, which contains no conditions on its realization other than the requirement of certification of default;
- (b) bonds issued or guaranteed by Canada, or by a province of Canada, in favour of the Government.

(6) The collateral security referred to in subsection (5) shall be deposited with the Provincial Treasurer and maintained at market value of not less than the face value of the bond. Deposit

(7) A bond under subsection (2) may be cancelled by the surety by giving at least two months notice in writing of intention to cancel to the Administrator and to the person bound, and the bond shall be deemed to be cancelled on the date stated in the notice, which shall be not less than two months after the receipt of the notice by the Administrator. Notice of cancellation

(8) Where a bond has been cancelled or a license has been cancelled, and the bond has not been forfeited, the Minister may, two years following the expiry of the license to which the bond relates or two years after the cancellation of the bond, as the case may be, deliver the bond and any collateral security to the person bound by it and to the person who deposited the security, as the case may be. Delivery of security to depositor

15. (1) An applicant or operator who proposes to offer an approved occupational training program for which students will not be required to pay tuition in full in advance may apply in writing to the Administrator for an exemption from, or an adjustment to, the bond requirements in respect of the occupational training program. Exemption

(2) An applicant or operator who applies for an exemption under subsection (1) shall provide to the Administrator a tuition plan and financial records in support of the application. Required information

- 16.** Where an operator who is required to maintain a bond in accordance with section 14 fails to renew the bond, the Administrator may
- Failure to renew bond
- (a) suspend the operator's license and issue an order to the operator that specifies the time within which the operator is required to post a new bond that meets the requirements of section 14; or
 - (b) revoke the operator's license.
- 17.** (1) The Minister may declare any security referred to in section 14 forfeited, upon which the amount becomes due and owing by the person bound as a debt due to the Government, where the operator of the private training school, for any reason, fails to carry out the terms of a student contract or for any reason fails to make repayments of fees to students in accordance with the Act or these regulations.
- Forfeit of security
- (2) Where a bond secured by the deposit of collateral security is forfeited under subsection (1), the Minister may sell the collateral security at the current market price.
- Sale of collateral security
- (3) The security shall be held by the Minister for the two-year discovery period unless, through public advertising or receipt of affidavits from all students concerned, the Minister is satisfied all claims against the security have been satisfied.
- Security to be held for two years
- (4) The Minister may, on any terms and conditions determined by the Minister,
- Powers of Minister
- (a) assign any bond or portion of it forfeited under subsection (1), and transfer the collateral security, if any;
 - (b) pay over any money recovered under the bond; or
 - (c) pay over any money realized from the sale of the collateral security under subsection (2),
- to any student or former student of a private training school who is owed money by the operator by way of refund of fees.
- (5) Where the proceeds of the bond are insufficient to satisfy the total amounts of all the claims filed with the Minister, the Minister may distribute the proceeds of the bond proportionally among the claimants.
- Distribution
- (6) In any question as to whom and in what amounts the proceeds of the bond should be paid pursuant to subsection (5), the Minister's decision shall be final.
- Discretion
- (7) Where the proceeds of the bond exceed the total amount of the claims filed with the Minister, the Minister may pay the remaining balance of the proceeds of the bond to the person who paid over the proceeds of the bond or who assigned the collateral security realized.
- Disposition of balance
- 18.** (1) For the purposes of subsection 15(4) of the Act, an operator is required to report to the Administrator annually, during the month that corresponds to the month in which the operator's license was granted, the following information respecting the operation of the private training school:
- Reporting requirements
- (a) the approved occupational training programs being offered;
 - (b) the number of students in each approved occupational training program, including the number of international students;
 - (c) the number of diplomas or certificates awarded since the last report;
 - (d) the number of student withdrawals or failures;
 - (e) the amount of tuition and fees incurred and paid by each student;
 - (f) information respecting each student, including the student's
 - (i) full name,
 - (ii) address and telephone number,
 - (iii) date of birth, and
 - (iv) qualifications for enrolment;
 - (g) other information the Administrator requires to supplement the information specified in clauses (a) to (f).
- (2) For the purposes of subsection 15(4) of the Act, an operator is required to report to the Administrator quarterly the following information respecting the operation of the private training school:
- Revocation
- (a) the approved occupational training programs being offered;
 - (b) the number of students in each approved occupational training program;

(c) the amount of tuition and fees incurred and paid by each student.

19. For the purposes of section 37 of the Act, the percentage of tuition fees required to be paid into the Fund by an operator is one per cent. Payment into Fund

Investments

Revocation

20. The Minister may invest money of the Fund in one or more investments of a type listed in subsection 27(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9.

21. The *Private Training Schools Act* Regulations (EC478/95) are revoked.

22. These regulations come into force on February 22, 2020.

Commencement

SCHEDULE

Fees

1. Licenses

License\$500

2. Occupational training programs

(a) Approval of occupational training program\$350

(b) Review of occupational training program
..... \$100 per program,
..... to a maximum per operator of \$300

3. Instructor's authorizations

Instructor's authorization\$35

EXPLANATORY NOTES

SECTION 1 establishes definitions for the purposes of the regulations.

SECTION 2 provides that any occupation listed in the Index of Occupational Titles in the National Occupational Classification is designated as appropriate for an occupational training program.

SECTION 3 specifies additional information to be provided by an applicant for a license under subsection 5(2) of the Act.

SECTION 4 specifies additional information to be provided by an applicant for the purposes of clause 5(2)(b) of the Act.

SECTION 5 specifies that the insurance coverage required for the purposes of clause 5(2)(d) of the Act is \$2,000,000 liability coverage.

SECTION 6 provides that the fees payable under the Act are those set out in the Schedule to the regulations.

SECTION 7 provides that an operator may charge a student who has been accepted into an approved occupational training program a registration fee, not to exceed \$100, and specifies that the fee shall be credited to the tuition fee for the occupational training program. A student who fails to attend forfeits the fee. The fee must be refunded in full if the approved occupational training program is not offered at the time advertised or agreed to between the student and the operator.

SECTION 8 requires an operator whose approved occupational training program lasts longer than six months to divide the total tuition to be charged for the program into payments by semester in proportion to the number of semesters required for completion. The section also prohibits an operator from collecting fees in excess of \$500 more than three months prior to the commencement of the approved occupational training program, except with the prior written approval of the Administrator.

SECTION 9 establishes rules respecting refunds of fees paid by a student when the student withdraws or is expelled from an approved occupational training program.

SECTION 10 requires an operator to refund in full any registration fee and all tuition and other fees paid by a student if the operator expels the student without cause or terminates the approved occupational training program prior to completion and is unable to provide satisfactorily for the completion of the student's training.

SECTION 11 specifies the required contents of a student contract, in addition to the requirements set out in clause 5(5)(g) of the Act.

SECTION 12 requires an operator to ensure that an on-the-job training agreement that meets the requirements of the Act is signed by the operator, the student and the employer prior to the commencement of the on-the-job training, and specifies the minimum requirements of the agreement.

SECTION 13 specifies additional educational requirements for the purposes of an application for an instructor's authorization under subsection 17(2) of the Act and provides that, in an occupation where workers are certified, the applicant is required to hold that certification or obtain it within three months of employment.

SECTION 14 specifies the requirements applicable to the security that an applicant for a license and an operator must provide and maintain while the license is in effect and for two years after the last class of students graduates from a discontinued occupational training program.

SECTION 15 authorizes an applicant or operator who intends to offer an approved occupational training program for which tuition is not payable in advance to apply to the Administrator in writing for an exemption from or adjustment to the bond requirements of section 14.

SECTION 16 provides that, when an operator fails to maintain a bond as required under section 14, the Administrator may suspend the operator's license and issue an order to the operator that specifies the time within which the operator must post a new bond that complies with section 14, or revoke the operator's license.

SECTION 17 authorizes the Minister to declare a security forfeit in the specified circumstances, and provides for the realization and disposition of the proceeds.

SECTION 18 specifies the reporting requirements and the required contents of the reports to be provided to the Administrator by an operator for the purposes of subsection 15(4) of the Act.

SECTION 19 specifies that the percentage of tuition fees required to be paid into the Fund by an operator is one per cent.

SECTION 20 authorizes the Minister to invest the money of the Fund in an investment authorized in subsection 27(1) of the *Financial Administration Act*.

SECTION 21 revokes the *Private Training Schools Act Regulations* (EC478/95).

SECTION 22 provides for the commencement of the regulations.

EC2020-108

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

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

1. Section 9.3 of the Notifiable Diseases and Conditions and Communicable Diseases Regulations (EC560/13) is revoked.

2. These regulations come into force on February 22, 2020.

EXPLANATORY NOTE

SECTION 1 revokes section 9.3 of the regulations. The section required a medical practitioner to treat the eyes of a newborn baby with a specified prophylactic solution as a preventive measure against certain infectious diseases, but this is no longer considered best practice and is being discontinued.

SECTION 2 provides for the commencement of the regulations.

EC2020-109

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. Part 30 of Schedule 2 to the Summary Proceedings Act Ticket Regulations (EC58/08) is amended by the addition of the following after item 137:

137.1 Driving side by side with another vehicle in same direction in same lane	159(f.1)	200
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2. These regulations come into force on February 22, 2020.

EXPLANATORY NOTES

SECTION 1 amends the Summary Offence Ticket Schedule for the *Highway Traffic Act* to add a new offence for driving side by side with another vehicle travelling in the same direction in the same lane of a laned roadway.

SECTION 2 provides for the commencement of these regulations.

EC2020-110

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

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

1. (1) Part 30 of Schedule 2 to the Summary Proceedings Act Ticket Regulations (EC58/08) is amended by addition of the following after item 272:

272.1 Leaving vehicle unattended in electric vehicle charging station	209.1(2)	100
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(2) Part 39 of Schedule 2 to the regulations is amended**(a) by the revocation of item 3 and the substitution of the following:**

3	Operating off-highway vehicle on Confederation Trail without permit or without permit affixed to the vehicle as required	1.2(2)	500 (1st offence) 1,000 (2nd or subsequent offence)
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(b) by the revocation of item 19 and the substitution of the following:

19	Operating off-highway vehicle on any portion of highway...	12(1)	250 (1st offence) 500 (2nd or subsequent offence)
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(c) by the revocation of item 28 and the substitution of the following:

28	Operator or person in charge of off-highway vehicle failing to report to peace officer an accident resulting in death, injury or damage over \$200	15(1)	250
28.1	Occupant failing to report to peace officer an accident resulting in death, injury or damage over \$200	15(2)	250
28.2	Owner failing to report to peace officer an accident resulting in death, injury or damage over \$200 after learning of the accident	15(3)	250

(d) by the addition of the following after item 29:

29.1	Person who has custody of impounded off-highway vehicle failing to notify Registrar of sale of impounded off-highway vehicle under <i>Garage Keepers' Lien Act</i>	16.2(9)	250
29.2	Removing or releasing or permitting the removal or release of impounded off-highway vehicle in contravention of the Act	16.2(15)	500
29.3	Operating off-highway vehicle without due care and attention or consideration for persons or property	17	500

2. These regulations come into force on February 22, 2020.**EXPLANATORY NOTES**

SECTION 1 amends Schedule 2 to the *Summary Proceedings Act* Ticket Regulations.

- Subsection (1) amends Part 30 of Schedule 2 to add a description of one new offence under the *Highway Traffic Act* that is authorized to be enforced by means of a ticket.
- Subsection (2) revokes items 3, 19, 28 and 29 of Part 39 of Schedule 2 and substitutes new items 3, 19, 28 and 29 to add descriptions of offences under the *Off-Highway Vehicle Act* that are authorized to be enforced by means of a ticket.

SECTION 2 provides for the commencement of the regulations.